



September 12, 2012

Via FEDEX Overnight

Delivery Notification Requested

Mr. Nathan Dadap, Project Manager  
U.S. EPA Region 9  
RCRA Facilities Management (WST-4)  
75 Hawthorne St.  
San Francisco, CA 94105

Re Response to NOD  
Clean Harbors Los Angeles, LLC  
CAD 050 806 8050

Dear Mr. Dadap:

Please find the enclosed: three hard copies and one electronic copy (CD) of the revised TSCA Permit Application for the Clean Harbors Los Angeles, LLC facility. Also, per your request, a hard copy of this application was forwarded to the Florence Library, 1610 East Florence Avenue, Los Angeles, CA 90001.

The following details the changes that were made to the previous application in accordance with the NOD dated February 15, 2012:

## **General Comments**

### **Description of Approved PCB Operations**

The introduction in Section 1.0 provides a description of the PCB Operations that will take place at the facility. It is the facility's intent to receive a permit to store EPA regulated TSCA PCBs. The facility will not engage in the draining of transformers except under the condition that the primary container is compromised. In that event PCB liquids will be repackaged using DOT approved containers to ensure environmental integrity and safe off-site transport. Please note that the draining non-EPA regulated TSCA does take place at the site under the authority of the California DTSC

### **Personnel Qualifications, Management**

Section 2.5 of the application lists the current key employees responsible for the establishment or operation of the commercial storage facility who are qualified to engage in the business of commercial storage of PCB waste. Resumes for these individuals can be found in Appendix A of the application. Further, Section 2.6 outlines information concerning any past State or Federal environmental violations involving the same business or another business with which these employees were affiliated.

### **Personnel Qualifications, Workers**

Section 2.5 of the application lists operations personnel experience and qualifications. Resume for these individuals can be found in Appendix A of the application.

### **Notification of the Public**

In conjunction with the renewal of the RCRA Permit, the facility issued the required public notices and held a public meeting. Although the renewal was for the RCRA permit, the State of California regulates PCBs to lower concentrations than the federal TSCA regulations and these were included in the application. As such PCBs components were also included as part of the public outreach.

## **Facility Design**

### **Flood Map**

A revised flood map (referenced in Section 3.3.5) depicting the 100-year flood water elevation has been included in Figure 3-2. The facility is not located within the 100 year flood plain.

### **Unclear Figure for Containment Bay E**

Containment Bay E has been removed from the application and will undergo closure.

### **Information on Sealed Expansion Joints**

There are no expansion joints located within Containment Bay 1. This is referenced in Section 3.3.3 of the application.

### **Information on Epoxy Coating**

Information on the epoxy coating used on the secondary containment surfaces are referenced in Section 3.3.2, 3.3.3, and 3.3.4, of the application (including what type of epoxy was applied, when it was applied, how it is maintained, and that it has been applied to the Sump and Trench Areas). MSDS's for the coatings utilized can be found in Appendix F of the application.

### **Secondary Containment Requirements**

Section 3.3.2 has been updated to show that Containment Bay 1 has adequate capacity to secondarily contain 25% of the combined maximum design capacities of PCB and RCRA wastes. Table 4-2 has been updated to support this requirement. Detailed calculations including all assumptions and displacement volumes can be found in Appendix E of the application. Also, Figure 3-1 has been included to represent the hypothetical pallet configuration of the bay as well as aisle space requirements.

### **Estimate of Maximum Quantity of PCBs – Missing from Application**

Section 3.1 (paragraph 2) discusses the quantity and capacity for PCB wastes that will be managed at the facility. The facility will not exceed the design capacity for the facility.

### **Certification of Facility Design Standards**

Section 3.2 was modified to incorporate, by reference, all the design standards outlined in 40 C.F.R. § 761.65.

## **Facility Operations**

### **Transformer Draining Operations**

As previously mentioned, no draining of TSCA federally regulated PCBs will be conducted on-site unless the primary container is compromised. In that event PCB liquids will be repackaged using DOT approved containers to ensure environmental integrity and safe off-site transport. This language has been incorporated into Section 4.1.1 of the application.

### **PCB Concentration Determinations**

Discussion on PCB concentration determination for incoming waste can be found in Appendix H, Section III. A.

### **Laboratory/Sample Room SOP**

A laboratory SOP, (referenced in Section 3.5.3) discussing: standard operating procedures for onsite laboratory sampling, information regarding the rationale for sampling, where and how long samples are stored, how sampling waste is disposed, other additional measures taken to prevent the migration of PCBs to non-TSCA approved areas at the facility, and PCB container/labeling requirements is included in Appendix G.

### **Container Requirements**

A statement regarding the description of drums and/or containers used to store PCB's can be found in Section 3.1 of the permit application. Additionally, an SPCC Plans is provided in Appendix D in accordance with 40 C.F.R. § 761.65(c)(7)(ii).

### **Date of Removal from Service**

A footnote has been added to clarify Appendix H (table in appendix E of the document p22) to denote surcharges for "After 1 year." Please note this is for material which arrives at the facility after the one year time has elapsed. The facility will operate in accordance with 40 C.F.R. §§ 761.65(a)(1) and (2).

### **Temporary Storage Areas**

Section 3.3.7 has been added to the permit to discuss the use of temporary storage, staging areas, and loading/unloading operations. At this time the facility has not engaged in temporary storage but may do so in the described area. In that event the facility will meet all the requirement set forth in 40 C.F.R. § 761.65(c)(1).

### **Storage Area Labels**

Use of PCB Warning Placards (i.e. M<sub>L</sub> label) as required by 40 C.F.R. § 761.65(c)(3) is described in Appendix H, Section III.D.4 of the application.

### **Storage Area Equipment Decontamination**

The text "in accordance with the requirements set forth in 40 C.F.R. § 761.79" has been added to Appendix H, Section III.D.9.

### **Missing Inspection Plan**

Sample inspection documents as referenced in Section 3.1 and Appendix H of the application can be located in Appendix C of the application.

### **Missing TSCA Contingency Plan**

Appendix H, Section III.D.11 has been modified to incorporate a Spill Prevention Control and Countermeasures (SPCC) Plan (Appendix D) has been included in the application which provides a description of how PCBs specifically will be handled.

### **Spill Cleanup Procedure**

Appendix H, Section III.D.11 has been modified to incorporate the following per 40 C.F.R. § 761.65(c)(5):

1. All spilled or leaked materials shall be immediately cleaned up and the materials and residues containing PCBs shall be disposed of in accordance with 40 C.F.R. § 761.61
2. Records of inspections, maintenance, cleanup and disposal must be maintained in accordance with 40 C.F.R. §§ 761.180(a) and (b).

Additionally, this section has been clarified to include information on cleanup procedures in the trench and sumps areas when a spill has occurred.

### **PCB Item Management**

Verbiage has been added in Appendix H, Section III.E and in appendix E of that document acknowledging that all PCB Items will be marked with the "removed from service for disposal" date, in accordance with 40 C.F.R. § 761.65(c)(8)

### **PCB Disposal Requirements**

Appendix H, Section III.F has been amended to include disposal requirements (where the waste will be shipped) for different types of PCB waste in accordance with the requirements set forth in 40 C.F.R. § 761.60. The section also discusses disposal options for PCB Capacitors with concentrations  $\geq 500$  ppm.

## **Records Management**

### **Records Sorting: Annual Record, Annual Document Log, and Annual Report**

Appendix H, Sections IV and V discusses Annual Record, the Annual Document Log, and the Annual Report. These sections describe each type of record, the length of time each record will be kept, where it will be kept, and if (and when) each record will be submitted to EPA.

### **Records Associated with Receiving**

Appendix H, Section III.C has been amended to include the recordkeeping procedures associated with receiving waste at CHLA. These procedures are in accordance with the manifest requirements for storage facilities receiving waste, outlined in the following TSCA sections: 40 C.F.R. §§ 761.208 - 761.211.

### **Records Associated with Shipping Out Waste**

Appendix H, Section III.E has been amended to describe the record keeping procedures associated with the shipping out of waste for disposal from CHLA. In accordance with 40 C.F.R. § 761.180(b)(4) and § 761.208(c)(3), This sections documents compliance with the manifest requirements for both generators and storage facilities when shipping out wastes.

### **Manifest and PCB Continuation Sheet**

The sample PCB Continuation Sheet provided in Appendix H (appendix F of the document) has been updated with the Manifest and Continuation Sheet Form 8700-22 and Form 8700-22A, respectively. Section III.E of the document discusses use of the manifest.

### **Manifest Copies**

Appendix H, Section II E and C discuss manifest usage and distribution in accordance with 40 C.F.R. § 761.207(i) and § 761.208(a)(3) respectively.

## **Closure, Closure Cost and Financial Assurance**

### **RCRA and TSCA Closure Plans**

The TSCA permit application has been modified to separate RCRA and TSCA closure with a separate Closure Cost Estimate (Section 5) and Financial Assurance Mechanism (Appendix J). While the RCRA closure plan and financial assurance did (and does) include TSCA considerations, it is difficult to differentiate between the two. Although closure of the RCRA and TSCA units could occur simultaneously; separating the documents will clarify how each will be treated in accordance with their respective closure plans and associated requirements.

### **Closure Performance Standards**

Sections 4.3.1 and 4.3.2 have been revised to incorporate cleanup levels for porous surfaces. Due to the site configuration and limited management of TSCA regulated PCBs (storage only) these media types would reflect the most appropriate cleanup standards for the facility.

Additionally, cleanup levels have been based on High Occupancy Areas (at 1 ppm for porous surfaces and 10µg/100 cm<sup>2</sup> for non-porous surfaces) for the closure of TSCA management units and other potentially affected areas of the facility. EPA defines a High occupancy area as any area where PCB remediation waste has been disposed of on-site and where occupancy for any individual not wearing dermal and respiratory protection for a calendar year is: 840 hours or more (an average of 16.8 hours or more per week) for non-porous surfaces and 335 hours or more (an average of 6.7 hours or more per week) for bulk PCB remediation waste. Examples could include a residence, school, day care center,

sleeping quarters, a single or multiple occupancy 40 hours per week work station, a school class room, a cafeteria in an industrial facility, a control room, and a work station at an assembly line. These levels will also meet the DTSC's cleanup standards for PCBs.

#### **Quality Assurance Project Plan**

While the facility laboratory does have a Quality Assurance Plan; closure of the facility is based on worst case scenario where a third party would conduct the closure. As such, Appendix I of this application includes the Quality Assurance plan for the outside lab picked for closure testing and verification.

#### **Illegible Figure**

Figure 4-1 has been revised to improve legibility.

#### **Transformer Draining Area**

No Federally regulated TSCA draining operations are conducted at the facility. The area denoted as the Incompatible Storage Room in Drawing P003-CC-110 and described in Section 4.1.5 is for incompatible waste or contaminated equipment storage only and has been included in closure sampling and containment calculations.

#### **Electrical Equipment Inventory**

No Federally regulated TSCA draining operations are conducted at the facility. However, from time to time the facility may have some miscellaneous hoses or pumps contaminated from a TSCA source (e.g. from repackaging damaged or leaking drum or transformer) Section 4.2.2 describes the management of such items.

#### **PCB Closure Plan Sampling and Decontamination**

Section 4.3 has been amended to include, as part of this section, a plan to sample the following additional locations at CHLA:

- Door jambs and flooring in bathrooms adjacent to the PCB areas, as well as along pathways to and from the bathroom(s).
- PCBs donning/doffing areas.
- All temporary storage areas, including loading/unloading docks, and any other locations around the facility outside of the approved areas that PCBs are handled.

#### **Chip and Core Sampling**

Section 4.3.1 has been amended to include chip sampling and/or core sampling, rather than wipe sampling as the primary means of determining PCB contamination in or on porous materials. These areas include:

- Walls - which are not epoxy coated
- Along cracks in the floor
- In areas that were not epoxy coated prior to PCB handling operations
- In areas of known spills to verify that PCB oil did not penetrate the surface

#### **Field Investigation Objectives and Sampling Location and Rationale – Section 4.3.3.3**

Section 4.3.3.3 has been modified to include core and chip sampling. The sampling plan has been adjusted to meet the sampling requirements of Subpart N of 40 C.F.R. § 761.

#### **Sampling Activities and Analytical Requirements**

Information has been provided in Section 4.3.3.3 for Chip, Core and Wipe sampling:

1. Sampling methods.
2. Sample sizes.
3. Labeling and numbering protocol.
4. Methods used for prepping the sample for analysis.
5. EPA Method 8082 will be used for PCB analysis.

Additionally, Section 4.3.5 (verification sampling referenced Section 4.3.3.3 for protocol

#### **Post-Cleanup Verification Procedures**

Section 4.3.5 has been amended to include a description of how Verification grid sampling will be carried out in accordance with applicable regulatory requirements.

#### **Waste Collection**

Section 4.3.5.3 has been modified to incorporate by reference the requirements for the disposal and decontamination of waste in accordance with 40 C.F.R. § 761.65(e)(7)

#### **Closure Plan Review**

Section 4.5 has been modified to include language with language that, in accordance with 40 C.F.R. § 761.65(e)(6)(i), CHLA shall either petition EPA with a demonstration that the closure plan is sufficiently up to date, or submit a permit modification application with an updated closure plan.

#### **Closure Cost Estimate**

Tables 5-1 and 5-2 have been undated to incorporate current costs associated with third party closure.

## **Minor Errors**

Nomenclature referencing facility units has been updated throughout the plan to ensure consistency.

This Section refers to "Bay #1" while the following Table 4-2 refers to that area as "(Formerly Bay #1)". Please choose a consistent naming system.

Waste calculations throughout the plan have been updated to ensure consistency (e.g. Section 4.2.1 and Table 4.3).

Section 4.3.5 has been modified to utilize the correct citation of 40 C.F.R. § 761.125(c)(5)(viii).

Thank you for your assistance and consideration in this matter. If you have any questions or require further clarification with regard to any of the above issues, please feel free to contact me at (615) 643-3175

Sincerely,

A handwritten signature in black ink, appearing to read "James C. Childress". The signature is fluid and cursive, with the first name "James" being the most prominent.

James C. Childress  
VP Corporate Environmental Compliance  
Clean Harbors Environmental Services  
2815 Old Greenbrier Pike  
Greenbrier, TN 37073