Permittee: U.S. Ecology Idaho Inc.

Facility Identification/Permit Number: IDD073114654

INTRODUCTION AND SIGNATURE PAGE

Pursuant to the Idaho Hazardous Waste Management Act of 1983 (HWMA), as amended, Idaho Code 39-4401 et seq., and the *Rules and Standards for Hazardous Waste*, as amended, IDAPA 58.01.05.000 et seq., a Hazardous Waste Treatment, Storage, and Disposal Permit is hereby issued to U.S. Ecology Idaho Inc. (USEI or Permittee) for operation of USEI's Site B facility, located in Owyhee county near Grand View, Idaho, on Lemley Road, at latitude 43° 03° 056° North and longitude 116° 15° 044° West.

The Permittee shall comply with all terms and conditions of this Permit, including Attachments 1 through 26. The Permittee must comply with all applicable state and federal regulations, including IDAPA 58.01.05.004 through 58.01.05.008 and 58.01.05.010 through 58.01.05.013 [40 Code of Federal Regulations (CFR), Parts 260 through 266, 268, 270, and 124] and as specified in this Permit. Any reference in this Permit to the Resource Conservation and Recovery Act (RCRA) or the Hazardous and Solid Waste Amendments of 1984 (HSWA), or federal regulations promulgated thereunder in 40 CFR, shall be deemed to include the equivalent HWMA statute or state regulation promulgated thereunder.

Applicable state and federal regulations are those that are in effect on the date of final administrative action on this Permit and any self implementing statutory provisions and related regulations that, according to the requirements of HWMA and/or HSWA, as amended, are automatically applicable to the Permittee's hazardous waste management activities, notwithstanding the conditions of this Permit.

This Permit is based upon the Administrative Record, as required by IDAPA 58.01.05.013 [40 CFR § 124.9]. The Permittee's failure, in the application or during the permit issuance process, to disclose fully all relevant facts, or the Permittee's misrepresentation of any relevant facts, at any time, shall be grounds for the termination or modification of this Permit and/or initiation of an enforcement action. To the extent there are inconsistencies between the Permit and the attachments, the language of the Permit shall prevail. The Permittee must inform the Director of the Idaho Department of Environmental Quality (Director) of any deviation from the permit conditions, or changes in the information on which the application is based that would affect the Permittee's ability to comply, or actual compliance with the applicable regulations or permit conditions, or which alters any permit condition in any way.

The Director shall enforce all conditions of this Permit. Any challenges of any permit condition shall be appealed to the Idaho Board of Environmental Quality, in accordance with IDAPA 58.01.05.013 [40 CFR § 124.19], and in accordance with the Idaho Department of Environmental Quality "Rules Governing Declaratory Rulings and Contested Case Proceedings," IDAPA 58.01.23.043.

The United States Environmental Protection Agency (EPA) shall maintain an oversight role of the state-authorized program, and in such capacity, shall enforce any permit condition based on state requirements if, in the Agency's judgement, the Director should fail to enforce that permit condition. Any challenges to the Agency-enforced conditions shall be appealed to the Agency, in accordance with 40 CFR § 124.19.

This Permit is effective as of July 28, 2016 and shall remain in effect until July 28, 2026, unless, in accordance with IDAPA 58.01.05.012, the Permit is: revoked and reissued [40 CFR § 270.41], terminated [40 CFR § 270.43], modified [40 CFR § 270.42 Appendix I.A.6], or continued [40 CFR § 270.51].

July 28 , 2016
Date

_____
John H. Tippets, Director
Department of Environmental Quality

This space intentionally left blank.

TABLE OF CONTENTS

INTRODUCTION AND SIGNATURE PAGE 1
TABLE OF CONTENTS 3
LIST OF TABLES 6
LIST OF FIGURES 7
LIST OF ATTACHMENTS 8
DEFINITIONS 13
ACRONYMS AND ABBREVIATIONS 15
MODULE I - STANDARD PERMIT CONDITIONS 19
I.A. EFFECT OF PERMIT 19
I.B. PERSONAL AND PROPERTY RIGHTS 19
I.C. ENFORCEABILITY 19
I.D. OTHER AUTHORITY 19
I.E. PERMIT ACTIONS 19
I.F. SEVERABILITY 20
I.G. DUTY TO COMPLY 20
I.H. DUTY TO REAPPLY 21
I.I. PERMIT EXPIRATION 21
I.J. CONTINUATION OF EXPIRING PERMIT 21
I.K. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE 21
I.L. DUTY TO MITIGATE 21
I.M PROPER OPERATION AND MAINTENANCE 21
I.N. DUTY TO PROVIDE INFORMATION 22
I.O. INSPECTION AND ENTRY 22
I.P. MONITORING AND RECORDS 22
I.Q. REPORTING PLANNED CHANGES 23
I.R. CERTIFICATION OF CONSTRUCTION OR MODIFICATION 24
I.S. REPORTING ANTICIPATED NONCOMPLIANCE 24
I.T. TRANSFER OF PERMIT 24
I.U. TWENTY-FOUR HOUR REPORTING 24
I.V. OTHER NONCOMPLIANCE 25
I.W. OTHER INFORMATION 26
I.X. SIGNATURE AND CERTIFICATION 26
I.Y. CONFIDENTIAL INFORMATION 26
I.Z. REPORTS, NOTIFICATIONS, AND SUBMISSIONS TO THE DIRECTOR 26
I.AA. DOCUMENTS TO BE MAINTAINED AT THE FACILITY 26
MODULE II - GENERAL FACILITY CONDITIONS 28
II.A. DESIGN AND OPERATION OF FACILITY 28
II.B. REQUIRED NOTICES FOR RECEIPT OF OFF-SITE HAZARDOUS WASTE 29
II.C. GENERAL WASTE ANALYSIS 29
II.D. SECURITY PROCEDURES 30
II.E. INSPECTION PLAN 30
II.F. TRAINING PLAN 31
II.G. PREPAREDNESS AND PREVENTION 31
II.H. CONTINGENCY PLAN 32
II.I. MANIFEST SYSTEM 33
II.J. RECORD KEEPING AND REPORTING 33
II.K. CLOSURE 34
II.L. COST ESTIMATE FOR FACILITY CLOSURE 35
II.M. POST-CLOSURE CARE 36

II.N. COST ESTIMATE FOR POST-CLOSURE CARE 36
II.O. FINANCIAL ASSURANCE FOR FACILITY CLOSURE 37
II.P. FINANCIAL ASSURANCE FOR FACILITY POST-CLOSURE 37
II.Q. LIABILITY REQUIREMENTS 37
II.R. INCAPACITY OF OWNERS OR OPERATORS GUARANTORS, OR FINANCIAL INSTITUTIONS 37
II.S. EQUIVALENT MATERIALS/INFORMATION 37
II.T. AIR EMISSION STANDARDS 38
II.U. QUARTERLY REPORTS 39
MODULE III - CONTAINER STORAGE AND TREATMENT 40
III.A. DESIGN AND OPERATION 40
III.B. INCOMPATIBLE WASTE 41
III.C. SPECIAL REQUIREMENTS 41
III.D. CLOSURE AND POST-CLOSURE 42
MODULE IV - TANK STORAGE AND TREATMENT 43
IV.A. GENERAL OPERATING REQUIREMENTS 43
IV.B. BULK LIQUID STORAGE TANKS 44
IV.C. STABILIZATION MIXING BIN TANKS 44
IV.D. CLOSURE AND POST-CLOSURE 45
MODULE V - SURFACE IMPOUNDMENT STORAGE, TREATMENT, AND DISPOSAL 46
V.A. DESIGN AND OPERATION 46
V.B. CLOSURE AND POST-CLOSURE 48
MODULE VI - LANDFILL DISPOSAL 49
VI.A. LANDFILL DESIGN AND OPERATION 49
VI.B. CLOSURE AND POST-CLOSURE 51
MODULE VII - SURFACE WATER MANAGEMENT PLAN 54
VII.A. DESIGN, OPERATION, AND MAINTENANCE OF SURFACE WATER MANAGEMENT SYSTEM 54
VII.B. COMPLIANCE SCHEDULE 54
MODULE VIII - PAST PRACTICE UNITS 55
VIII.A. POST-COVER CARE 55
VIII.B. POST-COVER MAINTENANCE COST ESTIMATE 56
VIII.C. POST-COVER FINANCIAL ASSURANCE 56
MODULE IX – GROUND WATER MONITORING 57
IX.A. GROUND WATER MONITORING PROGRAM 57
IX.B. GROUND WATER MONITORING WELLS 58
IX.C. MONITORING WELL MAINTENANCE 59
IX.D. MONITORING WELL CONSTRUCTION 60
IX.E. GROUND WATER SAMPLING AND ANALYSIS 60
IX.F. DETECTION MONITORING PROGRAM 62
IX.G. COMPLIANCE MONITORING PROGRAM 64
IX.H. POST-CLOSURE AND POST-COVER CARE MONITORING 67
IX.I. UNSATURATED ZONE MONITORING 67
IX.J. COMPLIANCE SCHEDULE — RISING WATER TABLE STUDY 67
MODULE X - CONTAINMENT BUILDING AND DEBRIS TREATMENT 75
X.A. CONTAINMENT BUILDING 75
X.B. HAZARDOUS DEBRIS TREATMENT 76
X.C. CYANIDE DESTRUCTION 77
X.D. CLOSURE AND POST-CLOSURE 78
MODULE XI - STABILIZATION OPERATIONS 79
XI.A. GENERAL OPERATING REQUIREMENTS 79

XI.B. STABILIZATION FACILITY 79
XI.C. CONTAINMENT BUILDING (STABILIZATION OPERATIONS) 79
XI.D. CLOSURE AND POST-CLOSURE 80
MODULE XII - MISCELLANEOUS UNITS UNDER SUBPART X 81
XII.A. APPLICABILITY OF RULES 81
XII.B. DESCRIPTION OF MISCELLANEOUS UNIT 81
XII.C. APPROVED WASTE 81
XII.D. PROCESS DESIGN CAPACITY 82
XII.E. GENERAL MISCELLANEOUS UNIT MANAGEMENT PRACTICES 82
XII.F. INSPECTIONS 82
XII.G. CLOSURE AND POST-CLOSURE 82
MODULE XIII – CORRECTIVE ACTION 83
XIII.A. SOLID WASTE MANAGEMENT UNITS 83
XIII.B. STANDARD CONDITIONS 83
XIII.C. NOTIFICATION REQUIREMENTS & ASSESSMENT OF NEWLY-IDENTIFIED SWMUs 84
XIII.D. RCRA FACILITY INVESTIGATION (RFI) 85
XIII.E. INTERIM MEASURES 85
XIII.G. REPORTING REQUIREMENTS 87
XIII.H. MODIFICATION OF THE CORRECTIVE ACTION SCHEDULE OF COMPLIANCE 88
FIGURES 91

This space intentionally left blank.

LIST OF TABLES

TABLE VI-1. ACTION LEAKAGE RATES (ALR) 53

TABLE IX-1. GROUND WATER MONITORING CRITERIA FOR THE GROUND WATER MONITORING PROGRAMS 58

TABLE IX-2. CONSTITUENTS FOR DETECTION MONITORING PROGRAM 68

TABLE IX-3. GROUND WATER MONITORING NETWORK 69

TABLE IX-4. MONITORING WELL SUMMARY 70

TABLE IX-5. EXISTING PIEZOMETERS.....73

TABLE IX-6. ALTERNATE CONCENTRATION LIMITS AND GROUND WATER PROTECTION STANDARDS, LEVEL 1 AND LEVEL 2 COMPLIANCE MONITORING WELLS.....74

TABLE XIII-1. RCRA FACILITY INVESTIGATION (RFI) COMPLIANCE SCHEDULE FOR NEWLY IDENTIFIED SOLID WASTE MANAGEMENT UNITS (SWMUs) 89

TABLE XIII-2. CORRECTIVE MEASURES STUDY AND IMPLEMENTATION COMPLIANCE SCHEDULE SOLID WASTE MANAGEMENT UNITS (SWMUs).....90

This space intentionally left blank.

LIST OF FIGURES

Figure 1. Ground Water Monitoring Well Network for Upper Aquifer. 92

Figure 2. Ground Water Monitoring Well Network for Lower Aquifer 93

This space intentionally left blank.

LIST OF ATTACHMENTS

The following documents are excerpts from the Permittee's RCRA Permit Application dated May 1, 2014 or revised documents dated August 28, 2015, with the sections and pages specified. The Permit Application and applicable attachments from the previous RCRA Permit are part of the official Administrative Record for the facility. The documents listed below are hereby incorporated, in their entirety, by reference into this Permit. The Department has modified specific language in the attachments, as deemed necessary. These modifications are described in the permit conditions (Modules I through XIII) and, thereby, supersede the language of the original attachment. All references in these attachments to the Agency or to designated representatives of the Agency shall also refer to the Department or to designated representatives of the Department. All references in any of the attachments of this Permit to "Envirosafe Services of Idaho Inc. (ESII)" are superseded by reference to "U.S. Ecology Idaho (USEI)." These incorporated attachments are enforceable conditions of this Permit, as modified by the specific permit conditions.

Attachment 1	Facility Legal Description and Map of Facility Location, consisting of: Section B, Pages 1 through 7, Table B-1, Figure B-1, Location of USEI Site B Facility, of Permit Application as last revised August 28. 2015, Appendix B.1, Corporate Warranty Deed of Correction, Pages B.1-1 through B.1-7, of Permit Application, dated May 1, 2014, Drawing PRMI-T03, Typical Facility Site Plan, Rev. B, and Drawing PRMI-T01, General Facility Topographic Plan Sheet 1, Revision B, of Permit Application, as last revised April 25, 2017.
Attachment 2	Waste Analysis Plan, consisting of: Section C, Pages 1 through 60, including Figures C-1 through C-11, of Permit Application, as last revised August 28, 2015, Appendix C.1, and Appendix C.2, of Permit Application, dated May 1, 2014.
Attachment 3	Security Procedures, consisting of: Subsections F.0 and. F.1, Pages 1 through 3, of Permit Application, dated May 1, 2014, and Drawing PRMI-T10, Revision C of Permit Application, as last revised ~~January 24, 2019~~ May 31, 2019.
Attachment 4	Inspection Plan, consisting of: Subsections F.2 and F.3, Pages 1 through 12, including Table F-1 and Figures F-1 through F-24, of Permit Application, as last revised ~~January 24, 2019~~May 31, 2019.
Attachment 5	Training Plan, consisting of: Section H, Pages 1 through 10, including Tables H-1 through H-4 of Permit Application, as last revised August 28, 2015.
Attachment 6	Hazards Prevention Plan, consisting of: Subsections F.4 and F.5, Pages 1 through 9, of Permit Application, as last revised ~~January 24~~May 31, 2019.

Attachment 7	Contingency Plan, consisting of: Section G, Pages 1 through 25, including Tables G-1 through G-8 and Figures G-1 through G-7, of Permit Application, as last revised ~~January 24~~May 31, 2019.
Attachment 8	Response Action Plan, consisting of: Section M, Pages 1 through 26 including Tables M-1 through M-9, as last revised November 18, 2017.
Attachment 9	Closure and Post-Closure Plans, consisting of: Section I, Pages 1 through 48, including Tables I-1 through I-8 and Figures I-3 through I-6, as last revised November 18, 2017; and Drawing PRMI-T13, Facility Typical Topographic Plan Final at Closure, Revision F, of Permit Application, as last revised August 28, 2015.
Attachment 9a	Final Cover Design for Cells 14 and 15, consisting of: Appendix I.15, of Permit Application dated May 1, 2014, including: Appendix A – Drawings Appendix B – CQA Plan Appendix C -- Specifications Appendix D -- Calculations
Attachment 9b	Final Cover Design for Cell 16, consisting of: Appendix I.16, of Permit Application dated May 1, 2014, including: Appendix A – Drawings Appendix B – CQA Plan Appendix C – Calculations
Attachment 10	Surface Water Management Plan, consisting of: Section N, Pages 1 through 15, including Tables N-1 through N-8, as last revised November 28, 2017. Drawing PRMI-D01 Surface Drainage Plan – Existing Conditions, Revised July 22, 2016, Drawing PRMI-D02 Surface Drainage Plan – Interim Conditions, Revised July 22, 2016, and Drawing PRMI-D03 Surface Drainage Plan – Final at Closure, last revised May 13, 2016.
Attachment 11	Ground Water Monitoring Plan, consisting of: Section E, Pages 1 through 95, including Tables E-1 through E-24, Figures E-3 through E-36, Plate E-10 of Permit Application, as last revised April 02, 2018, Appendix E.6, 2010 Re-evaluation of Rising Ground Water, and Appendix E.14, Alternative Concentration Limit Demonstration Report, of Permit Application, dated May 1, 2014.
Attachment 12	RCRA Part A Permit Application, consisting of: Section A, Pages 1 through 5, Figures A-1 through A-4, of Permit Application, as last revised November 18, 2017, Appendix A-1, RCRA Part A Permit Application, as last revised September 27, 2017 and

	Appendix A-2, Part A Continuation Form, of Permit Application, of the Permit Application as last revised May 1, 2014.
Attachment 13	Container Management Units - Design and Operations, consisting of: Sections D.0 and D.1, Table of Contents and Pages -1 through -13, including Tables D-1 and D-1A and Figure D-1, of Permit Application, as last revised July 23, 2018, Drawing PRMI-R11 Typical General Arrangement Container Storage Areas, Revision B, Drawing PRMI-C16 Container Storage Pad No. 7 Grading Plan, Revision B, of Permit Application dated May 1, 2014, Drawing PRMI-C17 Container Storage Pad No. 7 Sections and Details, Revision B, of Permit Application dated May 1, 2014, Drawing PRMI-R21 General Arrangement RCRA/PCB Storage Bldg-Plans, Revision D, dated October 6, 2016, and Drawing PRMI-R22 General Arrangement RCRA/PCB Storage Bldg-Sections, Revision C, of Permit Application dated May 1, 2014. See Attachment 20 for additional Container Management Unit drawings.
Attachment 14	Bulk Material Tank Systems - Design and Operations, consisting of: Subsection D.2, Pages 1 through 11, including Table D-2, and Figures D-3 through D-7, and Appendix D.2.5, RCRA Tank Systems, of Permit Application, as last revised August 28, 2015,. See Attachment 20 for additional Tank System drawings.
Attachment 14a	Debris Building Process Treatment System – Design and Operations, consisting of: Appendix D9.5, Containment Building (Debris Portion) Process Flow Description, and Tables D-2a, D-2b, and D-2c of Permit Application, dated May 1, 2014. See Attachment 20 for additional Process Treatment Bins drawings.
Attachment 15	Outdoor Stabilization Facility - Design and Operation, consisting of: Figures D-2 and D-2a of Permit Application, as last revised August 28, 2015, and Drawing PRMI-R31, Revision B, of Permit Application dated May 1, 2014.
Attachment 16	Reserved for future use.
Attachment 17	Surface Impoundment Units - Design and Operation, consisting of: Subsection D.4, Pages 1 through 18, including Figures D-8 and D-9, of Permit Application, as last revised November 18, 2017, and Appendix D.4.11, Evaporation Pond Reconstruction Engineering Report, dated June 10, 2016. See Attachment 20 for additional Surface Impoundment drawings.
Attachment 18	Landfill Engineering Report Cell 16 Subcells 16-1 & 16-2, consisting of: Appendix D.5.1 -- Cell 16 Engineering Report, Appendix D.5.2 – Report Figures 1-3, Appendix D.5.3 – Section 19 Siting License, Appendix D.5.4 – Cell 16 Subcells 16-1 and 16-2 Drawing Set,

	Appendix D.5.5 – Specifications, Appendix D.5.6 – CQA Plan, Appendix D.5.7 – Stability Analysis, Appendix D.5.8 – Ketterling Clay Investigations, and Appendix D.5.9 – Geotechnical Engineering Report, of Permit Application, dated May 1, 2014. Appendix D.5.10 – Landfill Engineering Report Addendum Cell 16, of Permit Application, last revised July 6, 2017.
Attachment 19	Landfill Units - Design and Operation, consisting of: Subsections D-6 and D-11, Pages 1 through 27, including Table D-3, Appendices D.8.1, D.8.2, and Figures D-8 through D-11, as last revised November 18, 2017. See Attachment 20 for additional drawings for Trench 10 and 11, Cell 5, and Cell 14.
Attachment 20	Master Book of Drawings, Overall Facility, consisting of: Master Book of Drawings, as last revised November 18, 2017.
Attachment 21	Reserved for future use.
Attachment 22	Past Practice Units, consisting of: Section J, Pages 1 through 25, including Tables J-1 through J-8, and Drawing PRMI-T05a, Revision B, of Permit Application as last revised April 25, 2017.
Attachment 23	Exempt Radiological Materials Procedures Manual, consisting of: Section P, Exempt Radiological Materials Procedures Manual, and the following subsections: Safety Assessment, RESRAD Models, ERMP-01, Material Receipt Procedures, ERMP-02, Exempt Materials Procedures for Decontamination and Release of Empty Containers, ERMP-03, Environmental Monitoring Procedures, ERMP-04, Landfill Operations, ERMP-05, Waste Acceptance Criteria Evaluation, ERMP-06, Selection, Care and Use of Portable Instrumentation, and Drawing PRMI-T04 Windrose (Environmental Radiological Monitoring Locations), of Permit Application as last revised May 06, 2019.
Attachment 24	Containment Building and Debris Treatment, consisting of: Section D.9, Pages 1 through 12, including Table D-1 and D-1A, of Permit Application as last revised August 28, 2015. See Attachment 20 for Additional Drawings for Containment Building.

Attachment 25 Treatment Processes Description, consisting of:
Subsection D.10, pages 1 through 21, including Table D-4, of Permit Application, as last revised August 28, 2015, including the following subsections:

D.10.a	Stabilization
D.10.b	Microencapsulation
D.10.c	Macroencapsulation
D.10.d	Chemical Oxidation
D.10.e	Chemical Reduction
D.10.f	Deactivation
D.10.g	Neutralization
D.10.h	Precipitation
D.10.i	Adsorption
D.10.j	Bioremediation
D.10.k	Evaporation
D.10.l	Size Reduction
D.10.m	Decanting

Attachment 26 List of Permit Modifications.

DEFINITIONS

All definitions contained in IDAPA 58.01.05.004, .008 and .010 through .013 [40 CFR Parts 260, 264, 266, 268, 270, and 124] are hereby incorporated, in their entirety, by reference into this Permit, except that any of the definitions used below shall supersede any definition of the same term given in IDAPA 58.01.05.000 et seq. Where terms are not defined in the regulations or the Permit, the meaning associated with such terms shall be defined by a standard dictionary reference of the generally accepted scientific or industrial meaning of the term.

a "Application" shall mean the May 2014 HWMA/RCRA Permit Renewal Application containing Sections A through P.

b "Cell" shall mean the Landfill Units 5, 14, 15 and 16. This includes, and supersedes, references to "Trench 5 or Trench 14."

c "Containment Building" shall mean the building consisting of the “debris portion” and the “stabilization portion” where hazardous waste management activities shall be conducted, for wastes which USEI is permitted to manage, including the handling and treatment/ stabilization of “fine wastes.”

d "Day," “Daily,” “Normal Working Day,” and “Business Day” shall mean any calendar working day(s) (excluding weekends and holidays) where waste management activities occur at the facility, unless otherwise specified. Any requirement of submittal, under the terms of this Permit, that would be due on a Saturday, Sunday, or a federal or state holiday shall be due on the following business day.

e "Department" shall mean the Idaho Department of Environmental Quality.

f "Director" shall mean the Director of the Idaho Department of Environmental Quality or his or her designee.

g "Facility or Site" shall mean (1) All contiguous land, structures, other appurtenances, and improvements on the land used for treating, storing, or disposing of hazardous waste. A facility may consist of several treatment, storage or disposal operational units (e.g., one or more landfills, surface impoundments, or combinations of these), (2) For the purpose of implementing corrective action under IDAPA 58.01.05.008 §264.101, all contiguous property under the control of the owner or operator seeking a permit under Subtitle C of RCRA. This definition also applies to facilities implementing corrective action under RCRA Section 3008(h). This facility description is as set forth in Attachment 1 of this Permit.

h “Fine Wastes” shall mean any waste containing fine particulate matter as determined by Exhibit A of the December 9, 1996 Consent Order (included as Figure C-11 of Attachment 2 of this Permit).

i "HWMA" shall mean the state of Idaho, Hazardous Waste Management Act of 1983, as amended, Idaho Code § 39-4401 et seq.

j "Hazardous Waste Constituent" means a constituent that could cause or has caused the EPA to list a waste as hazardous per 40 CFR Part 261, Subpart D, or any constituent listed in Appendix VIII of IDAPA 58.01.05.005 [40 CFR Part 261] or in Appendix IX of IDAPA 58.01.05.008 [40 CFR Part 264].

k "Hazardous Waste" shall mean a hazardous waste as defined in IDAPA 58.01.05.005 [40 CFR § 261.3].

l "Hazardous Waste Management Unit (HWMU)" shall mean those operable units subject to the requirements of IDAPA 58.01.05.012 [40 CFR §§ 270.14 to 270.25].

m "IDAPA" shall mean the Idaho Administrative Procedures Act, Chapter 52, Title 67, Idaho Code.

n “Load,” in reference to temporary storage of interim piles, shall mean one treatment load or batch equal to the capacity of a Containment Building mixing bin tank (not to exceed 100 cubic yards).

o "MCL(s)" shall mean Maximum Contaminant Levels promulgated under the Safe Drinking Water Act.

p "Owner" shall mean U.S. Ecology Idaho Inc.
q "Permit" shall mean this Permit issued by the Idaho Department of Environmental Quality.
r "Permittee" shall mean U.S. Ecology Idaho, Inc.
s “Post-Cover Care” shall mean the care requirements for specifically referenced waste units that were closed and covered in the 1980’s, prior to their being subject to specific RCRA closure requirements.
s “Radioactive contaminated liquids” shall mean those radioactive liquids that exhibit a dose rate which exceeds 40 µR/hr.
t "Release" shall mean any spilling, leaking, pouring, emitting, emptying, discharging, injecting, pumping, escaping, leaching, dumping, or disposing of hazardous wastes (including hazardous waste constituents) into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing hazardous wastes or hazardous waste constituents).
u "Schedule of Compliance" shall mean a schedule of remedial and/or closure measures included in a permit, including an enforceable sequence of interim requirements (i.e., actions, operations, or milestone events) leading to compliance with the HWMA and regulations.
v "Solid Waste Management Unit (SWMU)" shall mean any discernable unit at which solid wastes have been placed at any time, despite whether the unit was intended for the management of solid or hazardous wastes. Such units include any area at a facility at which solid wastes have been routinely and systematically released.
w “Stabilization Facility” shall mean the outdoor area at which USEI is permitted to perform hazardous waste treatment activities
x "SW 846" shall mean “Test Methods for Evaluating Solid Waste Chemical/Physical Methods” (latest edition published by EPA).
y "Trench" shall mean shallow Land Disposal Units such as Landfill Units 10 and 11.
z “UHC” shall mean Underlying Hazardous Constituent. UHC means any constituent listed in IDAPA 58.01.05.011 [40 CFR § 268.48], Table UTS – Universal Treatment Standards, except fluoride, selenium, sulfides, vanadium, and zinc, which can reasonably be expected to be present at the point of generation of the hazardous waste at a concentration above the constituent – specific UTS Treatment Standard.

This space intentionally left blank

ACRONYMS AND ABBREVIATIONS

For the purpose of this Permit the following acronyms and abbreviations shall apply:

AASHTO	American Association of State Highway and Transportation Officials
ABS	Acrylonitrile Butadiene Styrene
ACI	American Concrete Institute
ACGIH	American Conference of Governmental Industrial Hygienists
ACL	Alternate Concentration Limit
AGA	American Gas Association
AGST	Above Ground Storage Tank
ALARA	As Low As Reasonable Achievable
ALR	Action Leakage Rate
ANSI	American National Standards Institute
APC	Air Pollution Control
APP	Aquifer Protection Permit
API	American Petroleum Institute
ASA	American Standards Association
ASME	American Society of Mechanical Engineers
AST	Aboveground Storage Tanks
ASTM	American Society for Testing and Materials
BACT	Best Available Control Technology
BAT	Best Available Technology
BMP	Best Management Practice
BOD	Biochemical or Biological Oxygen Demand
C	Celsius/Centigrade
CAO	Corrective Action Order
CAA	Clean Air Act, 42 USC Section 7401 et seq. (Federal)
CAMP	Corrective Action Monitoring Program
CAMU	Corrective Action Management Unit
CEG	Certified Engineering Geologist
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CERCLIS	Comprehensive Environmental Response, Compensation, and Liability Information System
CESQG	Conditionally Exempt Small Quantity Generators
CFCs	Chlorofluorcarbons
CFR	Code of Federal Regulations
CGL	Comprehensive General Liability Insurance
CHP	Certified Health Professional
CIH	Certified Industrial Hygienist
cm	centimeter; 1/100 meter
CMP	Compliance Monitoring Program
CMU	Container Management Unit
CNCI	Cyanogen Chloride
CO	Carbon Monoxide
CSA	Container Storage Area
CQA	Construction Quality Assurance
CQAP	Construction Quality Assurance Plan
CSP	Certified Safety Professional
DMP	Detection Monitoring Program
DOE	Department of Energy (Federal)
DOI	Department of the Interior (Federal)
DOT	Department of Transportation

DRE	Destruction/Removal Efficiency
EC	Emergency Coordinator
EIR	Exposure Information Report
EMS	Emergency Medical Service
EMT	Emergency Medical Technician
EPA	Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-to-Know Act
EPR	Ethylene Propylene Rubber
EP TOX	Extraction Procedure Toxicity Test (RCRA)
EQL	Estimated Quantitation Limit
ESA	Endangered Species Act, 15 USC Section 1531 et seq.
ESG	English Standard Gauge
ESH	Environmental Health and Safety
ESII	Envirosafe Services of Idaho, Inc.
ESP	Electrostatic Precipitators
F	Fahrenheit
ft	feet / foot
FDA	Food and Drug Administration (U.S.A.)
FEMA	Federal Emergency Management Agency
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act, 7 USC
FOIA	Freedom of Information Act
FR	Federal Register
FUSRAP	Formerly Utilized Sites Remedial Action Plan
GC	Gas Chromatographic
GCL	Geosynthetic Clay Liner
GC/MS	Gas Chromatography/Mass Spectrometry
GPM	Gallons Per Minute
GPS	Ground Water Protection Standards.
GW	Ground Water
HAPs	Hazardous Air Pollutants
HCFCs	Hydrochlorofluorocarbons
HCS	Hazard Communication Standard (OSHA)
HDPE	High Density Polyethylene
HHW	Household Hazardous Waste
HMTA	Hazardous Materials Transportation Act
HOC	Halogenated Organic Compounds
HSWA	Hazardous and Solid Waste Amendment of 1984
HWMA	Hazardous Waste Management Act of 1983, Idaho Code § 39-4401 et seq.
HWMU	Hazardous Waste Management Unit
ICF	Internal Control Form
IDAPA	Idaho Administrative Procedures Act
IDEQ	Idaho Department of Environmental Quality
IECC	Idaho Emergency Communication Center
IMS	Ion Mobility Spectrometry
in	Inch
Inc.	Incorporated
IPDC	Idaho Poison and Drug Center
IR	Infrared
kg	Kilogram; 1,000 grams
km	Kilometer; 1,000 meters
lb	Pound
LD50	Lethal Dose Level 50%
LCR	Leachate Collection and Removal System

LDCR	Leachate Detection, Collection and Removal System
LDR	Land Disposal Restriction
LEL	Lower Explosive Limit
MACT	Maximum Available Control Technology
MCL	Maximum Contaminant Levels (SDWA)
MCLGs	Maximum Contaminant Level Goals (SDWA)
MDL	Minimum Detection Limit
mg/l	milligrams per liter
μrem	Microrem
mil	1/1000 inch
mm	Millimeter; 1/1000 meter
MOU	Memorandum of Understanding
MS	Mass Spectrometry
MSDS	Material Safety Data Sheets
NARM	Nuclear Accelerator Radioactive Material
NCP	National Contingency Plan
NCSA	National Crushed Stone Association
NEC	National Electric Code
NEMA	National Electrical Manufacturers Association
NFPA	National Fire Protection Association
NIOSH	National Institute for Occupational Safety & Health
NORM	Naturally Occurring Radioactive Material
NOV	Notice of Violation
NOX	Oxides of Nitrogen
NPDES	National Pollutant Discharge Elimination System
NRC	Nuclear Regulatory Commission
OSHA	Occupational Safety and Health Administration
OSWER	Office of Solid Waste and Emergency Response (US EPA)
O&M	Operation and Maintenance
oz	Ounce
PAH	Polynuclear Aromatic Hydrocarbons
PCB	Polychlorinated Biphenol
PCDF	Polychlorinated Dibenzofurans
PCE	Perchloroethylene
pCi	Picocurries
PE	Professional Engineer
PEL	Permissible Exposure Limits (OSHA)
PM10	Particulate Matter less than 10 microns in diameter
POTW	Publicly-Owned Treatment Works
ppb	Parts per billion
PPE	Personal Protective Equipment
ppm	Parts per million
ppmw	Parts per million by weight
QA/QC	Quality Assurance/ Quality Control
RCRA	Resource Conservation and Recovery Act of 1976
RG	Registered Geologist
RGN	Reactivity Group Numbers
RTK	Right-to-Know
SARA Title III	Emergency Preparedness and Community Right to Know
SCBA	Self-Contained Breathing Apparatus
SDWA	Safe Drinking Water Act
SOP	Standard Operating Procedures
STEL	Short Term Exposure Limit

SWMP	Stormwater Management Plan
SWMU	Solid Waste Management Unit
TCLP	Toxicity Characteristics Leaching Procedure
TLV	Threshold Limit Value
TCE	Trichloroethylene
TOC	Total Organic Carbon
TSCA	Toxic Substance Control Act
TSDF	Treatment Storage and Disposal Facility
UBC	Uniform Building Code
UFC	Uniform Fire Code
µg/l	Micrograms per liter
UHC	Underlying Hazardous Constituent
UL	Underwriter's Laboratories, Inc
USEI	US Ecology Idaho, Inc.
USEPA	United States Environmental Protection Agency
USGS	United States Geological Survey
UV	Ultraviolet Light
VO	Volatile Organics
VOC	Volatile Organic Compound
WAP	Waste Analysis Plan
WLR	Warning Leakage Rate
WPF	Waste Profile Form
WSID	Waste Stream Identification Number
yd	Yard
yd^2	Square yard
yd^3	Cubic yard

This space intentionally left blank

MODULE I - STANDARD PERMIT CONDITIONS

I.A. EFFECT OF PERMIT

I.A.1. The Permittee is authorized to store, treat, and dispose of hazardous waste in accordance with the conditions of this Permit. Any storage, treatment, or disposal of hazardous waste by the Permittee, at this facility, that is not authorized by this Permit or by IDAPA 58.01.05.006 [40 CFR § 262.34], and for which a permit is required under Idaho Code § 39-4409 or Section § 3005 of RCRA, is prohibited.

I.A.2. Pursuant to IDAPA 58.01.05.012 [40 CFR § 270.4], compliance with this Permit generally constitutes compliance, for purposes of enforcement, with the Idaho Hazardous Waste Management Act (HWMA), as amended, except for the requirements not included in this Permit, which become effective by future statute or regulatory changes, to include those requirements promulgated under IDAPA 58.01.05.011 [40 CFR Part 268] restricting the placement of hazardous waste in or on the land.

I.B. PERSONAL AND PROPERTY RIGHTS

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

I.C. ENFORCEABILITY

I.C.1. The terms and conditions of this Permit are enforceable pursuant to the HWMA or any other applicable federal, state, or local law. Violations of this Permit may result in civil penalties, in accordance with HWMA [Idaho Code § 39-4414] and the HWMA Civil Penalty Policy.

I.C.2. Any person who knowingly makes any false statement or representation in any application, label, manifest, record, report, permit, or other document filed, maintained, or used for the purposes of complying with the provisions of Idaho Code § 39-4415, shall be guilty of a misdemeanor and subject to a fine of not more than ten thousand dollars ($10,000) or to imprisonment not to exceed one (1) year, or to both, for each separate violation or for each day of a continuing violation.

I.D. OTHER AUTHORITY

The Department expressly reserves any right of entry provided by law, and any authority to order or perform emergency or other response activities as authorized by law.

I.E. PERMIT ACTIONS

I.E.1. This Permit may be modified, revoked, and reissued or terminated for cause, as specified in IDAPA 58.01.05.012 [40 CFR §§ 270.41, 270.42, and 270.43].

I.E.2. The filing of a request for a permit modification, or revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance on the part of the Permittee shall not stay the applicability or enforceability of any permit condition.

I.E.3. Except as provided by specific language in this Permit or except for the Director's approval of a Class 1 or 2 Permit Modification, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.42 (a) and (b)], any modification that substantially alters the facility or its operation, as covered by this Permit, shall be administered as a Class 3 Permit Modification prior to such change taking place, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.42(c)].

I.E.4. The Director may modify this Permit when the standards or regulations on which the Permit was based have been changed by statute, the standards or regulations have been amended, or the standards or regulations have changed by way of judicial decision after the effective date of this Permit.

I.E.5. Within forty-five (45) calendar days of a permit modification being put into effect or approved, the Permittee shall provide clean copies of the relevant portions of the Permit and revised Attachments (if not already reflected/provided in the change pages submitted with the Permit Modification Request), reprint the documents (as necessary), and submit to the Director. The Permittee shall submit an electronic version (in a format pre-approved by the Director) of all permit modifications and Permit Applications to the Director.

I.E.6. The Permittee shall ensure that Attachment 26, the permit modification tracking log, is up to date, consistent with Permit Condition I.E.5.

I.F. SEVERABILITY

I.F.1. The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this Permit shall not be affected thereby. Invalidation of any state or federal statutory or regulatory provision that forms the basis for any condition of this Permit does not affect the validity of any other state or federal statutory or regulatory basis for said condition.

I.F.2. In the event that a condition of this Permit is stayed for any reason, the Permittee shall continue to comply with the related applicable and relevant standards of the previous Permit until final resolution of the stayed condition, unless compliance with the related applicable and relevant standards would be technologically incompatible with compliance with other conditions of this Permit that have not been stayed.

I.G. DUTY TO COMPLY

I.G.1. The Permittee shall comply with all conditions of this Permit, except that the Permittee need not comply with the conditions of this Permit to the extent and for the duration such noncompliance is authorized in an emergency permit (issued under IDAPA 58.01.05.012 [40 CFR § 270.61]). Any permit noncompliance, except under the terms of an emergency permit, constitutes a violation of RCRA, amended by HSWA, and/or of HWMA, and is grounds for enforcement action, permit termination, modification, or revocation and reissuance of the Permit and/or denial of a Permit Renewal Application.

I.G.2. Compliance with the terms of this Permit does not constitute a defense to any action brought under Sections §§ 3007, 3008, 3013, and 7003 of RCRA [42 U.S.C. §§ 6927,

6928, 6934, and 6973], 104, 106(a), or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) [42 U.S.C. § 9604, 9606(a), or 9607], as amended by the Superfund Amendments and Reauthorization Act of 1986, or any other federal or state law governing protection of public health or the environment from any imminent and substantial endangerment to human health or the environment. However, compliance with the terms of this Permit does constitute a defense to any action alleging failure to comply with the applicable standards upon which this Permit is based.

I.H. DUTY TO REAPPLY

The Permittee must apply for a new permit, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(b)], at least 180 calendar days prior to the expiration date of this Permit, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.10(h)].

I.I. PERMIT EXPIRATION

I.I.1. Except as renewed, modified, revoked, reissued, or terminated by the Director, this Permit shall automatically expire ten (10) years from the effective date of this Permit.

I.I.2. In accordance with IDAPA 58.01.05.012 [40 CFR § 270.50(d)], this Permit shall be reviewed five (5) years after the effective date and modified, as necessary, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.41].

I.J. CONTINUATION OF EXPIRING PERMIT

This Permit and all conditions herein shall continue in force until the effective date of a new permit, if the Permittee has submitted a timely complete application in accordance with IDAPA 58.01.05.012 [40 CFR §§ 270.10, 270.13 through 270.29], and through no fault of the Permittee, the Director has neither issued nor denied a new permit under IDAPA 58.01.05.013 [40 CFR § 124.15] on or before the expiration date of this Permit.

I.K. 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.

I.L. DUTY TO MITIGATE

In the event of noncompliance with this Permit, the Permittee shall take all reasonable steps to minimize releases to the environment resulting from the noncompliance and shall carry out such measures, as are reasonable, to prevent significant adverse impacts on human health or the environment.

I.M PROPER OPERATION AND MAINTENANCE

The Permittee shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Permittee so as 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 this Permit.

I.N. DUTY TO PROVIDE INFORMATION

The Permittee shall furnish to the Director, within a reasonable time period established by the Director, any relevant information that the Director 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 Director, within five (5) days of the Director's request, copies of records required to be kept by this Permit.

I.O. INSPECTION AND ENTRY

Pursuant to IDAPA 58.01.05.012 [40 CFR § 270.30(i)], the Permittee shall allow the Director (or an authorized representative) upon the presentation of credentials and other documents, as may be required by law, to:

I.O.1. Enter (at reasonable times) upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Permit;

I.O.2. Have access to and copy (at reasonable times) any records that must be kept under the conditions of this Permit;

I.O.3. Inspect at reasonable times, any portion of the facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and

I.O.4. Sample or monitor (at reasonable times), for the purposes of assuring permit compliance or as otherwise authorized by RCRA or state law, any substances or parameters at any location.

I.P. MONITORING AND RECORDS

I.P.1. The Permittee shall retain records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation), copies of all reports required by this Permit, the certification required by IDAPA 58.01.05.008 [40 CFR § 264.73(b)(9)], and records of all data, used to complete the application for this Permit, for a period of at least three (3) years from the date of the sample, measurement, report, certification, or recording unless a longer retention period is required by other conditions of this Permit. The three-year period may be extended by the Director (upon request), in writing, to the Permittee.

I.P.2. The Permittee shall retain (at the facility) all monitoring records from all surface water sampling, seep sampling, soil sampling, sediment sampling, and ground water monitoring wells and associated ground water surface elevations for the active life of the facility, and for disposal units for the active life of the facility and the Post-Closure Care Period. The retention periods may be extended by request of the Director, at any time, by written notification to the Permittee, and the retention times are automatically extended, during the course of any unresolved enforcement action regarding this facility, to three (3) years beyond the conclusion of the enforcement

action.

I.P.3. Pursuant to IDAPA 58.01.05.012 [40 CFR § 270.30(j)(3)], records of monitoring information shall specify:

I.P.3.a. The date(s), exact place, and times of sampling or measurements;

I.P.3.b. The name(s), title(s), and affiliation of the individual(s) who performed the sampling or measurements;

I.P.3.c. The date(s) analyses were performed;

I.P.3.d. The name(s), title(s), and affiliation of the individual(s) who performed the analyses;

I.P.3.e. The analytical techniques or methods used; and

I.P.3.f. The results of such analyses, including Quality Assurance/Quality Control data.

I.P.4 Samples and measurements taken for monitoring purposes shall be representative of the monitored activity. The method used to obtain a representative sample of the waste, to be analyzed, shall be the appropriate method from IDAPA 58.01.05.005 [40 CFR Part 261, Appendix I], EPA's most recent edition of *Technical Enforcement Guidance Document* (hereinafter referred to as TEGD), or an equivalent method approved by the Director. Laboratory methods shall be those specified in the most recent edition of *Test Methods for Evaluating Solid Waste: Physical/Chemical Methods SW-846* (herein referred to as SW-846), the most recent edition of *Standard Methods for the Examination of Wastewater*, or other alternate method approved in this Permit, or an equivalent method in accordance with Permit Condition I.P.5.

I.P.5. The Permittee may substitute analytical methods that are equivalent to those specifically approved for use in this Permit, in accordance with the following:

I.P.5.a. The Permittee submits to the Director a request for substitution of an analytical method(s) that is equivalent to the method(s) specifically approved for use in this Permit. The request shall provide information demonstrating that the proposed method(s) is equal or superior to the analytical method(s) requested to be substituted in terms of sensitivity, accuracy, and precision (i.e., reproducibility).

I.P.5.b. The Director notifies the Permittee (in writing, by certified mail, or hand delivery) that the substitution of the analytical method(s) is approved. Such approval shall not require a permit modification under IDAPA 58.01.05.012 [40 CFR § 270.42].

I.P.6. Results of all ground water analyses required by this Permit shall be submitted to the Director within thirty (30) calendar days of the Permittee's receipt of sample data from the laboratory, but in no case shall the period between the date of sampling and the date of submission of analytical results, to the Director, exceed one hundred twenty (120) calendar days.

I.Q. REPORTING PLANNED CHANGES

The Permittee shall give notice to the Director, as soon as possible, of any planned physical alterations or additions to the facility before such planned physical alterations or additions occur, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(l)(1)].

I.R. CERTIFICATION OF CONSTRUCTION OR MODIFICATION

I.R.1. The Permittee may not commence storage, treatment, or disposal in a new Hazardous Waste Management Unit or in a modified portion of an existing Hazardous Waste Management Unit, except as provided in IDAPA 58.01.05.012 [40 CFR §270.42], until the Permittee has submitted a letter to the Director (by certified mail, express mail, or hand delivery) along with the attachments required under Permit Condition II.A.2, signed by the Permittee and a registered professional engineer, certifying that the permitted unit(s) have been constructed or modified in accordance with the approved plans and specifications in compliance with this Permit (IDAPA 58.01.05.012 [40 CFR §270.30(l)]); and

I.R.2. The Director has reviewed and inspected the modified or newly constructed Hazardous Waste Management Unit(s) and has notified the Permittee in writing that he finds the unit(s) to be in compliance with the conditions of this Permit; or

I.R.3. In accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(l)(2)(ii)(B)], if within fifteen (15) calendar days of the date of submittal, required by I.R.1 of this Permit, the Permittee has not received notice from the Director of his or her intent to inspect, prior inspection is waived and the Permittee may commence treatment, storage, or disposal of hazardous waste.

I.S. REPORTING ANTICIPATED NONCOMPLIANCE

The Permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity that may result in noncompliance with requirements of this Permit, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(l)(2)]. Advance notice shall not constitute a defense for any noncompliance.

I.T. TRANSFER OF PERMIT

This Permit is not transferable to any person, except after notice to and acceptance by the Director. The Director may require modification or revocation and reissuance of the Permit, pursuant to IDAPA 58.01.05.012 [40 CFR § 270.40]. Before transferring ownership or operation of the facility during its operating life, or of a disposal facility during the Post-Closure Period, the Permittee must notify the new owner or operator (in writing) of the requirements of IDAPA 58.01.05.008, 58.01.05.012 [40 CFR Parts 264 and 270] and this Permit.

I.U. TWENTY-FOUR HOUR REPORTING

I.U.1. In accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(l)(6)], the Permittee shall verbally report to the Director (or the Idaho Emergency Communication Center during off-hours) any noncompliance with this Permit that might endanger human health or the environment. Any such information shall be reported, as soon as possible, but not later than twenty-four (24) hours from the time the Permittee becomes aware of the noncompliance. Potential endangerment to human health and the environment may include, but not be limited to, information concerning:

I.U.1.a. A release of any hazardous waste that may endanger public drinking water supplies; or

I.U.1.b. A release or discharge of hazardous waste, or of a fire or explosion, at the facility that could threaten human health or the environment outside the facility; or

I.U.1.c. Noncompliance with Permit Condition II.A.1 of this Permit.

I.U.2. The verbal description of the occurrence and its cause, if available, shall include the following (at a minimum):

- Name, title, and telephone number of the individual reporting;
- Name, address, and telephone number of the owner or operator;
- Name, address, and telephone number of the facility;
- Date, time, and type of incident;
- Location and cause of the accident;
- Name and quantity of material(s) involved;
- The extent and description of injuries, if any;
- An assessment of actual or potential hazards to the environment and human health, where this is applicable;
- Description of any emergency action taken to minimize possible threat(s) to human health or the environment;
- Estimated quantity and disposition of recovered material that resulted from the incident; and
- Any other information necessary to fully evaluate the situation and to develop an appropriate course of action.

I.U.3. Within five (5) calendar days after the Permittee is required to provide verbal notification, as specified in Permit Condition I.U.1 and I.U.2 of this Permit, the Permittee shall provide (to the Director) a written submission that shall include, but not be limited to, the following:

- Name, address, and telephone number of the individual reporting;
- A description (including cause, location, extent of injuries, if any, and an assessment of actual or potential hazard(s) to the environment and human health outside the facility, where this is applicable) of the incident (noncompliance and/or release);
- The period(s) in which the incident (noncompliance and/or release) occurred including exact dates and times;
- Whether the results of the incident remain a threat to human health and the environment (whether the noncompliance has been corrected and/or the release has been adequately remediated); and
- If not, the anticipated time it is expected to continue; the steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance; and/or steps taken or planned to adequately remediate the release.

I.U.3.a. The Permittee need not comply with the five (5) calendar day, written notice requirement if the Director waives (in writing) the requirement, and the Permittee submits a written report within fifteen (15) calendar days from the time the Permittee is required to provide verbal notification, as specified in Permit Condition I.U.1 of this Permit.

Twenty-four (24) hour telephone number 1-800-632-8000
(Idaho Emergency Communication Center)
The address and telephone numbers listed above are current as of the effective date of this Permit and may be subject to change.

I.V. OTHER NONCOMPLIANCE

The Permittee shall report to the Director (on a quarterly basis) all other instances of noncompliance, not reported under Permit Condition I.U of this Permit, from the effective date of the Permit. The reports shall contain the applicable information listed in Permit Condition I.U of this Permit. Reporting shall not constitute a defense for any noncompliance.

I.W. OTHER INFORMATION

Whenever the Permittee becomes aware that he/she failed to submit any relevant facts in the Permit Application or submitted incorrect information in a Permit Application, or in any report to the Director, the Permittee shall promptly submit such facts or information to the Director, in accordance with Permit Condition I.Z of this Permit.

I.X. SIGNATURE AND CERTIFICATION

All applications, reports, or other information submitted to the Director (by the Permittee) shall be signed and certified in accordance with IDAPA 58.01.05.012 [40 CFR § 270.11 and § 270.30(k)].

I.Y. CONFIDENTIAL INFORMATION

The Permittee may be able to make a confidentiality claim regarding information submitted to the Department. Any such claim shall be governed by Sections 39-4411 and 39-337 to 39-350 of the Idaho Code, Sections 58.01.05.004 [40 CFR § 260.2], 58.01.05.012 [40 CFR § 270.12] and 58.01.05.997, and any other applicable state or local law. Pursuant to those authorities, if no claim of confidentiality is made at the time of submission, the Department may make the information available to the public without further notice.

I.Z. REPORTS, NOTIFICATIONS, AND SUBMISSIONS TO THE DIRECTOR

All reports, notifications, or other submissions that are required by this Permit and IDAPA 58.01.05.012 [40 CFR § 270.5] shall be sent or given to the Director (in duplicate) by certified mail, or express mail, or hand delivered to:

Director, c/o Hazardous Waste Program Manager
Idaho Department of Environmental Quality
1410 North Hilton
Boise, Idaho 83706-1255
Telephone No. (208) 373-0502

I.AA. DOCUMENTS TO BE MAINTAINED AT THE FACILITY

I.AA.1. The Permittee shall maintain at the facility (until closure is completed and certified by an independent, registered professional engineer) the following documents and amendments, and revisions or modifications to these documents:

I.AA.1.a. A complete copy of this Permit, including all attachments, figures, tables, and modifications (at a minimum) including the following:

- Waste Analysis Plan, as required by IDAPA 58.01.05.008 [40 CFR § 264.13] and this Permit (Attachment 2).
- Inspection Procedures, Schedules, Logs, and Records, as required by IDAPA 58.01.05.008 [40 CFR §§ 264.15(b)(2) and 264.73(b)(5)] and this Permit.
- Personnel training requirements for each position and personnel training records for each individual, involved with the management of hazardous waste, as required by IDAPA 58.01.05.008 [40 CFR § 264.16(d)] and this Permit.
- Contingency Plan, as required by IDAPA 58.01.05.008 [40 CFR § 264.53(a)] and this Permit (Attachment 7).
- Operating Record, as required by IDAPA 58.01.05.008 [40 CFR § 264.73] and this Permit.
- Closure Plan and Closure Cost Estimate, as required by IDAPA 58.01.05.008 [40 CFR § 264.112(a) and § 264.142] and this Permit.

MODULE II - GENERAL FACILITY CONDITIONS

II.A. DESIGN AND OPERATION OF FACILITY

II.A.1. The Permittee shall design, construct, maintain, and operate the facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste constituents to air, soil, ground water, or surface water that could threaten human health or the environment.

II.A.2. The Permittee shall construct all future and maintain all existing Hazardous Waste Management Units in accordance with the approved designs, specifications, and maintenance schedules, except for minor changes deemed necessary by the Permittee to facilitate proper construction of the Hazardous Waste Management Units. Minor deviations from the approved designs or specifications necessary to accommodate proper construction, and the substitution of the use of equivalent or superior materials or equipment, must be noted on the as-built drawings and the rationale for those deviations must be provided in narrative form. After completion of construction of each future Hazardous Waste Management Unit, the Permittee shall submit to the Director final as-built drawings and the narrative report as part of the construction certification document specified in Permit Condition I.R.1.

II.A.3. A 100-foot wide strip of land, located within the outside perimeter (i.e., the fenceline) of the facility's legal boundaries as defined in Attachment 1 of this Permit, shall be set aside as a buffer strip for any hazardous waste treatment, storage, or disposal, as required by IDAPA 58.01.06.013.f. New hazardous waste treatment, storage, or disposal units shall not be constructed within the buffer strip (except as relating to inspection requirements) nor shall the buffer strip be subdivided for the hazardous waste disposal site.

II.A.3.a. The company-owned land surrounding the Facility to the west, east, and south is subject to the Hazardous Waste Facility Siting Act (Idaho Code §§ 39-5801 through 5820).

II.A.3.b. The company-owned land along the northern boundary of the Facility, as defined in Permit Condition II.A.3.b.(1), shall remain undeveloped land and no application under the Hazardous Waste Facility Siting Act (Idaho Code §§ 39-5801 through 5820) shall be made to utilize this land for any activities permitted by the Act. This land shall be set aside as a buffer zone where no new hazardous waste treatment, storage, or disposal units, or ancillary structures, shall be constructed (except as relating to inspection requirements and other permit-required activities, such as corrective action) nor shall the buffer zone be subdivided for use as a hazardous waste disposal site. Except as specified above, the buffer zone, as defined in Permit Condition II.A.3.b.(1), will be maintained in a natural state and will not be developed or used in a manner that will impair the historic viewshed or cultural and natural resources. This Permit Condition shall bind USEI, its successors, and assigns.

II.A.3.b.(1) The buffer zone subject to the requirements of Permit Condition II.A.3.b shall encompass approximately 309 acres and is located as follows:

T4S, R2E, Owyhee County
Section 13: E1/2 SE1/4

T4S, R2E, Owyhee County
Section 18: Lots 3 and 4, E1/2 SW1/4, S1/2 SE1/4

II.A.4. The Permittee shall comply with all applicable requirements of the Land Disposal Restrictions of IDAPA 58.01.05.011 [40 CFR Part 268].

II.B. REQUIRED NOTICES FOR RECEIPT OF OFF-SITE HAZARDOUS WASTE

II.B.1. The Permittee may receive hazardous waste from a foreign source provided that the Permittee notify the Regional Administrator and the Director (in writing) at least four (4) weeks in advance of the date hazardous waste, from a foreign source, is expected to arrive at the facility, as required by IDAPA 58.01.05.008 [40 CFR § 264.12(a)]. Notice of subsequent shipments of the same waste from the same foreign source is not required.

II.B.2. 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 it has the appropriate permits for and will accept the waste the generator is shipping. The Permittee must keep a copy of this written notice as part of the Operating Record, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.12(b) and § 264.73(b)(7)] and this Permit.

II.B.3. The Permittee shall notify the Department in writing, within three (3) business days of the occurrence, that the Permittee has rejected for acceptance a hazardous waste shipment. This notice shall contain the following information:

II.B.3.a. Generator name, EPA ID Number, address, and telephone number;

II.B.3.b. Transporter name and EPA ID Number;

II.B.3.c. Waste description and quantity;

II.B.3.d. Reason for rejection;

II.B.3.e. Date of generator signature;

II.B.3.f. Date of receipt and rejection; and

II.B.3.g. Copy of manifest.

II.C. GENERAL WASTE ANALYSIS

II.C.1. The Permittee shall comply with the procedures and requirements of the Waste Analysis Plan, in accordance with IDAPA 58.01.05.008 and 58.01.05.011 [40 CFR § 264.13 and § 268.7], and Attachments 2 and 23 of this Permit.

II.C.2. For every waste stream received, the Permittee shall have on file (at the site), the generator-provided “Waste Profile Form” (Figure C-1 of Attachment 2).

II.C.3. The Permittee may revise Figure C-1, as designated in Permit Conditions II.C.3.a and II.C.3.b, without first obtaining a permit modification under IDAPA 58.01.05.012 [40 CFR § 270.42]. The procedures designated under Permit Condition II.S shall be followed to implement these revisions:

II.C.3.a. The Permittee may add information requirements to Figure C-1 in cases where such additional information will result in a more comprehensive Figure C-1.

II.C.3.b. The Permittee may delete information from Figure C-1 if the information is not essential for determining the acceptability of a waste stream for management at the Permittee's site (i.e., revisions made to Figure C-1 to comply with IDAPA 58.01.05.011 [40 CFR Part 268] restrictions).

II.C.4. The Permittee shall ensure that the wastes are not managed at the facility in violation of the provisions of the Land Disposal Restrictions rule as contained in IDAPA 58.01.05.011 [40 CFR Part 268] with the exception of CAMU-eligible wastes, per section II.C.5 of this permit. To the extent that modifications to the Permittee's Waste Analysis Plan are needed to comply with future self implementing provisions of IDAPA 58.01.05.011 [40 CFR Part 268], the Permittee must submit a Permit Modification Request to the Director within ninety (90) calendar days of the effective date of the self-implementing provisions.

II.C.4.a. The Permittee is authorized to accept CAMU-eligible wastes for disposal. The Permittee shall ensure CAMU-eligible wastes are managed in accordance with the provisions contained in IDAPA 58.01.05.008 [40 CFR Part 264] and Attachment 2 of this Permit.

II.C.5. All waste analysis procedures designated in Attachment 2 and 17 of this Permit shall be adhered to for the placement of on-site-generated landfill leachate and any other wastes into the evaporation pond.

II.C.6 The Permittee shall maintain a copy of the latest approved Waste Analysis Plan, included as Attachment 2 of this Permit, at the facility until the facility is fully closed and certified per IDAPA 58.01.05.008 [40 CFR § 264 Subpart G].

II.C.7. The Permittee shall comply with the requirements of IDAPA 58.01.05.008 [40 CFR § 264.17(a)] and follow the procedures for handling ignitable, reactive, and incompatible wastes set forth in Attachment 2 of this Permit.

II.C.8. The Permittee shall comply with the 40 CFR 264 Subpart CC waste determination procedures, as required by IDAPA 58.01.05.008 [40 CFR § 264.1083].

II.D. SECURITY PROCEDURES

The Permittee shall comply with the security provisions of IDAPA 58.01.05.008 [40 CFR § 264.14(b)] and as described in Attachment 3 of this Permit.

II.E. INSPECTION PLAN

The Permittee shall follow the procedures of the approved Inspection Plan included as Attachment 4 of this Permit. The Permittee shall comply with the inspection provisions of IDAPA 58.01.05.008 [40 CFR § 264.15], and as follows:

II.E.1. The Permittee shall maintain the inspection records and results, in accordance with Permit Condition I.AA. The Permittee shall record inspections on the Inspection Log sheet (included in Attachment 4 of this Permit) or an equivalent, approved log sheet,

as specified in IDAPA 58.01.05.008 [40 CFR § 264.15(d)].

II.E.2. The Permittee shall record on the Inspection Logs and Inspection Log Sheets (required by Permit Condition II.E.1) as specified in IDAPA 58.01.05.008 [40 CFR § 264.15(d)]. At a minimum, the following shall be recorded:

- The date and time of the inspection;
- The name of the inspector;
- A notation of the observations made; and
- The date and nature of any repairs or other remedial actions.

II.E.3. The Permittee shall remedy, as required by IDAPA 58.01.05.008 [40 CFR § 264.15(c)], on a schedule approved by the Director, any deterioration or malfunction discovered by an inspection.

II.E.4. The Permittee shall retain the Inspection Logs and Inspection Log Sheets required by Permit Condition II.E.1 until closure is completed and certified, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.73(b)(5)] and Permit Condition I.AA.

II.E.5. In the event of a facility shutdown or an extended holiday, no more than seventy-two (72) hours shall elapse between inspections listed at a frequency of “normal working day” on the inspection schedule (Table F-1 in Attachment 4).

II.E.6. The Permittee may make only the following revisions to the Inspection Plan, without first obtaining a permit modification, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.42]. The procedures designated under Permit Condition II.S shall be followed to implement these revisions.

II.E.6.a. Upon certification of closure of an individual Waste Management Unit, any portion of the Inspection Plan, specific to that unit, may be deleted from the Inspection Plan (Attachment 4 of this Permit).

II.E.6.b. The Permittee may modify orientations of inspection-related items on inspection figures.

II.E.6.c. The Permittee may add inspection requirements to an existing inspection form, table, figure, or disposal record form in cases where such additional requirements will result in a more comprehensive or detailed Inspection Plan.

II.E.6.d. The Permittee may create additional inspection forms, tables, figures, or disposal record forms to address inspection requirements for equivalent replacement equipment that must be routinely inspected.

II.F. TRAINING PLAN

II.F.1. The Permittee shall ensure that all personnel who handle hazardous waste are trained in hazardous waste management, safety and emergency procedures (as applicable to their job description) in accordance with the Permittee’s Training Plan. These personnel shall be trained in accordance with the Training Plan, as included in Attachment 5 of this Permit, and documentation of training shall be maintained, as specified in Attachment 5 of this Permit.

II.G. PREPAREDNESS AND PREVENTION

II.G.1. The Permittee shall comply with the preparedness and prevention procedures included as Attachment 6 of this Permit, and in accordance with IDAPA 58.01.05.008 [40 CFR § 264 Subpart C] and as follows:

II.G.2. The Permittee shall operate the permitted units so as to minimize the possibility of a fire, explosion or sudden or non-sudden releases to the air or soil, which could threaten human health or the environment, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.31] and Attachment 6 of this Permit.

II.G.3. The Permittee shall maintain the communications and alarm systems, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.34] and Attachment 6 of this Permit.

II.G.4. The Permittee shall maintain the aisle space necessary to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.35] and Attachment 6 of this Permit.

II.G.5. The Permittee shall maintain arrangements with state and local authorities, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.37] and Attachment 7 of this Permit. If state or local officials refuse to enter into preparedness and prevention arrangements with the Permittee for a given HWMU, the Permittee must document this refusal in the Operating Record.

II.H. CONTINGENCY PLAN

II.H.1. The Permittee shall follow the procedures outlined in the Contingency Plan, included as Attachment 7 of this Permit, and comply with IDAPA 50.01.05.008 [40 CFR 264 Subpart D] and as follows:

II.H.2. The Permittee shall notify the Department by calling the Idaho Emergency Communication Center's 24-hour phone number (1-800-632-8000), as soon as practical, but in no event more than 24 hours after the discovery of any release of hazardous or radioactive waste that may pose an immediate threat to the Permittee's personnel or the environment, or that requires the Permittee to take corrective action to mitigate the effects of the release, including implementing the Contingency Plan. Releases requiring such notification shall include, but are not limited to, incidents such as personnel exposure or contamination for which outside medical attention is sought; storm events that result in run-off leaving the active areas of the site; or any fire or explosion at the site that requires use of emergency equipment to extinguish or control the fire.

II.H.3. The Permittee shall review and immediately amend, as necessary, the Contingency Plan whenever:

II.H.3.a. This Permit is revised;

II.H.3.b. The Contingency Plan fails in an emergency;

II.H.3.c. The Permittee changes the facility design, construction, operation, maintenance, or other circumstances in a way that materially increases the potential for fires, explosions, or releases of hazardous waste or hazardous waste constituents, or changes the response necessary in an emergency;

II.H.3.d. The list of emergency coordinators changes; or

II.H.3.e. Major changes to the list of emergency equipment occur.

II.H.4. The Permittee shall submit to the Director the names, addresses, and phone numbers of all persons qualified to act as emergency coordinators. The Permittee shall ensure that a trained emergency coordinator be available at all times in case of an emergency.

II.H.5. The Permittee shall submit a copy of the Contingency Plan, and all revisions to the plan, to all local police departments, fire departments, hospitals, and state and local emergency response teams that may be called upon to provide emergency services, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.53(b)].

II.H.6. The Permittee shall document the time, date, and details of any incident that requires implementing the Contingency Plan in the Facility Operating Record. The Permittee shall submit a written report of the incident to the Director according to Permit Condition I.U.3.

II.I. MANIFEST SYSTEM

II.I.1. The Permittee shall follow the procedures for using the Manifest System and identifying and resolving manifest discrepancies, in accordance with IDAPA 58.01.05.008, 58.01.05.012 [40 CFR §§ 264.71, 264.72, and 270.30(i)(7)] and the Waste Analysis Plan, included as Attachment 2 of this Permit.

II.I.2. The Permittee shall submit an unmanifested waste report to the Director, in accordance with IDAPA 58.01.05.008, IDAPA 58.01.05.012 [40 CFR §§ 264.76 and 270.30(i)(8)], within fifteen (15) calendar days of receipt of unmanifested waste. Unmanifested waste shall be:

- Any RCRA regulated hazardous waste that is not accompanied by a hazardous waste manifest;
- Any manifested waste that does not contain the generator name on the manifest;
- Any manifested waste for which the EPA identification number is either incorrect or missing;
- Any manifested waste for which the designated facility on the manifest is not USEI;
- Any manifested waste for which the generator's name, signature, or date are missing; and
- Any manifested waste for which the quantity of material shipped is completely missing.

II.J. RECORD KEEPING AND REPORTING

In addition to the record keeping and reporting requirements specified elsewhere in this Permit, the Permittee shall comply with the following:

II.J.1. The Permittee shall maintain a written Operating Record at the facility, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.73(a)], for all records identified in IDAPA 58.01.05.008 [40 CFR §§ 264.73(b)(1) through 264.73(b)(16)].

II.J.2. The Permittee shall, by March 1st of each year, submit to the Director a certification pursuant to IDAPA 58.01.05.008 [40 CFR § 264.73(b)(9)], that the Permittee has a

program in place to reduce the volume and toxicity of hazardous waste generated, to the degree determined to be economically practicable; and that the proposed method of treatment, storage, or disposal is the most practicable method currently available to the Permittee, which minimizes the present and future threat to human health and the environment.

II.J.3. The Permittee shall, by March 1st of each even-numbered year, submit to the Director a Biennial Report covering the facility activities during the previous calendar year, pursuant to IDAPA 58.01.05.008, 58.01.05.006, 58.01.05.012 [40 CFR §§ 264.75(a) through (j), 262.41, 270.30(l)(9)].

II.J.4. The Permittee shall retain all hazardous waste management records, including data collected in accordance with procedures of the Response Action Plans, and make such records available to the Director (at reasonable times) for inspection, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.74(a)].

II.J.5. The retention period for all records required by this Permit is extended automatically during the course of any unresolved enforcement action regarding the Permittee or as directed by the Director, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.74(b)].

II.J.6. The Permittee shall submit a survey plat of waste disposal locations to the local land authority and to the Director in accordance with the closure requirements of Permit Condition II.K.8 and IDAPA 58.01.05.008 [40 CFR § 264.116].

II.J.7. The Permittee shall submit additional reports to the Director in accordance with IDAPA 58.01.05.008 [40 CFR § 264.77].

II.K. CLOSURE

II.K.1. The Permittee shall meet the general closure performance standard, as specified in IDAPA 58.01.05.008 [40 CFR § 264.111], during closure of all Hazardous Waste Management Units at the facility. Compliance with IDAPA 58.01.05.008 [40 CFR § 264.111] shall require closure of each Hazardous Waste Management Unit in accordance with the Closure Plan, included as Attachment 9 of this Permit and all applicable requirements of Permit Condition II.K.

II.K.2. For all Hazardous Waste Management Units, other than landfills and surface impoundments, minor deviations from the permitted closure procedures, necessary to accommodate proper closure, must be described in a narrative form with the closure certification statements. The Permittee shall describe the rationale for implementing minor changes as part of this narrative report. Within sixty (60) calendar days after completion of closure of each Hazardous Waste Management Unit, other than Landfill and Surface Impoundment Units, the Permittee shall submit the certification statements and narrative report to the Director.

II.K.3. The Permittee shall amend the Closure Plan, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.112(c)], whenever necessary, by submitting a written request for a permit modification to the Director.

II.K.4. The Permittee shall notify the Director at least sixty (60) calendar days prior to the date it expects to begin closure of any surface impoundment or landfill unit, and at least forty-five (45) calendar days prior to the date it expects to begin closure of any

tanks, container storage units, or containment buildings.

II.K.5. The Permittee shall close all Hazardous Waste Management Units within the time limits specified in the Closure Plan in Attachment 9 of this Permit, with the exception that the closure time for the surface impoundments shall be 1,460 days after receiving the final volume of hazardous wastes, unless extended, pursuant to Permit Condition V.B.

II.K.6. The Permittee shall decontaminate or dispose of all facility equipment as specified in the Closure Plan included in Attachment 9 of this Permit.

II.K.7. The Permittee shall provide certification statements attesting that each Hazardous Waste Management Unit at the facility has been closed in accordance with the applicable specifications in the Closure Plan included in Attachment 9 of this Permit, as required by IDAPA 58.01.05.008 [40 CFR § 264.115].

II.K.8. The Permittee shall submit to the local land use authority, and to the Director, upon submission of the certification of closure of each hazardous waste disposal unit, a survey plat indicating the waste disposal locations and dimensions, with respect to permanently surveyed benchmarks, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.116].

II.K.9. In the event that any Hazardous Waste Management Unit, other than the Landfill and Surface Impoundment Units, cannot be closed by removing hazardous waste, hazardous constituents, contaminated subsoil, and any contaminated ground water (i.e., clean-closed) as specified in Permit Condition II.K.1, the Permittee shall revise the Facility Post-Closure Plan to include a Post-Closure Plan for that Hazardous Waste Management Unit. The Permittee shall submit to the Director the Post-Closure Plan for that Hazardous Waste Management Unit, as a Permit Modification Request, within ninety (90) calendar days of the date that the Director notifies the Permittee in writing that the unit must be closed as a landfill, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.118(a)].

II.L. COST ESTIMATE FOR FACILITY CLOSURE

II.L.1. The Permittee shall comply with the requirements of IDAPA 58.01.05.008 [40 CFR § 264.142(a)]. The Permittee shall maintain a current closure cost estimate for each individual Hazardous Waste Management Unit. The costs shall be summarized, by the Permittee, for final closure of the entire facility.

II.L.2. In accordance with IDAPA 58.01.05.008 [40 CFR § 264.142(b)], the Permittee shall annually adjust the closure cost estimate for inflation, prior to June 1st, the anniversary date of the establishment of the original financial instrument(s) used to comply with Permit Condition II.O and IDAPA 58.01.05.008 [40 CFR § 264.143].

II.L.3. During the active life of the facility, the Permittee shall submit to the Director a revised closure cost estimate within thirty (30) calendar days of an approved modification to the Closure Plan, if such modification results in an increase in the closure cost estimate, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.142(c)].

II.L.4. During the operating life of the facility, the Permittee shall keep a copy of each closure cost estimate and adjustment made at the facility, in accordance with IDAPA

58.01.05.008 [40 CFR § 264.142(a), (b), and (c)].

II.L.5. The Permittee shall maintain an updated summary of current closure costs for the entire facility closure, based on the Hazardous Waste Management Units that have received RCRA waste but have not yet been certified as closed, and have not been released from the financial responsibility requirements as specified in Permit Condition II.O (i.e., active units).

II.L.6. Prior to placement of waste in any new Hazardous Waste Management Unit, the Permittee must amend, as necessary, the summary of current closure costs to reflect the estimated closure cost of that new unit. Such amended closure costs shall be annually adjusted for inflation, as required by IDAPA 58.01.05.008 [40 CFR § 264.142(b)].

II.L.7. Upon certification for closure of any Hazardous Waste Management Unit, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.115], and after the Director has released the Permittee from the financial responsibility requirements for that unit as specified in Permit Condition II.O, the Permittee may adjust the summary of current closure costs to reflect the closure cost of that unit. The Permittee shall submit to the Director a current version of the closure cost estimate for the facility, indicating cost estimates for each remaining unit to be closed.

II.M. POST-CLOSURE CARE

II.M.1. The Permittee shall comply with the approved Post-Closure Plan, included in Attachment 9 of this Permit. In addition, the Permittee shall comply with all modifications to the Post-Closure Plan, and with all provisions of IDAPA 58.01.05.008 [40 CFR §§ 264.117, .118, .119, and .120].

II.M.2. Except as the period may be shortened or extended, as provided in IDAPA 58.01.05.008 [40 CFR § 264.117(a)(2)], the period of Post-Closure Care for each Landfill and Surface Impoundment Unit and any other closed Hazardous Waste Management Unit, as applicable, shall be thirty (30) years after Director approval of closure certification.

II.N. COST ESTIMATE FOR POST-CLOSURE CARE

II.N.1. The Permittee shall comply with IDAPA 58.01.05.008 [40 CFR § 264.144(a)]. The Permittee shall maintain a current post-closure cost estimate for each post-closure activity.

II.N.2. The Permittee shall annually adjust the post-closure cost estimate for inflation, prior to June 1st, the anniversary date of the establishment of the original financial instrument(s) used to comply with Permit Condition II.P and IDAPA 58.01.05.008 [40 CFR § 264.144(b)].

II.N.3. During the active life of the facility, the Permittee shall submit to the Director a revised post-closure cost estimate, within thirty (30) days of an approved modification to the Post-Closure Plan, if such modification results in an increase in the post-closure cost estimate, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.144(c)].

II.N.4. During the operating life of the facility, the Permittee shall keep a copy at the facility of each post-closure cost estimate and adjustments prepared, in accordance with

IDAPA 58.01.05.008 [40 CFR § 264.144(a), (b), and (c)].

II.O. FINANCIAL ASSURANCE FOR FACILITY CLOSURE

II.O.1. The Permittee shall comply with IDAPA 58.01.05.008 [40 CFR § 264.143] by providing documentation of financial assurance, as required by IDAPA 58.01.05.008 [40 CFR § 264.151], in the amount of the cost estimates required by Permit Condition II.L.1.

II.O.2. Prior to placement of waste in any new Hazardous Waste Management Unit, the Permittee shall update the closure financial assurance mechanism, as necessary, and demonstrate that an adequately funded financial assurance mechanism for closure of the facility, including the new Hazardous Waste Management Unit, is in effect. The updated, financial assurance mechanism shall be approved by the Director before waste is placed in the new unit. (See Permit Condition II.L.6.)

II.O.3. Changes in financial assurance mechanisms for closure must be approved by the Director, pursuant to IDAPA 58.01.05.008 [40 CFR § 264.143].

II.P. FINANCIAL ASSURANCE FOR FACILITY POST-CLOSURE

II.P.1. The Permittee shall comply with IDAPA 58.01.05.008 [40 CFR § 264.145 or 264.146] by providing documentation of financial assurance, as required by IDAPA 58.01.05.008 [40 CFR § 264.151], in the amount of the cost estimates required by Permit Condition II.N.1.

II.P.2. Changes in financial assurance mechanisms for post-closure must be approved by the Director, pursuant to IDAPA 58.01.05.008 [40 CFR § 264.145].

II.Q. LIABILITY REQUIREMENTS

II.Q.1. The Permittee shall comply with the requirements of IDAPA 58.01.05.008 [40 CFR § 264.147(a)] and the documentation requirements of IDAPA 58.01.05.008 [40 CFR § 264.151], including the requirements to have and maintain liability coverage for sudden accidental occurrences in the amount of at least $1 million per occurrence, with an annual aggregate of at least $2 million, exclusive of legal defense costs.

II.Q.2. The Permittee shall comply with the requirements of IDAPA 58.01.05.008 [40 CFR § 264.147(b)] and the documentation requirements of IDAPA 58.01.05.008 [40 CFR § 264.151], including the requirements to have and maintain liability coverage for non-sudden accidental occurrences in the amount of at least $3 million per occurrence, with an annual aggregate of at least $6 million, exclusive of legal defense costs.

II.R. INCAPACITY OF OWNERS OR OPERATORS GUARANTORS, OR FINANCIAL INSTITUTIONS

The Permittee shall comply with IDAPA 58.01.05.008 [40 CFR § 264.148].

II.S. EQUIVALENT MATERIALS/INFORMATION

II.S.1. If certain equipment, materials, and administrative information (such as names, phone numbers, addresses) are specified in this Permit, the Permittee is allowed to use an equivalent or superior substitute. Use of such equivalent or superior items, within the

limits (e.g. ranges, tolerances, and alternatives) already specified in sufficient detail in this Permit and the Permit Attachments, shall not be considered a modification of the Permit. However, the Permittee must place in the Operating Record (prior to the institution of such revision) the revision, accompanied by a narrative explanation, and the date the revision became effective. Documentation of the substitution shall be submitted to the Director on a quarterly basis (at a minimum). The Department may judge the soundness of the revision and take appropriate action. The format of tables and forms are not subject to the requirements of this Permit, and may be revised at the Permittee's discretion.

II.S.2. If the Department determines that the substitution was not equivalent to the original, it will notify the Permittee that the Permittee's claim of equivalency has been denied, the reasons for the denial, and that the original material or equipment must be used. If the product substitution is denied, the Permittee shall comply with the original, approved product specification, find an acceptable substitution, or apply for a permit modification, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.42].

II.T. AIR EMISSION STANDARDS

II.T.1. The Permittee shall comply with the Phase 1 Organic Air Emission Standards of IDAPA 58.01.08.008 [40 CFR Part 264] for hazardous waste treatment, storage, and disposal (TSD) facilities including:

- IDAPA 58.01.08.008 [40 CFR Part 264, Subpart AA] for emission standards of total organics from process vents associated with distillation, fractionation, thin-film evaporation, solvent extraction, and air or steam-stripping operations that process hazardous waste, with an annual average total organic concentration of at least ten (10) parts per million by weight (ppmw).
- IDAPA 58.01.08.008 [40 CFR Part 264, Subpart BB] for emission standards that address leaks of total organics from specific equipment (i.e., pumps, valves, compressors, etc.) that contains or contacts hazardous waste that has a total organic concentration of at least 10% by weight.
- IDAPA 58.01.08.008 [40 CFR Part 264, Subpart CC] for emission standards that address the management of hazardous waste, containing an average volatileorganic (VO) concentration at the point of waste origination of more than 500 ppmw, in tanks, surface impoundments, and containers.

II.T.2. The Permittee shall not treat, store, or dispose of hazardous wastes subject to IDAPA 58.01.05.008 [40 CFR § 264.1082] (e.g., wastes that exceed an average volatile organic (VO) concentration at the point of waste origination of more than 500 ppmw) in tanks, surface impoundments, or containers, unless the appropriate emission control requirements are met, as specified in IDAPA 58.01.05.008 [40 CFR Subpart CC]. Prior approval from the Director is required for the treatment or disposal of wastes exceeding an average VO concentration at the point of waste origination of 500 ppmw in tanks, surface impoundments, or containers.

II.T.3. Prior to installing or using any additional equipment (including air emission controls) subject to the requirements of IDAPA 58.01.05.008 [40 CFR Part 264, Subpart CC], the Permittee shall supply the specific Part B information required, pursuant to IDAPA 58.01.05.012 [40 CFR § 270.27], and shall obtain a permit modification in accordance with the provisions of IDAPA 58.01.05.012 [40 CFR § 270.42].

II.T.4. Prior to installing or using any equipment with process vents subject to the requirements of IDAPA 58.01.05.008 [40 CFR Part 264, Subpart AA], the Permittee

shall supply the specific Part B information required, pursuant to IDAPA 58.01.05.012 [40 CFR § 270.24], and shall obtain a permit modification in accordance with the provisions of IDAPA 58.01.05.012 [40 CFR § 270.42].

II.T.5. Prior to installing or using any equipment subject to the requirements of IDAPA 58.01.05.008 [40 CFR Part 264, Subpart BB], the Permittee shall supply the specific Part B information required pursuant to IDAPA 58.01.05.012 [40 CFR § 270.25] and shall obtain a permit modification, in accordance with the provisions of IDAPA 58.01.05.012 [40 CFR § 270.42].

II.T.6. The Permittee shall record the information required in accordance with IDAPA 58.01.05.008 [40 CFR § 264.1089] in a log kept in the Facility Operating Record for use in determining exemptions, as provided in the Applicability Section of IDAPA 58.01.05.008 [40 CFR § 264.1050].

II.U. QUARTERLY REPORTS

II.U.1. The following reports shall be submitted to the Department on a quarterly basis:

- Minor discrepancies and items not requiring 24-hour reporting, including documentation of equivalent or superior items, , and other noncompliance items under Permit Condition I.V.; and
- Exempt Radioactive Materials Report, providing volumes and concentrations of waste disposed.

Note: Ground Water Monitoring Reports shall be submitted per the schedule stated in Module IX of this Permit.

This space intentionally left blank

MODULE III - CONTAINER STORAGE AND TREATMENT

III. Subject to the terms of this Permit, the Permittee may store and/or treat hazardous wastes in permitted Container Management Units, as follows:

III.A. DESIGN AND OPERATION

III.A.1. The Permittee's compliance with the requirements of Permit Conditions III.A through III.C shall constitute compliance with the requirements of IDAPA 58.01.05.008 [40 CFR Part 264, Subpart I] for the management of hazardous waste in containers.

III.A.2. The Container Management Units are identified as follows: Container Storage Pad 4; Container Storage Pad 5; Container Storage Pad 7; Container Storage Area 1; Stabilization Facility; and Truck Unloading Apron Nos. 1, 2, and 3. In these Container Management Units and in the Containment Building, the Permittee may store and/or treat containerized wastes, as listed on the Part A Permit Application (included as Attachment 12 of this Permit) except that the limitations designated on Table C-8 and Table C-10 of Attachment 2 of this Permit apply to the wastes stored in containers at any time.

III.A.3. The Permittee shall not store waste using glass as the primary container.

III.A.4. The quantity of 55-gallon containers stored in each designated storage unit, or its volumetric equivalent, shall be limited to the maximum storage capacities designated on Tables D-1 and D-1A of Attachment 13 of this Permit.

III.A.5. The Permittee shall store and/or treat containerized waste, in Container Management Units and in the Containment Building, in the manner described in Attachment 13 of this Permit, except as otherwise specified in this Permit, and in accordance with Permit Condition II.A.l. Additionally, the Permittee shall comply with all applicable sections of Attachments 2, 4, 6, 7, 15, 24, and 25 of this Permit.

III.A.6. The Permittee shall assure that the ability of the container to contain the waste is not impaired, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.172].

III.A.7 If a container holding hazardous waste is not in good condition (e.g., severe rusting, apparent structural defects) or if it begins to leak, the Permittee shall transfer the hazardous waste from such container to a container that is in good condition, or otherwise manage the waste in compliance with the conditions of this Permit and IDAPA 58.01.05.008 [40 CFR § 264.171].

III.A.8 The Permittee shall maintain all Secondary Containment Systems, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.175] and the attached plans and specifications in Attachment 13 of this Permit.

III.A.9. The Permittee shall inspect the Container Management Units weekly, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.174] and the inspection schedules in Attachment 4 of this Permit, to detect leaking containers and deterioration of containers and the Containment System caused by corrosion and other factors. The Permittee shall document the results of all inspections and wastes analyses performed in the Operating Record.

III.A.10. The Permittee shall keep all relevant figures, drawings, and diagrams, related to the

Container Management Units, readily available for inspection at the facility, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.74].

III.B. INCOMPATIBLE WASTE

III.B.1. The Permittee shall not place incompatible wastes, or wastes and materials which are incompatible in the same container, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.177].

III.B.2. The Permittee shall not place hazardous waste or materials in an unwashed container that previously held an incompatible waste or material.

III.B.3. The Permittee shall not store a container holding hazardous waste that is incompatible with any waste, or any materials stored nearby in containers, without separating these incompatible wastes or materials by protecting the wastes from commingling by means of a dike, berm, or wall.

III.C. SPECIAL REQUIREMENTS

III.C.1. The Permittee shall keep all containers closed during storage and shall not open, handle, or store containers in a manner which may rupture the container or cause it to leak, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.173]. The Permittee shall provide temporary cover for all water-reactive, containerized wastes (meeting Permit Condition II.C) that are stored in the Container Management Units located outside, including Container Storage Pad 4, Container Storage Pad 5, Container Storage Area 1, and the Stabilization Facility. This temporary cover may be in the form of any structure, tarp, or other device that serves to prevent precipitation from accumulating on the tops of containers. Such containers shall be covered at all times except when being removed, rearranged, inspected or otherwise managed as part of routine operation.

III.C.2. The Permittee shall not locate containers holding ignitable or reactive waste within fifteen (15) meters (50 feet) of the facility's property line. The Permittee shall take precautions to prevent accidental ignition or reaction of ignitable or reactive wastes by following the procedures of Attachment 13 of this Permit.

III.C.3. The Permittee shall comply with Permit Condition II.T. of this Permit, for all hazardous wastes subject to IDAPA 58.01.05.008 [40 CFR 264 Subpart CC] in containers.

III.C.3.a For storage of containers of hazardous waste exceeding an average VO concentration at the point of origin of 500 ppmw, the Permittee shall comply with all applicable regulations of 40 CFR 264 Subpart CC, including the container standards in IDAPA 58.01.05.008 [40 CFR § 264.1086] as specified in Permit Condition II.T.2

III.C.3.b For containers within the Containment Building and the Container Management Units that contain organic materials, with a volatile organic concentration at the point of origin less than 500 ppmw, and are therefore exempt from using air emission control equipment, documentation shall be recorded that includes the information that was used by the Permittee for each waste determination (e.g., test results, measurements, calculations, and other documentation) in the Facility Operating Record. If analytical results for waste samples are used for the waste determination, then the Permittee shall record the date, time, and location that

each waste sample is collected, in accordance with applicable requirements of 40 CFR § 264.1083, and keep this information in the Operating Record for a minimum of three (3) years.

III.C.4. Reporting Requirements:

If the Permittee does not comply with Permit Condition III.C.3., a report shall be submitted to the Director on each occurrence when hazardous waste is placed in the Waste Management Unit in noncompliance with the conditions of 40 CFR §§ 264.1082(c)(1) or 264.1082(c)(2), as applicable. A written report shall be submitted within fifteen (15) calendar days of the time that the Permittee becomes aware of the occurrence. The written report shall contain: the EPA Identification Number, facility name and address, a description of the noncompliance event and the cause, the dates of the noncompliance, and corrective actions taken to prevent reoccurrence of the noncompliance. The report shall be signed and dated by an authorized representative of the Permittee per IDAPA 58.01.05.008 [40 CFR § 264.1090].

III.D. CLOSURE AND POST-CLOSURE

Closure and Post-Closure Care of all Container Management Units shall be completed in accordance with IDAPA 58.01.05.008 [40 CFR § 264.178], and the applicable sections of Attachment 9 of this Permit.

This space intentionally left blank.

MODULE IV - TANK STORAGE AND TREATMENT

IV. Subject to the terms of this Permit, the Permittee may store and /or treat hazardous wastes in the permitted HWMA tanks, as follows:

IV.A. GENERAL OPERATING REQUIREMENTS

IV.A.1 The Permittee's compliance with the requirements of Permit Conditions IV.A through IV.F shall constitute compliance with the requirements of IDAPA 58.01.05.008 [40 CFR Part 264, Subpart J], pertaining to the management of hazardous wastes in tanks.

IV.A.2 The Permittee shall comply with the tank operating requirements of IDAPA 58.01.05.008 [40 CFR § 264.194] and Attachments 14 and 24 of this Permit.

IV.A.3 The Permittee shall inspect the tank systems according to IDAPA 58.01.05.008 [40 CFR § 264.195], and the inspection schedule contained in Attachment 4 of this Permit.

IV.A.4 The Permittee shall maintain all Secondary Containment Systems in accordance with IDAPA 58.01.05.008 [40 CFR § 264.193] and the attached plans and specifications, as contained in Attachments 14 and 24 of this Permit.

IV.A.5. The Permittee shall remove any spilled or leaked wastes and any accumulated precipitation from the Secondary Containment Systems of each tank within 24 hours of detection, unless the waste or precipitation in the Secondary Containment System is frozen. The Permittee shall manage said wastes and precipitation as hazardous wastes. Within two (2) normal working days after the waste or precipitation in the Secondary Containment System is no longer frozen, the contained liquids will be characterized and removed.

IV.A.6. The Permittee shall respond to leaks or spills and disposition of leaking or unfit-for-use tank systems, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.196].

IV.A.7. Ignitable or reactive wastes must not be placed in tank systems unless the special requirements of IDAPA 58.01.05.008 [40 CFR § 264.198] are met.

IV.A.8. Incompatible wastes and materials must not be placed in the same tank system unless the special requirements of IDAPA 58.01.05.008 [40 CFR § 264.199] are met.

IV.A.9. The Permittee shall comply with Permit Condition II.T of this Permit, for all hazardous waste subject to IDAPA 58.01.05.008 [40 CFR Subpart CC] in tanks.

IV.A.9.a. For tanks that manage organic materials with a volatile organic concentration at the point of origin less than 500 ppmw, and are therefore exempt from using air emission control equipment, documentation shall be recorded that includes the information that was used by the Permittee for each waste determination (e.g., test results, measurements, calculations, and other documentation) in the Facility Operating Record. If analytical results for waste samples are used for the waste determination, then the Permittee shall record the date, time, and location that each waste sample is collected in accordance with applicable requirements of 40

CFR § 264.1083, and keep this information in the Operating Record for a minimum of three (3) years.

IV.A.9.b. Reporting Requirements: If the Permittee does not comply with Permit Condition IV.A.9., a report shall be submitted to the Director on each occurrence when hazardous waste is placed in the Waste Management Unit in noncompliance with the conditions of 40 CFR § 264.1082(c)(1) or § 264.1082(c)(2), as applicable. A written report shall be submitted within fifteen (15) calendar days of the time that the Permittee becomes aware of the occurrence. The written report shall contain: the EPA Identification Number, facility name and address, a description of the noncompliance event and the cause, the dates of the noncompliance, and corrective actions taken to prevent reoccurrence of the noncompliance. The report shall be signed and dated by an authorized representative of the Permittee, per IDAPA 58.01.05.008 [40 CFR § 264.1090].

IV.A.10. The Permittee shall keep all relevant figures, drawings, and diagrams, related to the tank systems, readily available for inspection at the facility, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.74].

IV.B. BULK LIQUID STORAGE TANKS

IV.B.1. The Bulk Liquid Storage Tanks shall be defined as four (4) existing storage tank units designated as Nos. 1, 2, 3, and 4. References to the Bulk Liquid Storage Tanks shall also include any associated piping, appurtenances, and the Secondary Containment Systems for these units.

IV.B.2. The Bulk Liquid Storage Tanks shall be designed and operated in accordance with Attachment 14 of this Permit, except as otherwise specified in this Permit, and in accordance with Permit Condition II.A. Additionally, the Permittee shall comply with all applicable sections of Attachments 2, 4, 6, and 7 of this Permit.

IV.B.3. The Permittee may store, in liquid form, any of the hazardous wastes listed on the Part A Form (included as Attachment 12 of this Permit), except that the limitations designated on Table C-8 and Table C-10 of Attachment 2 of this Permit apply to the wastes stored in any Bulk Liquid Storage Tank at any time.

IV.B.4. Since the Secondary Containment Systems for Tank Nos. 1 and 4 are common and shared, the Permittee shall not at any time store incompatible wastes in Tanks Nos.1 and 4. Similarly, since the Secondary Containment Systems for Tank Nos. 2 and 3 are common and shared, the Permittee shall not at any time store incompatible wastes in Tank Nos. 2 and 3.

IV.C. STABILIZATION MIXING BIN TANKS

IV.C.1. The Stabilization Mixing Bin Tanks shall be defined as four (4), open-topped tank units located in the Containment Building. Two tank units are located in the Stabilization Portion of the building and two tank units have been approved for the Debris Portion of the building. References to the above-defined Mixing Bin Tanks shall also include any appurtenances and the Secondary Containment Systems for these units.

IV.C.2. The Mixing Bin Tanks shall be designed and operated in accordance with

Attachments 14 and 24 of this Permit, except as otherwise specified in this Permit, and in accordance with Permit Condition II.A. Additionally, the Permittee shall comply with all applicable sections of Attachments 2, 4, 6, and 7 of this Permit.

IV.C.3. The storage capacity of each installed Mixing Bin Tank located in the Stabilization Portion of the building shall not exceed 120 cubic yards. The storage capacity of each installed Mixing Bin Tank located in the Debris Portion of the building shall not exceed 226 cubic yards for wastes in solid form.

IV.C.4. The Permittee shall manage non-containerized waste in the Mixing Bin Tanks such that the height and location of the waste does not allow these materials to overflow.

IV.D. CLOSURE AND POST-CLOSURE

Closure and Post-Closure Care of the tank systems shall be completed in accordance with IDAPA 58.01.05.008 [40 CFR § 264.197], and all applicable sections of Attachment 9 of this Permit.

This space intentionally left blank.

MODULE V - SURFACE IMPOUNDMENT STORAGE, TREATMENT, AND DISPOSAL

V. Subject to the terms of this Permit, the Permittee may store, treat, and/or dispose of hazardous wastes in permitted surface impoundments, as follows:

V.A. DESIGN AND OPERATION

V.A.1. Surface impoundments shall consist of Collection Ponds 1, and 3, and Evaporation Pond 1.(Collection Pond 2 closed in October 2011.)

V.A.2. The Permittee may store and treat (by evaporation and physical settling) any of the liquid or semi-solid wastes that are listed on the Part A Permit Application, included as Attachment 12 of this Permit, in Evaporation Pond 1, except that the following limitations apply:

V.A.2.a. The Permittee shall not store or treat in the impoundments any wastes that are currently restricted from land disposal under IDAPA 58.01.05.011 [40 CFR Part 268] unless that waste has been granted an exemption, extension, or variance, or unless the applicable treatment standard as specified in IDAPA 58.01.05.011 [40 CFR Part 268] has been achieved prior to placement in the units. In addition, as new wastes are specified for Land Disposal Restriction under IDAPA 58.01.05.011 [40 CFR Part 268], the Permittee shall immediately cease introducing such wastes for storage and treatment in the impoundment upon the effective date of the IDAPA 58.01.05.011 [40 CFR Part 268] regulation unless the waste has been granted an exemption, extension, or variance, or meets the treatment standard as specified in IDAPA 58.01.05.011 [40 CFR Part 268], prior to placement in the units;

V.A.2.b. The Permittee shall not store or treat any wastes that are restricted from placement in the impoundments by the limitations designated on Table C-8 and Table C-10 of Attachment 2 of this Permit;

V.A.2.c. The Permittee shall not place hazardous wastes F020, F021, F022, F023, F026, and F027 in any surface impoundment unless the special requirements of IDAPA 58.01.05.008 [40 CFR § 264.231] are met by submitting a permit modification, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.42], for the addition of a management plan for handling these wastes.

V.A.3. The Permittee shall comply with Permit Condition II.T of this Permit for all hazardous wastes subject to IDAPA 58.01.05.008 [40 CFR Subpart CC] in surface impoundments.

V.A.3.a. For surface impoundments that receive organic wastes, with a volatile organic concentration at the point of origin less than 500 ppmw, and are therefore exempt from using air emission control equipment, documentation shall be recorded in the Facility Operating Record that includes the information that was used by the Permittee for each waste determination (e.g., test results, measurements, calculations, and other documentation). If analytical results for waste samples are used for the waste determination, then the Permittee shall record the date, time, and location that each waste sample is collected, in accordance with applicable requirements of 40 CFR § 264.1083. This information shall be kept in the Operating Record for a minimum of three (3) years.

V.A.3.b. Reporting Requirements: If the Permittee does not comply with Permit Condition V.A.3.a, a report shall be submitted to the Director on each occurrence when hazardous waste is placed in the Waste Management Unit in noncompliance with the conditions of 40 CFR § 264.1082(c)(1) or § 264.1082(c)(2), as applicable. A written report shall be submitted within fifteen (15) calendar days of the time that the Permittee becomes aware of the occurrence. The written report shall contain: the EPA Identification Number, facility name and address, a description of the noncompliance event and the cause, the dates of the noncompliance, and corrective actions taken to prevent reoccurrence of the noncompliance. The report shall be signed and dated by an authorized representative of the Permittee, per IDAPA 58.01.05.008 [40 CFR § 264.1090].

V.A.4. The Permittee may store and treat (by evaporation and physical settling) in Collection Ponds 1, and 3, any of the following:

V.A.4.a. Surface run-off from the site;

V.A.4.b. Leachate from on-site landfills; and

V.A.4.c. Liquid from Evaporation Pond 1 only under the following condition:

V.A.4.c.(1). Evaporation Pond 1 is required to be taken out of service and emptied as specified by the Contingency Plan (Attachment 7 of this Permit) or the Response Action Plan (Attachment 8 of this Permit).

V.A.5. The Permittee shall maintain the design of Collection Ponds 1,and 3 and Evaporation Pond 1 in accordance with IDAPA 58.01.05.008 [40 CFR § 264.221] and Attachments 17 and 20 of this Permit, except as otherwise specified in this Permit, and in accordance with Permit Condition II.A.

V.A.6. The Permittee shall operate Collection Ponds 1, and 3 and Evaporation Pond 1, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.221 and § 264.227] and Attachments 2, 6, 7, 8, and 17 of this Permit, except as otherwise specified in this Permit, and in accordance with Permit Condition II.A.

V.A.7. The Permittee shall inspect and monitor the surface impoundments in accordance with IDAPA 58.01.05.008 [40 CFR § 264.226] and the inspection schedule contained in Attachment 4 of this Permit.

V.A.8. In accordance with IDAPA 58.01.05.008 [40 CFR § 264.223] and Attachment 8 of this Permit, the Permittee shall follow the Response Action Plan for any exceedance of the action leakage rate.

V.A.9. The Permittee shall sample and analyze all liquid removed from the leak detection, collection, and removal system sump for the surface impoundments, to determine whether the liquid is derived from hazardous waste. The Permittee shall determine the list of parameters for analysis, based on its knowledge of the wastes placed in the unit. Results of analyses shall be maintained in the Operating Record. Alternatively, the Permittee may delete this sampling and analysis requirement if all liquid removed from any leachate detection, collection, and removal system sump is properly managed as hazardous waste.

V.A.10. Ignitable or reactive wastes must not be placed in surface impoundments unless the

special requirements of IDAPA 58.01.05.008 [40 CFR § 264.229] are met.

V.A.11. Incompatible wastes and materials must not be placed in surface impoundments unless the special requirements of IDAPA 58.01.05.008 [40 CFR § 264.230] are met.

V.A.12. The Permittee shall keep all relevant figures, drawings, and diagrams related to surface impoundments readily available for inspection at the facility, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.74].

V.B. CLOSURE AND POST-CLOSURE

V.B.1. Closure and Post-Closure Care of the Surface Impoundment Units (Evaporation Pond 1, Collection Ponds 1, and 3) shall be completed in accordance with IDAPA 58.01.05.008 [40 CFR § 264.228] and the applicable sections of Attachments 9, 18, and 21, and Permit Condition II.K.

V.B.1.a. If a soil cover is used during surface impoundment closure, prior to construction of the soil cover of Evaporation Pond 1 and Collection Ponds 1, and 3, the Permittee shall (for clay sources not previously tested) perform field/in-situ hydraulic conductivity testing on a test fill, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.19] and EPA/600/R-93/182, September 1993, *Quality Assurance and Quality Control for Waste Containment Facilities*. The field/in-situ testing shall be done in addition to laboratory testing.

V.B.2. For all Surface Impoundment Units, minor deviations from the permitted closure design specifications or procedures necessary to accommodate proper closure, must be noted on the as-built drawings and the rationale for those deviations in designs, specifications, or procedures must be provided in narrative form with the closure certification statements. Within sixty (60) calendar days after completion of closure of each Surface Impoundment Unit, the Permittee shall submit to the Director the final as-built drawings of the closed unit, the narrative report, and certification statement.

This space intentionally left blank.

MODULE VI - LANDFILL DISPOSAL

VI. Subject to the terms of this Permit, the Permittee may dispose of hazardous wastes in permitted Landfill Units, as follows:

VI.A. LANDFILL DESIGN AND OPERATION

VI.A.1. Landfills shall consist of existing units: Cell 5, Trench 10, Trench 11, Cell 14, Cell 15, and Cell 16.

VI.A.2. The Permittee may dispose of any hazardous waste listed on the Part A Application (included as Attachment 12 of this Permit) or waste that is otherwise allowed under Idaho Rules and this Permit, in Landfill Units Cell 14, Cell 15, and Cell 16, except that the following limitations apply:

VI.A.2.a. The Permittee shall not dispose of any waste that is restricted from placement in landfills by the limitations designated on Table C-8 and Table C-10 of Attachment 2 of this Permit.

VI.A.2.b. The Permittee shall not dispose of wastes containing free liquids. Free liquids analyses shall be performed in accordance with the applicable procedures in Attachment 2 of this Permit.

Note: Liquid wastes that are contained in lab packs (packaged in accordance with IDAPA 58.01.05.008 [40 CFR § 264.316]) or very small containers, ampules, capacitors, or batteries (in accordance with IDAPA 58.01.05.008 [40 CFR § 264.314]) may be disposed without stabilization and related stabilization testing and verification procedures, provided other restrictions, as specified in this Permit or by other laws or regulations, do not prohibit the land disposal of such wastes. However, no regulated quantities of hazardous waste lab packs can be disposed in Landfill Units unless the Land Disposal Restriction Standards of IDAPA 58.01.05.011 [40 CFR § 268.42(c)] are met.

VI.A.2.c. The Permittee shall not dispose of any bulk waste that was generated as a liquid and was then stabilized by the generator (or another off-site treatment facility) unless the Permittee has conducted analytical testing to ensure that the waste has been properly stabilized and the applicable treatment standard, as specified in IDAPA 58.01.05.011 [40 CFR Part 268], has been achieved. Such testing shall be done by the Permittee, using sampling and analytical methods consistent with Permit Condition II.C, Attachments 2, 15, 24, and 25 of this Permit. Records of such analyses shall be maintained in the Operating Record for a minimum period of three (3) years. This Permit Condition (VI.A.2.c) shall not apply if the Permittee complies with Permit Condition VI.A.2.d.

VI.A.2.d. As an alternative to the bulk waste testing by the Permittee specified in Permit Condition VI.A.2.c, the Permittee shall maintain documentation supplied by the generator (or another off-site treatment facility) that proper stabilization has been achieved. Documentation from the generator (or another off-site treatment facility) must contain a description of the stabilization procedures used, including a signed certification that the stabilized waste achieved the applicable treatment standard, as specified in Attachment 2 of this Permit and in accordance with IDAPA 58.01.05.011 [40 CFR Part 268]. The Permittee shall maintain such documentation in the Operating Record for a minimum period of three (3) years.

VI.A.2.e. The Permittee shall not dispose of any wastes that are restricted from land disposal under IDAPA 58.01.05.011 [40 CFR Part 268] unless that waste has been granted an exemption, extension, or variance, or unless the applicable treatment standard, as specified in IDAPA 58.01.05.011 [40 CFR Part 268], has been achieved prior to placement in the units. In addition, as new wastes are specified for Land Disposal Restriction under IDAPA 58.01.05.011 [40 CFR Part 268], the Permittee shall immediately cease disposing of such wastes upon the effective date of the regulation, unless the waste has been granted an exemption, extension, or variance, or meets the treatment standard specified in IDAPA 58.01.05.011 [40 CFR Part 268], prior to placement in the Landfill Units.

VI.A.2.f. The Permittee shall not dispose of ignitable or reactive wastes (Waste Numbers D001 or D003, respectively) or any listed waste for which the basis for listing is ignitability or reactivity, unless the waste has been treated to render it non-ignitable or non-reactive. For such wastes, the Permittee shall follow testing procedures used to determine ignitability and reactivity as specified in Attachment 2 of this Permit.

Note: Cyanide or sulfide bearing waste, as defined in IDAPA 58.01.05.005 [40 CFR § 261.23(a)(5)], may be packaged in accordance with IDAPA 58.01.05.008 [40 CFR § 264.316], and disposed without first being treated to render it non-reactive. Ignitable wastes in containers may be landfilled without first being treated to render it non-ignitable, if they are disposed in accordance with IDAPA 58.01.05.008 [40 CFR § 264.312].

VI.A.2.g. The Permittee shall manage the storage of Interim Processing Loads in accordance with Attachments 4 and 19 of this Permit. Treated waste awaiting post-treatment analysis shall be staged in rolloff containers in Container Storage Area 1 (CSA 1).

VI.A.2.h. The Permittee shall comply with IDAPA 58.01.05.008 [40 CFR § 264.317], the 1995 Dioxin Management Plan, and all applicable Land Disposal Restriction treatment standards under IDAPA 58.01.05.011 [40 CFR § 268.40] for disposal of hazardous wastes F020, F021, F022, F023, F026, and F027 in landfills. The Permittee shall make a written request for pre-approval from the Director for the storage, treatment, or disposal of these dioxin-listed wastes.

VI.A.3. The Permittee shall maintain the approved designs of Trench 10, Trench 11, Cell 5, Cell 14, Cell 15, and Cell 16 in accordance with Attachments 18, 19, and 20 of this Permit, and all previously approved design criteria, except as otherwise specified in this Permit, and in accordance with Permit Condition II.A.1.

VI.A.4. Prior to construction of any soil liner for a Landfill Unit, a compacted clay liner test pad may be required to demonstrate that the contractor's borrow, processing, and compaction operations are capable of producing low-permeability soil in conformance with project specifications. The Permittee shall seek IDEQ concurrence regarding the inclusion or exclusion of test pads prior to initiating landfill construction. All test pads shall include laboratory and field/in-situ hydraulic conductivity testing, in accordance with Specification 02228 of Attachment 18.

VI.A.5. The Permittee shall operate Cells 14, 15, and 16 in accordance with IDAPA 58.01.05.008 [40 CFR § 264.301] and the operating practices described in

Attachments 2, 6, 7, 19, and 23 of this Permit, except as otherwise specified in this Permit, and in accordance with Permit Condition II.A.1.

VI.A.5.a. The Permittee shall cease landfilling operations when the sustained wind speed conditions exceed 25 miles per hour (25 mph average for an hour) and apply asphaltic emulsion or soil cover on the freshly spread landfill surface. Waste placement operations in the landfill cells shall resume only after the sustained wind speed is below 25 mph (25 mph average for an hour).

VI.A.6. The Permittee shall monitor and inspect the landfill in accordance with IDAPA 58.01.05.008 [40 CFR § 264.303] and Attachments 4 and 19 of this Permit.

VI.A.7. The Permittee shall maintain a permanent and accurate record of the three-dimensional location of each waste type, based on grid coordinates, within units Cell 5, Trench 11, Cell 14, Cell 15, Cell 16, Trench 10 (to the extent the records exist for Trench 10), and records for all previous disposal areas for which the records exist, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.309]. This record shall include the information necessary to locate a specific waste and shall be based on information contained in the manifest (Generator Identification Number, waste code, and date of disposal). This condition shall apply to all wastes placed in existing units Cell 5, Trench 11, Cell 14, Cell 15, and Cell 16 irrespective of the date of disposal. Upon final closure of the facility, the Permittee shall submit, to the Director, copies of these records for units Cell 5, Trench 11, Cell 14, Cell 15, Cell 16, and for Trench 10 (to the extent the records exist for Trench 10).

VI.A.8. Liquid in the primary Leachate Collection System of units Cell 5, Cell 14, Cell 15, and Cell 16 shall not exceed 30 cm (one foot) in depth over the primary liner after waste has been placed, as specified in IDAPA 58.01.05.008 [40 CFR § 264.301(c)(2)]. (This does not include the area of the sump used to accumulate sufficient quantities of liquid for pumping). Liquid in the secondary Leachate (leak) Collection System of units Cell 5, Cell 14, Cell 15, and Cell 16 will be removed, when pumpable quantities exist (to the extent practicable) within 24 hours after those quantities are found. The liquid from both the primary and secondary Leachate Collection Systems shall be managed as a hazardous waste. During the Post-Closure Period, after final facility closure, liquid from the secondary Leachate (leak) Collection Systems must be pumped (as described above) within 72 hours after such liquid is found.

VI.A.9. For all Landfill Units, the Permittee shall establish Action Leakage Rates (included in Table VI-1 of this Permit) and follow the Response Action Plan (included as Attachment 8 of this Permit), in accordance with IDAPA 58.01.05.008 [40 CFR § 264.302 and § 264.304].

VI.A.10. The Permittee shall keep all relevant figures, drawings, and diagrams, related to Landfill Disposal Units, readily available for inspection at the facility, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.74].

VI.B. CLOSURE AND POST-CLOSURE

VI.B.1. The Permittee shall close units Cell 14, Cell 15, and Cell 16 in accordance with IDAPA 58.01.05.008 [40 CFR § 264.310(a)] and the applicable sections of

Attachment 9, 9a, 9b, 18, 19, and 20 and Permit Condition II.K and II.V.2.

VI.B.2. The Permittee shall follow the requirements for Post-Closure Care of units Cell 5, Trench 10, Trench 11, Cell 14, Cell 15, and Cell 16 in accordance with IDAPA 58.01.05.008 [40 CFR § 264.310(b)], and the applicable sections of Attachment 9 and Permit Condition II.M. Post-Closure Care for each unit shall begin at the time of receipt of the closure certification statements by the Department.

VI.B.3. For all Landfill Units, minor deviations from the permitted closure design specifications, or procedures necessary to accommodate proper closure, must be noted on the as-built drawings and the rationale for those deviations in designs, specifications, or procedures must be provided in narrative form with the closure certification statements. Within sixty (60) calendar days after completion of closure of each Landfill Unit, the Permittee shall submit, to the Director, the final as-built drawings of the closed unit, the narrative report, and certification statement. All other deviations from the permitted closure design specifications shall be approved in advance by the Director, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.42].

VI.B.4. The Permittee shall provide certification statements attesting that each Landfill Unit at the facility has been closed in accordance with the applicable specifications in the Closure Plan included as Attachment 9 of this Permit, as required by IDAPA 58.01.05.008 [40 CFR § 264 Subpart G].

VI.B.5. The Permittee shall submit to the local land use authority and to the Director, a survey plat indicating the location and dimensions of closed Landfill Units, with respect to permanently surveyed benchmarks, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.116].

VI.B.6 In the event that any Hazardous Waste Management Unit, other than the Landfill and Surface Impoundment Units listed in Permit Condition V.B.1 and VI.B.1, cannot be closed by removing hazardous waste, hazardous constituents, contaminated subsoil, and any contaminated ground water (i.e., clean-closed) as specified in Permit Condition II.K.1, the Permittee shall revise the Facility Post-Closure Plan to include a Post-Closure Plan for that Hazardous Waste Management Unit. The Permittee shall submit the Post-Closure Plan for that Hazardous Waste Management Unit to the Director, as a Permit Modification Request, within ninety (90) calendar days of the date that the Director notifies the Permittee in writing that the unit must be closed as a landfill, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.118(a)].

VI.B.7. The final cover design for landfill cells 14 and 15 shall be specified in Attachment 9a.

VI.B.8 The final cover design for landfill cell 16 shall be specified in Attachment 9b.

TABLE VI-1. ACTION LEAKAGE RATES (ALR)			
Disposal Unit	**Area (acres)**	**ALR * (gal/day)**	**WLR ** (gal/day)**
Surface Impoundment 1 (Evaporation Pond)	2.31	2310	1732
Evaporation Pond (Reconstructed)	2.23	3,790	2,842
Collection Pond 1	0.38	380	285
Collection Pond 2(Closed October 2011)	N/A	N/A	N/A
Collection Pond 3	0.54	540	405
Landfill Cell 5 –Phase 1 (Zones 1 and 2)	1.82	182	136
Landfill Cell 5 –Phase 2 (Section 2)	1.92	192	144
Landfill Cell 5 – (Section 3)	1.62	162	121
Landfill Cell 14 – Subcell 1	4.47	447	335
Landfill Cell 14 – Subcell 2	2.32	232	174
Landfill Cell 14 – Subcell 3	2.75	275	206
Landfill Cell 14 – Subcell 4	3.00	300	225
Landfill Cell 14 – Subcell 5	3.00	300	225
Landfill Cell 14 – Subcell 6	5.17	517	388
Landfill Cell 15 – Phase 1	12.1	1,210	907
Landfill Cell 15 – Phase 2	8.5	850	637
Landfill Cell 15 – Phase 3/4	17.3	1,730	1,297
Landfill Cell 16 – Subcell 1a	9.0	1,440	1,080
Landfill Cell 16 – Subcell 2a	9.0	1,440	1,080
Landfill Cell 16 – Subcell 1b***	28.0	14,532	10,899
Landfill Cell 16 – Subcell 2b***	28.0	14,532	10,899

***** Based on a 7-day average
****** Measured on any given day
******* Should be adjusted to reflect the as-built footprint.
Note: ALR's based on EPA Guidance of 100 gallons per acre day (gpad) and 1,000 gpad for surface impoundments, except for Cell 16 and the Reconstructed Evaporation Pond, which have calculated ALR's.
Note: WLR's = 75% of ALR measured on any given day

This space intentionally left blank.

MODULE VII - SURFACE WATER MANAGEMENT PLAN

VII.A. DESIGN, OPERATION, AND MAINTENANCE OF SURFACE WATER MANAGEMENT SYSTEM

VII.A.1. The Permittee shall construct the Surface Water Management System in accordance with the design, description and specifications in Attachments 10, and 17 of this Permit and in accordance with Permit Condition II.A of this Permit.

VII.A.2. The Permittee shall operate and maintain the Surface Water Management System in the manner specified in Attachment 10 of this Permit and in accordance with Permit Condition II.A.1.

VII.A.3. The Permittee shall be allowed to implement changes to the Surface Water Management Plan, in the event of emergency conditions, without obtaining a permit modification from the Department. Any emergency changes to the Surface Water Management System must be documented and reported to the Director, in writing, within thirty (30) calendar days of such changes. If the Director determines that such changes constitute a significant deviation from the Permit (Attachment 10), the Director shall notify the Permittee that a permit modification, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.42], will be required. The Permittee shall submit any required Permit Modification Request within thirty (30) calendar days of such notification.

VII.A.4. The Permittee shall be allowed to implement changes to the Surface Water Management Plan, consistent with the criteria specified in Permit Conditions VII.A.4.a and VII.A.4.b, after providing revisions to narrative, tables, and drawings in Attachment 10 necessary to incorporate these changes, and providing calculations necessary to support these changes, and upon receipt of written acceptance (by certified mail or hand delivery) of these changes by the Department. These changes and their acceptance by the Department shall not require a permit modification, pursuant to IDAPA 58.01.05.012 [40 CFR § 270.42].

VII.A.4.a. The collection ponds shall be operated to maintain available capacity for the volume from the greater of either the 25-year, 24-hour storm event, plus two (2) feet of freeboard or a 100 year, 24-hour storm; and

VII.A.4.b. Run-off from on-site areas, which are designated within a development phase of the Surface Water Management System, to be contained on-site, shall not be diverted off-site during that development phase.

VII.A.5. The Permittee shall keep all relevant figures, drawings, and diagrams related to the Surface Water Management Plan readily available for inspection at the facility, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.74].

VII.B. COMPLIANCE SCHEDULE

The portion of the facility Surface Water Management System that is designed to serve proposed Waste Management Units must be installed and operational prior to placement of waste into that unit. The Permittee shall follow the provisions of Permit Condition I.R for new system construction.

MODULE VIII - PAST PRACTICE UNITS

VIII.A. POST-COVER CARE

VIII.A.1. The Permittee shall maintain ground water monitoring wells and implement a Ground Water Monitoring Program for Past Practice Units Silo 1, Silo 2, and Silo 3, Exhaust Shaft, the Radar Silos, the Elevator Shaft and the Control Center (the locations of which are designated on Drawing PRMI-T05a in Attachment 22 of this Permit) and Past Practice Units PCB 1, PCB 2, PCB 3, and PCB 4, Chem 1, Chem 1B, Chem 2, Chem 2B, Chem 2C, Chem 2D, Chem 2E, Chem 3, Chem 4, Chem 4B, Chem 5, Chem 5B, Chem 6, Chem 6A, Chem 6B, Chem 7, Chem 8, Chem 9, Buried Drum Area 1 (NW corner - near Silo 2), Buried Drum Area 2 (middle of site - near Silo 3), Acid Disposal Pits, Chemical Area 1, Disposal Area 9A, and the Electrical Vault (the locations of which are designated on drawings in Attachment 22 of this Permit).

VIII.A.2. The Permittee shall conduct Post-Cover Care, inspection, and maintenance of the Past Practice Units Silo 1, Silo 2, and Silo 3 with their ancillary equipment, exhaust and propellant shafts, the Radar Silos, the Elevator Shaft, and the openings to the powerhouse dome (the locations of which are designated on Drawing PRMI-T05a in Attachment 22 of this Permit) and Past Practice Units PCB 1, PCB 2, PCB 3, and PCB 4, Chem 1, Chem 1B, Chem 2, Chem 2B, Chem 2C, Chem 2D, Chem 2E, Chem 3, Chem 4, Chem 4B, Chem 5, Chem 5B, Chem 6, Chem 6A, Chem 6B, Chem 7, Chem 8, Chem 9, and the Electrical Vault (the locations of which are designated on drawings in Attachment 22 of this Permit), as specified in Attachment 9 [Section I.3.h.(3)] of this Permit for closed Land Disposal Units, with the following exceptions:

VIII.A.2.a. Prior to final closure, the Permittee shall inspect the leachate collection/ observation wells for Past Practice Units PCB 1, PCB 2, PCB 3, and PCB 4, Chem 1, Chem 1B, Chem 6 and Chem 6B as specified in Attachment 4 of this Permit. All pumpable quantities of liquids found in the leachate collection/ observation wells shall be removed (to the extent practical), within 24 hours of the time such liquid is found. After facility closure, the requirement for removal of leachate shall be to the extent practical within 72 hours of the time such liquid is found.

VIII.A.2.b. The Permittee shall install and maintain the Carbon Adsorption Units for the exhaust vents of Past Practice Units Silo 1, Silo 2, Silo 3, Powerhouse Dome, the Radar Silos, and the Control Center, in accordance with the approved Silo Carbon Canister Change-out Plan (Granulated Activated Carbon Replacement Plan, January 2011).

VIII.A.3. The period of Post-Cover Care for the Past Practice Units, designated in Permit Condition VIII.A.2, shall be at least thirty (30) years after Director approval of closure certification.

VIII.A.4. The Director reserves the right to re-open Permit Condition VIII.A.3 and extend the Post-Cover Period for any applicable unit at any time during the life of this Permit, as deemed necessary to protect human health and the environment.

VIII.A.5. The Permittee shall keep all relevant figures, drawings, and diagrams (related to Past Practice Units) readily available for inspection at the facility, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.74].

VIII.B. POST-COVER MAINTENANCE COST ESTIMATE

VIII.B.1. The Permittee shall prepare a detailed cost estimate for inspection and maintenance of the cover systems for the Past Practice Units identified in Permit Condition VIII.A to be submitted to the Department, along with the cost estimates prepared under Permit Conditions II.L and II.N.

VIII.B.2. The Permittee shall adjust the cost estimate for inflation within sixty (60) calendar days prior to the anniversary date on which the first cost estimate was prepared under Permit Condition VIII.B.1.

VIII.B.3. The Permittee shall revise the post-cover cost estimate for the Past Practice Units within thirty (30) calendar days of an approved modification to the Past Practice Units.

VIII.C. POST-COVER FINANCIAL ASSURANCE

The Permittee shall, within sixty (60) calendar days of preparation of the cost estimates required by Permit Condition VIII.B.1, establish and maintain financial assurance by one of the forms provided for under IDAPA 58.01.05.008 [40 CFR §§ 264.143 and 264.145], in the amount of the cost estimates required by Permit Condition VIII.B.

This space intentionally left blank.

MODULE IX – GROUND WATER MONITORING

IX.A. GROUND WATER MONITORING PROGRAM

The Ground Water Monitoring Program, applicable under the terms of this Permit, shall be undertaken in accordance with IDAPA 58.01.05.008 [40 CFR §§ 264.97, 264.98, 264.99 and 264.100]. Table IX-1 summarizes key components of the Ground Water Monitoring Program. The Ground Water Monitoring Program shall consist of and be implemented as follows:

IX.A.1. A Detection Monitoring Program (DMP) is currently in effect and shall remain in effect until:

IX.A.1.a. The detection monitoring criteria, as listed in Permit Condition IX.F.1 as the Estimated Quantitation Limits (EQL), for any single constituent(s) are exceeded. The EQL for all parameters shall be one (1) microgram per liter for any single Volatile Organic Constituent (VOC) or as specified in Table IX-2. At that time, the Permittee shall comply with Permit Condition IX.G and proceed in accordance with Permit Condition IX.A.2; or

IX.A.1.b. The Post-Closure Period is over.

IX.A.2. A Compliance Monitoring Program (CMP) shall be put into effect at such time as the detection monitoring criteria are demonstrated, through Permit Condition IX.G, to have been exceeded. A CMP is currently in effect for monitoring Wells U-5, U-6, U-7, U-21, U-23, U-24, and U-25. The CMP shall remain in effect until:

IX.A.2.a. The detection monitoring criteria are demonstrated, through Permit Condition IX.G, to not have been exceeded during four (4) consecutive CMP sampling events, at which time the Permittee shall reactivate the DMP specified in Permit Condition IX.F; or

IX.A.2.b. The compliance monitoring criteria, demonstrated through Permit Condition IX.G, have been exceeded, at which time the Permittee shall proceed in accordance with Permit Condition IX.A.3 (Corrective Action).

IX.A.3. A Corrective Action Monitoring Program (CAMP), which shall be put into effect at such time as any Ground Water Protection Standard (GPS) criteria are exceeded. The CAMP shall remain in effect until: a) the compliance monitoring criteria are not exceeded during four (4) consecutive CAMP events. At such time the CMP shall be reactivated; or b) until such time as a Corrective Measures Implementation Plan is submitted to meet the requirements of IDAPA 58.01.05.008 [40 CFR § 264.100] and is approved by the Director.

TABLE IX-1. GROUND WATER MONITORING CRITERIA FOR THE GROUND WATER MONITORING PROGRAMS

MONITORING PROGRAM	BEGIN	MONITORING CRITERIA
Corrective Action Monitoring Program	In accordance with Permit Condition IX.A.3.	Exceedance of Ground Water Protection Standard for one or more constituent(s).
Compliance Monitoring Program	At Permit issuance for the following monitoring wells: U-5, U-6, U-7, U-21, U-23 U-24, U-25; or in accordance with Permit Condition IX.A.2, when the detection monitoring criteria are exceeded.	Constituent concentrations less than, or equal to, the Ground Water Protection Standards, but are greater than the Estimated Quantitation Limit of 1 microgram per liter (1 µg/l). [Refer to Table IX-6]
Detection Monitoring Program	At Permit issuance for all monitoring wells except: U-5, U-6, U-7, U-21, U-23, U-24, and U-25; or in accordance with Permit Condition IX.A.1.	Analytical results indicate constituent concentrations are below the Estimated Quantitation Limit (EQL), as shown in Table IX-2. EQLs for all constituents shall be 1 µg/l.

IX.B. GROUND WATER MONITORING WELLS

IX.B.1. The Ground Water Monitoring Network shall consist of the Upper and Lower Aquifer monitoring wells and piezometers listed in Table IX-3, and shown on Figures 1 and 2 of this Permit. The sampling frequencies for all ground water monitoring wells are listed in Table IX-3. For each regulated unit, the point-of-compliance monitoring wells are listed in Table IX-4 and shown in Figures E-27 and E-28 of Attachment 11 of this Permit. The point-of-compliance wells for the entire site are shown in Drawing PRMI-T01F in Attachment 1 of this Permit.

IX.B.2. All changes to the Ground Water Monitoring Network and sampling frequencies shall require a permit modification, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.42] and Permit Condition I.E.3. The only exceptions to this are the monitoring wells addressed in Permit Condition IX.B.3.

IX.B.3. Future Cell 16 construction will result in the addition of 2 new Lower Aquifer upgradient monitoring wells, Wells L-52 and L-53. Existing upgradient lower aquifer monitoring well L-38 will be plugged and abandoned. Future Cell 16 construction will also result in the plugging and abandonment of Lower Aquifer Piezometer LP-14. Cell 16 future construction will also result in the addition of new downgradient Upper Aquifer Monitoring Well U-54 and Lower Aquifer Monitoring Wells L-50 and L-51. Additionally, current upgradient Lower Aquifer Monitoring Well L-35 will be re-designated as a downgradient monitoring well. The locations of Upper and Lower Aquifer Monitoring Wells are shown on Figures 1 and 2.

IX.B.4. The Permittee shall calculate the ground water elevations, flow directions, and rates for the Ground Water Monitoring Network on a semi-annual basis, during the spring and fall monitoring events. The methods, calculations, and parameters used shall be provided in the Ground Water Monitoring Reports required under Permit Conditions

IX.F.6 and IX.G.9. Ground water flow rates, directions, contour maps, and summary tables shall be submitted annually to the Director with the analytical results of the spring sampling event. Additionally, the Permittee shall submit, at this time, a written review of the adequacy of the Ground Water Monitoring System.

IX.C. MONITORING WELL MAINTENANCE

IX.C.1. The Permittee shall maintain all monitoring wells in good working order, making necessary repairs in a timely manner so that the sampling program is not unreasonably hindered or delayed.

IX.C.2. A Monitoring Well Maintenance Program consisting of wellhead monitoring, well sounding, well yield and specific capacity determination and well redevelopment will be conducted for the facility as part of the Ground Water Monitoring Program as follows:

IX.C.2.a. The Permittee shall perform well maintenance activities in accordance with the schedule set forth in Attachment 11 of this Permit.

IX.C.2.b. The Permittee shall maintain complete records of all well maintenance activities for the term of this Permit, in accordance with Permit Condition I.P.

IX.C.2.c. The Permittee shall inspect and maintain all monitoring wells throughout operation, closure and post-closure, in accordance with Permit Condition II.E and Attachments 4 and 11 of this Permit.

IX.C.3. The Permittee shall maintain borehole integrity of each monitoring well, as required by IDAPA 58.01.05.008 [40 CFR § 264.97(c)]. The Permittee shall maintain the wells utilized solely as piezometers, in accordance with Permit Condition IX.C.4.

IX.C.3.a. Monitoring wells shall be sounded every two years. If the well has a buildup of one (1) foot or more of sediment, USEI will note the buildup in the resulting monitoring report. If buildup of two (2) feet or more is measured, or if the well is unable to yield sufficient water for analysis, the well shall be redeveloped and the sediment removed prior to the next monitoring event.

IX.C.3.b. The Permittee shall perform a slug test or pumping test for all new monitoring wells during construction/development to determine hydraulic conductivity. This data may be used at a later date to determine adequate performance of the monitoring well.

IX.C.4. Wells utilized solely as piezometers shall only be subject to the maintenance requirements of well head inspection and sounding. Redevelopment of these wells is only required if the buildup of sediment interferes with the Permittee's ability to take water-level measurements.

IX.C.5. The need for maintenance shall not constitute grounds for missing a sampling event. The only reason this would constitute grounds for missing a scheduled sampling event would be the accidental destruction of the well. Under no circumstances shall a monitoring well remain out of commission for two (2) consecutive sampling events. The construction of the repair or replacement shall be in accordance with Attachment 11 of this Permit.

IX.C.6. In the event a monitoring well is destroyed, the Permittee shall:

- Notify the Director within seven (7) calendar days of discovery of the destroyed well.
- The Permittee shall immediately propose a new location for a replacement well that is neither less than twenty (20) feet nor more than fifty (50) feet from the original destroyed well, or other suitable location upon approval from the Director.
- The Permittee shall plug and abandon the destroyed well in accordance with the Idaho Department of Water Resources' abandonment criteria.
- The Permittee shall notify the Director at least five (5) days before installation of any replacement wells. Replacement wells shall be constructed in accordance with Permit Condition IX.D and Attachment 11 of this Permit.

IX.C.7. If a monitoring well/piezometer must be replaced for any reason during the term of this Permit, it shall be replaced within ninety (90) calendar days of the date taken out of service, and/or be fully operational at the time of the next sampling event.

IX.D. MONITORING WELL CONSTRUCTION

IX.D.1. All monitoring wells will be constructed and developed in accordance with EPA's *Technical Enforcement Guidance Document* (latest edition), Attachment 11 of this Permit, and as follows:

IX.D.2. The Permittee shall submit to the Director a copy of the well construction report for each well, within sixty (60) days after installation, completion, and development of each well. A well is considered developed after the slug test has been completed.

IX.D.3. The monitoring wells specified in Table IX-4 of this Permit for Cell 16 Future Construction shall be installed as follows:

IX.D.3.a. Monitoring Wells L-52 and L-53, designated as new background Lower Aquifer monitoring wells, shall be installed and sampled over at least one hydrogeologic cycle (1 year) to establish a correlation between the new and existing wells. Once the sampling is completed, the analytical results will be submitted to the Director for evaluation. Approval of wells L-52 and L-53 as adequate replacement wells will be required prior to the abandonment or re-designation of any existing background Lower Aquifer Monitoring Wells.

IX.D.3.b. Prior to the placement of any waste in an area of Cell 16, as described in Attachment 18, where the upper-most monitoring zone is designated as the Lower Aquifer, monitoring wells L-50 and L-51, as specified in Table IX-3 and Attachment 11, shall be fully operational. At least one sampling event shall be completed and analytical results evaluated by the Director a minimum of thirty (30) days prior to any waste placement into this area of the unit. The Monitoring Well Construction Report for Wells L-50 and L-51 shall also be submitted to and approved by the Director prior to waste placement in this area of the unit.

IX.D.4. If at any time, perched water is identified (whether seasonal or manmade), the Permittee shall submit a Monitoring Plan, within sixty (60) calendar days, of the discovery for the Department's review and approval. The Monitoring Plan shall propose additional perched zone monitoring wells, for the purpose of determining (but not limited to) the perched water characteristics, flow path(s) and a proposed schedule for the drilling and completion of the proposed wells.

IX.E. GROUND WATER SAMPLING AND ANALYSIS

IX.E.1. The Permittee shall sample (semi-annually) all monitoring wells designated in Table IX-3 of this Permit. The Permittee shall perform this sampling in accordance with Permit Condition IX.A and Attachment 11 of this Permit. USEI will sample all monitoring wells for the major anions and cations listed in E.7.a.(2) of Attachment 11 during the Spring 2008 semiannual sampling event and every five (5) years thereafter.

IX.E.1.a. The spring monitoring event shall take place during the months of April, May, or June of each year.

IX.E.1.b. The fall monitoring event shall take place during the months of September, October, or November of each year.

IX.E.1.c. The fall and spring monitoring events shall be separated by at least one hundred twenty (120) days.

IX.E.2. The Permittee shall notify the Director of all planned sampling events at least five (5) working days in advance of the planned sampling, and shall notify the Director of all other sampling events, as soon as possible prior to the event.

IX.E.3. The Permittee shall analyze the ground water samples obtained for the volatile organic compounds (VOC) or other constituents as defined on Table IX-2 of this Permit. The Permittee shall perform this analysis in accordance with Method 8260 of the Third Edition, or latest, of EPA SW-846 "Test Methods for evaluating Solid Waste, Physical/Chemical Methods" or an equivalent or superior method, with prior Director approval.

IX.E.4. Sample Collection Procedures

IX.E.4.a. On arrival at each wellhead, the sampling team shall determine background organic vapor levels in the breathing zone and at the level of the wellhead, in accordance with Attachment 11 of this Permit.

IX.E.4.b. Prior to purging or sampling any monitoring wells, the elevation of the ground water shall be determined as required by IDAPA 58.01.05.008 [40 CFR § 264.97(f)] and Attachment 11. Ground water elevations shall be measured to the nearest 0.01 foot. A registered surveyor shall survey the elevation datum and water level measurement point, relative to mean sea level, for all monitoring wells. This datum shall be related to a fixed reference point on the well casing, prior to the first monitoring event for each well.

IX.E.4.c. Field Measurements for field parameters including temperature, pH, and specific conductivity shall be measured and recorded at each monitoring well, in accordance with Attachment 11.

IX.E.4.d. Monitoring wells shall be purged of standing water in the casing. Low-yield wells shall be evacuated to dryness, and a minimum of three casing volumes shall be removed from higher yielding wells. Casing volumes shall be calculated prior to each monitoring event. Field parameter readings shall be stabilized to within 10% for temperature and specific conductance; pH shall stabilize to within 0.1 units. For low-yielding wells purged to dryness, samples shall be collected as soon as a sufficient volume of water is available for collection. Under no circumstances shall collection of the sample take place more than 24 hours after evacuation. If

adequate water is not available to sample within 24 hours, the Permittee shall notify the Director and redevelop or replace the well within ninety (90) days. The Permittee may, with prior Director approval, substitute purging stabilization parameters without effecting a modification to this Permit.

The Permittee shall store all purge water in properly labeled, secure containers until analytical results are obtained and the appropriate method of disposal of the containerized ground water is identified. Alternatively, the Permittee may assume that all purge water is hazardous waste and immediately treat the waste in an appropriate manner.

IX.E.4.e. The Permittee shall conduct sample collection and preservation in accordance with Attachment 11 of this Permit.

IX.E.4.f. As required by IDAPA 58.01.05.008 [40 CFR § 264.97(d)(4)], and Attachment 11 of this Permit, the Ground Water Monitoring Program shall include chain-of-custody control to maintain integrity of samples.

IX.E.4.f.(1). A field log book shall be kept for each sampling event. A copy of the field log book shall be kept at the facility and shall be available for inspection. The field log book shall include those items in accordance with Attachment 11.

IX.E.4.f.(2). Upon receipt of the samples at the contract laboratory, the security of the shipping containers shall be checked. Outer seals that are broken or missing shall be noted, and reported to the Permittee's facility contact.

IX.E.4.g. Quality Assurance of sampling, analysis, and reporting of data to the Department shall be the responsibility of the Permittee. The Permittee shall be responsible for the QA/QC activities of the samplers, drillers, and analytical laboratories. Components of the QA/QC Program shall be in accordance with Attachment 11 of this Permit; and

IX.E.4.g(1). A full laboratory QA/QC Report shall accompany each data report and shall be kept on file at the facility.

IX.E.4.g(2). Sample Collection: A standardized field log book shall be kept for each sampling event, including the information described in Attachment 11 of this Permit. It shall include documentation of all QA/QC procedures related to sample collection and the type and number of QA/QC samples. QA/QC samples may include (but are not limited to) duplicate, field, trip, lab, equipment, and blind/spike, and shall be consistent with the Third (*or latest)* Edition of EPA SW-846 "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods."

IX.E.4.g(3). QA/QC of Raw Data: The raw data from the analytical laboratory, as reported, shall be reviewed to determine that it is correctly and accurately reported. If outliers are identified and can be documented, they shall be flagged and included in the data submission.

IX.F. DETECTION MONITORING PROGRAM

IX.F.1. The detection monitoring criteria for evaluating data from each sampling event for any volatile organic compound, shall be the EQL, of 1 microgram per liter for any single VOC, or as specified in Table IX-2 for any other constituent.

IX.F.2. Upon detection of any VOC or other constituents exceeding an EQL for any monitoring well, the Permittee shall, within seven (7) calendar days, notify the Director in writing of the findings, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.98(g)(1)]. At this time, the Permittee may elect to immediately collect two (2) verification samples from any affected well(s), purging the well(s) between samples, and reanalyze for all VOCs or other constituents included in the Detection Monitoring Program.

IX.F.3. If analytical results from either verification sample, described in Permit Condition IX.F.2, confirm the detection of VOCs or other constituents above the detection monitoring criteria, described in Permit Condition IX.F.1, the affected well(s) shall be sampled and analyzed for the constituents identified in IDAPA 58.01.05.008 [40 CFR Part 264, Appendix IX]. The Permittee shall notify the Director, in writing, within seven (7) days of making this finding and submit all analytical results. Within 90 (ninety) calendar days of confirmation of an exceedance, as described in Permit Condition IX.F.2, the Permittee shall submit to the Director either of the following:

IX.F.3.a. A report summarizing the analytical results from the monitoring events described in Permit Conditions IX.F.2 and IX.F.3, and the notification that the affected well(s) is being removed from the Detection Monitoring Program and is being incorporated into the CMP or CAMP; or

IX.F.3.b. A report demonstrating that a source, other than a regulated unit or Past Practice Unit, caused the detection or that the detection resulted from an error in sampling, analysis, or evaluation. This demonstration report must be submitted to the Director for approval.

IX.F.4. If the Permittee is unable to verify that the source of contamination is from other than a regulated unit or Past Practice Unit (in accordance with Permit Condition IX.F.3.b), or if the report submitted in accordance with Permit Condition IX.F.3.b is not approved by the Director, then the Permittee shall, within 90 (ninety) days of receiving notice the demonstration report of Section IX.F.3 has been denied, remove the affected well(s) from the Detection Monitoring Program and incorporate the affected well and all other monitoring wells associated with the applicable Hazardous Waste Management Unit or Past Practice Unit into the Compliance Monitoring Program, in accordance with Permit Condition IX.G.

IX.F.5. If analytical results from both verification samples, described in Permit Condition IX.F.2, fail to confirm the detection of VOCs or other constituents above an EQL, the Director shall be notified in writing that the affected well(s) will remain in the Detection Monitoring Program.

IX.F.6. Data Reporting for Detection Monitoring

While in the Detection Monitoring Program, the Permittee shall submit to the Director a semi-annual Detection Monitoring Report, in accordance with Permit Condition IX.E.1. This report shall contain a narrative summary of ground water monitoring data that has been collected to date, and a detailed listing of the monitoring and analytical data obtained since submitting the previous report, including (at a minimum) all QA/QC information, a table summary of ground water elevations, all equations, calculations, and parameters used to calculate ground water velocities and flow direction, in accordance with Permit Condition IX.B.4.

IX.G. COMPLIANCE MONITORING PROGRAM

IX.G.1. As of the effective date of this Permit, Monitoring Wells U-5, U-6, U-7, U-21, U-23, U-24, and U-25 are in the Compliance Monitoring Program. All other compliance monitoring wells shall be determined in accordance with Permit Condition IX.A.2.

IX.G.2. The Permittee shall sample the monitoring wells in the Compliance Monitoring Program semi-annually, during the compliance monitoring period.

IX.G.3. The Permittee shall perform this sampling in accordance with Permit Condition IX.E, and as follows:

IX.G.3.a. The Permittee shall sample the CMP wells for the VOCs or other constituents outlined in Table IX-2.

IX.G.3.b. On an annual basis, the Permittee shall sample all monitoring wells in the CMP and analyze for the constituents identified in IDAPA 58.01.05.008 [40 CFR Part 264, Appendix IX], in lieu of the parameters outlined in Permit Condition IX.G.3.a. Upon detection of any additional monitoring constituents, as a result of the annual Appendix IX sampling, the permittee may resample within thirty (30) days and repeat the Appendix IX analysis. The Permittee shall submit the resample analytical results to the Director, and if the second analysis confirms the presence of the new constituents, the Permittee shall, within seven (7) calendar days of receiving the data that identifies new constituents, notify the Director in writing of the findings and the new constituents shall be included in the Detection and Compliance Monitoring Programs.

IX.G.3.c. All analytical results shall meet the established reporting limit or EQL. If the reporting limit is greater than the established EQL, the Director may require the analysis to be rerun.

IX.G.4. The Permittee shall obtain water-level measurements from the CMP wells prior to each sampling event. Measurements for each monitoring well shall be obtained prior to purging the well. The Permittee shall incorporate this data in determining the rate and direction of ground water flow annually, in accordance with Permit Condition IX.B.5.

IX.G.5. Data Evaluation for Compliance Monitoring

IX.G.5.a. Data in the CMP will be evaluated by comparing the analytical results to the GPS(s) presented in Table IX-6. Level 1 monitoring well criteria was established by the Alternate Concentration Limits (ACL) presented in Table IX-6. The GPSs for Level 2 monitoring wells shall be those established in Table IX-6 of this Permit and determined by Permit Conditions IX.G.5.b through IX.G.5.d, IX.G.8, and IX.G.9, and as follows:

IX.G.5.b. The down-gradient monitoring wells have been divided into two (2) categories as follows:

IX.G.5.b.(1). <u>Level 1 Compliance Wells:</u>
Level 1 Compliance Wells consist of interior monitoring wells located down-gradient of designated Solid Waste Management Units and regulated units and

include the following Wells: U-17, U-18, U-19, U-21, U-22, U-23, U-24, U-25, U-48, U-49, U-54, UP-6, L-31, L-32, L-33, L-37, L-39, L-41, and L-42.

IX.G.5.b.(2). Level 2 Compliance Wells:
Level 2 Compliance Wells consist of down-gradient wells on the eastern and northern site boundaries where ground water flow paths will potentially carry impacted ground water off the facility. Level 2 Compliance Wells consist of the following wells: U-5, U-6, U-7, U-8, U-9, U-10, U-11, U-12, L-28, L-29, L-30, L-43, L-44, L-45, and L-47.

IX.G.5.c. The compliance monitoring criteria (GPS) for evaluating data collected from Level 1 and Level 2 Compliance Wells for each monitoring event for any anthropogenic organic compound, shall be as follows:

IX.G.5.c.1. Level 1 Compliance Wells
For any single Table IX-2 organic constituent, the GPS will be equal to one-half percent (0.5%) of its solubility in water, as presented in Table IX-6. If multiple constituents are present, a cumulative total of 0.5% solubility based on the summation of solubility percentages, presented by the concentration of each constituent detected.

IX.G.5.c.2. Level 2 Compliance Wells
For any single Table IX-2 organic constituent, the GPS will be equal to the Maximum Concentration Limit (MCL), as established by EPA, for drinking water presented in Table IX-6; or

IX.G.5.c.2(a). Where an MCL has not been established, the EPA Regional Screening Level for tapwater calculated at a concentration equal to 1×10^{-5} cancer risk for carcinogenic constituents or a hazard quotient of 1, for non-carcinogens, will apply. These values will be obtained from the EPA Regional Screening Levels for Chemical Contaminants, and are presented in Table IX-6..

IX.G.5.c.2(b). If multiple carcinogenic compounds are present, in the same well, but none exceed their respective MCL (if available), a cumulative 1×10^{-5} industrial cancer risk shall be calculated.

IX.G.5.c.2(c). If multiple non-carcinogenic hazardous constituents are present, in the same well, but none exceed their respective MCL (if available), the cumulative hazard quotient shall be calculated. The action criteria shall be based upon a cumulative hazard quotient of 1.

IX.G.5.c.2.(d). In the event additional anthropogenic compounds are identified through Appendix IX sampling, GPSs for Level 1 and Level 2 Monitoring Wells shall be established and incorporated into this Permit through a modification.

IX.G.5.d. The tapwater regional screening levels in Table IX-6 will be updated during the Permit Reopener five (5) years from the effective date of permit issuance per IDAPA 58.01.05.012 [40 CFR § 270.50(d)]. Screening levels will be updated, based on the published values inEPA's Regional Screening Levels for Chemical Contaminants.

IX.G.5.e. Upon detection of VOC concentrations at concentrations exceeding the GPSs, set forth in Permit Condition IX.G.5. and/or listed in Table IX-6 of this Permit, the Permittee shall:

IX.G.5.e(1). Notify the Director of the finding (in writing) within seven (7) calendar days of receipt of the analytical results, identifying the presence of contaminants at or above the established GPSs, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.99(h)(1)]. At this time, the Permittee may elect to immediately collect two (2) verification samples from any affected well(s), purging the well(s) between samples, and reanalyze for all compounds required in the Compliance Monitoring Program. If analytical results from either verification sample confirm the detection of compounds above the Compliance Monitoring Criteria, as specified in Permit Condition IX.G.5.a, then the Permittee shall:

IX.G.5.e(2). Submit to the Director a Corrective Action Plan, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.100], applicable to the affected area(s) and constituents, within 120 calendar days of receipt of the analytical results, identifying the presence of contaminants at or above the established GPSs; or

IX.G.5.e(3). Submit to the Director, a report demonstrating that a source (other than a Past Practice Unit or regulated unit) caused the contamination and/or that the reported contaminant concentrations resulted from an error in sampling, analysis, or evaluation. In making this demonstration, the Permittee shall follow procedures in accordance with IDAPA 58.01.05.008 [40 CFR § 264.99(i)]:

- Notify the Director, in writing, within seven (7) calendar days of the Permittee's intent to make such a demonstration;
- Within ninety (90) days, submit a report to the Director that demonstrates that a source (other than the Past Practice Unit or regulated unit) caused the standard to be exceeded or that the apparent noncompliance with the standards resulted from an error in sampling, analysis, or evaluation;
- Within ninety (90) days, submit to the Director an application for a permit modification to make any appropriate changes to the Compliance Monitoring Program at the facility; and
- Continue ground water monitoring for the affected well(s), in accordance with the Compliance Monitoring Program.

IX.G.6. The Permittee shall continue the Compliance Monitoring Program at the affected well(s) until:

IX.G.6.a. Constituents identified in the affected well(s) do not exceed the detection monitoring criteria (EQL) specified in Permit Condition IX.A.1.a for four (4) consecutive sampling events; or

IX.G.6.b. The Permittee enters into a Corrective Action Program under IDAPA 58.01.05.008 [40 CFR § 264.101] for the affected area(s).

IX.G.7. If the Permittee determines that the Compliance Monitoring Program no longer satisfies the requirements of the IDAPA 58.01.05.008 [40 CFR § 264.99], the Permittee shall, within ninety (90) days, submit an application for permit modification to make any appropriate changes to the program, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.99(j)].

IX.G.8. In the event VOCs are detected above an EQL in an up-gradient or background monitoring well, the well shall be incorporated in the Compliance Monitoring Program,

as a Level 1 Compliance Well, in accordance with Permit Condition IX.G.

IX.G.9. Data Reporting for Compliance Monitoring

While in the Compliance Monitoring Program, the Permittee shall submit a semi-annual Compliance Monitoring Report, to the Director, in accordance with Permit Condition I.P.6. This report shall contain a narrative summary of ground water monitoring data that has been collected over the past five (5) years, a detailed listing of the monitoring, and analytical data obtained since the previous report (including any/all newly identified compounds from the Appendix IX Sampling), and (at a minimum) all QA/QC information,a table summary of ground water elevations, all equations, calculations, and parameters used to calculate ground water velocities, and ground water flow direction, in accordance with Permit Condition IX.B.4.

IX.H. POST-CLOSURE AND POST-COVER CARE MONITORING

IX.H.1. All procedures described in Part IX of this Permit for inspection, maintenance, and monitoring shall apply to the Post-Closure Care Period, as well as the active life of each regulated unit, and to the Post-Cover Care Period for each Past Practice Unit.

IX.H.2. The period of Post-Closure for each regulated unit shall be as specified in Permit Condition II.M.2. The period of Post-Cover Care for each Past Practice Unit shall be as specified in Permit Conditions VIII.A.3 and VIII.A.4.

IX.I. UNSATURATED ZONE MONITORING

Upon the Director's request, the Permittee shall prepare a Work Plan for the design, construction, operation, and maintenance of an Unsaturated Zone Monitoring System for the facility, capable of detecting changes from unsaturated to saturated conditions that could move contaminants laterally above the monitored aquifer. The Director shall reserve the right to reopen this permit condition, at any time, to include a specific design and implementation schedule, if the Director determines that the Permittee is not making all reasonable efforts to meet this permit condition. The reopening of this permit condition would be done as an agency-initiated permit modification under IDAPA 58.01.05.012 [40 CFR § 270.41].

IX.J. COMPLIANCE SCHEDULE — RISING WATER TABLE STUDY

IX.J.1. On December 17, 1998, the Department approved the Rising Water Table Study Work Plan. The Department evaluated the Rising Ground Water Study's results and issued a conditional approval on November 23, 1999. As stated in the approval, the Permittee shall submit in reports to the Director (every two years) the continuing evaluations of the rising ground water, beginning in 2001. In 2006, DEQ approved a request by the Permittee to change to a five (5) -year interval for evaluation of the rising ground water. These reports shall include a summary of current rising ground water conditions, an assessment of the probable scenarios causing the rising ground water, an evaluation of the potential consequences to the Ground Water Monitoring Network (due to the rising ground water), and a description of proposed future tasks to address the situation.

IX.J.2. Failure on the part of the Permittee to carry out the approved Work Plan in the time specified shall be deemed as a violation of this Permit unless the Permittee has been granted a written extension from the Department.

TABLE IX-2. CONSTITUENTS FOR DETECTION MONITORING PROGRAM		
Constituent	**CAS No.**	**EQL (ug/l)**
Benzene	71-43-2	1
Bromodichloromethane	75-27-4	1
Bromoform	75-25-2	1
Bromomethane	74-83-9	1
Carbon Tetrachloride	56-23-5	1
Chlorobenzene	108-90-7	1
Chloroethane	75-00-3	1
Chloroform	67-66-3	1
Chloromethane	74-87-3	1
Cis-1,2-Dichloroethene	156-59-2	1
Trans-1,2-Dichloroethene	156-60-5	1
Dibromochloromethane	124-48-1	1
1,1-Dichloroethane	75-34-3	1
1,2-Dichloroethane	107-06-2	1
1,1-Dichloroethene	75-35-4	1
1,2-Dichloropropane	78-87-5	1
Cis-1,3-Dichloropropene	10061-01-5	1
Trans-1,3-Dichloropropene	10061-02-6	1
Ethylbenzene	100-41-4	1
Methylene Chloride	75-09-2	1
1,1,2,2-Tetrachloroethane	79-34-5	1
Tetrachloroethene	127-18-4	1
Toluene	108-88-3	1
1,1,1-Trichloroethane	71-55-6	1
1,1,2-Trichloroethane	79-00-5	1
Trichloroethene	79-01-6	1
1,1,2-Trichlor-1,2,2-Triflouroethane (CFC 113)	76-13-1	1
Vinyl chloride	75-01-4	1

This space intentionally left blank

TABLE IX-3. GROUND WATER MONITORING NETWORK		
Well ID	**Description**	**Sampling Frequency**
U-13	Upgradient	Semiannual
U-14	Upgradient	Semiannual
U-15	Upgradient	Semiannual
U-4	Upgradient	Semiannual
U-5	Level 2	Semiannual
U-6	Level 2	Semiannual
U-7	Level 2	Semiannual
U-8	Level 2	Semiannual
U-9	Level 2	Semiannual
U-10	Level 2	Semiannual
U-11	Level 2	Semiannual
U-12	Level 2	Semiannual
U-17	Level 1	Semiannual
U-18	Level 1	Semiannual
U-19	Level 1	Semiannual
U-21	Level 1	Semiannual
U-22	Level 1	Semiannual
U-23	Level 1	Semiannual
U-24	Level 1	Semiannual
U-25	Level 1	Semiannual
U-48	Level 1	Semiannual
U-49	Level 1	Semiannual
U-54	Level 1	Semiannual
UP-6	Level 1	Semiannual
L-28	Level 2	Semiannual
L-29	Level 2	Semiannual
L-30	Level 2	Semiannual
L-31	Level 1	Semiannual
L-32	Level 1	Semiannual
L-33	Level 1	Semiannual
L-35	Upgradient	Semiannual
L-36	Upgradient	Semiannual
L-37	Level 1	Semiannual
L-38	Upgradient	Semiannual
L-39	Level 1	Semiannual
L-41	Level 1	Semiannual
L-42	Level 1	Semiannual
L-43	Level 2	Semiannual
L-44	Level 2	Semiannual
L-45	Level 2	Semiannual
L-47	Level 2	Semiannual
LP-11, LP-12, LP-13, LP-14, LP-15, LP-27	Piezometer	Semiannual Water Levels Only
UP-1, , UP-3, UP-4, UP-5, UP-7, UP-8, U-26, UP-26, ,	Piezometer	Semiannual Water Levels Only

TABLE IX-4. MONITORING WELL SUMMARY		
UPPER AQUIFER		
Well No.[a]	Old Well No. [b]	Well Material [c]
Background Wells		
U-13	*N-A*	SS
U-14	*N-A*	SS
U-15	*N-A*	SS
U-4	UMW-37	SS
Regulated Units Trench 11 and Collection Pond 1		
U-5	None	SS
U-6	MW-9	SS
U-7	UMW-47	SS
Regulated Unit Collection Pond 3 and Past Practice Units PCB 1, 2, and 3, Acid Disposal Pits, CHEM Area 1, CHEM-1, CHEM-2, CHEM-2B, CHEM-2C, CHEM-2D, CHEM-2E, CHEM-3, CHEM-4, CHEM-4B, CHEM-5, CHEM-5B, CHEM-6, CHEM-6A, CHEM-6B		
U-9	None	SS
U-10	MW-11	SS
Regulated Unit Evaporation Pond 1		
U-11	None	SS
U-12	None	SS
Regulated Units Trench 10 and Collection Pond 2		
U-8	UMW-46	SS
Past Practice Unit Silo 3		
UP-6	None	SS
Past Practice Unit Silo 2		
U-21	SW-2	SS
Past Practice Unit Silo 1		
U-22	SW-1	SS
Past Practice Unit Trench PCB-4		
U-17	UWL-41	SS
U-18	UWL-40	SS
U-19	UWL-39	SS
Past Practice Unit Buried Drum Area 2 (Near Silo 2)		
U-18	UMW-40	SS
U-19	UMW-39	SS

a Well No.-designates the Monitoring Well Numbering System pursuant to this Permit, and as designated on Figures 1 and 2 of this permit.

b Old Well No. –designates ESII Well Numbering System

c Well Materials = Materials below static water level: SS-Either 304 stainless steel or Schedule 80 PVC: PVC=Schedule 40 polyvinyl chloride.

TABLE IX-4. MONITORING WELL SUMMARY		
UPPER AQUIFER		
Well No.[a]	Old Well No. [b]	Well Material [c]
Past Practice Unit Buried Drum Area 1 (Near Silo 3)		
U-19	UMW-39	SS
Past Practice Unit Control Center		
U-17	UWL-41	SS
Past Practice Unit Elevator Shaft and Disposal Area 9		
U-17 U-18	UWL-41 UWL-40	SS SS
Past Practice Unit Electrical Vault		
U-17	UWL-41	SS
Regulated Unit Cell 5		
U-23 U-24 U-25	UPCB-1 PCB-3 UMW-36	PVC SS SS
Regulated Unit Cell 16		
U-48 U-49 U-54	*N-A* *N-A* *N-A*	SS SS SS
LOWER AQUIFER		
Regulated Unit Cell 14		
L-28 Subcell 1 L-29 Subcell 2 L-30 Subcell 3 L-39 Subcell 4 L-32 Subcell 5 L-33 Subcell 6	LMW-49 LMW-50 LMW-51 None LMW-53 LMW-31	SS SS SS SS SS SS
Past Practice Units Radar (Antenna) Silos		
L-31	UML-42	SS
Background Wells		
L-35 L-38 L-52(future) L-53(future)	LMW-30 LMW-13 *N-A* *N-A*	PVC PVC SS SS

TABLE IX-4. MONITORING WELL SUMMARY		
LOWER AQUIFER		
Well No.[a]	Old Well No. [b]	Well Material [c]
Regulated Unit Cell 15		
L-36	LMW-27	PVC
L-37	LMW-28	PVC
L-41	*N-A*	SS
L-42	*N-A*	SS
L-43	*N-A*	SS
L-44	*N-A*	SS
L-45	*N-A*	SS
L-47	*N-A*	SS
Regulated Unit Cell 16		
L-50(future)	*N-A*	SS
L-51(future)	*N-A*	SS

TABLE IX-5. EXISTING PIEZOMETERS			
Upper Aquifer		**Lower Aquifer**	
Well No.	**Old Well No.**	**Well No.**	**Old Well No.**
UP-1	D-19	LP-11	D-29
UP-3	PCB-2	LP-12	MW-21
UP-4	MW-21	LP-13	MW-25
UP-5	MW-10	LP-14	MW-14
UP-7	MW-1	LP-15	MW-24
UP-8	SW-1-2	LP-27	
UP-26			
U-26			

This space intentionally left blan

TABLE IX-6. ALTERNATE CONCENTRATION LIMITS AND GROUND WATER PROTECTION STANDARDS, LEVEL 1 AND LEVEL 2 COMPLIANCE MONITORING WELLS

Compliance Monitoring Constituent	Level 1 Compliance Wells	Level 2 Compliance Wells Tapwater Regional Screening Levels			Applicable Criteria for Level 2 Compliance Wells
	Concentration @ 0.5% Solubility ug/L	Concentration @ Industrial HQ=1 ug/L	Concentration @ 1 x 10-5 Cancer Risk ug/L	MCL ug/L	
Benzene	8.90E+03			5E+00	MCL
Bromodichloromethane	2.25E+04			8E+01	MCL
Bromoform (Tribromomethane)	1.60E+04			8E+01	MCL
Bromomethane	6.50E+04	7.5E+00		N-A	HQ
Carbon Tetrachloride	4.00E+03			5E+00	MCL
Chlorobenzene	2.44E+03			1E+02	MCL
Chlorodibromomethane	2.00E+04			8E+01	MCL
Chloroethane (Ethyl chloride)	2.87E+04	2.1E+04		N-A	HQ
Chloroform	4.65E+04			8E+01	MCL
Chloromethane	3.18E+04	1.9E+02		N-A	HQ
1,1-Dichloroethane	2.75E+04		2.7E+01	N-A	CR
1,2-Dichloroethane (EDC)	4.35E+04			5E+00	MCL
1,1-Dichloroethene	2.00E+03			7E+00	MCL
Cis-1,2-Dichloroethene	3.00E+03			7E+01	MCL
Trans-1,2-Dichloroethene	3.00E+03			1E+02	MCL
1,2-Dichloropropane	1.35E+04			5E+00	MCL
Cis-1,3-Dichloropropene	1.40E+04		4.7E+00	N-A	CR
Trans-1,3-Dichloropropene	1.40E+04		4.7E+00	N-A	CR
Ethylbenzene	7.60E+02			7E+02	MCL
Methylene Chloride (Dichloromethane)	8.35E+04			5E+00	MCL
1,1,2,2-Tetrachloroethane	1.45E+04		7.6E-01	N-A	CR
Tetrachloroethene (PCE)	7.50E+02			5E+00	MCL
Toluene	2.55E+03			1E+003	MCL
1,1,1-Trichloroethane	2.20E+04			2E+02	MCL
1,1,2-Trichloroethane	2.25E+04			5E+00	MCL
Trichloroethene (TCE)	5.50E+03			5E+00	MCL
1,1,2-Trichlor-1,2,2-trifluoroethane (CFC-113)	8.5E+02	5.5E+04		N-A	HQ
Vinyl Chloride	5.50E+03			2E+00	MCL

MODULE X - CONTAINMENT BUILDING AND DEBRIS TREATMENT

X. Subject to the terms of this Permit, the Permittee may store and/or treat hazardous wastes in the Containment Building, as follows:

X.A. CONTAINMENT BUILDING

X.A.1. Containment Building Design and Equipment

The Permittee shall maintain the containment building, in accordance with the design standards for a containment building, as provided in IDAPA 58.01.05.008 [40 CFR § 264.1101], Attachment 24 of this Permit, and Permit Condition II.A.1 of this Permit. The containment building houses a Size Reduction System that consists of a Crusher System and associated equipment. The Permittee shall maintain the Crusher System in accordance with the requirements of IDAPA 58.01.05.008 [40 CFR § 264 Subpart X] and as provided by Permit Module XII. The arrangement of the equipment is depicted in Drawings D2020-R05, D2020-R07, and D2020-R08 of Attachment 20 of this Permit. The containment building is enclosed; and in areas where waste could become mobile, air pollution control equipment has been installed. Drawings D2020-H01, D2020-H03, and D2020-H04 in Attachment 20 of this Permit provide design details of the Air Handling and Pollution Control System for the containment building. The debris portion of the containment building contains three (3), steel-lined sort floors and has been approved for two (2) Mixing Bin Tanks. The steel lined sort floors will not be in use when the Mixing Bin Tanks are in place. The stabilization portion of the containment building contains two (2) Mixing Bin Tanks. The Mixing Bin Tanks are further described in Permit Module IV. The permitted storage areas are depicted in drawings in Attachment 20 of this Permit.

X.A.1.a. The Permittee shall keep all relevant figures, drawings, and diagrams related to the containment building readily available for inspection at the facility, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.74].

X.A.1.b. Within forty-five (45) days after approval of the CQA Report for Mixing Bin Tanks 3 and/or 4, the Permittee shall submit all relevant updated drawings, which were not included in the CQA Report, illustrating current conditions in the Debris Portion of the Containment Building.

X.A.2. Containment Building Operation

X.A.2.a. The Permittee shall follow the approved containment building operation procedures, included as Attachments 2, 4, 6, 7, 13, 14, 24, and 25 of this Permit, and as provided by Permit Conditions X.A.2.a.(1) through (8).

X.A.2.a.(1). The Permittee shall operate the containment building so as not to exceed the maximum waste processing rate for the containment building (stabilization portion and debris portion) of 300 tons of waste per hour for the building based on a daily average, nor exceed 2,628,000 tons of waste per year for the building.

X.A.2.a.(2). The maximum waste processing rate for the other operations performed in the containment building shall not exceed 50 tons per hour for the Crusher System and 100 tons per hour for the sort floor, based on daily averages.

X.A.2.a.(3). The Permittee shall maintain non-containerized waste in the containment building sort floors such that the height and location of the waste does not allow these materials to escape or overflow the walls of the containment building.

X.A.2.a.(4). In the event of a power outage, or other event that reduces the operating efficiency below the manufacturer's specifications of the air pollution control equipment for the sort floors and mixing bins, the Permittee shall cease all hazardous waste and debris treatment operations on the sort floors and mixing bins that generate a “fine waste” until such time as the power is restored, or the air pollution control equipment is repaired.

X.A.2.a.(5). In the event of a power outage, or other event that reduces the operating efficiency below the manufacturer's specifications of the air pollution control equipment for the general floor area, the Permittee shall cease all hazardous debris treatment operations that generate a “fine waste” (including crushing and movement of non-containerized hazardous debris/waste and all operations on the general floor area other than storage or movement of closed containers of hazardous debris/waste, in the Containment Building on the general floor area) until such time as the power is restored or the air pollution control equipment is repaired.

X.A.2.a.(6). Containers of hazardous wastes removed from the Containment Building must be managed in accordance with IDAPA 58.01.05.008 [40 CFR § 264.173]. Prior to the transportation of any crushed wastes from the Containment Building, a determination for the presence of ‘fine wastes’ shall be made.

X.A.2.a.(7). The Permittee shall operate, service, and maintain the air pollution control equipment listed and/or depicted in Attachment 24 of this Permit according to the manufacturers' recommended instructions and/or specifications, which shall be maintained on-site.

X.A.2.a.(8). Closure of the Containment Building and associated areas and equipment shall be conducted in accordance with Attachment 9 of this Permit.

X.B. HAZARDOUS DEBRIS TREATMENT

X.B.1. All hazardous waste and debris-processing operations including unloading, staging, storing, sorting, pre-treating, or treating shall be conducted in compliance with IDAPA 58.01.05.011 [40 CFR Part 268] and Attachment 25 of this Permit. The hazardous waste and debris treatment processes include, but are not limited to, the following (as described in Attachment 25): stabilization, microencapsulation, macroencapsulation, chemical oxidation, chemical reduction, deactivation, solidification, neutralization, precipitation, adsorption, bioremediation, size reduction, decanting, and mechanical processing (sorting/crushing).

X.B.2. Hazardous waste and debris processing, treatment, and storage shall be in accordance with Attachments 2, 4, 6, 7, 13, 14, 15, 24, and 25 of this Permit.

X.B.3. Hazardous waste and debris processing, treatment, and storage shall be in accordance with Permit Condition II.T and IDAPA 58.01.05.008 [40 CFR 264 Subpart CC].

X.B.4. Hazardous waste and debris treated by the Permittee, using macroencapsulation or

microencapsulation technologies, shall meet the requirements of IDAPA 58.01.05.011 [40 CFR § 268.45, Table 1] and the following permit conditions.

X.B.5. Macroencapsulation

X.B.5.a. The Permittee shall conduct macroencapsulation treatment of hazardous debris in the Containment Building and in Container Storage Pads 4 and 5 and at the Outdoor Stabilization Facility in accordance with Attachment 13, 15, and 25 of this Permit, and as provided by Permit Conditions X.B.5.a.(1) through X.B.5.a.(3).

X.B.5.a.(1). For macroencapsulation of hazardous debris, the Permittee shall use only high density polyethylene liner materials or polyethylene drums as specified in Attachment 25 of this Permit.

X.B.5.a.(2). For macroencapsulation of large pieces of debris that are wrapped or coated with an inert surface coating material, the Permittee shall demonstrate to the Director that the requirements of IDAPA 58.01.05.011 [40 CFR § 268.45, Table 1] have been met.

X.B.5.a.(2)(a). Upon the Director's approval of the demonstration in Permit Condition X.B.5.a.(2), the Permittee may begin utilizing the requested macroencapsulation process.

X.B.5.a.(3). Landfill placement of containers of macroencapsulated hazardous debris shall be in accordance with Attachments 19 and 25 of this Permit.

X.B.6. Microencapsulation

X.B.6.a. The Permittee shall conduct microencapsulation treatment of hazardous debris in accordance with Attachment 25 of this Permit, and as provided by the following permit conditions.

X.B.6.b. The Permittee shall conduct microencapsulation of hazardous debris at the Stabilization Facility or the Containment Building.

X.B.6.c. All size reduction operations of hazardous debris, prior to microencapsulation treatment, shall be performed in the containment building. Additional locations for size reduction operations, such as Container Management Units, may be utilized upon the Director's approval.

X.B.6.d. Landfill placement of microencapsulated hazardous debris shall be in accordance with Attachment 19 and 25 of this Permit.

X.C. CYANIDE DESTRUCTION

X.C.1. Cyanide destruction shall be conducted in accordance with all applicable sections of Attachments 2, 4, 6, 7, and 25 of this Permit.

X.C.2. Cyanide destruction performed by the Permittee shall be limited to chemical oxidation (e.g., alkaline chlorination), and shall be limited to the following parameters in order to protect human health and the environment:

- Waste containing less than 10,000 ppm of total cyanide may be accepted for cyanide destruction provided that the appropriate safety controls and procedures are followed. Prior approval from the Director is required for the receipt for disposal of any cyanide wastes exceeding 10,000 ppm.

- Cyanide destruction shall be performed in the Stabilization Facility and/or the Containment Building in containers and/or the Mixing Bin Tanks.

X.D. CLOSURE AND POST-CLOSURE

Closure and Post-Closure Care of the Containment Building shall be completed in accordance with IDAPA 58.01.05.008 [40 CFR § 264.1102], and all applicable sections of Attachment 9 of this Permit.

This space intentionally left blank

MODULE XI - STABILIZATION OPERATIONS

XI.A. GENERAL OPERATING REQUIREMENTS

XI.A.1. The Permittee shall remove spilled or leaked wastes and accumulated liquid from the Secondary Containment Systems of the Stabilization Facility and the containment building (stabilization and/or debris portion) within 24 hours of detection, unless the waste or liquid in the Secondary Containment System is frozen. The Permittee shall manage these wastes and liquid as hazardous wastes. Within two (2) normal working days after the waste or liquid in the Secondary Containment System is no longer frozen, the contained liquids will be characterized and removed.

XI.A.2. The Permittee shall keep all relevant figures, drawings, and diagrams related to the Stabilization Facility and Containment Building (stabilization portion) readily available for inspection at the facility, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.74].

XI.B. STABILIZATION FACILITY

XI.B.1. The outdoor Stabilization Facility includes 52 cubic yard rolloffs (stabilization bins) and shall be designed, constructed, and operated by the Permittee in accordance with Attachments 2, 4, 6, 7, 13, 15, 24, and 25 of this Permit, except as otherwise specified in this Permit, and in accordance with Permit Conditions II.A.1 and II.A.2.

XI.B.2. The Permittee may conduct treatment utilizing stabilization at the Stabilization Facility on all hazardous wastes listed in the Part A Permit Application (included as Attachment 12 of this Permit), except for "fine wastes" as defined in Attachment 2, and subject to any other applicable conditions in Attachment 2 of this Permit that apply to hazardous wastes to be stabilized.

XI.C. CONTAINMENT BUILDING (STABILIZATION OPERATIONS)

XI.C.1. Containment Building Design and Construction

XI.C.1.a. The Containment Building includes two (2) Mixing Bin Tanks, and the building shall be equipped with air pollution control equipment to control particulate emissions. Two (2) tanks are located in the Stabilization Portion and two (2) tanks have been approved for the Debris Portion of the building.

XI.C.1.b. The Containment Building includes container storage capacity, as shown in Attachment 13 of this Permit. The maximum waste processing rate for the Containment Building shall not exceed 300 tons of waste per hour based on a daily average, nor exceed 2,628,000 tons of waste per year.

XI.C.2. Containment Building Operation

XI.C.2.a. The Permittee may conduct stabilization, microencapsulation, macroencapsulation, and size reduction within the stabilization portion of the containment building.

XI.C.2.b. The Permittee shall follow, as appropriate, the operating procedures for stabilization, microencapsulation, macroencapsulation, and size reduction as provided in Attachments 2, 4, 6, 7, 13, 24, and 25 of this Permit and as provided by Permit Conditions X.B and XI.B.2.

XI.C.2.c. The Permittee shall operate each Stabilization Portion mixing bin tank so as not to exceed the maximum capacity of 120 cubic yards. The Permittee shall operate each Debris Portion mixing bin tank so as not to exceed the maximum capacity of 226 cubic yards for wastes in solid form. The Permittee shall operate each Debris Portion mixing bin tank so as not to exceed the maximum capacity of 12,000 gallons for wastes in liquid form.

XI.C.2.d. The Permittee shall manage non-containerized waste in the Containment Building such that the height and location of the waste does not allow these materials to overflow any mixing bin tank.

XI.C.2.e. In the event of a power outage, or other event that reduces the required operating efficiency of the air pollution control equipment, the Permittee shall cease all unloading and treatment operations of “fine wastes” until such time as the power is restored or the air pollution control equipment is returned to normal operation. Other treatment and storage operations not involving “fine wastes” may continue.

XI.C.2.f. The Permittee shall maintain and operate the air pollution control equipment, provided in Attachment 24 of this Permit, in accordance with the manufacturers' instructions and/or specifications, and shall keep these on-site.

XI.D. CLOSURE AND POST-CLOSURE

Closure and Post-Closure Care of the Containment Building (stabilization portion and debris portion) and Stabilization Facility, and associated equipment, shall be completed in accordance with IDAPA 58.01.05.008 [40 CFR § 264 Subpart G] and all applicable sections of Attachment 9 of this Permit.

This space intentionally left blank.

MODULE XII - MISCELLANEOUS UNITS UNDER SUBPART X

XII.A. APPLICABILITY OF RULES

The Permittee's compliance with the requirements of Permit Conditions XII.A through XII.G shall constitute compliance with the requirements of IDAPA 58.01.05.008 [40 CFR Parts 264.601 - 603] pertaining to the treatment, storage, or disposal of hazardous waste in miscellaneous units.

XII.B. DESCRIPTION OF MISCELLANEOUS UNIT

The miscellaneous unit consists of the Crusher System and associated equipment. An equipment list for the Crusher System and associated equipment is provided as Table I-2 of Attachment 24 of this Permit. The arrangement of the equipment is depicted in Drawings D2020-A02, -R07, and –R08 of this Permit.

XII.C. APPROVED WASTE

The Permittee may process waste meeting the general waste acceptance criteria in Permit Condition II.C and Attachment 2 of this Permit.

XII.C.1. The Permittee shall comply with Permit Condition II.T of this Permit, and the requirements of IDAPA 58.01.05.008 [40 CFR § 264.601] by not accepting or managing hazardous waste subject to the 40 CFR 264 Subpart CC requirements (e.g. wastes exceeding a volatile organic concentration of 500 ppmw at the point of origin).

XII.C.2. For miscellaneous units that receive organic wastes with a volatile organic concentration at the point of origin less than 500 ppmw, and are therefore, exempt from using air emission control equipment, documentation shall be recorded, in the Facility Operating Record, that includes the information that was used by the Permittee for each waste determination (e.g., test results, measurements, calculations, and other documentation). If analytical results for waste samples are used for the waste determination, then the Permittee shall record the date, time, and location that each waste sample is collected, in accordance with applicable requirements of 40 CFR § 264.1083. This information shall be kept in the Operating Record for a minimum of three (3) years.

XII.C.3. Reporting Requirements: If the Permittee does not comply with Permit Condition V.A.3.a, a report shall be submitted to the Director on each occurrence when hazardous waste is placed in the Waste Management Unit in noncompliance with the conditions of 40 CFR §§ 264.1082(c)(1) or 264.1082(c)(2), as applicable. A written report shall be submitted within fifteen (15) calendar days of the time that the Permittee becomes aware of the occurrence. The written report shall contain: the EPA Identification Number, facility name and address, a description of the noncompliance event and the cause, the dates of the noncompliance, and corrective actions taken to prevent reoccurrence of the noncompliance. The report shall be signed and dated by an authorized representative of the Permittee per IDAPA 58.01.05.008 [40 CFR § 264.1090].

XII.D. PROCESS DESIGN CAPACITY

The maximum waste processing rate for the Crusher System in the containment building shall not exceed 50 tons per hour or 50,000 tons per year.

XII.E. GENERAL MISCELLANEOUS UNIT MANAGEMENT PRACTICES

XII.E.1. The Permittee shall not place waste, treatment reagents, or other material in the miscellaneous unit that may cause the unit to rupture, leak, corrode, or otherwise fail.

XII.E.2. The Permittee shall maintain the Operating Record in accordance with IDAPA 50.01.05.008 [40 CFR § 264.73] and Permit Condition II.J of this Permit.

XII.E.3. The Permittee shall track waste processed through the miscellaneous unit, in accordance with Permit Condition XII.D.

XII.E.4. The Permittee shall maintain the Environmental Performance Standards for the miscellaneous unit, in accordance with IDAPA 50.01.05.008 [40 CFR § 264.601], as described in Attachments 24 and 25 of this Permit.

XII.E.5. In the event of a power outage, or other event that reduces the operating efficiency below the manufacturer's specifications of the air pollution control equipment for the Crusher System, all crushing operations shall cease until such time as the power is restored or the air pollution control equipment is repaired.

XII.E.6. The satellite accumulation container under the crusher discharge chute may remain uncovered/open under the following conditions:

XII.E.6.a. The immediate area around the crusher discharge chute must fully enclose the container on all four sides and above, with suspended tarps or an equivalent or superior curtain or structural material; and

XII.E.6.b. The containment building overhead door, adjacent to the crusher discharge chute, remains closed.

XII.F. INSPECTIONS

XII.F.1. The Permittee shall inspect the Crusher System, including the crusher discharge chute, the transfer vertical conveyor, Dust Collector System, and feed hopper for waste accumulation, in accordance with IDAPA 50.01.05.008 [40 CFR § 264.601], as described in Attachment 4 of this Permit.

XII.F.2. The Permittee shall keep all relevant figures, drawings, and diagrams related to the miscellaneous unit readily available for inspection at the facility, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.74].

XII.G. CLOSURE AND POST-CLOSURE

Closure and Post-Closure Care of the miscellaneous unit shall be completed in accordance with IDAPA 58.01.05.008 [40 CFR § 264.603] and all applicable sections of Attachment 9 of this Permit.

MODULE XIII – CORRECTIVE ACTION

XIII.A. SOLID WASTE MANAGEMENT UNITS

XIII.A.1. The Director may require corrective action, as specified in the following permit conditions for any newly identified Solid Waste Management Units (SWMUs), where newly identified SWMUs are those not documented in the facility Administrative Record, maintained by the Department, as having undergone corrective action.

XIII.A.2. The Permittee shall conduct a corrective action investigation, in accordance with Permit Conditions XIII.B through XIII.H of this Permit, for each newly identified SWMU.

XIII.B. STANDARD CONDITIONS

XIII.B.1. Failure to submit the information required by the permit conditions within Module XIII of this Permit, or falsification of any submitted information, is grounds for termination of this Permit in accordance with IDAPA 58.01.5012 [40 CFR § 270.43], and for an enforcement action pursuant to Permit Condition I.C of this Permit.

XIII.B.2. All plans, reports, notifications, and other submissions to the Director, as required by the permit conditions within Module XIII of this Permit, shall be signed and certified in accordance with Permit Condition I.R of this Permit.

XIII.B.3. The Permittee shall submit to the Director (by certified mail, express mail, or hand delivered to the address specified in Permit Condition I.Z of this Permit) a minimum of three (3) copies of each plan, report, notification, or other submissions required by the permit conditions within Module XIII of this Permit.

XIII.B.4. All plans and schedules, as required by the permit conditions in Module XIII of this Permit (upon written approval from the Director) shall be incorporated into Module XIII of this Permit, in accordance with Permit Condition XIII.H of this Permit. Any noncompliance with such approved plans and schedules shall be deemed noncompliance with this Permit.

XIII.B.5. The Permittee shall only receive extension(s) of the specified Compliance Schedule due date(s) for the submittal(s), required by the permit conditions within Module XIII of this Permit, upon written approval from the Director, in accordance with Permit Condition XIII.H of this Permit.

XIII.B.6. If the Director determines that further actions beyond those provided by the permit conditions within Module XIII of this Permit, or changes to permit conditions stated herein, are warranted, the Director shall modify the permit condition in Module XIII, in accordance with Permit Condition XIII.H of this Permit.

XIII.B.7. 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 the permit conditions in Module XIII of this Permit) shall be maintained at the facility during the effective term of this Permit.

XIII.C. NOTIFICATION REQUIREMENTS & ASSESSMENT OF NEWLY-IDENTIFIED SWMUs

XIII.C.1. The Permittee shall notify the Director in writing (by certified mail, express mail, or hand delivery) of any newly identified SWMU(s). The Permittee shall submit written notification within thirty (30) calendar days of discovering the SWMU(s). The notification shall include the location of the new SWMU(s) and information on the suspected or known wastes at the site.

XIII.C.2. Within one hundred fifty (150) calendar days following discovery of the SWMU(s), the Permittee shall submit to the Director (by certified mail or hand delivery)a SWMU Assessment Plan.

XIII.C.3. The SWMU Assessment Plan shall include the information or the means by which the following information will be obtained:

XIII.C.3.a. Information concerning past and present operations at the unit(s); and

XIII.C.3.b. Any ground water, surface water, soil (surface or subsurface strata), or air sampling and analysis data needed to determine whether a release of hazardous waste and/or hazardous waste constituent(s) from such unit(s) has occurred, is occurring, or is likely to occur. The SWMU Assessment Plan shall demonstrate that the Sampling and Analysis Program (if applicable) is capable of yielding representative samples, and must include parameters sufficient to identify migration of hazardous waste and/or hazardous waste constituent(s) from the newly discovered SWMUs to the environment.

XIII.C.4. The Permittee shall receive written approval from the Director for the SWMU Assessment Plan; or

XIII.C.5. The Permittee shall receive written notice from the Director of the SWMU Assessment Plan's deficiencies, and the written notice will specify a due date for submittal of a revised Assessment Plan; or

XIII.C.6. The Permittee shall receive written notice from the Director of the revisions incorporated, by the Director, in the SWMU Assessment Plan. The revised Assessment Plan shall become the approved SWMU Assessment Plan.

XIII.C.7. The SWMU Assessment Plan, as approved by the Director and as specified in Permit Conditions XIII.C.4, XIII.C.5, or XIII.C.6 of this Permit, shall be incorporated within Module V of this Permit, in accordance with Permit Condition XIII.H of this Permit. The Permittee shall be notified in writing of the approval of the permit modification.

XIII.C.8. The Permittee shall implement the approved SWMU Assessment Plan within thirty (30) calendar days of receiving written notice of the permit modification approval, specified in Permit Condition XIII.C.7 of this Permit.

XIII.C.9. The SWMU Assessment Plan shall contain a schedule, including the submission date for a SWMU Assessment Report.

XIII.C.10. The SWMU Assessment Report shall describe all results obtained from the implementation of the approved SWMU Assessment Plan. At a minimum, the report shall provide the following information for each newly SWMU identified:

XIII.C.10.a. The SWMU location, identified on a map;

XIII.C.10.b. The type and function of the unit, including general dimensions and a structural description;

XIII.C.10.c. The period during which the unit was operated; and

XIII.C.10.d. All wastes that were or are being managed at the SWMU, including results of any sampling and analysis used to determine whether releases of hazardous wastes and/or hazardous waste constituent(s) have occurred, are occurring, or are likely to occur from the unit.

XIII.C.11. Based on the results of SWMU Assessment Report, the Director shall determine the need for further investigations at specific unit(s) included in the SWMU assessment. If the Director determines that such investigations are needed, the Director will require the Permittee to prepare a plan for such investigations. This plan shall be reviewed for approval in accordance with the requirements of Permit Condition XIII.D of this Permit.

XIII.C.12. The Permittee shall notify the Director (in writing by certified mail, express mail, or hand delivery) of any release(s) of hazardous waste and hazardous waste constituent(s) discovered during the course of ground water monitoring, field investigation, environmental auditing, or other activities undertaken during the RCRA Facility Investigation (RFI) and Permit Condition XIII.D of this Permit. The written notification shall be received by the Director no later than fifteen (15) calendar days after discovery. Such releases may be from already documented or newly identified units. The Director may require further investigation of the new releases. Further investigation, if required, shall be performed in accordance with the requirements of Permit Condition XIII.D of this Permit.

XIII.D. RCRA FACILITY INVESTIGATION (RFI)

XIII.D.1. The Permittee shall conduct a RFI, as deemed necessary by the Director, to determine the nature and extent of known and suspected releases of hazardous wastes and/or hazardous waste constituent(s) from each SWMU at the facility, identified in accordance with Permit Condition XIII.C of this Permit, and to gather data to support a Corrective Measures Study. The Permittee shall conduct the RFI in accordance with an approved Work Plan, completed in accordance with current guidance documents from EPA (*RCRA Facility Investigation Guidance, Volumes I through IV*, or equivalent).

XIII.D.2. The Permittee shall conduct the RFI for each newly identified SWMU, in accordance with the schedule specified in Table XIII-1 of this Permit.

XIII.D.3. The RFI Compliance Schedules, specified in Table XIII-1 of this Permit, may be modified in accordance with Permit Condition XIII.H of this Permit.

XIII.E. INTERIM MEASURES

XIII.E.1. If, during the course of any activity initiated in compliance with the permit conditions of Module XIII of this Permit, the Director determines that a release or potential release of hazardous waste and/or hazardous waste constituent(s) from a SWMU poses a threat to human health or the environment, the Director may require the Permittee to

perform specific interim measures.

XIII.E.2. The Director shall notify the Permittee in writing of the requirement to perform the interim measures specified in the Interim Measures Plan, in accordance with Permit Condition XIII.E.3 of this Permit. The Permittee shall comply with the specified Interim Measures Plan alternative (Permit Condition XIII.E.3.a or XIII.E.3.b of this Permit) designated in the written notification.

XIII.E.3. The Permittee shall perform the requirements of the Interim Measures Plan, in accordance with the alternative specified in either Permit Condition XIII.E.3.a or XIII.E.3.b of this Permit.

XIII.E.3.a. The Director shall determine specific actions to implement the interim measures. The Director shall provide an Interim Measures Plan with the written notification specified in Permit Condition XIII.E.2 of this Permit; or

XIII.E.3.b. Within thirty (30) calendar days of receiving the written notification requiring the Interim Measures Plan, as specified in Permit Condition XIII.E.2 of this Permit, the Permittee shall provide (by certified mail, express mail, or hand delivery) the Interim Measures Plan to the Director for approval.

XIII.E.4. The Interim Measures Plan shall identify specific action(s) to be taken to implement the interim measures and a schedule for implementing the required measures. At a minimum, the Interim Measures Plan shall consider (but not be limited to) the following factors:

XIII.E.4.a. Time required to develop and implement a final remedy;

XIII.E.4.b. Actual and potential exposure of human and environmental receptors;

XIII.E.4.c. Actual and potential contamination of drinking water supplies and sensitive ecosystems;

XIII.E.4.d. The potential for further degradation of the medium absent of interim measures;

XIII.E.4.e. Presence of hazardous waste in containers that may pose a threat of release;

XIII.E.4.f. Presence and concentration of hazardous waste, including hazardous waste constituent(s) in solids that have the potential to migrate to ground water or surface water;

XIII.E.4.g. Weather conditions that may affect the current levels of contamination;

XIII.E.4.h. Risks of fire, explosion, or accident; and

XIII.E.4.i. Other situations that may pose threats to human health and the environment.

XIII.E.5. The Interim Measures Plan shall be incorporated into this Permit, in accordance with Permit Condition XIII.H of this Permit.

XIII.F. CORRECTIVE MEASURES STUDY AND IMPLEMENTATION

XIII.F.1. Based on the results of the RFI, the Permittee shall identify, screen, and develop the alternative or alternatives for removal, containment, treatment and/or other remediation of the contamination. The Permittee shall conduct the Corrective Measures Study in accordance with an approved Work Plan, completed in accordance with current guidance documents from EPA (*RCRA Corrective Action Interim Measures Guidance – Interim Final, RCRA Facility Investigation Guidance, Volumes I through IV*, or equivalent).

XIII.F.2. Upon the Director's approval of the Corrective Measures Study, pursuant to Permit Condition XIII.F.1 of this Permit, the Permittee shall prepare and submit to the Director for approval (by certified mail, express mail, or hand delivery), the Corrective Measures Implementation Program Plan, in accordance with an approved Work Plan.

XIII.F.3. Upon the Director's approval of the Corrective Measures Implementation Program Plan, pursuant to Permit Condition XIII.F.2 of this Permit, the Permittee shall conduct the Corrective Measures Implementation Program Plan, in accordance with the approved Work Plan for the corrective measures design and construction.

XIII.F.4. The Permittee shall conduct the Corrective Measures Study and prepare the Corrective Measures Implementation Program Plan, as specified in Permit Conditions XIII.F.1 and XIII.F.2 of this Permit, in accordance with the schedule specified in Table XIII-2.

XIII.F.5. The Permittee shall prepare and submit to the Director for approval a Compliance Schedule for conducting the Corrective Measures Implementation Program Plan, as required by Permit Condition XIII.F.3 of this Permit.

XIII.F.5.a. The Permittee shall provide a justification for each compliance date in the Compliance Schedule, based on the complexity of the Corrective Measures Implementation Program Plan, and reasonable contract and administrative time requirements.

XIII.F.5.b. On or before the compliance date for submittal of the draft Corrective Measures Implementation Program Plan specified in Table XIII-2 of this Permit, the Permittee shall submit to the Director for approval (by certified mail, express mail, or hand delivery) the Compliance Schedule and subsequent justification, pursuant to Permit Condition XIII.F.5 of this Permit,.

XIII.F.5.c. Upon the Director's approval of the Corrective Measures Implementation Program Plan Compliance Schedule, the Compliance Schedule shall be incorporated into this Permit concurrently with the final Corrective Measures Implementation Program Plan, in accordance with IDAPA 58.01.5012 [40 CFR §§ 270.41 and 270.42].

XIII.F.6. The Permittee shall conduct the Corrective Measures Implementation, as specified in Permit Condition XIII.F.3 of this Permit, in accordance with Permit Condition XIII.F.5 of this Permit.

XIII.F.7. The Corrective Measures Study and Corrective Measures Implementation Compliance Schedules, specified in Table XIII-2 of this Permit, shall be modified in accordance with Permit Condition XIII.H of this Permit.

XIII.G. REPORTING REQUIREMENTS

XIII.G.1. The Permittee shall submit to the Director signed quarterly progress reports of all activities (i.e., SWMU Assessments, Interim Measures, RFIs, and/or Corrective Measures Studies) conducted, pursuant to the permit conditions of Module V of this Permit. The Permittee shall initially submit the quarterly progress reports no later than ninety (90) calendar days after being notified in writing that the approved SWMU Assessment Plan has been incorporated within Module XIII of this Permit, through a permit modification, in accordance with Permit Condition XIII.H of this Permit.

XIII.G.2. At a minimum, the quarterly progress reports shall contain the following:

XIII.G.2.a. A description of the work completed;

XIII.G.2.b. Summaries of all findings and all raw data;

XIII.G.2.c. Summaries of all problems or potential problems encountered during the reporting period, and actions taken or to be taken to rectify the problems; and

XIII.G.2.d. Projected work for the next reporting period.

XIII.G.3. The Permittee shall maintain copies of other reports, drilling logs, etc. at the facility during the effective period of this Permit. The Permittee shall provide copies of the said reports, logs, etc. to the Director upon request.

XIII.G.4. As specified under Permit Condition XIII.B.5 of this Permit, the Director may require the Permittee to conduct new or more extensive assessments, investigations, or studies (as needed) based on information provided in these progress reports or other supporting information.

XIII.H. MODIFICATION OF THE CORRECTIVE ACTION SCHEDULE OF COMPLIANCE

XIII.H.1. Requests for modifications of the final compliance dates, pursuant to the permit conditions in Module XIII of this Permit, shall be submitted to the Director for approval, in accordance with IDAPA 58.01.5012 [40 CFR §§ 270.41 and 270.42]. The Corrective Action Schedule of Compliance (final compliance dates), subject to modification, includes the following:

XIII.H.1.a. The compliance date(s), as specified in Table XIII-1 of this Permit, for submittal of the RFI Final Report;

XIII.H.1.b. The compliance date(s), as specified in Table XIII-2 of this Permit, for submittal of the Corrective Measures Study Report;

XIII.H.1.c. The compliance date(s), as specified in Table XIII-2 of this Permit, for submittal of the final Corrective Measures Implementation Program Plan, in accordance with Permit Condition XIII.F.2 of this Permit,

XIII.H.1.d. Once established in accordance with Permit Condition XIII.F.5 of this Permit, the compliance date(s) for submittal of the corrective measures final (100% completion) Design and Construction Plans, in accordance with Permit Condition XIII.F.3 of this Permit;

XIII.H.1.e. Compliance dates, as specified in Tables XIII-1 and XIII-2 of this Permit, for implementing the approved plans and/or reports; and

XIII.H.1.f. Compliance dates for quarterly submittal of progress reports.

XIII.H.2. Pursuant to IDAPA 58.01.5012 [40 CFR § 270.42(a)], the Compliance Schedules, specified by the Director, shall be modified if the Director determines that good cause exists for which the Permittee had no control, and for which there is no reasonable available remedy.

XIII.H.3. If adequate funds for Corrective Measures Implementation are not available, the Director and the Department reserve the right to pursue any actions deemed necessary to protect human health and the environment, not excluding judicial recourse or termination of this Permit.

XIII.H.4. The Permittee shall submit to the Director for approval a request for modifications of the interim compliance dates that do not affect the final compliance dates. If the Director approves the interim compliance date modifications, Tables XIII-1 and/or XIII-2 of this Permit shall incorporate the modified compliance dates as approved, and such change shall not be considered a permit modification under IDAPA 58.01.5012 [40 CFR § 270.41].

TABLE XIII-1. RCRA FACILITY INVESTIGATION (RFI) COMPLIANCE SCHEDULE FOR NEWLY IDENTIFIED SOLID WASTE MANAGEMENT UNITS (SWMUs)

RFI ACTIVITY	DUE DATE
Submit Draft RFI-Phase II (Task II & III) Work Plan and Schedule	Within ninety (90) calendar days of the Director's notification that an RFI is needed, in accordance with Permit Condition XIII.C.11 of this Permit.
Initiate RFI-Phase II (Task II & III) Activities	Within forty-five (45) calendar days of the Director's approval of the Task II and III Work Plan and Schedule.
Submit Task IV Draft Report	As specified in the Director's approved RFI-Phase II (Task II & III) Work Plan and Schedule.
Submit Task IV Final & Summary Reports	As specified in the Director's approved RFI-Phase II (Task II & III) Work Plan and Schedule.
Progress Reports on Tasks II through IV	Quarterly (every 90 days) beginning ninety (90) calendar days after the Director's approved RFI-Phase II (Task II & III) activities.

TABLE XIII-2. CORRECTIVE MEASURES STUDY AND IMPLEMENTATION COMPLIANCE SCHEDULE SOLID WASTE MANAGEMENT UNITS (SWMUs)	
CMS SUBMISSION/CMI SUBMISSION	**DUE DATES**
Submit CMS Work Plan (Appendix B, Task I & II)	Within sixty (60) calendar days of the RFI Final Report.
Submit Draft CMS Report (Appendix B, Task I, II & III)	Within three hundred (300) calendar days of the Director's approval of the CMS Work Plan.
Submit Final CMS Report (Appendix B, Task I, II & III)	Within sixty (60) calendar days of receiving the Director's comments on the Draft CMS Report.
Submit Draft CMS Program Plan (Appendix B, Task IV)	Within ninety (90) calendar days of the Director's approval of the Final CMS Report.
Submit Final CMS Program Plan (Appendix B, Task IV)	Within sixty (60) calendar days of receiving the Director's comments on the Draft CMI Program Plan.
Submit Corrective Measures Design Preliminary Design Approximately 30% Complete	As specified in the Director's approved CMI Program Plan.
Submit Corrective Measures Design Preliminary Design Approximately 60% Complete	As specified in the Director's approved CMI Program Plan.
Submit Corrective Measures Design Preliminary Design Approximately 95% Complete	As specified in the Director's approved CMI Program Plan.
Submit Final Corrective Measures Design	As specified in the Director's approved CMI Program Plan.
Progress Reports on Appendix B, Tasks I through IV	Quarterly, every ninety (90) calendar days, beginning 90 calendar days after the Director's approval of the Final RFI Report.
Submit Draft CQA Program Plan	As specified in the Director's approved CMI Program Plan.
Submit Final CQA Program Plan	Within sixty (60) calendar days of the Director's approval of the Draft CQA.
Construction of Corrective Measures	Within sixty (60) calendar days of the Director's approval of the Final CQA.
Pre-Final Inspection	Forty-five (45) calendar days following report of pre-final inspection.
Corrective Measures Construction Report	Within ninety (90) calendar days following completion of construction.
Corrective Measures Implementation Quarterly Progress Reports	Quarterly, every ninety (90) calendar days, beginning 90 calendar days after the Director's approval of the Final RFI Report.

FIGURES

[Place figure here]

Figure 1. Ground Water Monitoring Well Network for Upper Aquifer.

[Place figure here]

Figure 2. Ground Water Monitoring Well Network for Lower Aquifer