

ATTACHMENT
A



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

April 5, 2007

D-8J

CERTIFIED MAIL: 7001 0320 0006 0202 5684
RETURN RECEIPT REQUESTED

Maura LaGreca, Manager EHS
PPG Industries Ohio, Inc. (Owner & Operator)
and PPG Industries, Inc. (Co-Operator)
559 Pittsburgh Road
Circleville, Ohio 43113

RECEIVED APR 13 2007
LaGreca

RE: Final Federal RCRA Permit
PPG Industries Ohio, Inc. and
PPG Industries, Inc.
OHD 004 304 689

Dear Ms. LaGreca:

Enclosed is a copy of the Federal portion of a Resource Conservation and Recovery Act (RCRA) Hazardous Waste permit for the above-referenced facility. The Hazardous Waste permit contains both Federal permit conditions (contained herein) and State permit conditions, which were issued separately by the State of Ohio RCRA program authorized under Title 40 of the Code of Federal Regulations (40 CFR) Part 271. When both this portion and the State permit are effective, the PPG Industries Ohio, Inc. and PPG Industries, Inc. will have an effective RCRA Hazardous Waste permit. Any hazardous waste activity not included in the RCRA permit is prohibited when such activity requires a RCRA Hazardous Waste permit.

Eligibility to appeal the Federal permit is discussed further in 40 CFR §124.19. All original documents are to be signed in blue ink with five (5) copies marked as such. The petition for review must be received by U.S. EPA in Washington, D.C., via U.S. Postal Service at the address indicated below within 30 days after service of notice of the final permit decision.

United States Environmental Protection Agency
Clerk of the Board, Environmental Appeals Board (MC-1103B)
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460-0001

Submissions can also be made by hand or courier, Federal Express, UPS, or a non-U.S. Postal Service at the following address:

United States Environmental Protection Agency
Environmental Appeals Board
Colorado Building
1341 G Street, NW
Suite 600
Washington, D.C. 20005

A copy of the petition should also be sent to:

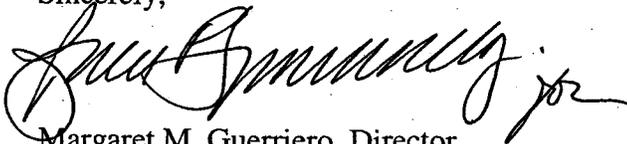
Program Management Branch (DU-7J)
U.S. EPA Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

The procedures for filing an appeal are found in 40 CFR § 124.19. The administrative appeal procedures must be completed prior to any action seeking judicial review.

This Federal permit is effective April 5, 2007 valid until December 29, 2016 unless the Federal permit is revoked and reissued, or terminated pursuant to 40 CFR § 270.41 and § 270.43. Failure to comply with any conditions of the Federal permit may result in civil and/or criminal penalties.

If you have any questions concerning this permit, please contact Wen C. Huang of my staff, at (312) 886-6191.

Sincerely,



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

Enclosure:

cc: Mr. Ed Lim, OEPA/CO
Mr. John Nyers, OEPA/CO

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) PERMIT

Name and
Location: PPG Industries Ohio, Inc.
559 Pittsburgh Road
Circleville, Ohio 43113

Owner(s): PPG Industries Ohio, Inc.
559 Pittsburgh Road
Circleville, Ohio 43113

Operator(s): PPG Industries, Inc.
One PPG Place
Pittsburgh, PA 15272
and
PPG Industries Ohio, Inc.
559 Pittsburgh Road
Circleville, Ohio 43113

U.S. EPA Identification Number: OHD 004 304 689

Effective Date: April 5, 2007

Expiration Date: December 29, 2016

Authorized Activities:

The United States Environmental Protection Agency (U.S. EPA) hereby issues a Resource Conservation and Recovery Act (RCRA) permit (hereinafter referred to as the "permit") to **PPG Industries Ohio, Inc. (Owner and Operator)** and **PPG Industries, Inc. (Co-Operator)** (hereinafter referred to as the "Permittees" or addressed in the second person as "you") in connection with the hazardous waste treatment, storage, and disposal activities at the Circleville facility in Ohio.

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)).

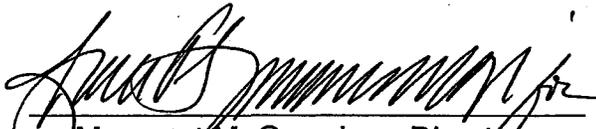
Opportunity to Appeal:

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 the 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 5, 2007 and will remain in effect until December 29, 2016, unless revoked and reissued under 40 CFR § 70.41, terminated under 40 CFR § 270.43, or continued in accordance with 40 CFR § 70.51(a).

By:


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

Date:

4/5/07

Specifically, this permit addresses: (1) air emission standards for equipment leaks (40 CFR Part 264, Subpart BB), tanks and containers (40 CFR Part 264, Subpart CC); and (2) other federal RCRA regulations for which the state has not yet been authorized. 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 State of Ohio's 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 State of Ohio 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 State of Ohio 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 State of Ohio to administer certain regulations, including the air emission standards for equipment leaks, tanks and containers handling hazardous wastes, the U.S. EPA Region 5 is issuing the RCRA permit requirements for operations at the Permittees' 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, 270, and applicable provisions of RCRA.

This permit is based on the assumptions that the information submitted in the Permittees' RCRA permit application dated April 30, 2004, and in any subsequent modifications to that application (hereinafter referred to as the "Application") is accurate, and that the facility is configured, operated and maintained as specified in the permit and as described in the Application.

Any inaccuracies in the submitted information may be grounds for the U.S. EPA to terminate, revoke and reissue, or modify this permit in accordance with 40 CFR §§ 270.41, 270.42 and 270.43; and for enforcement action. You must inform the U.S. EPA of any deviation from, or changes in, the information in the Application that might affect your ability to comply with the applicable regulations or conditions of this permit.

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SECTION I -- STANDARD PERMIT CONDITIONS

I.A EFFECT OF PERMIT

The RCRA permit is comprised of both this permit, which contains the effective federal RCRA permit conditions, and the effective state RCRA 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 terms and conditions in this permit. Other aspects of the storage and treatment of RCRA hazardous wastes 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 constitutes compliance for purposes of enforcement with Subtitle C of RCRA except for those requirements not included in the permit which: (1) become effective by statute; (2) are promulgated under part 40 CFR Part 268 restricting the placement of hazardous waste in or on the land; (3) are promulgated under 40 CFR Part 264 regarding leak detection systems; or (4) promulgated under subparts AA, BB, or CC of 40 CFR Part 265 limiting air emissions. (40 CFR § 270.4)

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) Section 3013 or 7003 of RCRA; (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, welfare, or the environment.

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. 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 may request a modification of this permit under the procedures specified in 40 CFR § 270.42. 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, Waste Pesticides and Toxics Division, U.S. EPA Region 5 (Director), establishes a later date. (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))

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))

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 (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 for a fixed term not to exceed 10 years from this permit's effective date. 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

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

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, at reasonable times, any substances at any location to ensure permit compliance or as RCRA otherwise authorizes.

Notwithstanding any provision of this permit, U.S. EPA retains the inspection and access authority which it has under RCRA and other applicable laws.

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 and/or U.S. EPA-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))

I.E.9.b You must retain all records as specified in 40 CFR § 264.74. The records must be made available within a reasonable time for inspection.

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), 270.31, and 264.74(b))

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

Subject to the requirements of 40 CFR § 270.32(b)(2) and § 270.42 Appendix I, you must not operate any RCRA air emission control devices completed after the effective date of this permit 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 in compliance with the applicable conditions of this permit. 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 The Director waives the inspection, if the inspection is not conducted within 30 days from the receipt of the certification.

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 § 270.42, Appendix I). Under 40 CFR § 270.40, the Director may require permit modification, or revocation and reissuance to change the Permittees' 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 orally, but no later than 24 hours after you become aware of the noncompliance.

I.E.14.b The oral report discussing the occurrence and its cause 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. 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 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 oral 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 including any 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 including any 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 oral 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 by certified mail, express mail, or hand-delivered to the U.S. Environmental Protection Agency, Region 5, at the following address:

Program Management Branch, DU-7J
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 Notifications

If you receive hazardous waste(s) from off-site generator(s), you must maintain notifications from generators accompanying initial incoming shipment of wastes subject to 40 CFR Part 268 Subpart C, that specify treatment standards, as required by 40 CFR §§ 264.73, 268.7, and this permit.

I.I.3 Copy of Permit

You must keep a copy of 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.

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 an enforcement action under Section 3008 of RCRA. 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, 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 -- OTHER FEDERAL RCRA REQUIREMENTS

II.A ADDITIONAL HAZARDOUS WASTE NUMBERS

In addition to the hazardous waste numbers listed in the state-issued portion of the RCRA permit, you may handle the newly listed hazardous wastes, promulgated under the HSWA, at your facility only if you have processed a Class 1 and/or Class 2 permit modification in accordance with 40 CFR § 270.42(g). 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)

In accordance with 40 CFR § 264.1064(m), if an equipment is subject to 40 CFR Part 264, Subpart BB and to regulations at 40 CFR Part 60, 61, or 63, the Permittees may elect to determine compliance with 40 CFR Part 264, Subpart BB either by documentation pursuant to 40 CFR § 264.1064 of this subpart, or by documentation of compliance with regulations at 40 CFR Part 60, 61, or 63. The documentation of compliance under regulations at 40 CFR Part 60, 61, or 63 shall be kept with or made readily available with the facility operating record.

Permittees must submit an annual certification to the Director indicating that the Permittees' election of compliance.

III.A WASTE DETERMINATION AND EQUIPMENT

The Permittees must determine each hazardous waste stream for which (1) the hazardous waste is *"In light liquid service"* as defined in 40 CFR § 264.1031 and (2) the hazardous waste has an organic concentration of at least 10 percent by weight.

You must comply with all applicable requirements of 40 CFR § 264.1050 through 40 CFR § 264.1065, regarding air emission standards for equipment leaks. The equipment includes, but is not limited to, (1) pumps, (2) piping system including valves and connectors, and (3) agitators installed in tanks.

III.B PUMPS IN LIGHT LIQUID SERVICE (40 CFR § 264.1052)

III.B.1 Each pump in light liquid service must be monitored monthly to detect leaks by the methods specified in 40 CFR § 264.1063(b), except: when each pump is (1) equipped with a dual mechanical seal system satisfying the requirements of 40 CFR 264.1052(d), (2) designated, as described in 40 CFR § 264.1064(g)(2), for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, and meeting the requirements of 40 CFR § 264.1052(e), or (3) equipped with a closed vent system complying with the requirements of 40 CFR § 264.1052(f).

III.B.2 Each pump shall be checked by visual inspection each calendar week for seal leaks.

III.B.3 A leak is detected if: (1) an instrument reading of 10,000 ppm or greater is measured, or (2) there is an indication of liquid dripping from the pump seal.

III.B.4 When a leak is detected, it shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in 40 CFR §264.1059 - Standards: Delay of repair. The first attempt at repair must be made no later than 5 calendar days after each leak is detected.

III.C PRESSURE RELIEF DEVICES IN GAS/VAPOR SERVICE (40 CFR § 264.1054)

III.C.1 Except during pressure releases, each pressure relief device in gas/vapor service shall be operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, based on the method specified in 40 CFR § 264.1063(c). (40 CFR § 264.1054(a))

III.C.2 After each pressure release, the pressure relief valve shall be returned to a condition of no detectable emissions (i.e., less than 500 ppm above background based on the method specified in 40 CFR § 264.1063(c)), as soon as practicable, but no later than 5 calendar days after each pressure release, except as provided in 40 CFR § 264.1059. (40 CFR § 1054(b)(1))

III.C.3 No later than 5 calendar days after the pressure release, the pressure relief device shall be monitored to confirm the condition of no detectable emissions. (40 CFR § 264.1054(b)(2))

III.C.4 Any pressure relief device that is equipped with a closed-vent system capable of capturing and transporting leakage from the pressure relief device to a control device as described in 40 CFR § 264.1060 is exempt from the requirements in Conditions III.C.1 through III.C.3.

III.D SAMPLING CONNECTION SYSTEMS (40 CFR § 264.1055)

Each sampling connection system, except *in-situ* sampling systems and sampling systems without purges, shall be equipped with a closed-purge, closed-loop, or closed-vent system which meets one of the following requirements as selected by the Permittees:

III.D.1 Return the purged process fluid directly to the process line;

III.D.2 Collect and recycle the purged process fluid; or

III.D.3 Be designed and operated to capture and transport all the purged process fluid to a waste management unit that complies with applicable sections of 40 CFR § 264.1084 through § 264.1086 or a control device that complies with

40 CFR § 264.1060, Standards for Closed-Vent Systems and Control Devices.

III.E OPEN-ENDED VALVES OR LINES (40 CFR § 264.1056)

III.E.1 Each open-ended valve or line must be equipped with a: (1) cap, (2) blind flange, (3) plug, or (4) second valve, which seals the open end at all times except during operations requiring hazardous waste stream flow through the open-ended valve or line.

III.E.2 When a double block and bleed system is used, the bleed valve or line may remain open during operations that require venting the line between the block valves but shall seal the open end at all other times.

III.F VALVES IN GAS/VAPOR SERVICE OR IN LIGHT LIQUID SERVICE (40 CFR § 264.1057)

III.F.1 Each valve shall be monitored monthly to detect leaks in accordance with 40 CFR § 264.1057(a) and (c), except as provided in 40 CFR §§ 264.1057(f), (g), and (h).

III.F.2 If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

III.G PUMPS AND VALVES IN HEAVY LIQUID SERVICE, PRESSURE RELIEF DEVICES IN LIGHT LIQUID OR HEAVY LIQUID SERVICE, AND FLANGES AND OTHER CONNECTORS (40 CFR § 264.1058)

III.G.1 Pumps and valves in heavy liquid service, pressure relief devices in light liquid or heavy liquid service, and flanges and other connectors must be monitored within 5 days by the method specified in 40 CFR § 264.1063(b) if evidence of a potential leak is found by visual, audible, olfactory, or any other detection method. If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

III.G.2 When a leak is detected, you must repair the leak as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in 40 CFR § 264.1059. The first attempt at repair shall be made no later than 5 calendar days after each leak is detected.

III.G.3 First attempts at repair include, but are limited to, the best practices described under 40 CFR § 264.1057(e).

III.H DELAY OF REPAIRS (40 CFR § 264.1059)

III.H.1 Delay of repair of equipment for which leaks have been detected will be allowed if: (1) the repair is technically infeasible without a hazardous waste management unit shutdown; or (2) the equipment is isolated from the hazardous waste management unit and does not continue to contain or contact hazardous waste with organic concentrations at least 10 % by weight .

III.H.2 Delay of repair for valves will be allowed if: (1) emissions of purged material resulting from immediate repair are greater than the emissions likely to result from delay of repair; and (2) when repair procedures are effected, the purged material is collected and destroyed or recovered in a control device complying with 40 CFR § 264.1060.

III.H.3 Delay of repair for pumps will be allowed if: (1) repair requires the use of a dual mechanical seal system that includes a barrier fluid system; and (2) repair is completed as soon as practicable, but not later than 6 months after the leak was detected.

III.H.4 Delay of repair beyond a hazardous waste management unit shutdown will be allowed for a valve only if it meets the provisions of 40 CFR § 264.1059(e).

III.I CLOSED-VENT SYSTEMS AND CONTROL DEVICES (40 CFR § 264.1060)

Closed-vent systems and control devices shall comply with the provisions of 40 CFR §§ 264.1033 and 264.1060.

III.J ALTERNATIVE STANDARDS FOR VALVES IN GAS/VAPOR SERVICE OR IN LIGHT LIQUID SERVICE; PERCENTAGE OF VALVES ALLOWED TO LEAK (40 CFR § 264.1061)

You may elect to have all valves within a hazardous waste management unit comply with an alternative standard that allows no greater than 2 % of the valves to leak if the provisions of 40 CFR §§ 264.1061(b) and (c) are met

III.K ALTERNATIVE STANDARDS FOR VALVES IN GAS/VAPOR SERVICE OR IN LIGHT LIQUID SERVICE; SKIP PERIOD LEAK DETECTION AND REPAIR (40 CFR § 264.1062)

You may elect for all valves, subject to the requirements of 40 CFR § 264.1057 within a hazardous waste management unit, to comply with one of the alternative work practices specified below.

III.K.1 After 2 consecutive quarterly leak detection periods with the percentage of valves leaking equal to or less than 2 %, you may begin to skip one of the quarterly leak detection periods for the valves.

III.K.2 After 5 consecutive quarterly leak detection periods with the percentage of valves leaking equal to or less than 2 %, you may begin to skip 3 of the quarterly leak detection periods for the valves.

You must monitor valve leaks monthly in accordance with 40 CFR § 264.1057, if the percentage of valves leaking is greater than 2 %, but you may again elect to use the alternative standards after meeting the requirements of 40 CFR § 264.1057(c)(1).

III.L AGITATORS

All agitators mounted on the tanks must be such that no leaks should be detected during the operations of the mixers. Packing gland or seal for the mixer shaft must be periodically inspected to assure that there is no visible damages.

III.M TEST METHODS AND PROCEDURES (40 CFR § 264.1063)

The leak test methods and procedures must be as specified in 40 CFR § 264.1063.

III.N RECORDKEEPING AND REPORTING REQUIREMENTS (40 CFR §§ 264.1064 and 264.1065)

You must comply with the recordkeeping and reporting requirements of 40 CFR §§ 264.1064 and 264.106.

SECTION IV -- AIR EMISSION STANDARDS FOR TANKS AND CONTAINERS (40 CFR Part 264, Subpart CC)

IV.A GENERAL

IV.A.1 Waste Determination

In accordance with the procedure specified in 40 CFR § 264.1083, you must determine the average volatile organic (VO) concentration of: (1) generated hazardous waste at the point of origination, and (2) treated hazardous waste. You must determine the maximum organic vapor pressure of the hazardous waste.

IV.A.2 Applicable Requirements

If a container or tank handles generated hazardous waste with a VO concentration of 500 parts per million by weight (ppmw) or greater, or handles treated hazardous waste, you must comply with all applicable requirements of 40 CFR § 264.1090 regarding air emission standards for containers and tanks handling hazardous waste.

IV.B CONTAINERS

IV.B.1 Requirements for Level 1 Containers (40 CFR § 1086(c))

Level 1 standards apply to a container having a design capacity: (1) greater than 0.1 m³ and less than or equal to 0.46 m³, or (2) greater than 0.46 m³ that is not in light material service.

IV.B.1.a Unless all containers are treated as Level 2 or Level 3 containers, Level 1 containers must be stored in a separate area or you must clearly mark on the containers the required level of control to avoid potential mismanagement of the containers with respect to air emission control.

IV.B.1.b No waste treatment by waste stabilization process is allowed in a Level 1 container.

IV.B.1.c A Level 1 container must:

- (1) meet the applicable U.S. Department of Transportation (DOT) regulations as specified in 40 CFR § 264.1086(f),

- (2) be equipped with a cover and closure devices that form a continuous barrier over the container openings in accordance with 40 CFR § 264.1086(c)(1)(ii), or
- (3) be an open-top container with organic vapor suppressing barrier to prevent hazardous waste from being exposed to the atmosphere as specified in 40 CFR § 264.1086(c)(1)(iii).

A container, which does not meet the DOT regulations as specified in 40 CFR § 264.1086(f), must be equipped with covers and enclosure devices that are constructed of suitable materials to minimize emissions to the atmosphere and to maintain the equipment integrity for the service life of the container. Any chemical used for vapor suppression must not generate heat and/or fumes and must be compatible with the hazardous waste in the container. Vapor suppression chemicals must act as an acceptable and stable barrier to the hazardous waste, thus preventing releases of VO into the environment. The barrier shall not chemically react to the hazardous waste. (40 CFR § 264.1086(c)(2))

IV.B.1.d All covers and closure devices must be in closed position whenever hazardous waste is in a container. Opening of a closure device or cover is allowed if it meets the purpose and operates as defined in 40 CFR § 264.1086(c)(3)(i) through (v).

IV.B.1.e You must inspect the containers and their covers and closure devices in accordance with 40 CFR § 264.1086(c)(4).

IV.B.2 Requirements for Level 2 Containers (40 CFR § 264.1086(d))

Containers with a design capacity greater than 0.46 m³ (122 gallons) and in light material service as defined in 40 CFR § 265.1081 must be managed in accordance with Container Level 2 standards as stipulated under 40 CFR § 264.1086(d). The Level 2 containers must meet the following requirements. No waste treatment by a waste stabilization process is allowed in a Level 2 container.

IV.B.2.a A Level 2 container must: (40 CFR § 264.1086(d)(1))

- (1) meet the applicable DOT regulations as specified in 40 CFR § 264.1086(f),
- (2) operate with no detectable organic emissions as defined in 40 CFR § 265.1081 and determined in accordance with the procedure

specified in 40 CFR § 264.1086(g), or

- (3) be vapor tight within the preceding 12 months as demonstrated by using 40 CFR Part 60, Appendix A, Method 27.

IV.B.2.b Transfer of hazardous waste in or out of a container must be conducted using an engineered method generally accepted and practiced by the industry, or an equivalent method to minimize the exposure of organics to the atmosphere. (40 CFR § 264.1086(d)(2))

IV.B.2.c All covers and closure devices must be in closed position whenever hazardous waste is in a container. Opening of a closure device or cover is allowed for the purpose of adding hazardous waste or other material in the manner defined in 40 CFR § 264.1086(d)(3)(i) through (v).

IV.B.2.d You must inspect the containers and their covers and closure devices in accordance with 40 CFR § 264.1086(d)(4).

IV.B.3 Requirements for Level 3 Containers (40 CFR § 264.1086(e))

Level 3 standards must be used for controlling air emissions if a container having a design capacity greater than 0.1 m³ is used for treatment of hazardous waste by a waste stabilization process as defined in 40 CFR § 265.1081.

IV.B.3.a A container using Level 3 controls must meet the standards stipulated under 40 CFR § 264.1086(e) and must:

- (1) be vented directly through a closed-vent system to a control device, designed and operated in accordance with the requirements of 40 CFR § 264.1087, or
- (2) be vented inside an enclosure which is exhausted through a closed-vent system to a control device. The container enclosure shall be designed and operated in accordance with the criteria for a permanent total enclosure as specified in "Procedure T-Criteria for and Verification of a Permanent or Temporary Total Enclosure" under 40 CFR § 52.741, appendix B. The control device shall be designed and operated in accordance with the requirements of 40 CFR § 264.1087.

IV.B.3.b The cover of the Level 3 container must remain closed and secured at all times except when the waste stabilization process is being

conducted.

IV.B.3.c The collected air stream from the organic capturing system or the closed-vent system shall be vented directly to the control device which must be designed and operated as specified in 40 CFR § 264.1087.

IV.B.3.d You must inspect and monitor the closed-vent system and the control device, as specified in 40 CFR § 264.1087.

IV.B.3.e You must prepare and maintain the records as specified in 40 CFR § 264.1089(d).

IV.B.3.f Transfer of hazardous waste in or out of a container must be conducted using an engineered method generally accepted and practiced by the industry, or its equivalent method to the extent practical, to minimize the exposure of organic pollutants to the atmosphere.
(40 CFR § 264.1086(e)(6))

IV.C TANKS

IV.C.1 Hazardous Waste Storage Tanks

IV.C.1.a The following are permitted hazardous waste storage tanks which must meet Level 2 tank standards as stipulated under 40 CFR § 264.1084.

IV.C.1.b When there is a change in operations and/or waste characteristics in a tank which are required to meet tank Level 1 standards specified under 40 CFR § 264.1084(c), you must submit a Class 1 permit modification request.

IV.C.1.c Revised instrumentation and piping diagrams must be submitted with the permit modification request if a tank is isolated from the closed-vent system and control devices for other purposes (e.g., closure, conversion to non-hazardous waste storage tank, Subpart CC exempt tank, Level 1 tank) which do not require a Level 2 tank control.

Service Area	Description	Quantity	Tank Designation	Operating (Maximum) Gallons	Operations
Energy Recovery Unit (ERU) (23 Tanks)	Liquid Storage Tanks	12	1501 - 1506 1515 - 1520	15,000 (17,000)	Blending and storing organic and aqueous wastes (carbon steel)
		4	1511 - 1514	15,000 (17,000)	Blending and storing organic and aqueous wastes (stainless steel)
	Control Liquid Tanks	2	1521- 1522	2,100 (2,300)	High Btu waste to kiln
	Intermediate Tanks	3	1523 - 1525	1,500 (17,000)	Transfer of liquid waste from drums to tanks
	Overflow Tanks	2	1526 - 1527	5,000 (5,200)	Vent header condensate or overflow from tanks
Resin Plant (5 Tanks)	Storage Tanks	4	R1707 - 1710	5,000 (5,200)	Blending and storing prior to transfer to ERU (carbon steel)
		1	R1711	12,000 (12,086)	Accumulation of aqueous/organic by-product (stainless steel)

IV.C.2 Requirements for Level 2 Tanks

IV.C.2.a The hazardous waste storage tanks must be fixed roof design in accordance with industry standards. The vent pipe from each tank in the ERU area must be connected to a common pipe (header) and vented through a closed-vent system to the control devices (i.e., rotary kiln and afterburner system or carbon adsorption system). The vent piping from each tank in the resin plant must be vented to the thermal oxidizer (TOU).

IV.C.2.b Each hazardous waste storage tank equipped with an agitator (mixer) must be monitored for the temperature and pressure in the tank to avoid excessive temperature and/or pressure buildup inside the tank. Operation of the tanks shall in conformance with the tank design and operation criteria.

IV.C.2.c The hazardous waste in the tank should not be treated by any waste stabilization process as defined in 40 CFR § 265.1081.

IV.C.2.d The fixed roof tank shall be of butt and/or lap welded construction throughout that has been hydraulically and/or air tested to the maximum working pressure without leaks.

IV.C.2.e The tank closure devices and gaskets must be designed and constructed to form a continuous barrier over the entire surface area of the hazardous waste in the tank.

IV.C.2.f The control device shall remove or destroy organics in the vent stream, and shall be operating whenever hazardous waste is managed in the tank, except during periods when it is necessary to provide access to the tank for performing routine inspections, maintenance, or other activities needed for normal operations, and for removal of accumulated sludge or other residues from the bottom of the tank.

IV.C.2.g Whenever a hazardous waste is in the tank, all openings (e.g., manholes, instruments connections, pipe nozzles) must be securely closed to prevent releases of vapors into the atmosphere, except for routine inspection, maintenance, or other activities needed for normal operations, or to remove accumulated sludge or other residues from the bottom of the tank. (40 CFR § 264.1084(c)(3))

IV.C.2.h You must inspect, at least once per year, or retest the tanks to ascertain that the air emissions from the tank systems comply with the design and with the requirements stipulated in 40 CFR § 264.1084(g)(3). You must maintain a record of inspection in accordance with the requirements specified in 40 CFR § 264.1089(b).

IV.C.2.i In the event that a defect is detected during the inspection, you must repair the defect in accordance with the requirements of 40 CFR § 264.1084(k).

IV.C.3 Closed-Vent System and Control Devices (40 CFR § 264.1087)

IV.C.3.a Closed-vent Systems

(1) Each closed-vent system, one each for the ERU tanks and the Resin Plant tanks, shall include an induced draft fan having a sufficient capacity to maintain a pressure below atmospheric pressure. A pressure measurement device must be installed in each closed-vent system at an accessible location to verify that a negative pressure is being maintained when the control device is operating. The closed-vent system shall meet the design

requirements stipulated in 40 CFR § 264.1033(k).

(2) You must monitor and inspect each closed-vent system in accordance with 40 CFR § 264.1033(l).

(3) The combustible concentrations in the vent streams must be maintained at a safe level below the Lower Explosion Limit to prevent a fire or an explosion from occurring.

IV.C.3.b Control Devices

The control devices used for ERU tanks shall include: (1) the hazardous waste combustion rotary kiln system and (2) a back-up carbon activated carbon adsorption system. The control device for tanks located at the resin plant is the thermal oxidizer unit (TOU).

(1) Rotary Kiln Combustion System - The vent stream generated from the hazardous waste storage tanks serving the ERU system must be routed to the forced draft fan inlet which supplies combustion air to the rotary kiln combustor. When the rotary kiln system is down, the vent stream must be diverted to a carbon adsorption system equipped with activated carbon for organic removal. The carbon adsorption system must be maintained and routinely inspected to avoid a breakthrough. Such maintenance record must be maintained in the operating record of the facility.

(2) Thermal Oxidizer Unit (TOU) - The vent stream generated from the hazardous waste storage tanks serving the resin plant must be conveyed by an induced draft fan to the thermal oxidizer unit. The thermal oxidizer must have a design thermal capacity of 10.8 million Btu/hr, utilizing natural gas as fuel to maintain a minimum oxidizer outlet temperature of 1,200 °F. The combined flow from the vent streams and combustion air shall not exceed 7,000 standard cubic feet per minute (scfm).

The TOU must consist of a natural gas fired burner, combustion chamber, combustion air preheater, induced draft fan, flame management system, instrumentation and controls. The combustion chamber temperature of the TOU must be continuously monitored and recorded. Quench air to reduce the flue gas temperature for protection of the induced draft fan and associated equipment must be provided.

Periods of planned routine maintenance of the TOU, during which the control device does not meet the designed operating conditions, shall not exceed 240 hours/year as stipulated in 40 CFR § 264.1087(c)(2). You must correct TOU malfunctions as soon as practicable after their occurrence in

order to minimize excess emissions of air pollutants per 40 CFR § 264.1087(c)(2)(v). The operating and maintenance records for the thermal oxidizer must be maintained in the facility operating log.

(3) Carbon Adsorption Systems - Each carbon adsorption unit (bin) must meet the requirements of 40 CFR § 264.1087(c). Each carbon adsorption system must be monitored on a regular schedule, and the existing carbon must be replaced with fresh carbon immediately when carbon breakthrough is indicated. The monitoring frequency shall be daily or at an interval no greater than 20 % of the time required to consume the total carbon working capacity in accordance with 40 CFR § 264.1033(h).

(4) TOU Performance Requirements – You must submit documentation, within 6 months from the effective date of this permit, that the TOU can meet the requirements of 40 CFR § 264.1033(c), i.e., to reduce the organic emissions vented to the TOU by 95 weight percent or greater; to achieve a total organic compound concentration of 20 ppmv, expressed as the sum of the actual compounds, not carbon equivalents, on a dry basis corrected to 3 % oxygen; or to provide a minimum of 0.5 seconds at a minimum temperature of 760 °C. Such documentation must include test results, if available, manufacturer's certification, or approved engineering documents, e.g., certified heat and mass balance diagrams. Alternatively, you may propose a compliance test plan.

IV.C.4 Tank Nitrogen Blanketing System

IV.C.4.a All hazardous waste storage tanks must be provided with a nitrogen blanketing system to reduce organic vapors in the tank head spaces. The nitrogen blanketing system must be properly maintained and be operational to prevent overloading of the control devices.

IV.C.4.b The nitrogen supply pressure and tank head space pressure must be maintained in accordance with the design settings to avoid excess release of VOs into the closed-vent system and the control devices.

IV.C.4.c In the event of system malfunction, a repair record must be maintained in the facility operating record.

IV.D CONTAINERS AND TANKS EXEMPT FROM SUBPART CC CONTROL STANDARDS

IV.D.1 Under this permit, for each container or tank you claim to be exempt under 40 CFR Part 264, Subpart CC, you must demonstrate by direct measurement or

approved method that the average VO concentration for hazardous waste, determined in accordance with 40 CFR §§ 264.1083(a) and 265.1084(a)(2) and (3), is less than 500 ppmw.

IV.D.2 For each tank or container, you must review and update this determination in accordance with 40 CFR § 264.1082(c)(1) at least once every 12 months following the date of the initial determination. For each container or tank, you must prepare and maintain the records described in 40 CFR § 264.1089(f). These records must be maintained as part of the operating record.

IV.E RECORDKEEPING AND REPORTING REQUIREMENTS

The Permittees shall comply with all applicable recordkeeping and reporting requirements described in 40 CFR § 264.1089 and § 264.1090.