

Division of Solid and Hazardous Waste  
401 East State Street  
P.O. Box 414  
Trenton, New Jersey 08625-0414  
Phone# (609) 292-9880  
Fax# (609) 633-9839

Hazardous Waste Facility Permit

Under the provisions of N.J.S.A. 13:1E-1 et seq. known as the Solid Waste Management Act, this permit is hereby issued to:

Green Tree Chemical Technologies, Inc.  
S. Minisink Avenue  
Parlin, NJ 08858

For the Purpose of Operating a:	Hazardous Waste Storage and Treatment Facility
On Lot No.:	2
Block No.:	51
In the Municipality of:	Sayreville
County:	Middlesex
Under Facility Permit No.:	1219C1HP05
EPA ID No.	NJR 000 035 477

This permit is subject to compliance with all conditions specified herein and all regulations promulgated by the Department of Environmental Protection.

This permit shall not prejudice any claim the state may have to riparian land, nor does it allow the permittee to fill or alter or allow to be filled or altered in any way, lands that are deemed to be riparian, wetlands, stream encroachment areas or flood plains, or that are within the Coastal Area Facility Review Act (CAFRA) zone or are subject to the Pinelands Protection Act of 1979, nor shall it allow the discharge of pollutants to waters of this state without prior acquisition of the necessary grants, permits, or approvals from the Department of Environmental Protection or the U.S. Environmental Protection Agency.

October 31, 1994

Issuance Date

April 1, 1998

Reissuance Date

May 1, 1998

Effective Date

November 30, 2004

Expiration Date

June 18, 2002

Modification Date

July 19, 2000

Modification Date

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Thomas Sherman

Assistant Director

Division of Solid and Hazardous Waste

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Modified 06/18/02

Scope of Permit

The conditions of this permit are based on the New Jersey hazardous waste regulations found at N.J.A.C. 7:26G and on the permit application submitted by the permittee. N.J.A.C. 7:26G “incorporates by reference” (with limited exception) the Federal hazardous waste regulations found at Parts 124, 260-266, 268 and 270, Title 40 of the Code of Federal Regulations (C.F.R.). In order to eliminate confusion, and to clearly describe the precise obligations that are imposed upon the permittee, only the specific Federal hazardous waste regulatory citations are listed in the conditions of this permit. For the applicable State hazardous waste regulatory citations, refer to N.J.A.C. 7:26G.

This permit, along with the referenced permit application documents herein specified, shall constitute the sole Hazardous Waste Facility Permit for the operation of the hazardous waste facility activities specified herein. Any Permit previously issued by the Division of Solid and Hazardous Waste or its predecessor agencies is hereby superseded. The permittee need not comply with the conditions of this permit to the extent and for the duration such non-compliance is authorized by an emergency permit (40 C.F.R. 270.61).

Section I of this permit contains the general conditions applicable to all hazardous waste facilities. Section II of this permit contains general conditions applicable to the facility. Section III of this permit contains specific conditions applicable to the hazardous waste management practices at the facility.

Modified 06/18/02

Description of Hazardous Waste Activities

The hazardous waste activities at the facility involve storage and treatment of on-site generated hazardous waste nitrocellulose. The storage activity takes place in an aboveground 52 feet (width) X 51 feet (length) X 10 feet 8 inches (height) three walled concrete containment structure. The concrete containment structure has an authorized storage capacity of one hundred (100) cubic yards. The treatment activity involves thermal treatment of waste nitrocellulose in a 10 feet 3½ inches (length) X 17 feet 3 inches (width) X 10 feet 6 inches (height) refractory lined steel open pit burner constructed on top of a 10 inch thick concrete foundation. Waste nitrocellulose is generated at the facility from the manufacture of commercial nitrocellulose product. The permittee is authorized to store only on-site generated waste and shall not accept any wastes from off-site.

Class 1 Modification Dated 07/19/00

Based on a notification of Class 1 modification by the permittee, dated May 5, 2000, the Department modified this permit on 07/19/00. The modification involved change of ownership from Hercules, Inc. to Green Tree Chemical Technologies, Inc. Conditions 12(a) of Section II, and all appropriate pages of the permit have been modified to reflect the changes.

Modification Dated 06/18/02

In 1995, the New Jersey Department of Environmental Protection (Department), was delegated by USEPA Region II, the responsibility to review the permit application for open burning of nitrocellulose waste by Green Tree Chemical Technologies, Inc. (Green Tree), regulated as a miscellaneous unit under 40 CFR 264 Subpart X. The permittee had been operating the open burning unit under interim status and an application was originally submitted by the previous owner/operator of the facility, Hercules, Inc., to the USEPA Region II.

The modification involved inclusion of open burning of waste nitrocellulose as an authorized activity under Condition 1 of Section III of this permit and revision of various conditions of the permit to reference related documents and specify appropriate requirements of 40 CFR Part 264 Subpart X (Miscellaneous Units).

## Section I

### General Conditions Applicable to All Permits (40 C.F.R. 270.30)

#### 1. Duty to Comply

The permittee must comply with all conditions of this permit, except that the permittee need not comply with the conditions of this permit to the extent and for the duration such noncompliance is authorized in an emergency permit. (See 40 C.F.R. 270.61). Any permit noncompliance, except under the terms of an emergency permit, constitutes a violation of the appropriate Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

#### 2. Duty to Reapply

(a) If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.

(b) A complete application for a new permit shall be submitted at least one hundred eighty (180) days prior to the expiration date of this permit.

#### 3. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

#### 4. Need to Mitigate

In the event of noncompliance with the permit, the permittee shall take all reasonable steps to minimize releases to the environment, and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment.

#### 5. 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 achieve compliance with the conditions of the permit.

6. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

7. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.

8. 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 this permit. The permittee shall also furnish to the Department, upon request, copies of records required to be kept by this permit.

9. Inspection and Entry

The permittee shall allow an authorized representative of the Department upon the presentation of credentials and other documents as may be required by law to:

- (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;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- (d) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by RCRA, any substances or parameters at any location.

10. Monitoring and Records

- (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- (b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for

continuous monitoring instrumentation, copies of all reports required by this permit, the certification required by 40 C.F.R. 264.73(b)(9) of this chapter, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, certification, or application. This period may be extended by request of the Department at any time. The permittee shall maintain records from all ground-water monitoring wells and associated ground-water surface elevations, for the active life of the facility, and for disposal facilities for the post-closure care period as well.

- (c) Records for monitoring information shall include:
1. The date, exact place, and time of sampling or measurements;
  2. The individual(s) who performed the sampling or measurements;
  3. The date(s) analyses were performed;
  4. The individual(s) who performed the analyses;
  5. The analytical techniques or methods used; and
  6. The results of such analyses.

11. Signatory Requirements

All applications, reports, or information submitted to the Department shall be signed and certified. (see 40 C.F.R. 270.11).

12. Reporting Requirements

(a) 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.

(b) Anticipated Noncompliance

The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

For a new facility, the permittee may not treat, store, or dispose of hazardous waste; and for a facility being modified, the permittee may not treat, store, or dispose of hazardous waste in the modified portion of the facility except as provided in 40 C.F.R. 270.42, until:

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 the permit; and
2.
  - i. The Department has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the permit; or
  - ii. If, within 15 days of the date of submission of the letter in paragraph 12(b)1. of this section, the permittee has not received notice from the Department of his or her intent to inspect, prior inspection is waived and the permittee may commence treatment, storage, or disposal of hazardous waste.

(c) Transfers

This permit is not transferable to any person except after notice to the Department. The Department may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under RCRA. (See 40 C.F.R. 270.40).

(d) Monitoring Reports

Monitoring results shall be reported at the intervals specified elsewhere in this permit.

(e) 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 schedule date.

(f) Twenty-Four Hour Reporting

1. The permittee shall report any noncompliance which may endanger health or the environment orally within 24 hours from the time the permittee becomes aware of the circumstances, including:
  - (i) Information concerning the release of any hazardous waste that may cause an endangerment to public drinking water supplies.
  - (ii) Any information of a release or discharge of hazardous waste or of a fire or explosion from the HWM facility, which could threaten the environment or human health outside the facility.
2. The description of the occurrence and its cause shall include:

- (i) Name, address, and telephone number of the owner or operator;
- (ii) Name, address, and telephone number of the facility;
- (iii) Date, time, and type of incident;
- (iv) Name and quantity of material(s) involved;
- (v) The extent of injuries, if any;
- (vi) An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable; and
- (vii) Estimated quantity and disposition of recovered material that resulted from the incident.

3. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The Department may waive the five day written notice requirement in favor of a written report within fifteen days.

4. Oral Notification shall be provided to the NJDEP Hot line at 1-877-WARN DEP. Written notification shall be provided to the Bureau of Hazardous Waste and Transfer Facilities and the Bureau of Hazardous Waste Enforcement at the addresses provided in Condition 11 of Section II of this permit.

(g) Biennial Report

A biennial report must be submitted covering facility activities during odd numbered calendar years. (See 40 C.F.R. 264.75).

(h) Other Noncompliance

The permittee shall report all instances of noncompliance not reported under paragraphs (d), (e) and (f) of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (f) of this section.

(i) Other Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or information.

End of Section I

## Section II

### General Conditions Applicable to the Facility

1. Permit Modification or Revocation and Reissuance

Cause for, and procedures of, modification, or revocation and reissuance of this permit shall be as provided under 40 C.F.R. 270.41.

2. Personnel Training (40 C.F.R. 264.16)

- (a) Facility personnel shall successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that insures the facility's compliance with the requirements of 40 C.F.R. 264.16, as stated in the facility's Part B permit application, and as referenced in Condition 12(b) of Section II of this permit. New employees shall be trained within six (6) months of the date of employment.
- (b) The training program shall be maintained with records and documentation describing the type and amount of both introductory and continuing training that has been and will be given to each person engaged in hazardous waste management at the facility.
- (c) The permittee shall keep the training records on current personnel until closure of the facility; training records on former employees shall be kept for at least three (3) years from the date the employee last worked at the facility. Personnel training records may accompany personnel transferred within the same company.

3. Preparedness and Prevention (40 C.F.R. 264.30 through 264.37)

The facility shall be designed, constructed, maintained and operated to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to the air, soil, surface water or groundwater which could threaten human health or the environment.

- (a) The facility shall be equipped with emergency equipment, including but not limited to:
  - 1. An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel;
  - 2. A device, such as a telephone (immediately available at the scene of operations) or a hand-held two-way radio, capable of summoning emergency assistance from local police departments, fire departments, or State or local emergency response teams;

3. Portable fire extinguisher, fire control equipment, spill control equipment, and decontamination equipment; and
  4. Water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray systems.
- (b) All facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, shall be tested and maintained as necessary to assure its proper operation in time of emergency.
4. Contingency Plan (40 C.F.R. 264.50 through 264.56)
- (a) The provisions of the Contingency Plan included in the Part B permit application plus all amendments, revisions and modifications thereof subsequently submitted for review and accepted by the Department, and as referenced in Condition 12(b) of Section II of this permit, shall be carried out immediately whenever there is a fire, explosion or release of hazardous waste constituents which could threaten health or the environment.
- (b) When an emergency coordinator determines that the facility has had a discharge, fire, or explosion which could threaten human health or the environment outside the facility, the emergency coordinator shall immediately notify the local Fire Department and local Police Department if an assessment indicates that evacuation of local areas may be advisable. The emergency coordinator shall be available to help officials decide if local areas should be evacuated. The telephone numbers are:
- Fire Department: (732) 727-4444
- Police Department: (732) 727-4444
- (c) 1. If the facility has a discharge, fire, or explosion, which could threaten human health or the environment, the following shall be notified immediately:
- New Jersey Department of Environmental Protection  
Communication Center/Trenton Dispatch  
Bureau of Communication and Support Services  
Trenton, NJ 08625  
Telephone 1-877-WARN DEP
2. Additionally, if the emergency coordinator determines that the facility has had a discharge, fire, or explosion, which could threaten human health, or the environment, outside the facility, the emergency coordinator shall immediately notify:

National Response Center  
2100 Second Street, SW  
Washington, D.C. 20593  
Telephone 1-800-424-8802 (24 Hours)

- (d) If the emergency coordinator determines that the facility has had a discharge, fire, or explosion which would threaten human health or the environment, the emergency coordinator shall immediately notify the agencies listed in Condition 4(c). When notifying these agencies, the coordinator shall report the type of substance and the estimated quantity discharged, if known; the location of the discharge; actions the person reporting the discharge proposes to take to contain, clean up and remove the substance if any and any other information concerning the discharge which the Department may request at the time of notification.
- (e) The owner or operator shall note in the operating record the time, date, and details of any incident that requires implementing the contingency plan. Within 15 days after the incident, the owner or operator shall submit a written report on the incident to the Department. The report shall include, but not be limited to:
  - 1. Name, address, and telephone number of the owner or operator;
  - 2. Name, address, and telephone number of the facility;
  - 3. Date, time, and type of incident;
  - 4. Name and quantity of material(s) involved;
  - 5. The extent of injuries, if any;
  - 6. An assessment of actual or potential hazards to human health or the environment, where this is applicable; and
  - 7. An estimated quantity and disposition of recovered material that resulted from the incident.

5. Security (40 C.F.R. 264.14)

- (a) The permittee must maintain the security procedures as described in the facility's Part B permit application plus all amendments, revisions and modifications thereof subsequently submitted for review and accepted by the Department, and as referenced in Condition 12(a) of Section II of this permit.
- (b) The permittee shall prevent the unknowing entry, and minimize the possibility for the unauthorized entry, of persons or livestock onto the active portion of the facility. A facility shall have:

1. A facility shall have:
  - i. A 24-hour surveillance system which continuously monitors and controls entry onto the active portion of the facility; or
  - ii. An artificial or natural barrier, which completely surrounds the active portion of the facility; and a means to control entry, at all times, through the gates or other entrances to the active portion of the facility.
2. The requirements of paragraph (b)1 are satisfied if the hazardous waste storage, treatment or disposal site is located in a facility which itself has a surveillance system, or a barrier and a means to control entry, which complies with the requirements of subparagraph (b)1.i. or (b)1.ii.
3. The owner or operator shall post a sign with the legend, "Danger - Unauthorized Personnel Keep Out", at each entrance to the active portion of a facility, and at other locations, in sufficient numbers to be seen from any approach to this active portion. The legend shall be written in English and in any other language prevalent in the area surrounding the facility and must be legible from a distance of at least twenty five (25) feet. Existing signs with a legend other than "Danger - Unauthorized Personnel Keep Out" may be used if the legend on the sign indicates that only authorized personnel are allowed to enter the active portion, and that entry onto the active portion can be dangerous.

6. Termination of a Permit (40 C.F.R. 270.43)

The following are causes for terminating a permit during its term or for denying a permit renewal application:

- (a) Noncompliance with any condition of this permit; or
- (b) The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time; or
- (c) A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination.

7. Operating Record (40 C.F.R. 264.73)

The permittee shall keep a written operating record at the facility in which the information required under 40 C.F.R. 264.73(b) shall be recorded. The information shall be recorded as it becomes available and maintained in the operating record until closure of the facility.

8. Permit Limitations (40 C.F.R. 270.4(c))

The issuance of this permit does not authorize any injury to persons or property or invasion of other private rights or any infringement of applicable Federal, State, or local laws or regulations.

9. Financial Requirements (40 C.F.R. Part 264, Subpart H)

- (a) The permittee shall maintain financial responsibility for bodily injury and property damage to third parties caused by sudden accidental occurrences arising from operations of the facility. The permittee shall have and maintain liability coverage for sudden 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. The permittee shall demonstrate financial responsibility for sudden accidental occurrences according to the mechanisms given in 40 C.F.R. 264.147 paragraphs (a)(1), (2), (3), (4), (5) or (6).
- (b) The permittee shall establish financial assurance for closure of the facility. The permittee shall use a financial assurance mechanism approved by the Department, from the options specified in paragraphs (a) through (f) of 40 C.F.R. 264.143.
- (c) The permittee shall have a detailed written closure cost estimate of closing of the facility in accordance with 40 C.F.R. 264.142(a). The permittee shall adjust the closure cost estimate for inflation within sixty (60) days prior to the anniversary date of the establishment of the financial instrument(s) used to comply with 40 C.F.R. 264.143.

If the permittee uses the financial test or corporate guarantee, the closure cost estimate shall be updated for inflation within thirty (30) days after the close of the firm's fiscal year and before submission of the updated information to the Department. The adjustment may be made by recalculating the maximum costs of closure in current dollars, or by using an inflation factor derived from the most recent Implicit Price Deflator for Gross National Product published by the U.S. Department of Commerce in its *Survey of Current Business*.

The inflation factor is the result of dividing the latest published annual Deflator by the Deflator for the previous year.

- 1. The first adjustment is made by multiplying the closure cost estimate by the inflation factor. The result is the adjusted closure cost estimate.
  - 2. Subsequent adjustments are made by multiplying the latest adjusted closure cost estimate by the latest inflation factor.
- (d) During the active life of the facility, the permittee shall revise the closure cost estimate no later than (30) days after the Department has approved the request to modify the closure plan, if the change in the closure plan increases the cost of closure. The

revised closure cost estimate must be adjusted for inflation as specified in 40 C.F.R. 264.142(b).

- (e) The permittee shall keep at the facility during the operating life of the facility, the latest closure cost estimate prepared in accordance with 40 C.F.R. 264.142(a) and (c) and, when this estimate has been adjusted in accordance with 40 C.F.R. 264.142(b), the latest adjusted closure cost estimate.
- (f) The wording of all financial documents (except for the insurance policy itself) that are submitted under paragraphs (a), (b) and (c) of this Condition must be as per 40 C.F.R. 264.151 with the changes specified at N.J.A.C. 7:26G-8.1(c)8.

10. Compliance with Other State Regulations and Statutes

The permittee shall comply with all regulations of the Department of Environmental Protection and other State Statutes applicable to the facility. Regulations are effective upon publication in the New Jersey Register or as otherwise indicated in the Notice of Adoption in the New Jersey Register.

11. Submission of Documents Required by Permit Conditions

The permittee shall submit all permit compliance documents required by this permit to the following:

- (a) New Jersey Department of Environmental Protection  
Office of Permitting  
Bureau of Hazardous Waste and Transfer Facilities  
P.O. Box 414  
Trenton, NJ 08625-0414
- (b) New Jersey Department of Environmental Protection  
Division of Solid and Hazardous Waste Compliance and Enforcement  
Bureau of Hazardous Waste Compliance and Enforcement - Central  
P.O. Box 407  
Trenton, NJ 08625-0407

12. Referenced Permit Application Documents

- (a) The permittee shall operate the facility, and construct or install associated appurtenances thereto, in accordance with the regulations contained in 40 C.F.R. Parts 260 through 270, the conditions of this permit, and the following permit application documents:
  - (1) Part B Permit Renewal Application submitted by Hercules, Incorporated, dated May 1994, prepared by Paul D. Zelanko, Environmental Coordinator.

- (2) The November 8, 1988, revised edition of the Hercules Incorporated Part A and Part B permit application for a hazardous waste facility certified by Gerald R. Yandle, Plant Manager, and S. Maynard Turk, Vice President and General Counsel, and submitted by Paul D. Zelanko, Environmental Coordinator, and David J. Mason, Regional Environmental Manager.
- (3) Additional information to the Hercules Incorporated Part B permit application, dated April 14, 1989, signed by Paul D. Zelanko, Environmental Coordinator.
- (4) Additional information to the Hercules Incorporated Part B permit application, dated September 5, 1989, signed by Paul D. Zelanko, Environmental Coordinator.
- (5) The following drawings submitted:
  - (i) Waste Nitrocellulose Storage Facilities, Arrangement and Detail, Drawing Number 034-8567-33002-4PN-2, dated August 31, 1989, signed and sealed by Richard P. Meincke, P.E.;
  - (ii) Map Showing Topography, Wetlands, Monitoring Wells & Piezometers for Aqualon Company, Drawing Number 005-9500-21120-5PN, dated March 25, 1992, signed and sealed by Robert J. Raba, Jr., Professional Land Surveyor;
  - (iii) Map Showing Topography, Wetlands, Monitoring Wells & Piezometers for Aqualon Company, Drawing Number 005-9500-21121-5PN, dated March 25, 1992, signed and sealed by Robert J. Raba, Jr., Professional Land Surveyor;
  - (iv) Map Showing Topography, Wetlands, Monitoring Wells & Piezometers for Aqualon Company, Drawing Number 005-9500-21122-5PN, dated March 25, 1992, signed and sealed by Robert J. Raba, Jr., Professional Land Surveyor;
  - (v) Incinerator Ash Rake Plan & Details, Drawing Number 034-8567-52001-5PN-0, dated August 1, 1994, signed and sealed by Richard P. Meincke, P.E.;
  - (vi) Foundation Plan and Detail Drawing Number 034-8567-31002-5PN-1, dated August 1, 1994, signed and sealed by Richard P. Meincke, P.E.;
  - (vii) General Arrangement Pit Incinerator, Drawing Number PFB-1736-C, dated March 17, 1989, signed and sealed by Richard P. Meincke, P.E.;

Added 06/18/02

Added 06/18/02

Added 06/18/02

Added 06/18/02

- (viii) Refractory Details, Pit Incinerator, Model 16L & 16H, Drawing Number 6-02-389-D, dated March 17, 1989, signed and sealed by Richard P. Meincke, P.E.;

Added 06/18/02

- (ix) Door Details, Pit Incinerator, Drawing Number 6-02-386-C, dated March 17, 1989, signed and sealed by Richard P. Meincke, P.E.;

Added 06/18/02

- (x) Combustion Air Manifold, Pit Incinerator, Model 16L and 16H, Drawing Number 6-02-366-C, dated March 17, 1989, signed and sealed by Richard P. Meincke, P.E.; and

Added 06/18/02

- (xi) Incinerator Pad and Basin Plans and Details, Drawing Number 034-8567-31003-5PN-1, dated March 31, 1989, signed and sealed by Richard P. Meincke, P.E.

Added 07/19/00

- (6) Modification Request by Hercules, Inc., dated May 5, 2000, signed by Paul D. Zelanko, Environmental Engineer.

Added 06/18/02

- (7) Revised Part B permit application submitted by Hercules, Inc., dated November 8, 1988, signed by Paul D. Zelanko, Environmental Coordinator.

Added 06/18/02

- (8) Additional information submitted by Hercules Incorporated, dated May 15, 1991, signed by Paul D. Zelanko, Environmental Coordinator.

Added 06/18/02

- (9) Additional information submitted by Hercules Incorporated, dated June 15, 1991, signed by Paul D. Zelanko, Environmental Coordinator.

Added 06/18/02

- (10) Additional information submitted by Hercules Incorporated, dated July 15, 1991, signed by Paul D. Zelanko, Environmental Coordinator.

Added 06/18/02

- (11) Additional information submitted by Hercules Incorporated, dated February 20, 1992, signed by Paul D. Zelanko, Environmental Coordinator.

Added 06/18/02

- (12) Additional information submitted by Hercules Incorporated, dated November 3, 1999, signed by Paul D. Zelanko, Environmental Coordinator.

In case of conflict, the applicable hazardous waste management regulations contained in 40 C.F.R. shall have precedence over the conditions of this permit, and the conditions of this permit shall have precedence over the Part B permit application documents listed above.

- (b) One complete set of the permit application documents listed in Condition 12(a) above, this Hazardous Waste Facility Permit, and all records, reports and plans as may be required pursuant to this permit shall be kept on-site and shall be available for

inspection by authorized representatives of the Department upon presentation of credentials. The records, reports and plans required pursuant to this permit include the following:

- (1) The description of the personnel training program and the records required by Condition 2 of Section II of this permit and 40 C.F.R. 264.16.
- (2) The Contingency Plan required by Condition 4 of Section II of this permit and 40 C.F.R. 264.50, and specifically the plan prepared by Hercules, Incorporated dated May, 1994 and subsequent revisions.
- (3) The written Operating Record required by Condition 7 of Section II of this permit 40 C.F.R. 264.73.
- (4) Copies of the financial documents and closure cost estimate required by Condition 9 of Section II of this permit and 40 C.F.R. 264.140.
- (5) The Waste Analysis Plan outlined in Condition 3 of Section III of this permit and as required by 40 C.F.R. 264.13, and specifically the plan prepared by Hercules, Incorporated dated May, 1994 and subsequent revisions.
- (6) The Inspection Schedule required by 40 C.F.R. 264.15(b) and the records required by Condition 4 of Section III of this permit.
- (7) The Closure Plan required by Condition 5 of Section III of this permit and 40 C.F.R. 264.112 and specifically the plan prepared by Hercules, Incorporated dated May, 1994 and subsequent revisions.

Added 06/18/02

- (8) The Open Burner Area Standard Practice - Containment Structure and Open Pit Burner, prepared by Hercules, Incorporated dated April 26, 1991.

End of Section II

### Section III

#### Specific Conditions Applicable to the Facility

##### 1. Authorized Activities

###### Storage in Aboveground Concrete Containment Structure

- (a) The permittee is authorized to store on-site generated hazardous waste nitrocellulose in a three walled 52 feet (width) X 51 feet (length) X 10 feet 8 inches (height) aboveground concrete containment structure for a maximum of one hundred (100) cubic yards as detailed in the Part B permit renewal application cited in Condition 12(a) of Section II of the permit.
- (b) The permittee shall only store nitrocellulose waste within the volume delineated by the red line marker painted on the walls and floor of the concrete containment structure. The red line marker shall be maintained on the walls of the concrete containment structure at a height of 3 feet from the base and on the floor at a distance of 21 feet from the back end of the concrete containment structure.
- (c) The permittee shall maintain the concrete containment structure free of cracks or gaps and sufficiently impervious to contain any free liquids or accumulated rainfall. The base shall have adequate structural integrity to withstand the maximum stress applied to the base due to activities or equipment placed within the concrete containment structure. The screened drainage system provided for the concrete containment structure shall be maintained and operated to efficiently drain and remove liquids resulting from saturation of nitrocellulose with water and precipitation. Free board shall be maintained at a minimum of two (2) feet.
- (d) The nitrocellulose waste stored in the concrete containment structure shall at all times be saturated with water.

Added 06/18/02

###### Treatment in Open Pit Burner

- (e) The permittee is authorized to thermally treat a maximum of one thousand (1,000) pounds (dry weight) per batch of on-site generated hazardous waste of the type specified in Condition 2 of Section III of this permit in a Thermal Research and Engineering Corporation Open Pit Burner (Model 16H). Open pit burner design and specifications shall be maintained as detailed in the revised Part B permit application and the design drawings cited in Condition 12(a) of Section II of this permit.

- (f) The permittee shall operate the open pit burner and its accessories, which include the rake system, combustion and overfire air system, loading chutes, electric sparking device and all other appurtenances, as per the description in Section 5 of the document titled “Open Burner Area Standard Practice – Containment Structure and Open Pit Burner,” cited in Condition 12(b) of Section II of this permit.
- (g) The permittee shall at all times make all necessary repairs to maintain the open pit burner and associated equipment in good operating condition, as delineated in Section D of the Part B permit renewal application cited in Condition 12(a) of Section II of this permit.
- (h) The permittee shall only operate the open pit burner during daylight hours.
- (i) One operator must always be present at the open pit burner area while the burner is in operation.
- (j) If during the start-up or the burning process the fire gets out of control as evidenced by too high a flame (more than 10 feet above the burner structure), emission of visible ash or smoke or suspended particles of unburned waste, or emission of odors, the operator shall immediately notify the emergency coordinator and plant fire personnel and shall use the water hose to extinguish the burn.
- (k) The open pit burner’s concrete collection pad and the screened drainage system shall be maintained and operated to efficiently drain and remove liquids resulting from quenching water, spills, and precipitation.
- (l) Should any nitrocellulose waste be spilled on the ground, the operator shall immediately pick up the material and return it to the containment structure or place it in the next burner charge.
- (m) The permittee shall conduct a visual inspection of the residue for unburned nitrocellulose prior to placing it in containers for offsite disposal. If unburned nitrocellulose is detected, the residue shall be recharged to the next burn or shipped offsite as hazardous waste.
- (n) The permittee shall maintain the following in the written operating record required by Condition 7 of Section II of this permit:
  - (1) The daily quantity of nitrocellulose waste destroyed in the open pit burner as well as the quantity of residue generated, on days when the burner is operated.
  - (2) Any incidents of fire getting out of control during the open burning process.
  - (3) Any occurrences of nitrocellulose waste spills on the ground.

(4) If unburned nitrocellulose is detected in the residues, the quantities of such residues and a description of how it was managed.

(o) The permittee shall conduct all waste nitrocellulose burning operations in full compliance with the requirements of N.J.A.C. 7:27-2.8 and the permittee's most recently approved permit for the "Open Burning of Dangerous Materials", and shall renew this permit as required by the Department's Bureau of New Source Review, Air Quality Permitting Program.

2. Authorized Wastes

Modified 06/18/02

The permittee is authorized to store and thermally treat the following on-site generated waste types in the aboveground concrete containment structure and the open pit burner, respectively, specified in Condition 1 of this section:

<u>Hazardous Waste Codes</u>	<u>Waste Description</u>
D001, D003	Ignitable and reactive nitrocellulose that is either contaminated with dirt, wood or other non-hazardous material, fails to meet customer specifications, or whose shelf life has expired and has been declared hazardous waste

3. Waste Analysis and Quality Assurance Requirements

- (a) The permittee shall adhere to the provisions of the Waste Analysis Plan cited in Condition 12(b)5 of Section II of this permit, and any subsequent revisions approved by the Division of Solid and Hazardous Waste.
- (b) Waste nitrocellulose generated at this location shall be fully identified and classified in accordance with 40 C.F.R. 261.3. At a minimum, the permittee shall develop all of the information which must be known to store and thermally treat the waste in accordance with the provisions of this permit.
- (c) Annual sampling and analysis of the waste nitrocellulose shall be conducted in accordance with the test parameters, methods, and frequencies listed below, utilizing the Quality Assurance/Quality Control methodology established by the Department.

<u>Type of Waste</u>	<u>Test Parameters</u>	<u>Test Method</u>
Waste nitro-cellulose	*Ignitability	SW-846, Section 7.1 Methods 1010 or 1020

(D001, D003)

or ASTM D-93-85 or  
D-3828-87

\*Reactivity

SW-846, Section 7.3  
Methods 9040, 9041 or  
1110

Added 06/18/02

Open Pit Burner  
Residue

Corrosivity,  
Ignitability,  
Reactivity (CN,S)  
Petroleum Hydrocarbons  
(TPCH), PCBs,  
Percent Solids, TCLP  
Metals and Volatile  
Organics

SW-846

\*Annual sampling and analysis of the waste nitrocellulose shall not be required if the waste is generated from a well defined source and not mixed with any other waste. However, the permittee shall review the source and process generating the waste annually to characterize the waste from the permittee's knowledge of the properties of the raw chemicals used in manufacturing and the process through which the waste was generated.

- (d) Sampling methods shall be in accordance with the procedures as outlined in Appendix D of the Waste Analysis Plan cited in Condition 12(b)5 of Section II of this permit, and shall employ equipment as prescribed in the latest edition of the USEPA Manual SW-846.
- (e) The permittee shall maintain in the written operating record required by Condition 7 of Section II of this permit, as per 40 C.F.R. 264.73(b)(3), records and results of all waste analyses performed. Such records and results shall be entered into the written operating record as they become available and shall be maintained until closure of the facility.
- (f) When finished product is declared a waste, the written operating record shall include documentation of each lot number which was declared hazardous waste, and shall include the records and results of all analysis performed on each lot and a parameter or specification because of which the lot was declared hazardous waste.
- (g) The permittee shall also maintain the following information in the written Operating Record in accordance with 40 C.F.R. 270.30(j)(3):
  - (1) The date, exact place, and time of sampling or measurements;
  - (2) The individual(s) who performed the sampling or measurements;

- (3) The date(s) the analyses were performed;
  - (4) The individual(s) who performed the analysis;
  - (5) The analytical techniques or methods used; and
  - (6) The results of the analysis.
- (h) No changes shall be made to the waste analysis plan without the prior approval of the Division of Solid and Hazardous Waste.

4. Inspection Requirements (40 C.F.R. 264.15 and 270.14(b)5)

Modified 06/18/02

- (a) The permittee shall inspect the areas and items listed under Condition 4(a)(1) on a daily basis and Condition 4(a)(2) on days when the burner is operated. The results of the inspections shall be maintained at the facility for a minimum of three years.

(1) Concrete Containment Structure

- (i) Nitrocellulose waste in the concrete containment structure is adequately saturated with water;
- (ii) Nitrocellulose waste in the concrete containment structure is contained within the red line marker to ensure that the maximum amount stored is limited to 100 cubic yards; and
- (iii) Indications of cracks, gaps or leaks in concrete floor and walls of the concrete containment structure not obstructed by stored nitrocellulose waste.

(2) Open Pit Burner

- (i) Access doors are secured;
- (ii) Air blower and manifold are in proper working condition
- (iii) Indications of cracks, gaps, or leaks in refractory lining, floor, and concrete collection pad; and
- (iv) Proper operation of agitation system.

- (b) A log shall be kept of the inspections described under Condition 4(a) above and a detailed description of any remediation actions to confirm adequate maintenance of the hazardous waste storage and treatment units and all appurtenances.
- (c) The permittee shall remedy any deterioration or malfunction of equipment or structures which the inspection reveals, on a schedule which ensures that the problem does not lead to an environmental or human health hazard. Where a hazard is imminent or has already occurred, remedial action shall be taken immediately.

5. Closure of Hazardous Waste Management Units (40 C.F.R. 264.110)

Modified 06/18/02

- (a) At the time of closure, the permittee shall close the facility in the manner that is stated in 40 C.F.R. 264.110, and the closure plan referenced in Condition 12(b)7 of Section II of this permit, which includes:

- (1) Closure of Concrete Containment Structure

- (i) All stored nitrocellulose waste shall be removed from the concrete containment structure and shall be thermally treated on-site in the open pit burner within ninety (90) days from the date of implementation of the closure plan.
- (ii) The concrete containment structure shall be decontaminated by thoroughly washing the entire inside surface of the structure with water. Wash water resulting from the decontamination process shall be sieved of all nitrocellulose residues. All equipment or machinery utilized in nitrocellulose waste storage and treatment operations which are contaminated with nitrocellulose shall be placed inside the containment structure and shall be washed with water. Wash water resulting from the decontamination process shall be sieved of all nitrocellulose residues. Washing shall be fine screened to remove all nitrocellulose, dirt solids and any foreign solids. All screenings and the screen shall be burned on-site in the open pit burner. Wash waters shall go into the permittee's chemical sewer. After the final wash, a visual inspection shall be conducted to confirm the removal of all nitrocellulose residues. If any nitrocellulose residues are found, decontamination methods shall be repeated until a visual inspection confirms the removal of all nitrocellulose residues from the concrete containment structure.

- (2) Closure of Open Pit Burner
    - (i) All open pit burner residue shall be shipped off-site to an authorized facility within ninety (90) days from the date of implementation of the closure plan.
    - (ii) The open pit burner shall be decontaminated by thoroughly washing the structure with water. Wash water resulting from the decontamination process shall be sieved of all open pit burner residues. Screened residues shall be containerized and shipped off-site to an authorized facility. Wash waters shall go into the permittee's chemical sewer. After the final wash, a visual inspection shall be conducted to confirm the removal of all nitrocellulose residues. If any nitrocellulose residues are found, decontamination methods shall be repeated until a visual inspection confirms the removal of all open pit burner residues.
    - (iii) The permittee shall thoroughly inspect the area surrounding the concrete containment structure, the roadway to the open pit burner, and the area surrounding the open pit burner for any visible signs of nitrocellulose spillage or soil contamination. Any spilled nitrocellulose shall be collected and shipped off-site to an authorized facility.
  - (3) Within two hundred forty (240) days from the date of implementation of the closure plan, when closure is completed, the owner or operator shall submit to the Department, at the address listed in Condition 11(a) of Section II of this permit, by registered mail, a certification that the hazardous waste management unit or facility, as applicable, has been closed in accordance with the specifications in the approved closure plan and the conditions of this permit. The certification must be signed by the owner or operator and signed and sealed by an independent professional engineer registered in the State of New Jersey.
  - (4) The Department will review the submitted certification and will conduct a closure certification inspection. If there is a satisfactory closure certification inspection, the closure certification will be accepted by the Department and the closure will be deemed complete.
- (b) The permittee shall keep a copy of the closure plan and all revisions to the plan at the facility until closure is completed.
  - (c) The permittee shall amend the closure plan any time changes in operating plans or facility design affect the closure plan or whenever there is a change in the expected year of closure of the facility. The permittee must comply with the requirement cited at 40 C.F.R. 264.112(c)(3) for amendment of closure plan.

- (d) The permittee shall notify the Department at least forty five (45) days prior to the date the permittee expects to begin closure, except in cases where the facility's permit is terminated or if the facility is otherwise ordered by judicial decrees or compliance order to close. The date when the owner or operator "expects to begin closure" shall be within thirty (30) days after the date on which the owner or operator expects to receive the final volume of waste.

End of Section III

DOCUMENT: GREEN TREE PERMIT HP05