UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) PERMIT

Facility Name and Location: Vickery Environmental, Inc.
3956 State Route 412
Vickery, Ohio 43464
Sandusky County

Owner(s): Vickery Environmental, Inc.
3956 State Route 412
Vickery, Ohio 43464

Operator(s): Same as Owner Name and Location

U.S. EPA Identification Number: OHD 020 273 819

Effective Date: April 14, 2005

Expiration Date: April 13, 2015

Authorized Activities:

The United States Environmental Protection Agency (U.S. EPA) hereby issues a Resource Conservation and Recovery Act permit (hereinafter referred to as the "permit") to Vickery Environmental, Inc., (hereinafter referred to as the "Permittee" or addressed in the second person as "you") in connection with the hazardous waste storage and treatment activities at 3956 State Route 412, Vickery, Ohio (hereinafter known as the "Facility").

This permit is issued under the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, and the Hazardous and Solid Waste Amendments (HSWA) of 1984 (42 USC § 6901 *et seq.*), collectively referred to as RCRA and U.S. EPA's regulations promulgated thereunder codified, and to be codified, in Title 40 of the Code of Federal Regulations (40 CFR).

The RCRA permit is comprised of both this permit, which contains the effective Federal RCRA permit conditions, and the effective state RCRA permit conditions issued by the Ohio Environmental Protection Agency's (OEPA) RCRA program authorized under 40 CFR Part 271 (hereinafter called the "State-issued portion of the RCRA permit"). Any hazardous waste activity, which requires a RCRA permit and is not included in the RCRA permit, is prohibited.

Permit Approval:

On June 30, 1989, the OEPA received final authorization pursuant to Section 3006 of RCRA, 42 USC § 6926, and 40 CFR Part 271, to administer the pre-HSWA RCRA hazardous waste program. The OEPA has also received final authorization to administer certain additional RCRA requirements on several occasions since then. However, because the U.S. EPA has not yet authorized the OEPA to administer certain regulations for organic air emission standards for tanks handling hazardous wastes and the identification of certain hazardous wastes, the U.S. EPA Region 5 is issuing the RCRA permit requirements for operations at the Permittee's facility which fall under these regulations.

You must comply with all terms and conditions contained in this permit. This permit consists of all the conditions contained herein, all documents attached hereto and all documents listed or cross-referenced in these documents, approved submittals (including plans, schedules and other documents), and the applicable regulations contained in 40 CFR Parts 124, 260, 261, 262, 264, 268, 270, and applicable provisions of RCRA.

This permit is based on the assumptions that: (1) the information submitted in the Permittee's RCRA permit application dated August 21, 2003, and in any subsequent modifications to that application (hereinafter referred to as the "Application") are accurate, and (2) the facility is configured, operated and maintained as specified in the permit, and as described in the permit application.

Any inaccuracies in the application may be grounds for the U.S. EPA to modify or revoke and reissue this permit in accordance with 40 CFR § 270.41, or terminate it in accordance with 40 CFR § 270.43; and for enforcement action under Section 3008 of RCRA. The Permittee must inform the U.S. EPA of any deviation from, or changes in, the information in the application that might affect the Permittee's ability to comply with the applicable regulations or conditions of this permit.

Opportunity to Appeal:

Petitions for review must be submitted within 30 days after the U.S. EPA serves notice of the final permit decision. Any person who filed comments on the draft permit or participated in the public hearing may petition the Environmental Appeals Board to review any condition of the permit decision. Any person who failed to file comments or failed to participate in the public hearing on the draft permit may file a petition for review only to the extent of any changes from the draft to the final permit decision. The procedures for permit appeals are found in 40 CFR § 124.19.

Effective Date:

This permit is effective as of **April 14. 2005** and will remain in effect until **April 13, 2015**, unless revoked and reissued under 40 CFR § 270.41, terminated under 40 CFR § 270.43, or continued in accordance with 40 CFR § 270.51(a).

By: Date: 4/14/05

Margaret M. Guerriero, Director
Waste, Pesticides and Toxics Division

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SECTION I—STANDARD PERMIT CONDITIONS

I.A EFFECT OF PERMIT

You are hereby allowed to manage hazardous waste in accordance with this permit. Under this permit, the storage and treatment of RCRA hazardous waste must comply with all air emission standards, land disposal restriction requirements, and all other terms and conditions in this permit. Other aspects of the storage and treatment of RCRA hazardous wastes in containers, tanks, miscellaneous units, etc., are subject to the conditions in the State-issued portion of the RCRA permit. Any hazardous waste activity, which requires a RCRA permit and is not included in the RCRA permit, is prohibited.

Subject to 40 CFR § 270.4, compliance with the RCRA permit during its term generally constitutes compliance for purposes of enforcement with Subtitle C of RCRA.

This permit does not: (1) convey any property rights or any exclusive privilege (40 CFR § 270.30(g)); (2) authorize any injury to persons or property, or invasion of other private rights; or (3) authorize any infringement of state or local law or regulations. Compliance with the terms of this permit does not constitute a defense to any order issued, or any action brought, under: (1) Sections 3008(a), 3008(h), 3013, or 7003 of RCRA, 42 USC § 6928 (a), 6928 (h), 6934, or 6973; (2) Sections 104, 106(a), or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 USC § 9601 *et seq.* (commonly known as CERCLA); or (3) any other law protecting human health, or the environment from any imminent and substantial endangerment to human health, welfare, or the environment. (40 CFR §§ 270.4 and 270.30(g))

I.B PERMIT ACTIONS

I.B.1 Permit Review, Modification, Revocation and Reissuance, and Termination

The U.S. EPA may review and modify, revoke and reissue, or terminate this permit for cause, as specified in 40 CFR §§ 270.41, 270.42, and 270.43. The U.S. EPA may also review and modify this permit, consistent with 40 CFR § 270.41, to include any terms and conditions it determines are necessary to protect human health and the environment under Section 3005(c)(3) of RCRA, 42 USC §6925 (c)(3). The filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance on your part will not stay the applicability or enforceability of any permit condition. (40 CFR § 270.30(f))

You must not perform any construction associated with a Class 3 permit modification request until such modification request is granted and the modification becomes effective. You may perform construction associated with a Class 2 permit modification request

beginning 60 days after submission of the request unless the Director establishes a later date, and informs the Permittee in writing prior to day 60. (40 CFR § 270.42(b)(8))

I.B.2 Permit Renewal

This permit may be renewed as specified in 40 CFR § 270.30(b) and Condition I.E.2 of this permit. In reviewing any application for a permit renewal, the U.S. EPA will consider improvements in the state of control and measurement technology, and changes in applicable regulations. (40 CFR § 270.30(b) and RCRA Section 3005(c)(3), 42 U.S.C. § 6925(c)(3))

I.C SEVERABILITY

This permit's provisions are severable; if any permit provision, or the application of any permit provision to any circumstance, is held invalid, such provision's application to other circumstances and the remainder of this permit will not be affected. Invalidation of any statutory or regulatory provision on which any condition of this permit is based does not affect the validity of any other statutory or regulatory basis for that condition. (40 CFR § 124.16(a)(2))

I.D DEFINITIONS

The terms used in this permit will have the same meaning as in 40 CFR Parts 124, 260 through 266, 268 and 270, unless this permit specifically provides otherwise. Where neither the regulations nor the permit define a term, the term's definition will be the standard dictionary definition or its generally accepted scientific or industrial meaning.

I.E DUTIES AND REQUIREMENTS

1.E.1 Duty to Comply

You must comply with all conditions of this permit, except to the extent and for the duration for which an emergency permit authorizes such noncompliance (see 40 CFR § 270.61). Any permit noncompliance, except under the terms of an emergency permit, constitutes a violation of RCRA and will be grounds for enforcement action, permit termination, revocation and reissuance, modification, or denial of a permit renewal application. (40 CFR § 270.30(a))

I.E.2 Duty to Reapply

If you wish to continue the permit-regulated activities after the expiration date, you must apply for and obtain a new permit. You must submit a complete application for a new permit at least 180 days before the permit expiration date, unless the Director grants permission for a later submittal date. The Director will not grant permission to submit the complete application for a new permit later than the permit's expiration date. (40 CFR § 270.10(h), and § 270.30(b))

I.E.3 Permit Expiration

Unless revoked or terminated, this permit and all conditions herein will be effective until April 13, 2015. This permit and all conditions herein will remain in effect beyond the permit's expiration date if you have submitted a timely, complete application (40 CFR § 270.10 and § 270.13 through 270.29), and, through no fault of your own, the Director has not made a final determination regarding permit reissuance. (40 CFR §§ 270.50, and 270.51)

I.E.4 Need to Halt or Reduce Activity Not a Defense

In an enforcement action, you are not entitled to a defense that it would have been necessary to halt or reduce the permitted activity to maintain compliance with this permit. (40 CFR § 270.30(c))

I.E.5 Duty to Mitigate

In the event of noncompliance with this permit, you must take all reasonable steps to minimize releases to the environment resulting from the noncompliance and must implement all reasonable measures to prevent significant adverse impacts on human health or the environment. (40 CFR § 270.30(d))

I.E.6 Proper Operation and Maintenance

You must always properly operate and maintain all facilities and treatment and control systems (and related appurtenances) that you install or use to comply with 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/quality control procedures. This provision requires you to operate back-up or auxiliary facilities or similar systems only when necessary to comply with this permit. (40 CFR § 270.30(e))

I.E.7 Duty to Provide Information

You must provide the Director, within a reasonable time, any relevant information that the Director requests to determine whether there is cause to modify, revoke and reissue, or terminate this permit, or to determine permit compliance. You must also provide the Director, upon request, with copies of any records this permit requires. The information you must maintain under this permit is not subject to the Paperwork Reduction Act of 1980, 44 USC § 3501 *et seq.* (40 CFR § 264.74(a) and 270.30(h))

I.E.8 Inspection and Entry

Pursuant to 40 CFR § 270.30(i), upon the presentation of credentials and other legally required documents, you must allow the Director or an authorized representative to:

I.E.8.a Enter at reasonable times upon your premises where a regulated activity is located or conducted, or where records must be kept under the conditions of this permit;

I.E.8.b Have access to and copy, at reasonable times, any records that you must keep under the conditions of this permit;

I.E.8.c Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

I.E.8.d Sample or monitor any substances at any location at reasonable times, to ensure permit compliance or as otherwise authorized by RCRA. (40 CFR § 270.30(i))

Notwithstanding any provision of this permit, U.S. EPA retains the inspection and access authority which it has under RCRA and other applicable laws. (40 CFR § 270.30(i))

I.E.9 Monitoring and Records

I.E.9.a Samples and measurements taken for monitoring purposes must be representative of the monitored activity. The methods used to obtain a representative sample of the wastes, contaminated media, treatment residue, or other waste to be analyzed must be the appropriate methods from Appendix I of 40 CFR Part 261, or the methods specified in the State-approved Waste Analysis Plan, or an equivalent method approved by the Director. Laboratory methods must be those specified in *Test Methods for Evaluating Solid Waste: Physical/Chemical Methods* (SW-846, latest edition), *Methods for Chemical Analysis of Water and Wastes* (EPA 600/4-79-020), or an equivalent method, as

specified in the referenced Waste Analysis Plan. (40 CFR § 270.30(j)(1)) The records for monitoring information shall include the criteria specified in 40 CFR § 270.30(j)(3).

I.E.9.b You must retain, at the facility, all records as specified in 40 CFR § 270.30(j)(2).

I.E.9.c You must submit all monitoring results at the intervals specified in this permit.

I.E.9.d You must retain all reports, records, or other documents, required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the reports, records, or other documents, unless a different period is specified in this permit. The 3-year period may be extended by request of the Director at any time and is automatically extended during the course of any unresolved enforcement action regarding this facility. (40 CFR § 270.30(j) and 270.31))

I.E.10 Reporting Planned Changes

You must notify the Director as soon as possible of any planned physical alterations or additions to the permitted facility. (40 CFR § 270.30(l)(1))

I.E.11 Reporting Anticipated Noncompliance

You must notify the Director, in advance, of any planned changes in the permitted facility or activity that may result in permit noncompliance. Advance notice will not constitute a defense for any noncompliance. (40 CFR § 270.30(l)(2))

I.E.12 Certification of Construction

For a new facility, the permittee may not treat, store, or dispose of hazardous waste; and for a facility being modified, the permittee may not treat, store, or dispose of hazardous waste in the modified portion of the facility except as provided in 40 CFR § 270.42 until you have submitted to the Director, by certified mail or hand-delivery, a letter signed both by your authorized representative and by a registered professional engineer. That letter must state that the portions of the facility covered by this permit (including all air emission control devices required by this permit) have been constructed or modified in compliance with the applicable conditions of this permit. (40 CFR § 270.30(l)(2)) In addition, you must not operate the permitted control devices until either:

I.E.12a The Director or his/her representative has inspected those portions of the facility and finds them in compliance with the conditions of the permit; or

I.E.12b If within 15 days from the receipt of the certification you have not received notice from the Director of his or her intent to inspect, the inspection is waived and you may commence treatment or storage of hazardous waste. (40 CFR § 270.30(l) and §270.42 Appendix I)

I.E.13 Transfer of Permits

This permit is not transferable to any person, except after notice to the Director. You must inform the Director and obtain prior approval of the Director before transferring ownership or operational control of the facility (40 CFR §§ 270.30(l)(3) and 270.42, Appendix I). Under 40 CFR § 270.40, the Director may require permit modification, or revocation and reissuance to change the Permittee's name and incorporate other RCRA requirements. Before transferring ownership or operation of the facility during its operating life, you must notify the Director and obtain prior approval and notify the new owner or operator in writing of the requirements of this permit and the requirements of 40 CFR Parts 264, 268, and 270. (40 CFR § 264.12(c), 270.30(l)(3), and 270.40(a))

I.E.14 Twenty-Four Hour Reporting

I.E.14.a You must report to the Director any noncompliance with this permit that may endanger human health or the environment. Any such information must be promptly reported verbally, but no later than 24 hours after you become aware of the noncompliance by contacting the U.S. EPA Region 5 Waste Management Branch. (40 CFR § 270.30(1)(6))

I.E.14.b The report must include the following information (40 CFR §§ 270.30(l)(6) and 270.33): (1) release of any hazardous waste that may endanger public drinking water supplies; (2) release or discharge of hazardous waste; or (3) fire or explosion from the hazardous waste management facility, that could threaten the environment or human health outside the facility. You must include the following information:

(1) Name, title and telephone number of the person making the report;

(2) Name, address and telephone number of the facility;

(3) Name, address and telephone number of facility owner or operator;

(4) Date, time and type of incident;

(5) Location and cause of incident;

(6) Identification and quantity of material(s) involved;

(7) Extent of injuries, if any;

(8) Assessment of actual or potential hazards to the environment and human health outside the facility, where applicable;

(9) Description of any emergency action taken to minimize the threat to human health and the environment; and

(10) Estimated quantity and disposition of recovered material that resulted from the incident.

I.E.14.c In addition to the verbal notification required under Conditions I.E.14.a and I.E.14.b of this permit, a written report must also be provided within 5 calendar days after you become aware of the circumstances. The written report must include, but is not limited to, the following:

(1) Name, address and telephone number of the person reporting;

(2) Incident description (noncompliance and/or release or discharge of hazardous waste), including cause, location, extent of injuries, if any, and an assessment of actual or potential hazards to the environment and human health outside the facility, where applicable;

(3) Period(s) in which the incident (noncompliance and/or release or discharge of hazardous waste) occurred, including exact dates and times;

(4) Whether the incident's results continue to threaten human health and the environment, which will depend on whether the noncompliance has been corrected and/or the release or discharge of hazardous waste has been adequately cleaned up; and

(5) If the noncompliance has not been corrected, the anticipated period for which it is expected to continue, and the steps taken or planned to reduce, eliminate, and prevent the recurrence of the noncompliance.

The Director may waive the requirement that written notice be provided within 5 calendar days; however, you will then be required to submit a written report within 15 calendar days of the day on which you must provide verbal notice, in accordance with Conditions I.E.14.a and I.E.14.b of this permit. (40 CFR § 270.30(1)(6))

I.E.15 Other Noncompliance

You must report all instances of noncompliance not reported under Condition I.E.14 of this permit, when any other reports this permit requires are submitted. The reports must contain the information listed in Condition I.E.14. (40 CFR § 270.30(l)(10))

I.E.16 Other Information

I.E.16.a Whenever you become aware that you failed to submit or otherwise omitted any relevant facts in the permit application or other submittal, or submitted incorrect information in the permit application or other submittal, you must promptly notify the Director of any incorrect information or previously omitted information, submit the correct facts or information, and explain in writing the circumstances of the incomplete or inaccurate submittal. (40 CFR § 270.30(l)(11))

I.E.16.b All other requirements contained in 40 CFR § 270.30 not specifically described in this permit are incorporated into this permit and you must comply with all those requirements.

I.F SIGNATORY REQUIREMENT

You must sign and certify all applications, reports, or information this permit requires, or which are otherwise submitted to the Director, in accordance with 40 CFR § 270.11. (40 CFR § 270.30(k))

I.G REPORTS, NOTIFICATIONS AND SUBMITTALS TO THE DIRECTOR

Except as otherwise specified in this permit, all reports, notifications, or other submittals that this permit requires to be submitted to the Director should be sent to the U.S. Environmental Protection Agency, Region 5, at the following address:

Waste Management Branch, DW-8J
Waste, Pesticides and Toxics Division
U.S. EPA Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

I.H CONFIDENTIAL INFORMATION

In accordance with 40 CFR Part 2 Subpart B, you may claim any information this permit requires, or is otherwise submitted to the Director, as confidential. You must assert any

such claim at the time of submittal in the manner prescribed on the application form or instructions, or, in the case of other submittals, by stamping the words "Confidential Business Information" on each page containing such information. If you made no claim at the time of submittal, the Director may make the information available to the public without further notice. If you assert a claim, the information will be treated in accordance with the procedures in 40 CFR Part 2. (40 CFR § 270.12)

I.I DOCUMENTS TO BE MAINTAINED AT THE FACILITY

You must maintain at the facility, until closure is completed and certified by an independent registered professional engineer, the following documents and all amendments, revisions, and modifications to them.

I.I.1 Operating Record

You must maintain in the facility's operating record the documents required by this permit, and by the applicable portions of 40 CFR §§ 264.1035, 264.1064, 264.1084, 264.1088, 264.1089 and 40 CFR § 264.73 (as they apply to the equipment used to comply with this permit).

I.I.2 Copy of Permit

You must keep this permit on site, including all the documents listed in any attachments, and you must update it as necessary to incorporate any official permit modifications under 40 CFR §§ 270.41 and 270.42.

I.J ATTACHMENTS AND DOCUMENTS INCORPORATED BY REFERENCE

I.J.1 All attachments and documents that this permit requires to be submitted, if any, including all plans and schedules are, upon the Director's approval, incorporated into this permit by reference and become an enforceable part of this permit. Since required items are essential elements of this permit, failure to submit any of the required items or submission of inadequate or insufficient information may subject you to enforcement action under Section 3008 of RCRA, 42 USC § 6928. This action may include fines, or permit suspension or revocation.

I.J.2 This permit also includes the documents attached hereto, all documents cross-referenced in these documents, and the applicable regulations contained in 40 CFR Parts 124, 260, 261, 262, 264, 268, and 270, and the applicable provisions of RCRA, all of which are incorporated herein by reference.

I.J.3 Any inconsistency or deviation from the approved designs, plans and schedules is a permit noncompliance. The Director may grant written requests for extensions of due dates for submittals required in this permit.

I.J.4 If the Director determines that actions beyond those provided for, or changes to what is stated herein, are warranted, the Director may modify this permit according to procedures in Condition I.B of this permit.

I.J.5 If any documents attached to this permit are found to conflict with any of the Conditions in this permit, the Condition will take precedence.

I.K COORDINATION WITH THE CLEAN AIR ACT

You must fully comply with all applicable Clean Air Act (CAA) and RCRA permit limits. Where two or more operating limitations apply, the most stringent operating limitations take precedence.

SECTION II -- ADDITIONAL HAZARDOUS WASTE NUMBERS

In addition to the hazardous wastes identified on your Part A that are administered by OEPA, you may handle the hazardous wastes listed in the Attachment for this permit, promulgated under the HSWA, at your facility. All handling of these wastes must comply with the applicable provisions of both the state-issued portion and the federally-issued portion of the RCRA permit.

SECTION III – AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS (40 CFR Part 264, Subpart BB)

You must comply with all the applicable requirements of 40 CFR § 264.1050 through 40 CFR § 264.1065, regarding equipment that contains or contacts hazardous waste. You are prohibited from handling hazardous wastes with organic concentrations at or above 10 percent by weight.

SECTION IV -- AIR EMISSIONS STANDARDS (40 CFR Part 264, Subpart CC)

IV.A TANKS

You must comply with all applicable requirements of 40 CFR § 264.1080 through 40 CFR § 264.1090, regarding air emission standards for tanks handling hazardous waste. All tanks not exempt from 40 CFR Part 264 Subpart CC must be managed using Level 1 controls. You are prohibited from conducting waste stabilization processes, as defined in 40 CFR § 265.1081.

The OEPA RCRA permit effective August 17, 2001 identified the following tanks which are or will be used for the storage of hazardous waste and require a RCRA permit. All

tanks listed below must manage hazardous waste using Level 1 emission controls in accordance with 40 CFR § 264.1084(c).

You have identified the following tanks used for the storage of hazardous waste:

T-1	T-2	T-5
T-6	T-9	T-10
T-22 (V-4)	T-23 (V-5)	T-24 (V-6)
T-25 (V-7)	T-800 (FAT-BR)	T-500 (FAT-5R)
T-400 (FAT-2R)	T-300 (FAT-3R)	T-600 (FAT-6R)
		Lab Waste Tank

The FAT-tanks and the Laboratory Waste Tank are fixed roof systems with a conservation vent and shall meet Level 1 controls in accordance with the requirements in 40 CFR § 264.1084(c).

The T-tanks and the V-tanks shall be covered by a fixed roof and vented directly through the closed-vent system to the caustic scrubber in accordance with the following requirements in 40 CFR § 264.1084(g):

IV.A.1. The fixed roof and its closure devices shall be designed to form a continuous barrier over the entire surface area of the liquid in the tank.

IV.A.2. Each opening in the fixed roof not vented to the control device shall be equipped with a closure device. If the pressure in the vapor headspace underneath the fixed roof is less than atmospheric pressure when the control device is operating, the closure devices shall be designed to operate such that when the closure device is secured in the closed position there are no visible cracks, holes, gaps, or other open spaces in the closure device or between the perimeter of the cover opening and the closure device. If the pressure in the vapor headspace underneath the fixed roof is equal to or greater than atmospheric pressure when the control device is operating, the closure device shall be designed to operate with no detectable organic emissions.

IV.A.3. The fixed roof and its closure devices shall be made of suitable materials that will minimize exposure of the hazardous waste to the atmosphere, to the extent practical, and will maintain the integrity of the fixed roof and closure devices throughout their intended service life. Factors to be considered when selecting the materials for and designing the fixed roof and closure devices shall include the following elements: Organic vapor permeability, the effects of any contact with the liquid and its vapor managed in the tank; the effects of outdoor

exposure to wind, moisture, and sunlight; and the operating practices used for the tank on which the fixed roof is installed.

IV.A.4. Whenever a hazardous waste is in the tank, the fixed roof shall be installed with each closure device secured in the closed position and the vapor headspace underneath the fixed roof vented to the caustic scrubber except as provided in 40 CFR § 264.1084(g)(2).

IV.B RECORD KEEPING AND REPORTING REQUIREMENTS

You must comply with the record keeping and reporting requirements in 40 CFR §§ 264.1089 and 264.1090.

IV.C INSPECTION AND MONITORING REQUIREMENTS

In accordance with 40 CFR § 264.1088(a), you shall perform semi-annual inspections and monitoring of the air emissions control equipment associated with the hazardous waste storage tanks to verify compliance with Subpart CC. The monitoring shall utilize an instrument that meets the requirements of 40 CFR Part 60, Appendix A, Method 21. The plan and schedule to perform the inspections and monitoring shall be incorporated into the Facility inspection plan required under 40 CFR § 264.15.

Attachment

Additional Hazardous Wastes

Hazardous Wastes from Non-Specific Sources

F032 Wastewaters (except those that have not come into contact with process contaminants), process residuals, preservative drippage, and spent formulations from wood preserving processes generated at plants that currently use or have previously used chlorophenolic formulations (except potentially cross-contaminated wastes that have had the F032 waste code deleted in accordance with §261.35 of this chapter or potentially cross-contaminated wastes that are otherwise currently regulated as hazardous wastes (i.e., F034 or F035), and where the generator does not resume or initiate use of chlorophenolic formulations). This listing does not include K001 bottom sediment sludge from the treatment of wastewater form wood preserving processes that use creosote and/or pentachlorophenol.

Hazardous Wastes from Specific Sources

K169 Crude oil storage tank sediment from petroleum refining operations.

K170 Clarified slurry oil tank sediment and/or in-line filter/separation solids from petroleum refining operations

K171 Spent Hydrotreating catalyst from petroleum refining operations, including guard beds used to desulfurize feeds to other catalytic reactors (this listing does not include inert support media).

K172 Spent Hydrorefining catalyst from petroleum refining operations, including guard beds used to desulfurize feeds to other catalytic reactors (this listing does not include inert support media).

K174 Wastewaster treatment sludges from the production of ethylene dichloride or vinyl chloride monomer (including sludges that result from commingled ethylene dichloride or vinyl chloride monomer wastewater and other wastewater), unless the sludges meet the following conditions: (i) they are disposed of in a subtitle C or non-hazardous landfill licensed or permitted by the state or federal government; (ii) they are not otherwise placed on the land prior to final disposal; and (iii) the generator maintains documentation demonstrating that the waste was either disposed of in an on-site landfill or consigned to a transporter or disposal facility that provided a written commitment to dispose of the waste in an off-site landfill. Respondents in any action brought to enforce the requirements of subtitle C must, upon a showing by the government that the respondent managed wastewater treatment sludges from the production of vinyl chloride monomer or ethylene dichloride, demonstrate that they meet the terms of the exclusion set forth above. In doing so, they must provide appropriate documentation (e.g., contracts between the generator and the landfill owner/operator, invoices documenting delivery of waste to landfill, etc.) that the terms of the exclusion were met.

K175 Wastewater treatment sludges from the production of vinyl chloride monomer using mercuric chloride catalyst in an acetylene-based process.

K176 Baghouse filters from the production of antimony oxide, including filters from the production of intermediates (e.g., antimony metal or crude antimony oxide).

K177 Slag from the production of antimony oxide that is speculatively accumulated or disposed, including slag from the production of intermediates (e.g., antimony metal or crude antimony oxide).