

Maryland Department of the Environment

Resource Management Program

Controlled Hazardous Substance (CHS) Permit



CHS PERMIT A-313 **EPA ID No. MDD093002384**

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|---------------------------|---|
| Permittee: | Triumvirate Environmental 200 Inner Belt Road Somerville, Massachusetts 02143 Triumvirate Environmental (Baltimore) LLC |
| Facility Location: | 1500 Carbon Avenue Baltimore, MD 21226 |

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**MARYLAND DEPARTMENT OF THE ENVIRONMENT
Resource Management Program
Controlled Hazardous Substance Permit**

**Permit Number A-313
Triumvirate Environmental, Inc
Baltimore, Maryland**

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ATTACHMENTS

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

MARYLAND DEPARTMENT OF THE ENVIRONMENT

Resource Management Program

Controlled Hazardous Substance Permit A-313

OVERVIEW

This permit establishes conditions under which Triumvirate Environmental (Baltimore), LLC, a subsidiary of Triumvirate Environmental, Inc. may operate a hazardous waste transfer facility. The permit implements requirements of Title 26, Subtitle 13 of the Code of Maryland Regulations (COMAR) 26.13.

Triumvirate Environmental (Baltimore), LLC has requested permission to conduct truck-to-truck transfer of containers of hazardous waste at its facility located at 1500 Carbon Avenue, Baltimore, Maryland 21226. The purpose of the container transfer is to consolidate small loads from vehicles servicing hazardous waste generators into large loads for efficient long-distance shipments to final destinations for treatment, recycling, or disposal. In accordance with Section 7-252 (a)(6) of the Environment Article, Annotated Code of Maryland, this activity may only be conducted in a controlled hazardous substance facility.

This permit authorizes Triumvirate Environmental (Baltimore), LLC to conduct truck-to-truck transfer of containers of hazardous waste, without opening the containers. Truck-to-truck transfer may be conducted by moving drums from a box truck through the warehouse garage door into a trailer. Under the permit, Triumvirate Environmental (Baltimore), LLC may manage up to a maximum of 40,000-gallons of hazardous waste at one time on site for truck-to-truck transfer. This is equivalent to 800 standard 55-gallon drums assuming each drum contains no more than 50 gallons of waste. Triumvirate Environmental (Baltimore), LLC is not expected to have the maximum amount routinely on site. A given container of hazardous waste may remain on-site for up to 10 days.

The permit requires Triumvirate Environmental (Baltimore), LLC to conduct truck-to-truck transfer operations under carefully controlled conditions and in a securely contained area by specifically trained personnel. The Permittee is also required to maintain contingency plans and financial assurance instruments in accordance with the permit conditions.



CONTROLLED HAZARDOUS SUBSTANCE FACILITY PERMIT

Permit Number: A-313
EPA ID Number: MDD093002384
Effective Date:
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

Triumvirate Environmental (Baltimore), LLC
(a subsidiary of Triumvirate Environmental, Inc.)

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

1500 Carbon Avenue, Baltimore MD 21226

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 hazardous waste transfer facility authorized by this permit is located at 39° 14' 23" North Latitude and 76° 34' 56" West Longitude.

This permit is based on the assumption that the information submitted in the permit application received by the Department on July 5, 2023, and its revisions and amendments,

received March 27, 2024 and October 4, 2024 (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 1 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, modification, 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, as amended through Update 6), Standard Methods for the Examination of Water and Wastewater (22nd ed., 2012) or an equivalent method as specified in the attached Waste Analysis Plan, Permit Attachment 1 (Section 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) the Baltimore City Fire Department by dialing 911;
- 6) the Baltimore Police Department, Southern District, by dialing 911; or (410) 396-2488, 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.c (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 \$12,067.00 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 (Section 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 Permit Attachment 2 (Section 5 and Exhibits 5 and 6 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 (Section 10 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 the Contingency Plan, Permit Attachment 4 (Section 11 and Exhibit 10 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. 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 (Section 11 and Exhibit 10 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 26.13.05.04B(2)).

II.F.2. Amendments to Plan. The Permittee shall review and immediately amend, if necessary, the Contingency Plan, Permit Attachment 4 (Section 11 and Exhibit 10 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 (Section 11 and Exhibit 10 of the Permit Application) and all revisions at 1500 Carbon Avenue, Baltimore, MD, 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 describes 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 (Section 12 and Exhibit 9 of the Permit Application).
- II.H.2. Amendment to Closure Plan: The Permittee shall amend the Closure Plan, Permit Attachment 5 (Section 12 and Exhibit 9 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 (Section 12 and Exhibit 9 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 (Section 12 and Exhibit 9 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. COST ESTIMATE FOR FACILITY CLOSURE

II.I.1. Annual Adjustment. The Permittee shall adjust the Closure Cost Estimate, permit Attachment 5, (Exhibit 9 of the Permit Application) for inflation, annually in accordance with the requirements of 40 CFR 264.142(b), which have been incorporated by reference in COMAR 26.13.05.08.

II.I.2. Adjustment for Changed Conditions. The Permittee shall revise the Closure Cost Estimate whenever there is a change in the facility's Closure Plan, as required by 40 CFR 264.142(c).

II.I.3. Availability. The Permittee shall keep at the facility the latest Closure Cost Estimate as required by 40 CFR 264.142(d).

II.J. FINANCIAL REQUIREMENTS

The Permittee shall maintain continuous compliance with COMAR 26.13.05.08 by providing financial assurance, as required by 40 CFR 264.143, in at least the amount of the cost estimates required by Permit Condition II.I. Changes in financial assurance mechanisms must be approved by Department.

II.K. LIABILITY REQUIREMENTS

The Permittee shall comply with the requirements of COMAR 26.13.05.08 and the documentation requirements of 40 CFR 264.147, including the requirements to have and maintain liability coverage for sudden accidental occurrences in the amount of at least \$1 million per occurrence with an annual aggregate of at least \$2 million, exclusive of legal defense costs.

II.L. INCAPACITY OF OWNER/OPERATOR, GUARANTORS, OR FINANCIAL INSTITUTIONS

The Permittee shall comply with 40 CFR 264.148, whenever necessary.

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

II.M.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.M.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.M.2.a. Generate extreme heat or pressure, fire or explosion, or violent reaction;

II.M.2.b. Produce uncontrolled toxic mist, fumes, dusts, or gasses in sufficient quantities to threaten human health or the environment;

II.M.2.c. Produce uncontrolled flammable fumes or gasses in sufficient quantities to pose a risk of fire or explosions;

II.M.2.d. Damage the structural integrity of the device or facility containing the waste; or

II.M.2.e. Through other like means threaten human health or the environment (COMAR 26.13.05.02H(2))

II.M.3. When required to comply with the Permit Condition II.M.1 or II.M.2, the Permittee shall document that compliance (COMAR 26.13.05.02H(3)).

II.N. SECURITY

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

II.O. MANIFEST SYSTEM

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

II.P. 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.Q. WASTE MINIMIZATION/SOURCE REDUCTION

II.Q.1. Program Development and Implementation. The Permittee shall develop and conduct a Waste Minimization/ Source Reduction Program, in accordance with §7-205 of the Environment 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.Q.1.a. Recovery possibilities have been considered; and

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

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

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

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

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

PERMIT CONTINUES ON PAGE 17

PART III - SPECIAL CONDITIONS FOR TRUCK-TO-TRUCK TRANSFER

III.A. GENERAL PROVISIONS

- III.A.1. The Permittee is a hazardous waste service provider involved in the collecting and transporting of hazardous wastes. Part III of this permit establishes conditions under which the Permittee may stage in-transit waste on transport vehicles and conduct truck-to-truck transfer of containers of hazardous waste at its facility located at 1500 Carbon Avenue, Baltimore, MD 21226.
- III.A.2. This permit allows the Permittee to use the facility identified on Page 1 of the permit (“the Facility”) for the following activities, subject to specified conditions:
- III.A.2.a. The staging of in-transit hazardous waste on hazardous waste transport vehicles, for a time period of no more than 10 days beginning with the initial arrival of a given shipment of a hazardous waste; and
- III.A.2.b. The truck-to-truck transfer of hazardous waste immediately upon removal from a waste transport vehicle.
- III.A.3. The Permittee is not authorized to conduct any activities at the Facility that would require the facility to be considered a designated facility for the purposes of hazardous waste manifest requirements.
- III.A.4. The Permittee may conduct truck-to-truck transfer of waste containers only within the areas identified in Permit Condition III.B.
- III.A.5. Limitations on waste types that the Permittee may transfer are specified in Permit Condition III.C.
- III.A.6. Permit Conditions III.D-III.K identify specific operating conditions that the Permittee shall follow in addition to the requirements specified in Parts I and II of this permit.
- III.A.7. Permit Condition III.L specifies requirements concerning closure of the Facility at the end of its operating life.

III.B. CONTAINER TRANSFER AND STAGING AREAS AND CAPACITIES

- III.B.1. The Permittee may transfer hazardous waste from one vehicle to another at the Facility by off-loading hazardous waste from a vehicle parked in the transfer area as identified in Figures 4b and 4e of the permit application, included in Attachment 7 of this permit.
- III.B.2. The Permittee shall provide sufficient containment capacities at the truck transfer area for all trucks and transfer trailers that will be parked at the truck transfer area

to accommodate handling of a maximum of 40,000-gallons of waste on site at any one time. This is equivalent to 800 standard 55-gallon drums (containing no more than 50 gallons each).

III.C. PERMITTED AND PROHIBITED WASTE IDENTIFICATION

III.C.1. The Permittee may use the Facility for the staging of in-transit wastes, for a time period of no more than 10 days beginning with the initial arrival of a given shipment of a hazardous waste, and the transfer between over-the-road vehicles of containers of wastes identified in Table III.1, subject to the terms of this permit.

Table III.1

| Hazardous Waste Code | Description |
|--|--|
| D001, D002, D003 | Ignitable, corrosive, and reactive characteristic waste. |
| D004-D043 | Solid waste exhibiting the toxicity characteristic. |
| F001-F012, F027, F032, F034, F035, F037-F039 | Hazardous waste from non-specific sources. |
| K001-K052, K060-K062, K069, K071, K073, K083-K088, K093-K119, K123-K126, K131, K132, K126, K131, K132, K136, K141-K145, K147-K151, K156-K159, K161, K169-K172, K174-K178, K181 | Hazardous waste from specific sources. |
| P001-P018, P020-P024, P026-P030, P033-P034, P037, P039-P051, P054, P057-P060, P062, P064, P066-P075, P077, P082, P084, P085, P087-P089, P092-P94, P97-P99, P101-P106, P108-P111, P113-P116, P118-P123, P127-P128, P185, P188-P192, P194, P196-P199, P201-P205 | Discarded commercial chemical products, off specification species, containers, spill residues thereof (acute hazardous waste). |
| U001-U012, U014-U028, U030-U032, U034-U039, U041-U046, U048-U053, U055-U064, U066-U099, U101-U103, U105-U138, U140-U174, U176-U194, U196-U197, U200-U211, U213-U223, U225-U228, U234-U240, U243, U244, U246-U249, U271, U278-U280, U328, U353, U359, U364, U367, U372, U373, U387, U389, U394, U395, U404, U409-U411 | Discarded commercial chemical products, off-specification species, containers, and spill residues of these. |
| M001, MT01, MX01 | PCB-related wastes. |

- III.C.2. The Permittee shall fully identify all wastes prior to acceptance and arrival at the Facility, using information provided by the hazardous waste generator, as described in the Waste Analysis Plan, Permit Attachment 1 (Section 3 of the Permit Application).
- III.C.3. The Permittee is prohibited from accepting any waste for transfer that is not positively identified and documented by the generator based on a) documented knowledge of the process generating the waste, or b) a waste sampling and analysis plan meeting the requirements of COMAR 26.13.05.02D(2).
- III.C.4. The Permittee is prohibited from accepting the following wastes at the Facility for transfer:
- III.C.4.a Class 1 Explosives in Division 1.1, Division 1.2, or Division 1.3, as defined in U.S. Department of Transportation (USDOT) regulations at 49 CFR 173.50;
 - III.C.4.b “Forbidden explosives” as defined in 49 CFR 173.54;
 - III.C.4.c Chemical warfare agents and their treatment byproducts including, but not limited to, Maryland Waste Codes K991 through K999, MD02 and MD03; and
 - III.C.4.d Any hazardous waste having a waste code not specifically included in Table III.1 of Permit Condition III.C.1.
- III.C.5. The Permittee shall maintain documentation demonstrating compliance with Permit Conditions III.C.1 through III.C.4 as part of the facility operating record, and shall make this documentation available to the Department upon request.

III.D. OPERATING CONDITIONS

- III.D.1. The Permittee shall maintain the facility and manage the hazardous wastes in accordance with the conditions of this permit, and in accordance with the specifications and descriptions presented in the permit attachments.
- III.D.2. The Permittee shall assure that all hazardous wastes managed at the Facility are properly packaged, labeled, and marked in accordance with COMAR 26.13.03.05A-C.
- III.D.3. The Permittee shall:
- III.D.3.a. Comply with the placarding requirements of COMAR 26.13.03.05D for hazardous wastes managed at the Facility; and
 - III.D.3.b. Assure that hazardous waste transport vehicles that engage in hazardous waste transfer operations at the Facility are in compliance with the placard requirements of 49 CFR Part 172, Subpart F.

- III.D.4. The Permittee shall not handle containers in a manner that may cause them to rupture or leak.
- III.D.5. The Permittee shall accept transfer wastes only when compatibility of the waste and containers is ascertained.
- III.D.6. The Permittee shall ensure that wastes in each staging process and transfer load meet the requirements of 49 CFR 177.848, Segregation and Separation.
- III.D.7. The Permittee shall stage and transfer containers of hazardous waste only in or through the areas described in Permit Condition III.B, and identified in Figures 4b and 4e of the permit application, included in Attachment 7 of this permit
- III.D.8. The Permittee shall ensure that in areas where ignitable or reactive wastes are being managed:
 - III.D.8.a. There are no open flames or other sources of ignition present; and
 - III.D.8.b. Smoking is prohibited.
- III.D.9. The Permittee shall not place containers holding ignitable or reactive wastes, or park trucks loaded with such containers, within 15 meters of the property line for a period in excess of 12 hours (COMAR 26.13.04.01E(2) and 26.13.05.09(F)).
- III.D.10. The Permittee shall limit the time that any container of hazardous waste remains at the Facility to a maximum of 10 days, including the time that the container is kept on the first and second transport vehicle.
- III.D.10. The Permittee shall maintain necessary documentation to determine the length of time each container remains on site, and shall make this documentation available to the Department upon verbal or written request.

III.E. CERTIFICATION OF CONSTRUCTION OR MODIFICATION

- III.E.1 The Permittee may not conduct any hazardous waste management activities in any unit described under Permit Condition III.B until the Permittee has met the submittal requirement of Permit Condition I.H.1 and the conditions regarding approval by the Department in Permit Condition I.H.2 have been met.
- III.E.2. The Permittee shall include the following information with the Certification of Construction as required in Condition I.H.1:
 - III.E.2.a. Descriptions and delineation of any changes to proposed drawings;
 - III.E.2.b. All required professional certifications;
 - III.E.2.c. All quality assurance/quality control (QA/QC) control documentation; and
 - III.E.2.d. All required physical testing results.

III.F. 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.G. 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.G. MANAGEMENT OF CONTAINERS

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

III.H.2. The Permittee shall not open in-transit containers of hazardous waste at the Facility for any purpose other than to verify container contents or repackage waste from a damaged container.

III.I. CONTAINMENT SYSTEMS

The Permittee shall maintain the containment system in accordance with specifications, contained in Permit Attachment 6 (Section 2.7 of the Permit Application), Figure 4e of the Permit Application (included in Permit Attachment 7), and the requirements of COMAR 26.13.05.09H.

III.J. INSPECTION SCHEDULES AND PROCEDURES

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

III.J.3. The Permittee shall remedy any deterioration or malfunction of equipment or structures that the inspection reveals on a schedule which ensures that the problem does not lead to an environmental or human health hazard. When a hazard is imminent or has already occurred, remedial action shall be taken immediately as required under COMAR 26.13.05.02F(3).

III.J.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, unless the Department approves a later deadline.

III.K. RECORDKEEPING

III.K.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.K.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 COMAR 26.13.05.20 (Record Keeping Instructions).

III.L. CLOSURE

- III.L.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.L.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.L.3. The detailed closure plan required by Permit Condition III.L.2 shall include at least the following elements:
- III.L.3.a. The steps necessary to perform partial and/or final closure of the facility at any point during its active life;
 - III.L.3.b. A description of how each hazardous waste container management area will be closed;
 - III.L.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.L.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.L.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.L.3.f. A description of methods employed to decontaminate structures and equipment that will remain on site after closure;
 - III. L.3.g. Identification of decontamination agents to be used, including chemical and physical specifications of the agents;
 - III.L.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. L.3.i. A detailed description of other activities necessary during the closure period; and
- III. L.3.j. A schedule for closure of each hazardous waste management unit and for the final closure of the facility; and
- III. L.4. The sampling and analysis plan, required by Permit Condition III.L.2, shall, at a minimum, include the following components to verify the effectiveness of decontamination activities:
 - III. L.4.a Type and number of samples (rinsewater, surface wipes, core, soil, groundwater, etc.) to be collected;
 - III. L.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. L.4.c. A description of quality assurance and quality control procedures associated with the selected sampling and analysis methods;
 - III. L.4.d. A definition and justification of a Target Compound List (TCL) for which the verification samples will be analyzed;
 - III. L.4.e. Identification and justification of a threshold level for each compound on the TCL list that determines a “clean” or “contaminated” condition;
 - III. L.4.f. Number, location, media or substances to be sampled; and
 - III. L.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. L.5. The Permittee shall decontaminate the hazardous waste handling areas, including the loading/ unloading area, staging areas, the transfer area, 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.L.2 through III.L.4.
- III. L.6. Within 60 days of the completion of the closure activities, the Permittee shall submit a:
 - III. L.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. L.6.b. Written request to extend the 60-day deadline including the reason for the request and a proposed timeline for completion.

III. L.7. If the Permittee is unable to demonstrate a clean closure in accordance with Permit Condition III.L.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 next page)

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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 page 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 concerning facility operations and how compliance with permit conditions will be achieved. 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>Location in Permit Application</u> |
|---|---------------------|--|
| 1. Waste Analysis Plan | 3 | Part B Section 3 |
| 2. Procedures to Prevent Hazards | 9 | Part B Sections 4, 5, 8, 9 and Exhibit 5 |
| 3. Personnel Training Plan | 9 | Part B Section 10 |
| 4. Contingency Plan | 19 | Part B Sections 7, 11 and Exhibit 10 |
| 5. Closure Plan and Financial Requirements | 6 | Part B Sections 12 – 14 and Exhibit 9 |
| 6. Process Information | 7 | Part B Section 2 and Figure 4 |
| 7. Facility Description | 18 | Part B Section 1 and Figure 4 |
| 8. Part A Permit Application | 18 | Part A |

IV.B. PERMIT SIGNATURE

Stephanie Cobb Williams, Acting Director
Land and Materials Administration

Date Signed