

Maryland Department of the Environment

Resource Management Program

Controlled Hazardous Substance (CHS) Permit



CHS PERMIT A-221
EPA ID No. MD4170024687

Permittee: Naval Support Activity Bethesda
8901 Wisconsin Avenue
Bethesda, Maryland 20889

**MARYLAND DEPARTMENT OF THE ENVIRONMENT
Resource Management Program**

**Controlled Hazardous Substance (CHS) Permit Number A-221
Naval Support Activity Bethesda
Bethesda, Maryland**

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ATTACHMENTS

- 1 Waste Analysis Plan
- 2 Procedures to Prevent Hazards
- 3 Personnel Training
- 4 Contingency Plan
- 5 Closure Plan
- 6 Process Information
- 7 Facility Description
- 8 Part A Application

MARYLAND DEPARTMENT OF THE ENVIRONMENT

Resource Management Program

Controlled Hazardous Substance (CHS) Permit Number A-221

OVERVIEW

This permit is a renewal of a permit previously issued to the Naval Support Activity (NSA) Bethesda. The facility that is governed by this permit is referred to as Building 256. NSA Bethesda is comprised of a Naval Hospital and its supporting activities in addition to four (4) tenant commands. The mailing address for the facility is Naval Support Activity Bethesda, Environmental Programs Division, 8901 Wisconsin Avenue, Bethesda, Maryland 20889.

This permit authorizes the Permittee to conduct the following operation in accordance with the requirements of Title 26, Subtitle 13 of the Code of Maryland Regulations (COMAR 26.13):

- Temporary storage of hazardous waste in containers in specified location, prior to shipment of the waste off-site to a final destination for treatment, disposal or recycling.

The permit authorizes storage of a maximum of 11,660 gallons of hazardous waste. NSA Bethesda has demonstrated that it has in place personnel training programs, contingency plans, and appropriate safeguards and security measures in accordance with the hazardous waste regulatory requirements of COMAR 26.13.



**CONTROLLED HAZARDOUS SUBSTANCE
FACILITY PERMIT**

Permit Number: A-221

EPA ID Number: MD4170024687

Effective Date:

DRAFT

Expiration Date:

Pursuant to the Provisions of Environment Article, §7-232, Annotated Code of Maryland, and regulations promulgated thereunder, the Maryland Department of the Environment, Land and Materials Administration, (“the Department”) hereby authorizes the

**Naval Support Activity Bethesda
Environmental Programs Division
4655 Taylor Road, Bldg. 27, 2nd Floor
Bethesda, Maryland 20889**

hereinafter referred to as "the Permittee" to operate a controlled hazardous substance storage facility located at:

**Building 256
8901 Wisconsin Avenue
Bethesda, Maryland 20889**

in accordance with the following standard, general and special conditions including the attachments made part hereof, and the provisions of Code of Maryland Regulations (COMAR) 26.13 Disposal of Controlled Hazardous Substances.

The geographic location of the NSA Bethesda hazardous waste storage area is as follow:

Building 256 is located in Montgomery County at REDACTED North Latitude and REDACTED West Longitude.

This permit is based on the assumption that the information submitted in the permit application received by The Department on December 05, 2017, and its revisions and amendments, dated December 05, 2018 and March 22, 2019, (hereafter referred to as the

application) is accurate and that the facility will be operated as specified in the application. Any inaccuracies found in this information may be grounds for possible enforcement action, and

1. Modification of the permit in accordance with COMAR 26.13.07.11 (Modification, Withdrawal, or Revocation and Reissuance of Permit); or
2. Termination of the permit in accordance with COMAR 26.13.07.12 (Termination of Permits).

The Permittee shall inform The Department of any deviation from or changes in the information submitted in the application which would affect the Permittee's ability to comply with the applicable regulations or permit conditions.

PERMIT CONTINUES ON PAGE 3

PART I
STANDARD CONDITIONS

I.A. EFFECT OF PERMIT

The Permittee is allowed to manage hazardous waste in accordance with the conditions of this permit. Any management of hazardous waste not authorized in this permit is prohibited except as otherwise authorized by COMAR 26.13. Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of State or local laws or regulations. Compliance with the terms and conditions of this permit does not constitute a defense to any action brought under Section 7003 of the Resource Conservation and Recovery Act (RCRA) (42 USC §6973), Section 106(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 USC §9606(a) commonly known as CERCLA), or any other law governing protection of public health or the environment.

I.B. PERMIT ACTIONS

This permit may be modified, revoked and reissued, or terminated for cause as specified in COMAR 26.13.07.11 and .12. The filing of a request for a permit modification, revocation and re-issuance, or termination or the notification of planned changes or anticipated noncompliance on the part of the Permittee, does not stay the applicability or enforceability of any permit conditions.

I.C. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

I.D. DEFINITIONS

For the purpose of this permit, terms used herein shall have the same meaning as those in COMAR 26.13 unless this permit specifically states otherwise; where terms are not otherwise defined, the meaning associated with such terms shall be as defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.

I.E. SIGNATORY REQUIREMENTS

All permit applications (including requests for permit modifications), reports or other information requested by The Department shall be signed and certified as required by COMAR 26.13.07.02B, 07.03 and 07.04L.

I.F. DOCUMENTS TO BE MAINTAINED AT THE FACILITY SITE

The Permittee shall maintain at the facility, until closure is completed and certified by an independent registered professional engineer, the following documents and amendments, revisions, and modification to these documents.

- I.F.1. Waste analysis plan required by COMAR 26.13.05.02D and this permit. (Permit Attachment 1);
- I.F.2. Procedures to Prevent Hazards required by COMAR 26.13.05.02E, .02F, .03, and this permit. (Permit Attachment 2);
- I.F.3. Inspection schedules and logs required by COMAR 26.13.05.02F(2) and (4) and this permit. (Permit Attachment 2);
- I.F.4. Personnel training documents and records required by COMAR 26.13.05.02G(4) and (5) and this permit. (Permit Attachment 3);
- I.F.5. Contingency Plan required by COMAR 26.13.05.04 and this permit. (Permit Attachment 4);
- I.F.6. Closure Plan required by COMAR 26.13.05.07 and this permit. (Permit Attachment 5);
- I.F.7. Operating record required by COMAR 26.13.05.05D and this permit;
- I.F.8. A copy of COMAR 26.13 and its updates;
- I.F.9. A complete copy of this permit and its attachments, and the application as defined on page one of this permit; and
- I.F.10. All other documents required by subsequent parts of this permit.

I.G. DUTIES AND REQUIREMENTS

- I.G.1. Duty to Comply. The Permittee shall comply with all conditions of this permit, except to the extent and for the duration such noncompliance is authorized by an emergency permit. Any other permit noncompliance constitutes a violation of COMAR and is grounds for enforcement action, permit termination, revocation and re-issuance, modifications, or denial of a permit renewal application (COMAR 26.13.07.04B).
- I.G.2. Duty to Reapply. If the Permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the Permittee shall submit a complete application for a new permit at least 180 days before this permit expires, in accordance with COMAR 26.13.07.04C.

- I.G.3. Permit Expiration. This permit and all conditions therein will remain in effect beyond the permit's expiration date if the Permittee has submitted a timely complete application and, through no fault of the Permittee, the Department has not taken final action on the application (State Government Article, §10-226(b), Annotated Code of Maryland).
- I.G.4. Need to Halt or Reduce Activity Not a Defense. It shall not be a defense for the Permittee in an enforcement action to argue that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit (COMAR 26.13.07.04D).
- I.G.5. Duty to Mitigate. In the event of noncompliance with the permit, the Permittee shall:
- I.G.5.a. Take all reasonable steps to minimize releases to the environment; and
 - I.G.5.b. Carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment (COMAR 26.13.07.04E).
- I.G.6. Proper Operation and Maintenance. The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to maintain compliance with the conditions of this permit (COMAR 26.13.07.04F).
- I.G.7. Duty to Provide Information. The Permittee shall furnish to The Department, within a reasonable time, any relevant information which The Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with the permit. The Permittee shall also furnish to The Department, upon request, copies of records required to be kept by this permit (COMAR 26.13.07.04I).
- I.G.8. Inspection and Entry. The Permittee shall allow The Department, or an authorized representative, upon the presentation of credentials and other documents as may be required by law to:
- I.G.8.a. Enter at reasonable times upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
 - I.G.8.b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

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

I.G.8.d. Sample or monitor any substances or parameters at any location, at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized (COMAR 26.13.07.04J).

I.G.9. Monitoring and Records.

I.G.9.a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. The method used to obtain a representative sample of the waste to be analyzed must be the appropriate method from COMAR 26.13.02.20 or an equivalent method approved by The Department. Laboratory methods must be those specified in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (SW-846, 3rd ed.), Standard Methods for the Examination of Water and Wastewater (23rd ed., 2017) or an equivalent method as specified in the attached Waste Analysis Plan, Permit Attachment 1 (Attachment 3 of the Permit Application) (COMAR 26.13.07.04K(1)).

I.G.9.b. The Permittee shall retain records of all monitoring information, including all maintenance records and copies of all reports and records required by this permit, and records of all data used to complete the application for this permit for a period of at least three (3) years from the date of the sample, measurement, report, and record. These periods may be extended by request of The Department at any time and are automatically extended during the course of any unresolved enforcement action regarding this facility (COMAR 26.13.05.05E(2) and 26.13.07.04K(2)).

I.G.9.c. Records of monitoring information shall specify:

- 1) The dates, the exact place, and times of sampling or measurements;
- 2) The individuals who performed the sampling or measurements;
- 3) The dates the analyses were performed;
- 4) The individuals who performed the analyses;
- 5) The analytical techniques or methods used; and
- 6) The results of such analyses (COMAR 26.13.07.04K(3)).

I.G.10. Reporting Planned Changes. The Permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility or any planned alterations to the permitted activity. This notice must include a description of all incidents of noncompliance reasonably expected to result from the proposed changes (COMAR 26.13.07.04M(1) and M(2)).

I.G.11. Transfer of Permit. This permit may be transferred to a new owner or operator only if it is modified or revoked and reissued pursuant to COMAR 26.13.07.10. Before transferring ownership or operation of the facility during its operating life, the Permittee shall notify the new owner or operator in writing of the requirements of COMAR 26.13 and provide the new owner with a copy of this permit (COMAR 26.13.07.04M(3), 26.13.07.10, and 26.13.05.02C(2)).

I.G.12. Notification.

I.G.12.a. The Permittee shall report to The Department any noncompliance, which may endanger health or the environment, orally within 24 hours and in writing within 5 days from the time the Permittee becomes aware of the circumstances (COMAR 26.13.07.04M(6)).

I.G.12.b. Oral and written reports required by Permit Condition I.G.12.a shall include the following:

- 1) Information concerning release of any hazardous waste that may endanger a public drinking water supply source; and
- 2) Any information of a release or discharge of hazardous waste, or of a fire or explosion at the facility which could threaten human health or the environment outside the facility, with the description of the occurrence and its cause including:
 - i) The name, address, and telephone number of the owner or operator;
 - ii) The name, address, and telephone number of facility;
 - iii) The date, time, and type of incident (for example, a release, fire or explosion);
 - iv) The name and quantity of each material involved;
 - v) The extent of injuries, if any;
 - vi) An assessment of actual or potential hazard to the environment and human health outside the facility, where this is applicable; and

vii) The estimated quantity and disposition of recovered material that resulted from the incident (COMAR 26.13.07.15D).

I.G.12.c. In addition to the information required by Permit Condition I.G.12.b, the Permittee shall include in the written report of noncompliance required by Permit Condition I.G.12.a:

- 1) A description of the noncompliance and its cause;
- 2) The period of noncompliance, including exact dates and times, and if the noncompliance has been corrected or the anticipated time it is expected to continue; and
- 3) Steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance (COMAR 26.13.07.04M(6)).

I.G.12.d. The Permittee may submit the written report required by Permit Condition I.G.12.a within 15 days of becoming aware of the circumstances requiring notification, if the Department approves the later deadline (COMAR 26.13.07.15D(2)(g)).

I.G.12.e. If the Permittee determines that the facility has had a release, fire or explosion which could threaten human health, or the environment, outside the facility, or, if the release exceeds the Reportable Quantities set forth in COMAR 26.13.05.04G(4), the Permittee shall immediately notify:

- 1) the local designated on-scene coordinator, if any;
- 2) the National Response Center at (800) 424-8802;
- 3) the Department's Solid Waste Program, Compliance Division at (410) 537-3315, during working hours;
- 4) the Department's Emergency Response Division at 1-866-633-4686;
- 5) NSAB Fire Department by dialing 777;
- 6) the Montgomery County LEPC at (301) 206-8529; and
- 7) other appropriate local authorities, if the facility's Emergency Coordinator determines that evacuation of local areas may be advisable. (COMAR 26.13.05.04G(4)).

I.G.12.f. In the oral notification report required by Permit Condition I.G.12.e, the Permittee shall include:

- 1) The name and telephone number of reporter;
- 2) The name and address of the facility;
- 3) The time and type of incident (for example release, fire or explosion);
- 4) The name and quantity of materials involved, to the extent known;
- 5) The extent of injuries, if any; and
- 6) The possible hazards to human health, or the environment, outside the facility (COMAR 26.13.05.04G(4)(b)).

I.G.12.g. If an incident occurs which requires the Permittee to implement the Emergency Procedures/Contingency Plan of Permit Attachment 4, the Permittee shall make a written submission to The Department within 15 days of the incident (COMAR 26.13.05.04 G(10)). This submission shall include the information items (i) through (vii) listed under Permit Condition I.G.12.b(2).

I.G.13. Anticipated Non-compliance. The Permittee shall give advance notice to The Department of any planned changes in the permitted facility or activity which may result in non-compliance with the permit (COMAR 26.13.07.04M(2)).

I.G.14. Other Non-compliance. The Permittee shall report other instances of noncompliance not otherwise required to be reported by Part I of this permit at the time monitoring reports are submitted. The reports shall contain the information listed in Permit Condition I.G.12.b (COMAR 26.13.07.04M(7)).

I.G.15. Other Information. Whenever the Permittee becomes aware that the Permittee failed to submit any relevant facts in the permit application, or submitted incorrect information in a permit application or in any report to the Department, the Permittee shall promptly submit such facts or information to the Department and state the reason for the omission or inaccuracy (COMAR 26.13.07.04M(8)).

I.H. CERTIFICATION OF CONSTRUCTION OR MODIFICATION

The Permittee may not manage hazardous waste at a new facility or a modified portion of the facility until:

- I.H.1. The Permittee has submitted to the Department, by certified mail or hand delivery, a letter signed by the Permittee and a registered professional engineer stating that the facility has been constructed or modified in compliance with this permit; and

I.H.2. Either:

I.H.2.a. The Department has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of this permit; or

I.H.2.b. Within 15 days of the date of the submission of the letter required by Permit Condition I.H.1, the Permittee has not received notice from the Department of The Department's intent to conduct the inspection described in Permit Condition I.H.2.a (COMAR 26.13.07.15C).

I.I. PERMIT FEE

Payment of the permit fee for this facility is a prerequisite to issuing this permit. Failure to pay the permit fee in a timely manner constitutes grounds for permit revocation. As specified in COMAR 26.13.07.21, the permit fee is based on the size of the facility, nature and quantity of CHS, and the anticipated costs of regulatory activities such as permit preparation, inspections, monitoring, and program development. During the existence of this permit, the permit fee is \$12,090.00 per year, in addition to the cost of public notices. An application fee, if submitted with the permit application, will be credited towards the first year's annual permit fee.

I.J. COMPLIANCE SCHEDULES

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each deadline specified in the compliance schedule (COMAR 26.13.07.04M(5) and 26.13.07.07D).

PERMIT CONTINUES ON PAGE 11

PART II - GENERAL FACILITY CONDITIONS

II.A. DESIGN AND OPERATION OF FACILITY

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

II.B. GENERAL WASTE ANALYSIS

The Permittee shall follow the procedures described in the attached Waste Analysis Plan, Permit Attachment 1 (Attachment 3 of the Permit Application). The Permittee shall verify its waste analysis as part of its quality assurance program, in accordance with current EPA practices (Test Methods for Evaluating Solid Waste: Physical/Chemical Methods SW-846, 3rd ed.) or equivalent methods approved by the Department; and at a minimum, maintain proper functional instruments, use approved sampling and analytical methods, verify the validity of sampling and analytical procedures, and perform correct calculations. If the Permittee uses a contract laboratory to perform analyses, then the Permittee shall inform the laboratory in writing that the contract laboratory must operate under the waste analysis conditions set forth in this permit.

II.C. GENERAL INSPECTION REQUIREMENTS

The Permittee shall comply with COMAR 26.13.05.02F and shall follow the Inspection Schedule, as described in Procedures to Prevent Hazards, Permit Attachment 2 (Attachment 2 of the Permit Application). The Permittee shall remedy any deterioration or malfunction discovered by an inspection as required by COMAR 26.13.05.02F(3). Records of inspections shall be kept as required by COMAR 26.13.05.02F(4).

II.D. PERSONNEL TRAINING

The Permittee shall conduct personnel training as required by COMAR 26.13.05.02G. This Training Program shall follow the Training Plan, Permit Attachment 3 (Attachment 4 of the Permit Application). The Permittee shall maintain documents and records as required by COMAR 26.13.05.02G(4) and (5).

II.E. PREPAREDNESS AND PREVENTION

II.E.1. Required Equipment. At a minimum, the Permittee shall equip the facility with the equipment set forth in Procedures to Prevent Hazards, Permit Attachment 2 (Attachment 2 of the Permit Application), and Contingency Plan, Permit Attachment 4 (Attachment 5 of the Permit Application), as required by COMAR 26.13.05.03 and 04.

- II.E.2. Testing and Maintenance of Equipment. The Permittee shall test and maintain the equipment specified in Permit Condition II.E.1, as necessary, to assure its proper operation in time of emergency, as required by COMAR 26.13.05.03D.
- II.E.3. Access to Communications or Alarm System. The Permittee shall maintain access to the communications or alarm system as required by COMAR 26.13.05.03E.
- II.E.4. Required Aisle Space. The Permittee shall maintain a minimum two-foot aisle space between rows of drums and ready access to all drums located against walls for inspection purposes as required by COMAR 26.13.05.02I and .03F.
- II.E.5. Arrangements with Local Authorities. The Permittee shall maintain arrangements with local authorities as required by COMAR 26.13.05.03H. If local officials refuse to enter into or renew existing preparedness and prevention arrangements with the Permittee, the Permittee shall document this refusal in the operating record and immediately notify the Department in writing of the refusal.

II.F. CONTINGENCY PLAN

- II.F.1. Implementation of Plan. The Permittee shall immediately carry out the provisions of the Contingency Plan, Permit Attachment 4 (Attachment 5 of the Permit Application), and follow the emergency procedures described by COMAR 26.13.05.04G whenever there is an imminent or actual fire, explosion, or release of hazardous waste or constituents which threatens or could threaten human health or the environment (COMAR 25.13.05.04B(2)).
- II.F.2. Amendments to Plan. The Permittee shall review and immediately amend, if necessary, the Contingency Plan, Permit Attachment 4 (Attachment 6 of the Permit Application) as required by COMAR 26.13.05.04E.
- II.F.3. Copies of Plan. The Permittee shall maintain a copy of the Contingency Plan, Permit Attachment 4 (Attachment 5 of the Permit Application) and all revisions at Building 256, and shall submit copies to local police and fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services, as required by COMAR 26.13.05.04D.
- II.F.4. Emergency Coordinator. The Permittee shall comply with requirements of COMAR 26.13.05.04F that, at all times, there shall be at least one employee either on the facility premises or on-call (that is, available to respond to an emergency by reaching the facility within a short period of time) to function as emergency coordinator with the responsibility for coordinating all emergency response measures. The emergency coordinator shall have the qualifications and authority specified in COMAR 26.13.05.04F.

II.F.5. Emergency Procedures. The Permittee shall comply with the requirements of COMAR 26.13.05.04G. (Emergency Procedures), and incorporate these procedures in the material available to the Emergency Coordinator referred to in Permit Condition II.F.4.

II.G. RECORDKEEPING AND REPORTING

II.G.1. Operating Record. The Permittee shall maintain a written operating record at the facility in accordance with COMAR 26.13.05.05D. The regulation prescribes in detail the information which shall be recorded as it becomes available, and maintained in the Operating Record until closure of the facility.

II.G.2. Biennial Hazardous Waste Report. The Permittee shall comply with all applicable biennial report requirements of COMAR 26.13.05.05F. This report shall be submitted to The Department by March 1st of each even numbered year.

II.G.3. Availability, Retention and Disposition of Records. The Permittee shall retain records and make them available in accordance with COMAR 26.13.05.05E.

II.G.4. Additional Reports. The Permittee shall submit any required additional reports in accordance with COMAR 26.13.05.05H.

II.H. CLOSURE REQUIREMENTS

II.H.1. Performance Standard: The Permittee shall close the facility as required by COMAR 26.13.05.07B, and in accordance with the Closure Plan, Permit Attachment 5 (Attachment 6 of the Permit Application).

II.H.2. Amendment to Closure Plan: The Permittee shall amend the Closure Plan, Permit Attachment 5 (Attachment 6 of the Permit Application), in accordance with COMAR 26.13.05.07C whenever necessary. A written request to the Department for a permit modification is required to amend the closure plan.

II.H.3. Notification of Closure: The Permittee shall notify The Department at least 45 days prior to the date the Permittee expects to begin final closure (COMAR 26.13.05.07C(4)(a)(ii)).

II.H.4. Time Allowed for Closure: After receiving the final volume of hazardous waste, the Permittee shall treat or remove from the site all hazardous waste and shall complete closure activities in accordance with COMAR 26.13.05.07D and the schedules specified in the Closure Plan, Permit Attachment 5 (Attachment 6 of the Permit Application).

II.H.5. Disposal or Decontamination of Equipment: The Permittee shall decontaminate and/or dispose of all facility equipment as required by COMAR 26.13.05.07E and the Closure Plan, Permit Attachment 5 (Attachment 6 of the Permit Application).

II.H.6. Certification of Closure: The Permittee shall certify that the facility has been closed in accordance with the specifications in the Closure Plan, as required by COMAR 26.13.05.07F. The certification shall be signed by the Permittee and an independent registered professional engineer.

II.I. FINANCIAL REQUIREMENTS

Cost estimate for facility closure, financial assurance for facility closure and liability requirements for sudden and nonsudden releases are not required. Federal and State facilities are exempt from this requirement.

II.J. GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTES

- II.J.1. The Permittee shall take precautions in accordance with COMAR 26.13.05.02H(1) to prevent accidental ignition or reaction of ignitable or reactive waste. This waste shall be separated and protected from sources of ignition or reaction. While such waste is being handled, the Permittee shall confine smoking and open flame to specially designated locations. "No Smoking" signs shall be conspicuously placed wherever there is a hazard from ignitable or reactive waste.
- II.J.2. When required, storage, or disposal of ignitable or reactive waste, and mixture or commingling of incompatible wastes, or incompatible wastes and materials shall be conducted so as not to:
- II.J.2.a. Generate extreme heat or pressure, fire or explosion, or violent reaction;
 - II.J.2.b. Produce uncontrolled toxic mist, fumes, dusts, or gasses in sufficient quantities to threaten human health or the environment;
 - II.J.2.c. Produce uncontrolled flammable fumes or gasses in sufficient quantities to pose a risk of fire or explosions;
 - II.J.2.d. Damage the structural integrity of the device or facility containing the waste; or
 - II.J.2.e. Through other like means threaten human health or the environment.
(COMAR 26.13.05.02H(2))
- II.J.3. When required to comply with the Permit Condition II.J.1 or II.J.2, the Permittee shall document that compliance (COMAR 26.13.05.02H(3)).

II.K. SECURITY

The Permittee shall comply with the security provisions of COMAR 26.13.05.02E.

II.L. MANIFEST SYSTEM

The Permittee shall comply with all applicable requirements of COMAR 26.13.05.05.

II.M. FLOODPLAIN STANDARD

The Permittee shall provide the Department with identification of whether the facility is located within a 100-year flood plain, as required by COMAR 26.13.07.02D(26). A facility located in a 100-year flood plain (defined as any land area which is subject to a 1% or greater chance of a flooding in any given year from any source) is required to demonstrate to the Department that procedures are in effect which will cause the waste to be removed safely, before flood waters can reach the facility, to a location where wastes will not be vulnerable to flood waters, as required in COMAR 26.13.05.02-1B.

II.N. WASTE MINIMIZATION/SOURCE REDUCTION

II.N.1. Program Development and Implementation. The Permittee shall develop and conduct a Waste Minimization/ Source Reduction Program, in accordance with §7-205 of the Environmental Article, Annotated Code of Maryland and COMAR 26.13.05.05F(4)(j) and (k). The Permittee as a generator may not dispose of a controlled hazardous substance unless the Permittee demonstrates to the satisfaction of the Department that:

II.N.1.a. Recovery possibilities have been considered; and

II.N.1.b. The controlled hazardous substance cannot be reasonably treated further to reduce the volume of or the hazard that the controlled hazardous substance poses to the environment.

II.N.2. Reporting. By March 1 of each even-numbered year, the Permittee shall submit a report to The Department that:

II.N.2.a. Describes the efforts undertaken during the preceding year to reduce the volume and toxicity of the waste generated; and

II.N.2.b. Describes the changes in volume and toxicity of waste actually achieved during the preceding year in comparison to previous years.

II.N.3. Annual Certification – Waste Minimization.

II.N.3.a. At least annually, the Permittee shall prepare a certification that the Permittee has a program in place to reduce the volume and toxicity of hazardous waste that the Permittee generates, as specified in COMAR 26.13.05.05D(2)(i).

II.N.3.b. The Permittee shall maintain the certification required by Permit Condition II.N.3.a in the facility operating record until closure of the facility.

PART III - SPECIFIC CONDITIONS FOR STORAGE OF HAZARDOUS WASTES IN CONTAINERS

III.A. GENERAL MANAGEMENT REQUIREMENTS

III.A.1. The Permittee shall manage hazardous waste in containers in accordance with the terms and conditions of this permit.

III.A.2. The Permittee shall not store a container of hazardous waste for a period of time longer than one year unless the Permittee demonstrates to the Department that such storage is solely for the purpose of accumulation of such quantities of hazardous waste as are necessary to facilitate proper recovery or disposal.

III.B. PERMITTED STORAGE AREA

III.B.1. Except as otherwise provided in COMAR 26.13.03, the Permittee may store containers of hazardous waste for periods longer than 90 days only in Building 256.

III.B.2. Additional information on the permitted storage area identified in Permit Condition III.B.1 is provided in Permit Attachment 7, Facility Description (Section 2.1 of the Permit Application).

III.C. PERMITTED AND PROHIBITED WASTE IDENTIFICATION

III.C.1. The Permittee may store, in Building 256, a maximum of 11,660 gallons (equivalent to two hundred and twelve 55-gallon drums) of the following hazardous wastes in various sizes of containers of the types approved by the US Department of Transportation (DOT):

Hazardous Waste Code	Description
D001, D002, D003	Ignitable, corrosive, and reactive characteristic waste.
D004-D011, D018-D022, D025-D043	Solid waste exhibiting the toxicity characteristic.
F001-F005, F027	Hazardous waste from non-specific sources.
P001, P008, P011, P012, P014, P015, P022, P030, P033, P042, P043, P047, P048, P072, P077, P087, P089, P098, P105, P106, P108, P116, P120	Discarded commercial chemical products, off-specification species, containers, and spill residues of these (identified as acute hazardous wastes).

(table continues on next page)

U001-U004, U006-U010, U012,U019,U021, U031, U035, U037, U044, U045, U052, U055-U058, U069-U072, U075-U077, U080, U102,U103, U108, U112, U115, U117, U119, U121-U124, U133, U136, U138,U140, U150, U151, U154, U162, U163, U165,U170, U185, U188, U196, U200, U206,U211, U213, U220, U226,U227, U236, U246,U247, U326, U328	Discarded commercial chemical products, off-specification species, containers, and spill residues of these.
M001, MT01 and MX01	Polychlorinated biphenyls and mixtures of soil, water, or debris containing polychlorinated biphenyls (PCB) resulting from a cleanup of waste

III.C.2. The Permittee is prohibited from receiving or storing:

III.C.2.a. Explosive wastes; and

III.C.2 .b. Chemical warfare agents (K991-K999, MD02 and MD03.)

III.D. CONDITION OF CONTAINERS

If a container holding hazardous waste is not in good condition (e.g., severe rusting, apparent structural defects), or if it begins to leak, the Permittee shall transfer the hazardous waste from the container to a container that is in good condition, or shall otherwise manage the waste in compliance with the conditions of this permit.

III.E. PLACEMENT REQUIREMENTS

III.E.1. The Permittee may store CHS in containers beyond 90 days only in Building 256 identified and described in Permit Condition III.B, and in Permit Attachment 7.

III.E.2. The Permittee:

III.E.2.a. May use containers ranging in size from small reagent bottles to 55 gallon drums, as necessary, for storage of hazardous waste or as over-packs for labpacks, provided that the net total volume of waste stored in each permitted area does not exceed the maximum volume allowed under Permit Condition III.C.1, and that the Permittee always maintains the required 2-foot aisle space; and

III.E.2.b. May use a container of capacity larger than 55 gallons for storage of hazardous waste if the Permittee complies with the requirements of Permit Condition III.E.2.a concerning total volume being stored and required aisle space, and obtains the permission of the Department to use containers of the larger size.

III.E.3. Before offering hazardous waste for transport, the Permittee shall package the waste in accordance with the applicable U.S. Department of Transportation regulations on packaging under 49 CFR 173, 178 and 179.

III.E.4. The Permittee may not store hazardous waste at any generation site beyond ninety days except for locations meeting the requirements of COMAR 26.13.03.05E(3), Satellite Accumulation.

III.F. UNKNOWN WASTE IDENTIFICATION

III.F.1. The Permittee shall identify all hazardous waste received in accordance with the Waste Analysis Plan, Permit Attachment 1.

III.F.2. The Permittee is not permitted to receive or accept unknown wastes from any generators for storage at Building 256.

III.G. CONTAINMENT SYSTEMS

III.G.1. The Permittee shall maintain the containment system in the permitted storage area as required by COMAR 26.13.05.09H. Secondary containment is provided by a 6" berm around the interior perimeter of Building 256 and around each storage bay within the building, and by an epoxy coating on the curbing and floor.

III.G.2. The Permittee shall:

III.G.2.a. Repair or reseal the containment surface as necessary to comply with COMAR 26.13.05.09H(1)(a); and

III.G.2.b. Remove any spilled or leaked waste from the containment system in a timely manner, in accordance with COMAR 26.13.05.09H(3), in order to maintain the design capacity.

III.H. COMPATIBILITY OF WASTES WITH CONTAINERS

The Permittee shall assure that the ability of each container to contain the waste is not impaired as required by COMAR 26.13.05.09C.

III.I. MANAGEMENT OF CONTAINERS

III.I.1. The Permittee shall manage containers as required by COMAR 26.13.05.09D.

III.I.2. The Permittee shall maintain sufficient aisle space between containers in accordance with COMAR 26.13.05.02I(2).

III.J. SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTES

- III.J.1. The Permittee shall not locate containers holding ignitable or reactive wastes within 15 meters (50 feet) of the facility's property line as required by COMAR 26.13.05.09F.
- III.J.2. The Permittee shall follow the procedures specified in Section 2.3.7 of the Permit Application (included in Permit Attachment 2), as required by COMAR 26.13.07.02D(24) and COMAR 26.13.07.02E(1)(c), for management of ignitable, reactive or incompatible wastes in containers. For wastes stored within the same containment area, the Permittee shall determine compatibility by using the procedures and compatibility chart found in the EPA document referenced in Permit Attachment 6, or an alternate method acceptable to the Department.
- III.J.3. The Permittee shall not stack containers of ignitable waste larger than 30 gallons, in accordance with the National Fire Protection Association's Flammable and Combustible Liquids Code.
- III.J.4. The Permittee shall take precautions to prevent accidental ignition or reaction of ignitable or reactive waste and follow the procedures specified in COMAR 26.13.05.02H.

III.K. SPECIAL REQUIREMENTS FOR POTENTIALLY EXPLOSIVE OR SHOCK SENSITIVE WASTES

The Permittee shall take the following measures concerning potentially explosive/shock sensitive wastes, such as organic peroxides, picric acid, azides, or nitrourea:

- III.K.1. The Permittee shall evaluate each waste prior to its acceptance at the permitted storage facility to determine whether it is explosive, shock sensitive, or at risk of becoming so.
- III.K.2. The Permittee shall assure that compounds that have the potential to become shock sensitive are managed in a manner to prevent this from happening. For example, picric acid shall not be allowed to dry out in storage.
- III.K.3. Containers of potentially explosive chemicals shall not be placed in boxes containing other waste chemicals. If repackaging is necessary, the Permittee shall pack potentially explosive wastes at the generation site and shall remove them in a manner in which is safe and appropriate given the nature of the waste.
- III.K.4. If there is not a significant risk of detonation or other effects which could endanger human health or the environment, the Permittee shall place the potentially explosive/shock sensitive wastes in an isolated part of Building 256 and shall monitor the conditions of the containers regularly until the waste can be safely shipped off-site.

III.K.5. If there is a significant risk that a waste is shock sensitive or explosively unstable, the Permittee shall:

III.K.5.a. Report the situation to the Department immediately in accordance with Permit Condition I.G.12;

III.K.5.b. Immediately employ the services of a qualified individual to develop a plan for eliminating the risk;

III.K.5.c. Provide a copy of the plan developed under Permit Condition III.J.5.b to the Department as soon as it becomes available;

III.K.5.d. Obtain from the Department a verbal or written approval for implementation of the plan;

III.K.5.e. Notify the Department before implementing the plan with the notification being made far enough in advance to allow a representative of the Department to observe the implementation, unless the risks posed by the waste require more timely action; and

III.K.5.f. Implement the plan to eliminate the risk and report the result to the Department as soon as the information becomes available.

III.L. SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES

III.L.1. Prior to placing incompatible wastes and/or materials in the same container, the Permittee shall comply with COMAR 26.13.05.02H(2).

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

III.L.3. The Permittee shall store containers of incompatible wastes in accordance with the requirements of COMAR 26.13.05.09G.

III.L.4. The Permittee shall document compliance with Permit Conditions III.L.1 and III.L.2 as required by COMAR 26.13.05.02H(3) and place this documentation in the operating record (Permit Condition II.G.1).

III.M. INSPECTION SCHEDULES AND PROCEDURES

III.M.1. The Permittee shall inspect the hazardous waste management area at least weekly and in accordance with the inspection schedule in Permit Attachment 2.

III.M.2. The Permittee shall remove any leaked or spilled waste immediately upon discovery.

III.M.3. Upon discovery of any cracks, crevices or deterioration in containment dikes and floors of the storage facility, the Permittee shall either:

III.M.3.a. Remove all CHS containers from the damaged area, isolate the area through the use of spill containment equipment, refrain from using the area for CHS storage until the area has been properly repaired, and complete repairs of the cracks, crevices or deterioration no later than 45 days after the time of discovery; or

III.M.3.b. Within 24 hours of the discovery, provide an alternate means of secondary containment within the damaged area.

III.M.4. The Permittee shall restock any shortage in first aid supplies, personnel protection equipment, and spill control and containment supplies no later than 48 hours after discovery.

III.N. RECORDKEEPING

III.N.1. The Permittee shall retain all records as required under COMAR 26.13.03.06 and 26.13.05.05D. The retention period of all required records is extended automatically during the course of any unresolved enforcement action regarding the facility or as requested by the Department.

III.N.2. The Permittee shall maintain, as part of the facility records, documentation showing compliance with the requirements of COMAR 26.13.05.05D (Operating Record) and 26.13.05.20 (Record Keeping Instructions).

III.O. CLOSURE

III.O.1. At closure, the Permittee shall remove all hazardous waste and hazardous waste residues from the storage area, and close the facility in accordance with an approved detailed closure plan. Permit Attachment 5 is a general closure plan showing the minimum topics to be included in the detailed closure plan.

III.O.2. At least 90 days prior to the intended beginning of closure, the Permittee shall submit a detailed closure plan including a sampling and analysis plan to The Department for review and approval.

III.O.3. The detailed closure plan required by Permit Condition III.O.2 shall include at least the following elements:

III.O.3.a. The steps necessary to perform partial and/or final closure of the facility at any point during its active life;

III.O.3.b. A description of how each container storage unit will be closed;

- III.O.3.c. A description of how final closure of the facility will be conducted, identifying the maximum extent of operations during the active life of the facility;
 - III.O.3.d. An estimate of the maximum inventory of hazardous wastes that was ever onsite over the active life of the facility and a description of the methods used to remove, transport, treat, store, or dispose of all hazardous wastes;
 - III.O.3.e. A detailed description of the steps needed to remove or decontaminate all hazardous waste residues and contaminated containment system components, equipment, structures, and soils;
 - III.O.3.f. A description of methods employed to decontaminate structures and equipment that will remain on site after closure;
 - III.O.3.g. Identification of decontamination agents to be used, including chemical and physical specifications of the agents;
 - III.O.3.h. Specific safety measures to be taken to control spread of contamination during the closure activity and to protect human health and the environment;
 - III.O.3.i. A detailed description of other activities necessary during the closure period;
 - III.O.3.j. A schedule for closure of each storage unit and for the final closure of the facility; and
 - III.O.3.k. A description of how all hazardous waste and hazardous waste residues will be removed from the containment systems.
- III.O.4. The sampling and analysis plan, required by Permit Condition III.O.2, shall, at a minimum, include the following components to verify the effectiveness of decontamination activities:
- III.O.4.a Type and number of samples (rinsewater, surface wipes, core, soil, groundwater, etc.) to be collected;
 - III.O.4.b. A listing and justification of sampling and analytical methods employed, with the Permittee required to select and propose these methods, as appropriate for the constituent in question, in accordance with:
 - 1) Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (EPA Document Number SW-846, latest edition); or

2) Equivalent methods acceptable to The Department

- III.O.4.c. A description of quality assurance and quality control procedures associated with the selected sampling and analysis methods;
 - III.O.4.d. A definition and justification of a Target Compound List (TCL) for which the verification samples will be analyzed;
 - III.O.4.e. Identification and justification of a threshold level for each compound on the TCL list that determines a “clean” or “contaminated” condition;
 - III.O.4.f. Number of samples, sample locations, and media or substances to be sampled; and
 - III.O.4.g. For cleanup and sampling for PCB’s, a demonstration that the Permittee will follow the procedure recommended in 40 CFR 761 Subpart G.
- III.O.5. The Permittee shall decontaminate the storage areas, including the loading/unloading and staging areas and the equipment that is to remain onsite after closure, in accordance with the detailed closure plan submitted by the Permittee and approved by the Department in accordance with Permit Conditions III.O.2 through III.O.4.
- III.O.6. Within 60 days of the completion of the closure activities, the Permittee shall submit a:
- III.O.6.a. Closure report containing results of the activities conducted in compliance with each component of the approved closure plan, including, but not limited to, the verification results demonstrating a clean closure of the storage areas, and a certification of closure as required by COMAR 26.13.05.07F; or
 - III.O.6.b. Written request to extend the 60-day deadline including the reason for the request and a proposed timeline for completion.
- III.O.7. If the Permittee is unable to demonstrate a clean closure in accordance with Permit Condition III.O.6, the Permittee shall inform the Department within 60 days of the completion of the closure activities, and propose measures to achieve closure performance standards, such as submission of a post-closure care plan for the Department’s review and approval.

PERMIT CONTINUES ON PAGE 24

PART IV-LIST OF PERMIT ATTACHMENTS and SIGNATURE

IV.A. PERMIT ATTACHMENTS

The following Permit Attachments are enforceable parts of this permit. Permit Attachments, numbered 1 through 8, include sections and attachments of the Permittee's application that carry their own number or letter designations. The following list indicates specific parts of the application included in each Permit Attachment. Permit Attachments are intended to provide further details of permit conditions. However, if there is a discrepancy between a permit condition and the contents of a Permit Attachment, the permit condition shall prevail.

<u>Permit Attachment Number & Title</u>	<u>No. of Pages</u>	<u>Permit Application Sections and Pages</u>
1. Waste Analysis Plan	16	Section 3, pages 3-1 – 3-16
2. Procedures to Prevent Hazards	13	Section 2.3, pages 2-13 – 2-25
3. Personnel Training Plan	5	Section 4, pages 4-1 – 4-5
4. Contingency Plan	33	Section 5, pages 5-1 – 5-6; Appendix A: cover page, pages 1-22; and Mutual Aid Agreements
5. Closure Plan	6	Section 6, pages 6-1 – 6-6
6. Process Information	16	Section 2.2, pages 6-12
7. Facility Description	14	Section 2, pages 2-1 – 2-6 and 2-26 – 2-33
8. Part A Permit Application	10	

IV.B. PERMIT SIGNATURE

DRAFT DRAFT DRAFT

Kaley Laleker, Director
Land and Materials Administration

Date Signed