

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

Solid and 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:

Marisol Incorporated
125 Factory Lane
Middlesex, New Jersey 08846

For the Purpose of Operating a: Hazardous Waste Treatment and Storage and a Solid Waste Transfer Station Facility
On Lot No.: 2
Block No.: 131
In the Municipality of: Middlesex
County: Middlesex
Under Facility Permit No.: 1211B1HP13
EPA ID No.: NJD 002 454 544

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.

June 27, 1997

Issuance Date

July 27, 1997

Effective Date

June 18, 1998

Modification Date

September 28, 1998

Modification Date

March 16, 1999

Modification Date

July 27, 2007

Expiration Date

November 19, 1999

Modification Date

February 18, 2000

Modification Date

May 2, 2000

Modification Date

January 17, 2003

Modification Date

Thomas Sherman

Assistant Director

Office of Permitting & Technical Programs

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Added 05/02/00

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Modified 01/17/03

Scope of Permit

The conditions of this permit are based on the New Jersey solid and hazardous waste regulations found at N.J.A.C. 7:26 and 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 Solid and Hazardous Waste Facility Permit for the construction and operation of a hazardous waste treatment, storage and transfer facility by Marisol, Inc. located in Middlesex Borough, Middlesex County, New Jersey. Any registration, Approval or 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. Section IV of this permit contains conditions applicable to the solid waste management practices at the Marisol, Inc. facility.

Modified 01/17/03

Description of Solid and Hazardous Waste Activities

The authorized hazardous waste activities at the facility involve processing of spent organic solvents and other hazardous wastes received from various commercial and industrial generators to reclaim saleable solvent products and to produce fuel. The proposed hazardous waste activities at the facility authorized through the permit renewal would involve, in addition to the on-going activities, treatment of waste water and hazardous waste transfer operations. The saleable products produced from the recycling operation which meet the product specifications approved by this permit are shipped off-site as products. Other wastes, including the hazardous waste derived fuel produced from the fuel blending operation, are manifested off-site to facilities authorized to accept such waste. The permittee is also authorized to accept a few containerized solid waste streams for storage prior to transfer to other facilities.

Summary of Permit Compliance Conditions at the Facility

1. The permittee shall conduct the initial assessment of the storage/treatment tanks and ancillary equipment in compliance with Condition 4(d)2 of Section III of this permit. Thereafter, compliance with Condition 4(d)3 of Section III of this permit regarding periodic tank system assessment shall be

maintained until such time as the tank system's secondary containment meets the requirements of 40 C.F.R. ? 264.193.

2. The permittee shall submit to the Department a construction plan for the proposed storage/treatment tanks and final engineering design drawings and specifications required to upgrade all existing hazardous waste storage/treatment tanks and thermal treatment unit secondary containment systems to meet the requirements of 40 C.F.R. ? 264.193 as required by Conditions 7(a) and 7(c) respectively of Section III of this permit and construction certification letters as required by Condition 7(e) of Section III of this permit within thirty (30) days from the date of completion of each construction specified in Conditions 7(a) and 7(c) of Section III of this permit.
3. The permittee shall submit the additional Part B permit application information required by Condition 8 of Section III of this permit to the Department within one hundred eighty (180) days from the date of issuance of this permit.

Class 1 Modification Dated May 8, 1998

Based on a notification of a Class 1 permit modification by the permittee, dated May 8, 1998, the Department modified this permit on 06/18/98. The modification involved addition of the following waste codes to the list of authorized waste codes in Condition 2 of Section II of the permit: F025, F037 through F039, K015, K017, K018, K020, K042, K043, K061, K071, K073, K083, K084, K088, K098, K099, K101 through K103, K116, K132, K136, K140 through K145, K147 through K151, K156 through 159, U005, U007, U010, U015, U016, U018, U024 through U027, U029, U030, U038, U039, U043, U045, U046, U049, U060, U061, U063, U064, U066, U068, U075, U082, U087, U089 through U092, U094, U101, U119, U124, U126, U128 through U131, U137, U138, U142 through U146, U155, U157, U158, U165, U167, U168, U170, U172 through U174, U176 through U181, U183, U186, U187, U190, U193, U204, U206, U214, U217 through U219, U222, U235, U236, U240, U243, U244, U247, U248, U271, U278 through U280, U328, U353, U364, U367, U372, U373, U387, U389, U394, U395, U404, U408, U410 and U411 and deletion of waste codes K025 and K062.

Class 2 Modification Request Dated March 16, 1998

Based on a notification of a Class 2 permit modification by the permittee, dated March 16, 1998, the Department modified this permit on 09/28/98. The modification involved replacement of tanks 219 through 224 having combined total storage capacity of 113,200 gallons, with 28,200 gallon tanks having a combined storage capacity of 169,200 gallons. The following significant changes were made to the permit:

1. Condition 1(b)1 has been revised to reflect the new total capacity and the individual tank capacities for tanks 219 through 224.
2. Condition 1(b)2 of Section III of the permit authorizing construction of proposed tanks 445 through 452 has been deleted.

Class 1 Modification dated March 16, 1999

Based on a notification of a Class 1 permit modification by the permittee dated December 4, 1998, amended January 13, 1999, and March 3, 1999, the Department modified this permit on 03/16/99. The modification involved increasing the maximum container size for hazardous waste storage from 350 gallons to 6,000-gallons for liquids and 45 cubic yards for solids, and a few administrative changes in the Waste Characterization section of the Part B permit application. Conditions 12(a) of Section II and 1(a) of Section III of the permit have been modified to reflect these changes.

Class 2 Modification Dated November 19, 1999

Based on a notification of a Class 2 permit modification by the permittee, dated June 28, 1999, the Department modified this permit on November 19, 1999. The modification involved addition of the following waste codes to the list of authorized waste codes in Condition 2 of Section II of the permit: F007 through F011, F020 through F023, F026, F027, F032, F034, F035, K011, K013, K027, K036 through K041, K064, K065, K090, K091, K107 through K115, K123 through K0126, K131, K161, P001 through P205, U006, U020, U023, U033, U086, U096 through U099, U103, U105, U106, U109, U111, U114, U115, U123, U133 through U135, U149 through U151, U153, U156, U160, U163, U164, U189, U205, U216, U223, U234, U237, U246, U249, U277, U365, U366, U375 through U379, U381 through U386, U390 through U393, U396, U400 through U403, U407 and U409

Class 1 Modification Dated February 18, 2000

Based on a notification of a Class 1 permit modification by the permittee, dated November 11, 1999, the Department modified this permit on February 18, 2000. The modification involved authorization to install a portable structure to completely enclose the permitted container storage area.

Modification Dated May 2, 2000

Based on a request for authorization to accept ID27 and ID10 wastes by the permittee, dated July 16, 1998, and inclusion of Marisol, Inc. in the Middlesex County Solid Waste Management Plan by Administrative Actions 009-98 and 001-00, the Department modified this permit on May 2, 2000. The modification involved authorization to accept containerized ID27 and ID10 (household hazardous waste only) wastes for storage at the facility prior to transfer to other authorized off-site facilities.

Class 2 Modification Dated January 17, 2003

Based on a request for a Class 2 permit modification by the permittee, dated June 27, 2002, the Department modified this permit on 01/17/03. The modification involved replacement of tanks 213 through 218 and installation of a new tank and vacuum pumping system to facilitate removal of solid/semi-solid wastes from containers for transfer to a permitted storage/treatment tank. The following significant changes were made to the permit:

1. Condition 1(a)12 of Section III has been added to authorize use of the vacuum pumping station for removal of solid/semi-solid wastes from containers.
2. Condition 1(b)1 of Section III has been revised to reflect the new individual tank capacities for replacement tanks 213 through 218 and to add the hydropulper to the list of authorized tanks.
3. Conditions 7(a) and 7(b) of Section III have been revised to include construction/installation requirements for replacement tanks 213 through 218, and a new tank and vacuum pumping system.
4. Various outdated conditions in the permit have either been deleted or updated.

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

1. 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:

(i) 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

(ii) (A) The Department has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the permit; or

(B) If, within 15 days of the date of submission of the letter in paragraph 12(b)1i 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 Hotline at (609) 292-7172. 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) Manifest Discrepancy Report

If a significant discrepancy in a manifest is discovered, the permittee must attempt to reconcile the discrepancy. If not resolved within fifteen days, the permittee must submit a letter report, including a copy of the manifest, to the Department. (See 40 C.F.R. ?264.72.)

(h) Unmanifested Waste Report

This report must be submitted to the Department within 15 days of receipt of unmanifested waste. (See 40 C.F.R. ?264.76.)

(i) Biennial Report

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

(j) Other Noncompliance

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

(k) 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 Marisol, Inc. Facility Permit

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 human 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: (908) 356-1900 or 911

Police Department: (908) 356-1900 or 911

- (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 (609) 292-7172 (24 Hours)

- 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) above. 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.
 - 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)1i or (b)1ii.
 - 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 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:
Modified 01/17/03

- (a) New Jersey Department of Environmental Protection
Division of Solid and Hazardous Waste
Bureau of Hazardous Waste and Transfer Facilities
P.O. Box 414
Trenton, NJ 08625-0414
- (b) New Jersey Department of Environmental Protection
Solid and Hazardous Waste Enforcement
Bureau of Hazardous Waste Compliance and Enforcement - Central Section
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. Revised Part B permit renewal application submitted by Marisol, Inc., dated May 14, 1993, signed by James R. Nerger, General Manager.
2. Additional information to the Part B permit renewal application submitted by Marisol, Inc., dated February 28, 1994, signed by James R. Nerger, General Manager.
3. Additional information to the Part B permit renewal application submitted by Marisol, Inc., dated August 12, 1994, signed by James R. Nerger, General Manager.
4. Additional information to the Part B permit renewal application submitted by Marisol, Inc., dated March 7, 1995, signed by James R. Nerger, General Manager.
5. Amendment to the Part B permit renewal application submitted by Marisol, Inc., dated July 15, 1996, signed by James R. Nerger, General Manager.
6. The following drawings submitted:
 - i. Location Survey for Marisol, Inc., Attachment 1D, dated October 31, 1991, signed and sealed by Joseph W. Cuthbert, Licensed Surveyor;
 - ii. Marisol, Inc. - New RR Slab, Sheets 1 and 2, Attachment 3C, dated April 22, 1992, signed and sealed by Robert F. Hahn, P.E.;
 - iii. Sieve Strainer, Attachment 3K.1, dated May 13, 1993, signed and sealed by Robert P. Lanyon, P.E.;
 - iv. C/S Molecular Sieve, Attachment 3P, dated May 13, 1993, signed and sealed by Robert P. Lanyon, P.E.;
 - v. C/S 8 Drum Heating Unit, Attachment 3Q, dated May 13, 1993, signed and sealed by Robert P. Lanyon, P.E.;
 - vi. P&ID - Stills/Receivers, Drawing No. 101, dated June 28, 1993, signed and sealed by Robert P. Lanyon, P.E.;
 - vii. P&ID - Fractionating Column, Drawing Nos. 102-1 and 102-2, dated April 29, 1993, signed and sealed by Robert P. Lanyon, P.E.;
 - viii. P&ID - LUWA Unit, Drawing Nos. 103-1 through 103-4, dated May 11, 1993, signed and sealed by Robert P. Lanyon, P.E.;
 - ix. P&ID - Typical Tank Farm, Drawing No. 2-68-C4-1, dated February 28, 1994, signed and sealed by Robert P. Lanyon, P.E.;
 - x. P&ID - Typical Vertical Cylindrical Storage Tank, Drawing No. 2-68-C4-2, dated February 28, 1994, signed and sealed by Robert P. Lanyon, P.E.;
 - xi. P&ID - Typical Vertical Cone-Bottom Tank, Drawing No. 2-68-C4-3, dated February 28, 1994, signed and sealed by Robert P. Lanyon, P.E.;

- xii. Two Air Strippers, Drawing No. 2-68-C5A-3, dated May 13, 1993, signed and sealed by Robert P. Lanyon, P.E.;
 - xiii. 100 Tank Farm - Plan & Dikes, Drawing No. 2-68-C-1, dated July 8, 1992, signed and sealed by Robert P. Lanyon, P.E.;
 - xiv. 200 Tank Farm Plan & Dikes, Drawing No. 2-68-C1-A, dated July 8, 1992, signed and sealed by Robert P. Lanyon, P.E.;
 - xv. 300 Tank Farm Plan & Dikes, Drawing No. 2-68-C-7, dated July 8, 1992, signed and sealed by Robert P. Lanyon, P.E.;
 - xvi. Plot Plan Processing and Distillation Area, Drawing No. 2-68-C5A, dated October 29, 1991, signed and sealed by Robert P. Lanyon, P.E.;
 - xvii. Process Area Trench and Sump, Drawing No. 2-68-C5A-1, dated September 25, 1992, signed and sealed by Robert P. Lanyon, P.E.;
 - xviii. Process Area Catch Basins, Drawing No. 2-68-C5A-2, dated September 29, 1992, signed and sealed by Robert P. Lanyon, P.E.; and
 - xix. 400/Process Tank Elevations, Drawing No. 2-68-C5A-4, dated August 12, 1994, signed and sealed by Robert P. Lanyon, P.E.
- Added 01/17/03
- xx. 16,500 Gallon C/S Storage Tanks, Drawing No. D-22048, dated August 14, 2002, signed and sealed by Issadore Ruben, P.E.
- Added 01/17/03
- xxi. 13,500 Gallon C/S Storage Tanks, Drawing No. D-22060, dated September 26, 2002, signed and sealed by Issadore Ruben, P.E.
- Added 01/17/03
- xxii. Drum Hazardous Waste and Disposal System, Drawing No. D-50167, dated August March 26, 2001, signed and sealed by William Scott, P.E.
- Added 06/18/98
- 7. Request for a permit modification to add waste codes submitted by Marisol, Inc., dated May 8, 1998, signed by James R. Nerger, President.
- Added 09/28/98
- 8. Request for a permit modification to replace tanks 219 through 224 submitted by Marisol, Inc., dated March 16, 1998, signed by James R. Nerger, President
- Added 03/16/99
- 9. Request for a permit modification to increase maximum container size submitted by Marisol, Inc., dated December 4, 1998, amended January 13, 1999, and March 3, 1999, signed by James R. Nerger, President.
- Added 11/19/99
- 10. Request for a permit modification to add waste codes submitted by Marisol, Inc., dated June 28, 1999, signed by James R. Nerger, President.
- Added 02/17/00
- 11. Request for a permit modification to authorize installation of a portable structure in the permitted container storage area submitted by Marisol, Inc., dated November 11, 1999, signed by James R. Nerger, President.

Added 05/02/00

12. Request for an authorization to accept ID27 and ID10 wastes submitted by Marisol, Inc., dated July 16, 1998, signed by James R. Nerger, President.

Added 01/17/03

13. Request for a permit modification to replace tanks 213 through 218, and to install a new tank and vacuum pumping system, submitted by Marisol, Inc., dated April 18, 2002, and June 27, 2002, signed by James R. Nerger, President.

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 Marisol, Inc., dated May 14, 1993, and subsequent revisions.
3. The written Operating Record required by Condition 7 of Section II of this permit and 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 Marisol, Inc., dated May 14, 1993, 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 Marisol, Inc., dated May 14, 1993, and subsequent revisions.

End of Section II

Section III

Specific Facility Conditions Applicable to Marisol, Inc.

1. Authorized Activities

(a) Storage in Containers

Modified 03/16/99

1. The permittee is authorized to store hazardous waste in containers for a maximum of five hundred twenty seven thousand (527,000) gallons (the equivalent of 9,582 fifty-five gallon drums) in the container storage areas as detailed in the Part B permit renewal application cited in Condition 12(a) of Section II of this permit and as follows:

<u>Design Capacity</u>	<u>Container Size</u>	<u>Aisle Space</u>	<u>Maximum Stacking Height</u>
275,000 Gallons	Any container up to 6,000 gallons for liquids and 45 cubic yards for solids	30 Inches Minimum	Three 55 gallon drums or equivalent height*
72,000 Gallons	Tank Wagons	N/A	N/A
180,000 Gallons	Rail Cars	N/A	N/A

*Roll-off containers shall not be stacked.

Modified 03/16/99

2. The permittee shall store hazardous waste in containers in the designated container storage areas. Containers may also be stored in truck trailers parked in designated areas identified in the Part B permit renewal application cited in Condition 12(a) of Section II of this permit. Containers stored in trailers shall not be stacked and a minimum aisle space of eighteen (18) inches shall be provided. Roll-off containers shall be stored in the designated container storage areas.
3. The permittee shall store hazardous waste in bulk tank wagons in the designated tank wagon storage areas as detailed in Section 3IIA3 and Attachment 3A of the Part B permit renewal application cited in Condition 12(a) of Section II of this permit.
4. The tank wagons and/or trailers on-site storing hazardous waste shall be parked in specific areas as shown on Attachment 3A of the Part B permit renewal application cited in Condition 12(a) of Section II of this permit.

5. The permittee is authorized to store hazardous waste in rail cars in the rail car loading/unloading area as detailed in Section 3IIA3 and Attachment 3A of the Part B permit application cited in Condition 12(a) of Section II of this permit.
6. The permittee shall comply with the special requirements for ignitable or reactive waste as provided at 40 C.F.R. ?? 264.17(a) and 264.176 for all containers holding ignitable or reactive wastes.
7. The containers shall be managed in compliance with all provisions of 40 C.F.R. ? 264.173.
8. 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 manage the waste in some other way that complies with the requirements of 40 C.F.R. ? 264.171.
9. The permittee shall not place a waste which is incompatible with waste already in a container, or incompatible with a material of construction of a container, in that container. The permittee shall not place a hazardous waste in an unwashed container which previously held an incompatible waste or material. The permittee shall evaluate each waste, prior to its addition to any container, to ensure compliance with 40 C.F.R. ? 264.17(b).
10. Containers in the container storage areas shall be segregated by waste classification code and waste characteristics as detailed in Section 3IIA1 of the Part B permit renewal application cited in Condition 12(a) of Section II of this permit.
11. The containers in the container storage areas shall be arranged and maintained as detailed on Attachment 3A of the Part B permit renewal application cited in condition 12(a) of Section II of this permit.

Added 01/17/03

12. Subject to completion of construction specified in Condition 7(a)3 of Section III of this permit and submission of necessary certification in accordance with Condition 7(e) of Section III of this permit, the permittee is authorized to operate a vacuum pumping system for removal of solid/semi-solid wastes from containers. The vacuum pumping system consisting of a 2,200-gallon hydropulper tank and its accessories shall be installed and operated within the secondary containment system for 200 tank farm. Contents of the hydropulper tank shall be transferred into a fuel blending tank and the empty containers shall be closed and removed for off-site recycling/disposal.

(b) Storage/Treatment in Tanks

Modified 01/17/03

Modified 09/28/98

1. The permittee is authorized to store/treat hazardous waste in tanks and processing equipment for a maximum of one million twenty thousand four hundred (1,020,400) gallons as detailed in the Part B permit renewal application cited in Condition 12(a) of Section II of this permit and as follows:

<u>Tank/ Equipment Number</u>	<u>Design Capacity (Gallons)</u>	<u>Material of Construction</u>
101	25,000	Carbon Steel
102	25,000	Carbon Steel
103	25,000	Carbon Steel

	104	25,000	Carbon Steel
	105	25,000	Carbon Steel
	106	25,000	Carbon Steel
	107	25,000	Carbon Steel
	108	25,000	Carbon Steel
	109	20,000	Carbon Steel
	110	25,000	Carbon Steel
	111	20,000	Carbon Steel
	112	20,000	Carbon Steel
Modified 01/17/03	213*	16,500	Carbon Steel
Modified 01/17/03	214*	16,500	Carbon Steel
Modified 01/17/03	215*	16,500	Carbon Steel
Modified 01/17/03	216*	13,500	Carbon Steel
Modified 01/17/03	217*	13,500	Carbon Steel
Modified 01/17/03	218*	13,500	Carbon Steel
	219	28,200	Carbon Steel
	220	28,200	Carbon Steel
	221	28,200	Carbon Steel
	222	28,200	Carbon Steel
	223	28,200	Carbon Steel
	224	28,200	Carbon Steel
	325	25,000	Carbon Steel
	326	25,000	Carbon Steel
	327	25,000	Carbon Steel
	328	25,000	Carbon Steel
	329	25,000	Carbon Steel

330	25,000	Carbon Steel
331	25,000	Carbon Steel
332	25,000	Carbon Steel
333	25,000	Carbon Steel
334	25,000	Carbon Steel
335	25,000	Carbon Steel
336	25,000	Carbon Steel
437	8,000	Carbon Steel
438	8,000	Carbon Steel
439	8,000	Carbon Steel
440	8,000	Carbon Steel
441	8,000	Carbon Steel
442	8,000	Carbon Steel
443	8,000	Carbon Steel
444	8,000	Carbon Steel
453	8,000	Carbon Steel
454	8,000	Carbon Steel
455	8,000	Carbon Steel
456	8,000	Carbon Steel
T-2	5,000	Carbon Steel
T-3	5,000	Carbon Steel
A	10,000	Carbon Steel
B	10,000	Carbon Steel
Rec.#1A	4,000	Carbon Steel
Rec.#2A	4,000	Carbon Steel

	Rec.#3A	4,000	Carbon Steel
	Rec.#4A	4,000	Carbon Steel
	Rec.#1B	4,000	Stainless Steel
	Rec.#2B	4,000	Stainless Steel
	Rec.#3B	4,000	Stainless Steel
	Rec.#4B	4,000	Stainless Steel
	Still#1	4,000	Carbon Steel
	Still#2	4,000	Carbon Steel
	Still#3	4,000	Carbon Steel
	Still#4	4,000	Carbon Steel
Added 01/17/03	Hydropulper*	2,200	Carbon Steel

*The permitte shall only be authorized for use of replacement tanks 213 through 218 and the new Hydropulper tank upon satisfactory completion of the requirements at Condition 7 of Section III of this permit.

Condition 1(b)2 deleted 09/28/98

3. The permittee shall operate the tanks in accordance with 40 C.F.R. ? 264.194.
4. The permittee shall comply with the requirements of 40 C.F.R. ? 264.198 for the management of ignitable or reactive wastes in the tanks authorized by Condition 1(b) above.
5. The permittee shall comply with the requirements of 40 C.F.R. ? 264.199 for the management of incompatible wastes in the tanks authorized by Condition 1(b) above. The permittee shall not place a waste which is incompatible with the material of construction of a tank, in that tank, prior to compliance with 40 C.F.R. ? 264.17(b). The permittee shall not place a hazardous waste in a tank system that has not been decontaminated and that previously held an incompatible waste or material prior to compliance with 40 C.F.R. ? 264.17(b).
6. In response to leaks or spills and disposition of leaking or unfit for use tank systems, the permittee shall comply with the requirements cited at 40 C.F.R. ? 264.196 as follows:
 - (i) Cessation of use; prevent flow or addition of wastes. The owner or operator must immediately stop the flow of hazardous waste into the tank system or secondary containment system and inspect the system to determine the cause of the release.
 - (ii) Removal of waste from tank systems or secondary containment system.
 - A. If the release was from a tank system, the permittee must, within 24 hours after detection of the leak or, if the permittee demonstrates that it is not possible, at the earliest practicable time, remove as much of the waste as is necessary to prevent further release of hazardous waste to the environment and to allow inspection and repair of the tank system to be performed.
 - B. If the material released was to a secondary containment system, all released materials must be removed within 24 hours or in as timely a manner as is possible to prevent harm to human health and the environment.
 - (iii) Containment of visible releases to the environment. The permittee must immediately conduct a visual inspection of the release and, based upon that inspection:
 - A. Prevent further migration of the leak or spill to soils or surface water; and
 - B. Remove, and properly dispose of, any visible contamination of the soil or surface water.
 - (iv) Notifications, reports.

- A. Any release to the environment, except as provided in the following paragraph (iv)B, must be reported to the Department

within 24 hours of its detection. If the release has been reported pursuant to 40 CFR part 302, that report will satisfy this requirement.

B. A leak or spill of hazardous waste is exempted from the requirements of this paragraph if it is:

- (1) Less than or equal to a quantity of one (1) pound, and
- (2) Immediately contained and cleaned up.

C. Within 30 days of detection of a release to the environment, a report containing the following information must be submitted to the Department:

- (1) Likely route of migration of the release;
- (2) Characteristics of the surrounding soil (soil composition, geology, hydrogeology, climate);
- (3) Results of any monitoring or sampling conducted in connection with the release (if available). If sampling or monitoring data relating to the release are not available within 30 days, these data must be submitted to the Department as soon as they become available.
- (4) Proximity to downgradient drinking water, surface water, and populated areas; and
- (5) Description of response actions taken or planned.

(v) Provision of secondary containment, repair, or closure.

A. Unless the permittee satisfies the requirements of the following paragraphs (v)B through (v)D of this section, the tank system must be closed in accordance with 40 C.F.R. ? 264.197 and Condition 5(b) of Section III of this permit.

B. If the cause of the release was a spill that has not damaged the integrity of the system, the permittee may return the system to service as soon as the released waste is removed and repairs, if necessary, are made.

C. If the cause of the release was a leak from the primary tank system into the secondary containment system, the system must be repaired prior to returning the tank system to service.

D. If the source of the release was a leak to the environment from a component of a tank system without secondary containment, the permittee must provide the component of the system from which the leak occurred with secondary containment that satisfies the

requirements of 40 C.F.R. § 264.193 before it can be returned to service, unless the source of the leak is an aboveground portion of a tank system that can be inspected visually. If the source is an aboveground component that can be inspected visually, the component must be repaired and may be returned to service without secondary containment as long as the requirements of paragraph (vi) below of this section are satisfied. If a component is replaced to comply with the requirements of this subparagraph, that component must satisfy the requirements for new tank systems or components in 40 C.F.R. §§ 264.192 and 264.193. Additionally, if a leak has occurred in any portion of a tank system component that is not readily accessible for visual inspection (e.g., the bottom of an inground or onground tank), the entire component must be provided with secondary containment in accordance with 40 C.F.R. § 264.193 prior to being returned to use.

- (vi) Certification of major repairs. If the permittee has repaired a tank system in accordance with paragraph (v) above, and the repair has been extensive (e.g., installation of an internal liner; repair of a ruptured primary containment or secondary containment vessel), the tank system must not be returned to service unless the permittee has obtained a certification by an independent, qualified, registered, professional engineer in accordance with 40 C.F.R. § 270.11(d) that the repaired system is capable of handling hazardous wastes without release for the intended life of the system. This certification must be submitted to the Department within seven days after returning the tank system to use.

7. The permittee may use the authorized hazardous waste storage tanks specified in Condition 1(b) of this section for the storage of raw material, processed material (product) and various treatment processes including fuel blending. The permittee shall decontaminate each hazardous waste storage tank prior to storage of product/raw material in the tank as follows:

- i. The permittee shall completely drain the contents of the tank;
- ii. The permittee shall remove all sludge and residual free liquids from the tank;
- iii. The permittee shall wash the interior of the tank with water or solvent as applicable and remove all wash water/ wash solvent from the tank. The permittee shall repeat the decontamination process, if needed. All wash water/ wash solvent resulting from the decontamination process shall be transferred to an authorized hazardous waste management unit and managed as a hazardous waste.

The permittee shall maintain a log at the facility tracking the activities authorized by this condition. The log shall include the date of the decontamination process, the tanks decontaminated, destination of the waste removed from the tank(s) prior to decontamination and the origin/nature of the product/raw material to be stored in the tank(s). The log shall be maintained at the facility and made part of the facility's operating record.

(c) Fuel Blending

The permittee is authorized to blend specific wastes to produce waste-derived fuels, which shall be managed as hazardous waste, as described in the Part B permit renewal application cited in Condition 12(a) of Section II of this permit and as follows:

1. The wastes to be used for fuel blending must be suitable for burning in a combustion device capable of using the material as a usable fuel in conformance with all applicable state and federal environmental laws and regulations.
2. Prior to introducing the wastes into the fuel blending process, the permittee shall take representative samples and analyze the samples in accordance with the waste analysis plan cited in Condition 12(b)5 of Section II of this permit and as specified in Condition 3 of Section III of this permit to determine if the waste is suitable for fuel blending.
3. The waste derived fuels produced by the permittee shall conform to all specifications established by the state and federal environmental regulations, permits or other approvals as are applicable to the recipient installation.
4. The waste derived fuel destined for burning as a fuel shall be shipped as hazardous waste under a hazardous waste manifest to the user of the said fuel provided:
 - i. The user is an installation which operates a combustion device capable of consuming said material as a usable fuel in conformance with all state and federal environmental standards as may be applicable to the installation.
 - ii. The permittee has made the owner/operator of the recipient installation aware in writing that the material is derived from hazardous waste and use of the material is subject to the state and federal environmental regulations.
 - iii. The permittee obtains documentation from the recipient installation that such installation possesses valid state and federal environmental permits required to operate a combustion device for burning hazardous waste derived fuel.
 - iv. The material conforms to all specifications established by the state and federal environmental regulations, permits or other approvals as are applicable to the recipient installation.
5. Any disposition of the hazardous waste derived fuel by the permittee other than as specified in Condition 1(c)4 above, shall be construed as violation of the Solid Waste Management Act N.J.S.A. 13:1E-1.1 et seq., and shall be cause for penalties prescribed by law and for revocation of this permit.

(d) Hazardous Waste Transfer

1. The permittee is authorized to operate a transfer station facility for accepting and storing the hazardous waste authorized by Condition 2 of this section, prior to transfer to other authorized off-site facilities.

2. Wastes accepted for transfer shall be stored in a unit specified in Condition 1(a) or 1(b) of this section. Waste received for transfer may be unloaded and stored in a storage tank, tank wagon, or a rail car prior to shipment off-site. The permittee may bulk compatible waste streams. Compatibility of waste streams shall be verified prior to bulking through sampling and analysis in accordance with paragraph 1(d)4 below.
 3. Prior to accepting any hazardous waste for transfer, the permittee shall obtain written approval of acceptance of the waste from the authorized destination facility. Copies of such written approvals shall be included in the facility's operating record required by Condition 7 of Section II of this permit.
 4. The permittee shall sample and analyze the waste destined for an ultimate off-site facility in accordance with the waste analysis plan cited in Condition 12(b)5 of Section II of this permit, to verify the accuracy of information provided by the generator in the material profile sheet.
 5. Containers of hazardous waste that are not in conformance with the acceptability criteria of the destination facility, or have been rejected by the destination facility and subsequently returned to the permittee, shall be stored in the original sealed containers. The permittee shall be responsible for the shipment of the rejected wastes to another authorized facility or may return the wastes to the original generator. While in storage, the wastes shall be managed in accordance with all provisions of this permit.
- (e) All hazardous waste storage, treatment and/or transfer activities shall be conducted within the facility's secondary containment system. The secondary containment system constructed of concrete shall be maintained free of cracks or gaps and shall have adequate capacity and impermeability to contain leaks, spills and precipitation from a 25-year, 24-hour rainfall event until the collected material is detected and removed. The base shall have adequate structural integrity to withstand the maximum stress applied to the base due to activities or structures placed in the containment area. The secondary containment system shall be maintained and operated to efficiently drain and remove liquids resulting from leaks, spills and precipitation.
- (f) Spilled or leaked waste and accumulated precipitation shall be removed from the secondary containment system in a timely manner, to prevent prevent blockage or overflow of the collection system.
- (g) The permittee shall not accept any waste for storage, treatment, or transfer at the facility unless the facility is authorized to accept the waste under Condition 2 of this section of the permit.

2. Authorized Waste

The permittee is authorized to accept the following wastes for storage, treatment, and transfer purposes. All waste streams listed below are authorized for storage and transfer. However, the permittee shall determine the treatment methods to be applied on a specific waste stream based on

the procedures and the table entitled "Waste Types According to Process", provided in the waste analysis plan cited in Condition 12(b)5 of Section II of this permit.

<u>Waste Code(s)</u>	<u>Waste Description</u>
D001	Ignitable liquids.
D002	Liquids exhibiting the characteristic of corrosivity.
D003	Spent non-halogenated solvents exhibiting the characteristic of reactivity.
D004, D005, D006, D007, D008, D009, D010, D011	Hazardous waste liquids which exhibit the characteristic(s) of toxicity from the following metals: Arsenic Lead Barium Mercury Cadmium Selenium Chromium Silver
D012, D013, D014, D015, D016, D017, D018, D019, D020, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D031, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, D043	Hazardous waste liquids which exhibit the characteristic(s) of toxicity due to the following chemical species: Benzene Carbon Tetrachloride Chlordane Chlorobenzene Chloroform o-Cresol m-Cresol p-Cresol Cresol 2,4-D 1,4-Dichlorobenzene 1,2-Dichloroethane 1,1-Dichloroethylene 2,4-Dinitrotoluene Endrin Heptachlor (and its Hydroxide) Hexachlorobenzene Hexachlorobutadiene Hexachloroethane Lindane Methoxychlor Methyl Ethyl Ketone

Nitrobenzene
Pentachlorophenol
Pyridine
Tetrachloroethylene
Toxaphene
Trichloroethylene
2,4,5-Trichlorophenol
2,4,6-Trichlorophenol
2,4,5-TP (Silvex)
Vinyl Chloride

- F001 The following spent halogenated solvents used in degreasing: Tetrachloroethylene, Trichloro ethylene, Methylene Chloride, 1,1,1-Trichloroethane, Carbon Tetrachloride, and chlorinated fluorocarbons; all spent solvent mixtures/blends used in degreasing containing, before use, a total of 10 percent or more (by volume) of one or more of the above halogenated solvents or those solvents listed in F002, F004 and F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.
- F002 The following spent halogenated solvents: Tetrachloroethylene, Methylene Chloride, Trichloroethylene, 1,1,1-Trichloroethane, Chlorobenzene, 1,1,2-Trichloro 1,2,2-Trifluoroethane, 0-Dichlorobenzene, Trichloro- fluoromethane, and 1,1,2-Trichloro- ethane; all spent solvent mixtures/blends containing, before use, a total of 10 percent or more (by volume) of one or more of the above halogenated solvents or those listed in F001, F004, or F005; and the still bottoms from the recovery of these spent solvents and spent solvent mixtures.
- F003 The following spent non-halogenated solvents: Xylene, Acetone, Ethyl Acetate, Ethyl Benzene, Ethyl Ether, Methyl Isobutyl Ketone, n-Butyl Alcohol, Cyclohexanone, and Methanol; all spent solvent mixtures/blends containing, before use, only the non-halogenated solvents listed above; and all spent solvent mixtures/blends containing, before use, one or more of the above non-halogenated solvents, and, a total of 10 percent or more (by volume) of one or more of those solvents listed in F001, F002, F004 and F005; and the still bottoms from the recovery of these spent solvents and spent solvent mixtures.
- F004 The following spent non-halogenated solvents: Cresols and Cresylic Acid, and Nitrobenzene; all spent solvent mixtures/blends containing, before use, a total of 10 percent or more (by volume) of the above non-halogenated

solvents or those solvents listed in F001, F002, and F005; and all still bottoms from the recovery of these spent solvents and spent solvent mixtures.

F005	The following spent non-halogenated solvents: Toluene, Methyl Ethyl Ketone, Carbon Disulfide, Isobutanol, Pyridine, Benzene, 2-Ethoxyethanol, and 2- Nitropropane; all spent solvent mixtures/blends containing, before use, a total of 10 percent or more (by volume) of one or more of the non-halogenated solvents listed above or those solvents listed in F001, F002 or F004; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.
F006	Wastewater treatment sludges from electroplating operations except from the following processes: (1) sulfuric acid anodizing of aluminum; (2) tin plating on carbon steel; (3) zinc plating (segregated basis) on carbon steel; (4) aluminum or zinc-aluminum plating on carbon steel; (5) cleaning/ stripping associated with zinc, tin and aluminum plating on carbon steel; and (6) chemical etching and milling of aluminum.
Added 11/19/99 F007	Spent cyanide plating bath solutions from electroplating operations.
Added 11/19/99 F008	Plating bath residues from the bottom of plating baths from electroplating operations where cyanides are used in the process.
Added 11/19/99 F009	Spent stripping and cleaning bath solutions from electroplating operations where cyanides are used in the process.
Added 11/19/99 F010	Quenching bath residues from oil baths from metal heat treating operations where cyanides are used in the process.
Added 11/19/99 F011	Spent cyanide solutions from salt bath pot cleaning from metal heat treating operations.
F012	Quenching waste water treatment sludges from metal heat treating operations where cyanides are used in the process (except for precious metal heat treating quenching wastewater treatment sludges).
F014	Cyanidation waste water tailing pond sediment from mineral metals recovery operations.
F019	Wastewater treatment sludge from the chemical conversion of aluminum except from zirconium

phosphating in aluminum can washing when such phosphating is an exclusive conversion coating process.

Added 11/19/99
F020

Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tri- or tetrachlorophenol, or of intermediates used to produce their pesticide derivatives. (This listing does not include wastes from the production of Hexachlorophene from highly purified 2,4,5-trichlorophenol.)

Added 11/19/99
F021

Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of pentachlorophenol, or of intermediates used to produce its derivatives.

Added 11/19/99
F022

Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tetra-, penta-, or hexachlorobenzenes under alkaline conditions.

Added 11/19/99
F023

Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tri-, and tetrachlorophenols, or of intermediates used to produce its derivatives. (This listing does not include wastes from equipment used only for the production or use of Hexachlorophene from highly purified 2,4,5-trichlorophenol.)

F024

Process wastes, including but not limited to, distillation residues, heavy ends, tars, and reactor cleanout wastes, from the production of certain chlorinated aliphatic hydrocarbons by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution. (This listing does not include wastewaters, waste water treatment sludges, spent catalysts, and wastes listed in 40 C.F.R. ?261.31 or ?261.32)

Added 06/18/98
F025

Condensed light ends, spent filters and filter aids, and spent desiccant wastes from the production of certain chlorinated aliphatic hydrocarbons, by free radical

catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution.

Added 11/19/99
F026

Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tetra-, penta-, or hexachlorobenzene under alkaline conditions.

Added 11/19/99
F027

Discarded unused formulations containing tri-, tetra-, or pentachlorophenol or discarded unused formulations containing compounds derived from these chlorophenols. (This listing does not include formulations containing Hexachlorophene synthesizes from prepurified 2,4,5-trichlorophenol as the sole component.)

F028

Residues resulting from the incineration or thermal treatment of soil contaminated with EPA Hazardous Waste Nos. F020, F021, F022, F023, F026, and F027.

Added 11/19/99
F032

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

Added 11/19/99
F034

Wastewaters (except those that have not come into contact with process contaminants), process residuals, preservative drippage, and spent formulations from wood preserving processes generated at plants that use creosote formulations. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote and/or pentachlorophenol

Added 11/19/99
F035

Wastewaters (except those that have not come into contact with process contaminants), process residuals, preservative drippage, and spent formulations from wood preserving processes generated at plants that use inorganic

preservatives containing arsenic or chromium. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote and/or pentachlorophenol

Added 06/18/98

F037

Petroleum refinery primary oil/water/solids separation sludge - Any sludge generated from the gravitational separation of oil/water/ solids during the storage or treatment of process wastewaters or oily cooling waters from petroleum refineries. Such sludges include, but are not limited to, those generated in oil/water/solids separators, tanks and impoundments, ditches and other conveyances, sumps, and stormwater units receiving dry weather flow. Sludges generated in units that do not receive dry weather flow, sludges generated in aggressive biological treatment units defined at 40 CFR Part 261.31(b)2 (including sludges generated in one or more additional units after wastewaters have been treated in aggressive treatment units). K051 wastes are exempt from this listing.

Added 06/18/98

F038

Petroleum refinery secondary (emulsified) oil/water/solids separation sludge - Any sludge and/or float generated from the physical or chemical separation of oil/water/solids in process wastewater and oily waste waters from petroleum refineries. Such wastes include, but are not limited to, all sludges and floats generated in: induced air floatation (IAF) units, tanks and impoundments, and all sludges generated in DAF units. Sludges generated in stormwater units that do not receive dry weather flow, sludges generated in aggressive biological treatment units defined at 40 CFR Part 261.31(b)2 (including sludges generated in one or more additional units after wastewaters have been treated in aggressive biological treatment units) and F037, K048 and K051 wastes are exempt from this listing.

Added 06/18/98

F039

Leachate (liquids that have percolated through land disposed wastes) resulting from the disposal of more than one restricted waste classified as hazardous under 40 CFR Part 261 Subpart D. (Leachate resulting from the disposal of one or more of the following EPA Hazardous Wastes and no other Hazardous Wastes retains its EPA Hazardous

Waste Number(s): F020, F021, F023, F026, F027, and/or F028).

K001	Bottom sediment sludge from the treatment of wastewaters from wood preserving processes that use creosote and/or pentachlorophenol.
K002	Wastewater treatment sludge from the production of chrome yellow and orange pigments.
K003	Wastewater treatment sludge from the production of molybdate orange pigments.
K004	Wastewater treatment sludge from the production of zinc yellow pigments.
K005	Wastewater treatment sludge from the production of chrome green pigments.
K006	Wastewater treatment sludge from the production of chrome oxide green pigments (anhydrous and hydrated).
K007	Wastewater treatment sludge from the production of iron blue pigments.
K008	Oven residue from the production of chrome oxide green pigments.
K009	Distillation bottoms from the production of acetaldehyde from ethylene.
K010	Distillation side cuts from the production of acetaldehyde from ethylene.
Added 11/19/99 K011	Bottom Stream from the wastewater stripper in the production of acrylonitrile.
Added 11/19/99 K013	Bottom Stream from the acetonitrile column in the production of acrylonitrile
K014	Bottoms from the acetonitrile column in the production of acrylonitrile.
K016	Heavy ends or distillation residues from the production of carbon tetrachloride.
K019	Heavy ends from the distillation of ethylene dichloride in ethylene dichloride production.
K021	Spent antimony catalyst sludge from fluoromethanes production.

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|------|---|
| K022 | Distillation bottoms from the production of phenol/acetone. |
| K023 | Distillation light ends from the production of phthalic anhydride from naphthalene. |

K024	Distillation bottoms from the production of phthalic anhydride from naphthalene.
Deleted, K025, 06/18/98	
K026	Stripping still tails from the production of methyl ethyl pyridines.
Added 11/19/99	
K027	Centrifuge and distillation residues from toluene diisocyanate production.
K028	Spent catalyst from the hydrochlorinator reactor in the production of 1,1,1-trichlorethane.
K029	Waste from the production streams stripper in the production of 1,1,1-trichlorethane.
K030	Column bottoms or heavy ends from the combined production of trichloroethylene and perchloroethylene.
K031	By-products salts generated in the production of MSMA and cacodylic acid.
K032	Waste water treatment sludge from the production of chlordane.
K033	Waste water and scrub water from the chlorination of cyclopentadiene in the production of chlordane.
K034	Filter solids from the filtration of hexachlorocyclopentadiene in the production of chlordane.
K035	Waste water treatment sludges generated in the production of creosote.
Added 11/19/99	
K036	Still bottoms from toluene reclamation distillation in the production of disulfoton.
Added 11/19/99	
K037	Wastewater treatment sludges from the production of disulfoton.
Added 11/19/99	
K038	Wastewater from the washing and stripping of phorate production.
Added 11/19/99	
K039	Filter cake from the filtration of diethylphosphorodithioic acid in the production of phorate.

Added 11/19/99

K040

Wastewater treatment sludge from the production of phorate.

Added 11/19/99

K041

Wastewater treatment sludge from the production of toxaphene.

K048

Dissolved air floatation float (DAF) from the petroleum refining industry.

K049

Slop oil emulsion solids from the petroleum refining industry.

K050

Heat exchanger bundle cleaning sludge from the petroleum refining industry.

K051

API separator sludge from the petroleum refining industry.

K052

Tank bottoms (leaded) from the petroleum refining industry.

K057

Waste water treatment sludges generated by the following subcategories of leather tanning and finishing industry:

hair pulp/chrome tan/retan/wet finish; hair save/chrome tan/retan/wet finish; retan/wet finish; no beamhouse; through-the-blue; and shearling.

K060	Ammonia still lime sludge from coking operation.
Deleted, K062, 06/18/98	
Added 11/19/99 K064	Acid plant blowdown slurry/sludge resulting from the thickening of blowdown slurry from primary copper production.
Added 11/19/99 K065	Surface impoundment solids contained in and dredged from surface impoundments at primary lead smelting facilities.
K066	Sludge from the treatment of process wastewater and/or acid plant blowdown slurry from primary copper production.
K067	Electrolytic anode slimes/sludges from primary zinc production.
K068	Cadmium plant leachate residue (iron oxide) from primary zinc production.
K069	Emission control dust/sludge from secondary lead smelting.
K074	Waste water treatment sludges from the production of TiO ₂ pigment using chromium bearing ores by the chloride process.
K085	Distillation or fractionation column bottoms from the production of chlorobenzenes.
K086	Solvent washes from cleaning tubs and equipment used in the formulation of ink from pigments.
K087	Decanter tank tar sludge from coking operations.
Added 11/19/99 K090	Emission control dust or sludge from ferrochromiumsilicon production.
Added 11/19/99 K091	Emission control dust or sludge from ferrochromium production.
K093	Distillation light ends from the production of phthalic anhydride from ortho-xylene.

- K094 Distillation bottoms from the production of phthalic anhydride from ortho-xylene.
- K095 Distillation bottoms from the production of 1,1,1-trichlorethane.
- K096 Heavy ends from the heavy ends column from the production of 1,1,1-trichloroethane.
- K097 Vacuum stripper discharge from the chlordane chlorinator in the production of chlordane.
- K100 Waste leaching solution from acid leaching of emission control dust/ sludge from secondary lead smelting.

K104	Combined waste water streams generated from nitrobenzene/aniline production.
K105	Separated aqueous stream from the reactor product washing step in the production of chlorobenzenes.
K106	Wastewater treatment sludge from the mercury cell process in chlorine production.
Added 11/19/99 K107	Column bottoms from product separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazines.
Added 11/19/99 K108	Condensed column overheads from product separation and condensed reactor vent gases from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.
Added 11/19/99 K109	Spent filter cartridges from product purification from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.
Added 11/19/99 K110	Condensed column overheads from intermediate separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.
Added 11/19/99 K111	Product washwaters from the production of dinitrotoluene via nitration of toluene.
Added 11/19/99 K112	Reaction by-product water from the drying column in the production of toluenediamine via hydrogenation of dinitrotoluene.
Added 11/19/99 K113	Condensed liquid light ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.
Added 11/19/99 K114	Vicinals from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.
Added 11/19/99 K115	Heavy ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.
K117	Waste water from the reactor vent gas scrubber in the production of ethylene dibromide via bromination of ethene.

K118	Spent adsorbent solids from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.
K136	Still bottoms from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.
Added 06/18/98 K015	Still bottoms from the distillation of benzyl chloride.
Added 06/18/98 K017	Heavy ends (still Bottoms) from the purification column in the production of epichlorohydrin.
Added 06/18/98 K018	Heavy ends from the fractionation column in ethyl chloride production.
Added 06/18/98 K020	Heavy ends from the distillation of vinyl chloride in vinyl chloride monomer production.
Added 06/18/98 K042	Heavy ends or distillation residues from the distillation of tetrachlorobenzene in the production of 2,4,5-T.
Added 06/18/98 K043	2,6-Dichlorophenol waste from the production of 2,4-D.
Added 06/18/98 K061	Emission control dust/sludge from the primary production of steel in electric furnaces.
Added 06/18/98 K071	Brine purification muds from the mercury cell process in chlorine production, where separately prepurified brine is not used.
Added 06/18/98 K073	Chlorinated hydrocarbon waste from the purification step of the diaphragm cell process using graphite anodes in chlorine production.
Added 06/18/98 K083	Distillation bottoms from aniline production.

Added 06/18/98 K084	Wastewater treatment sludges generated during the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.
Added 06/18/98 K088	Spent potliners from primary aluminum reduction.
Added 06/18/98 K098	Untreated process wastewater from the production of toxaphene.
Added 06/18/98 K099	Untreated wastewater from the production of 2,4-D.
Added 06/18/98 K101	Distillation tar residues from the distillation of aniline-based compounds in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.
Added 06/18/98 K102	Residue from the use of activated carbon for decolorization in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.
Added 06/18/98 K103	Process residues from aniline extraction from the production of aniline.
Added 06/18/98 K116	Organic condensate from the solvent recovery column in the production of toluene diisocyanate via phosgenation of toluenediamine.
Added 11/19/99 K123	Process wastewater (including supernates, filtrates, and washwaters) from the production of ethylenebisdithiocarbamic acid and its salt.
Added 11/19/99 K124	Reactor vent scrubber water from the production of ethylenebisdithiocarbamic acid and its salts.
Added 11/19/99 K125	Filtration, evaporation, and centrifugation solids from the production of ethylenebisdithiocarbamic acid and its salts.
Added 11/19/99 K126	Baghouse dust and floor sweepings in milling and packaging operations from the production or formulation of ethylenebisdithiocarbamic acid and its salts
Added 11/19/99 K131	Wastewater from the reactor and spent sulfuric acid from the acid dryer from the production of methylbromide.
Added 06/18/98 K132	Spent absorbent and wastewater separator solids from the production of methyl bromide.

Added 06/18/98
K136

Still bottoms from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.

Added 06/18/98
K140

Floor sweepings, off-specification product, and spent filter media from the production of 2,4,6-Tribromophenol.

Added 06/18/98
K141

Process residues from the recovery of coal tar, including, but not limited to, collecting sump residues from the production of coke from coal or the recovery of coke by-products produced from coal. This listing does not include K087 (decanter tank tar sludges from coking operations).

Added 06/18/98
K142

Tar storage tank residues from the production of coke from coal or from the recovery of coke by-products produced from coal.

Added 06/18/98

K143	Process residues from the recovery of light oil, including, but not limited to, those generated in stills, decanters, and wash oil recovery units from the recovery of coke by-products produced from coal.
Added 06/18/98 K144	Wastewater sump residues from light oil refining, including, but not limited to, intercepting or contamination sump sludges from the recovery of coke by-products produced from coal.
Added 06/18/98 K145	Residues from naphthalene collection and recovery operations from the recovery of coke by-products produced from coal.
Added 06/18/98 K147	Tar storage tank residues from coal tar refining.
Added 06/18/98 K148	Residues from coal tar distillation, including but not limited to, still bottoms.
Added 06/18/98 K149	Distillation bottoms from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups. (This waste does not include still bottoms from the distillation of benzyl chloride).
Added 06/18/98 K150	Organic residuals, excluding spent carbon absorbent, from the spent chlorine gas and hydrochloric acid recovery processes associated with production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.
Added 06/18/98 K151	Wastewater treatment sludges, excluding neutralization and biological sludges, generated during the treatment of wastewaters from production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.
Added 06/18/98 K156	Organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, and decantates) from the production of carbamates and carbamoyl oximes.
Added 06/18/98 K157	Wastewaters (including scrubber waters, condenser waters, washwaters, and separation waters) from the production of carbamates and carbamoyl oximes.
Added 06/18/98 K158	Bag house dusts and filter/separation solids from the production of carbamates and carbamoyl oximes.
Added 06/18/98	

K159

Organics from the treatment of thiocarbamate wastes.

Added 11/19/99

K161

Purification solids (including filtration, evaporation, and centrifugation solids), bag house dust and floor sweepings from the production of dithiocarbamate acids and their salts. (This listing does not include K125 or K126)

Modified 06/18/98

Modified 11/19/99

Wastes corresponding to the following P and U codes:

Discarded commercial chemical products or manufacturing intermediates.

P001 through P205,
U001 through U005,
U006, U007 through
U012, U014 through
U039, U041 through
U053, U055 through
U064, U066 through
U099, U101 through
U103, U105 through
through U138, U140
through U174, U176
through U194, U196,
U197, U200 through
U211, U213 through
U223, U225 through
U228, U234 through
U240, U243, U244
through U249, U271,
U277 through U280,
U328, U353, U355,
U359, U364 through
U367, U372, U373,
U375 through U387,
U389 through U396,
U400 through U404,
U 407 through U411.

Non-hazardous Waste

ID72

Liquids or mixtures consisting of solid matter suspended in liquid media which are contained within or discharged from, any one vessel, tank or other container which has the capacity of twenty (20) gallons or more, as defined at

N.J.A.C. 7:26-2.13(h)li, excluding septic tank clean-out wastes and liquid sewage sludge.

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 the permit, and any subsequent revisions approved by the Division of Solid and Hazardous Waste.

(b) The permittee shall not accept any waste from any generator without having made a prior determination that each waste stream is adequately classified as a waste authorized for acceptance at the facility in accordance with Condition 2 of this section. The facility shall determine the acceptability of each incoming waste stream as follows:

1. The permittee shall obtain a completed material profile sheet (MPS) and/or a preshipment sample for analysis from each generator as described in Section 2I of the Waste Analysis Plan cited in Condition 12(b)5 of Section II of the permit. The MPS may be completed by using generator knowledge of the process and the material.

2. The pre-shipment samples shall be taken by the permittee's trained personnel or by the generator using SW-846 methods. The samples shall be representative of the actual material to be shipped. The laboratory evaluation of the samples shall be recorded on an evaluation form and maintained at the facility. Upon review of the completed MPS and/or evaluation of samples, the permittee shall determine the acceptability of the waste stream and authorize shipment, if appropriate.

3. Through completed MPS and analysis of pre-shipment samples, the following process specific information shall be obtained and reviewed by the permittee prior to authorization of the waste for shipment:

i. Fuel Blending

(a) Essential Parameters:

Specific Gravity, Heating Value (BTU) and Total Halogens.

(b) Supplemental Parameters:

Percent Ash, Metals and PCBs.

ii. Hazardous Waste Transfer

All parameters as required by the ultimate intended off-site facility.

If any of the above process specific information is not provided by the generator, the permittee shall perform analysis on a representative sample to obtain the required information prior to authorizing shipment of the waste.

- (c) Upon arrival at the facility, the permittee shall compare the manifest or bill of lading with the MPS for conformity. If in conformance, the permittee shall sample the wastes on-site to perform acceptance characterization tests. Sampling shall be done within the facility's secondary containment area using the SW-846 methods. If the permittee intends to use a sampling method which is different from SW-846 methods or not take a sample due to the nature of the waste, prior written approval must be obtained from the Division of Solid and Hazardous Waste. Every drum shall be sampled individually. The permittee may composite samples drawn from various drums of the same waste stream received from the same generator, after performing a fingerprint analysis which shall include, at a minimum, liquid characterization, viscosity, specific gravity, and color. Samples of bulk wastes shall be taken in a manner that represents a cross section of the entire load. For multi compartment tank wagons, all compartments shall be sampled individually. The samples shall be analyzed, at a minimum, for the essential parameters listed under condition 3(b)3. The need for analysis for the supplemental parameters shall be determined by the permittee depending on the source and process generating the waste streams and the specific need for the final processing of the waste. All analytical tests shall be conducted using the test methods described in this paragraph.

<u>Parameter</u>	<u>Test Method</u>
BS&W	ASTM D1796, OSWER 9938.4-03 Section 2.3.2
BTU* Chemical Composition*	ASTM D240, D1298, D0891 SW-846 Methods 8000, 8010, 8015, 8020, ASTM D1298, D0891
Flash Point	SW-846 Methods 1010 or 1020, ASTM D1310, D93
PCBs	SW-846 Method 8080
Percent Ash	ASTM D240, D808
pH	SW-846 Methods 9040, 9041, ASTM D2110
Specific Gravity	ASTM D1298, D0891
Total Halogens*	SW-846 Method 9076, ASTM D1298, D0891
Total Metals	SW-846, Methods 6010A, 3051
Viscosity	OSWER 9938.4-03 Section 2.3.2

*Test methods ASTM D1298 and ASTM D0891 may be used for estimation purposes only for BTU, Chemical Composition and Total Halogens.

If the analytical test results are consistent with the information provided in the MPS and/or the test results of the representative pre-shipment samples, the waste may be accepted by the permittee.

- (d) The permittee shall adhere to the following regarding rejection of unauthorized waste shipments:
1. The permittee shall not accept any waste unless the waste to be accepted is a waste for which the facility is authorized by Condition 2 of this section.

2. The permittee, if offered hazardous waste of a type which the facility is not authorized to accept, shall:
 - i. Not accept the waste from the hauler;
 - ii. Instruct the hauler to contact the generator for further instructions;
 - iii. Telephone the generator, and inform the generator that the permittee is not authorized to accept the waste and that the permittee has instructed the hauler to contact the generator for further instruction;
 - iv. Follow up the telephone call to the generator with a letter verifying the telephone conversation;
 - v. Telephone the Department at (609) 292-8341 and report the unauthorized waste shipment; and
 - vi. Follow up the telephone call to the Department with a letter verifying the telephone conversation.
- (e) All shipments received at the facility shall be either accepted or rejected by the permittee within twenty-four (24) hours of entering the facility. If additional time is needed due to extenuating circumstances, the permittee shall contact the Bureau of Hazardous Waste Enforcement -Central during regular business hours to obtain approval for additional time requested.
- (f) Each hazardous waste generated at this location shall be fully identified and classified in accordance with 40 C.F.R. ?264.13. At a minimum, the permittee shall develop all of the information which must be known to store the waste in accordance with the provisions of this permit, as well as to treat or dispose of the waste at an authorized facility.
- (g) Sampling methods shall be in accordance with the procedures outlined in 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 EPA Manual SW-846.
- (h) The permittee shall adhere to all waste analysis protocol specified in the Waste Analysis Plan cited in Condition 12(b)5 of Section II of this permit.
- (i) 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.
- (j) The permittee shall also maintain the following information in the written Operating Record:
 1. The individual(s) who performed the sampling or measurements;
 2. The date the analyses were performed;
 3. The individual(s) who performed the analysis;

4. The results from the tests for the parameters listed in the above table; and
 5. Copies of all manifests.
- (k) 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, ?264.174, ?264.195 and ?270.14(b)(5))

- (a) The permittee shall comply with the inspection requirements of 40 C.F.R. ?264.174, and the plan cited in Condition 12(b) of Section II of this permit. The permittee shall inspect the areas and items listed below as detailed in the Part B permit renewal application cited in Condition 12(a) of Section II of this permit on a weekly basis for deterioration or malfunction as noted which may lead to a discharge of hazardous or non-hazardous waste or a threat to human health and the environment. The results of the inspection shall be maintained for at least three (3) years from the date of inspection at the facility. The permittee shall conduct the inspections as outlined below:

1. Container Storage Area

- i. All containers securely closed
- ii. Any leaking containers
- iii. Any containers swollen or bulged
- iv. Any containers concaved due to internal vacuum build up
- v. Any containers with corrosion
- vi. All containers properly labeled and identified
- vii. All containers compatible with waste stored in them
- viii. Aisle space access - minimum thirty (30) inches required
- ix. All containers supported above any standing liquids

2. Site Safety and Emergency Equipment

- i. Proper operation of internal communication equipment
- ii. Proper operation of telephone system
- iii. Proper condition and supply of protective clothing

3. General Facility Area

- i. Corrosion or damage to site fencing, ladders, platforms, stairways or walkways
- ii. Proper operation of site gate and gate lock
- iii. Warning signs visible and undamaged

- (b) The permittee shall inspect the areas and items listed below and as detailed in the Part B Permit Application cited in Condition 12(a) of Section II of the permit on a monthly basis for deterioration or malfunction as noted which may lead to a discharge of hazardous waste or a threat to human health and the environment. The results of the inspection shall be maintained for at least three (3) years from the date of inspection at the facility. The permittee shall conduct the inspections as outlined below:

1. Adequate pressure and charge of fire extinguishers
 2. Proper operation and maintenance of tank high level alarms
 3. Proper operation and maintenance of tank high level automatic feed cut-off devices
 4. Proper operation and maintenance of all tank, steam coil and heat exchanger temperature and pressure gauges
 5. Adequate supply and operation of first aid equipment and supplies
 6. Adequate supply and proper maintenance of all emergency equipment and supplies
 7. Adequate supply of spill absorbent and overpack drums
 8. Power, wear or wiring deterioration of electric motors, fire alarm system or communication systems
- (c) The permittee shall inspect the site for adequate fire hydrant water pressure on an annual basis.
- (d) Inspection Requirements for the Aboveground Storage/Treatment Tanks
1. The permittee shall comply with the inspection requirements of 40 C.F.R. ? 264.195 and the plan referenced in Condition 12(b) of Section II of this permit. The inspection shall be made at least once on each operating day, for equipment malfunction, structural deterioration, operator error, spills and leakages or discharges. The results of the inspections shall be documented in the operation record and shall be maintained at the facility for three (3) years from the date of inspection. The permittee shall conduct inspections as outlined below:

<u>Activity/Equipment</u>	<u>Inspected for</u>
Tank Shells	Corrosion, wet seams, bulges, wet seams, rivets or welds
Tank Support	Corrosion, deterioration
Overfill Prevention Controls	Deterioration, damage, function
Spill Prevention Controls	Deterioration, Leaks, damage, function
Tank Ancillary Equipment	Deterioration, Leaks, damage, function
Containment System	Erosion, wet spots, cracks, gaps, uneven settlement, spalling, spills, precipitation
Tank Labels, Warning Signs	Visibility
Emergency Equipment	Function, unobstructed availability

2. Initial Tank System Assessment (40 C.F.R. ?264.191)

The permittee shall obtain and keep on file at the facility a written initial tank system assessment, reviewed and certified by an independent, qualified registered professional engineer, in accordance with 40 C.F.R. ? 270.11(d), that attests to the tank system's integrity.

- (i) This assessment must determine that the tank system is adequately designed and has sufficient structural strength and compatibility with the waste(s) to be stored or treated, to ensure that it will not collapse, rupture, or fail. At a minimum, this assessment must consider the following:
 - A. Design standard(s), if available, according to which the tank and ancillary equipment were constructed;
 - B. Hazardous characteristics of the waste(s) that have been and will be handled;
 - C. Existing corrosion protection measures;
 - D. Documented age of the tank system, if available (otherwise, an estimate of the age); and
 - E. Results of a leak test, internal inspection, or other tank integrity examination for the tank, and for ancillary equipment, this assessment must include either a leak test, as described above, or other integrity examination, that is certified by an independent, qualified, registered professional engineer in accordance with 40 C.F.R. ? 270.11(d), that addresses cracks, leaks, corrosion, and erosion.
- (ii) If, as a result of the assessment conducted in accordance with Condition 4(d)2 of this section, a tank system is found to be leaking or unfit for use, the permittee must comply with the requirements of Condition 1(b)6 of this section.

3. Periodic Tank System Assessment

The permittee shall conduct periodic assessments of the storage tank and ancillary equipment in accordance with 40 C.F.R. ? 264.193(i) and as follows until such time as the tank system's secondary containment meets the requirements of 40 C.F.R. ? 264.193.

- (i) For the tank, the permittee shall either conduct an annual leak test in compliance with 40 C.F.R. ? 264.191(b)5 or develop a schedule and procedure for an assessment of the overall condition of the tank system by an independent, qualified registered professional engineer. The schedule and procedure must be adequate to detect obvious cracks, leaks, and corrosion or erosion that may lead to cracks and leaks. The owner or

operator must remove the stored waste from the tank, if necessary, to allow the condition of all internal tank surfaces to be assessed. The frequency of

these assessments must be based on the material of construction of the tank and its ancillary equipment, the age of the system, the type of corrosion or erosion protection used, the rate of corrosion or erosion observed during the previous inspection, and the characteristics of the waste being stored or treated.

- (ii) For ancillary equipment, a leak test or other integrity assessment approved by the Department, shall be conducted at least annually.
- (e) A log shall be kept of all inspections specified in conditions 4(a) through 4(d) of this section to confirm adequate maintenance of the hazardous waste storage and treatment units and all associated appurtenances. Results of all required inspections shall be maintained in the log at Marisol, Inc. for a minimum of three (3) years.
- (f) 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)

(a) Container Storage Areas

At the time of final closure, the permittee shall close the Hazardous Waste Container Storage Units 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, and the following:

1. The permittee shall remove and ship all waste from the hazardous waste container storage areas specified in condition 1(a) of this section to an authorized facility within ninety (90) days from the date of implementation of the closure plan.
2. The permittee shall decontaminate the hazardous waste container storage area containment units by power washing with detergent/water. The wash water resulting from the decontamination process shall be collected and shipped off-site to an authorized facility.
3. The permittee shall decontaminate all container processing equipment by washing with detergent/water. The water resulting from the decontamination process shall be collected and shipped off-site to an authorized facility.
4. The permittee shall test the final wash water from the decontamination of the hazardous waste container storage area and a wash water blank for Target Compound List (TCL+30) and Target Analyte List Metals using test methods listed in the Waste Analysis Plan cited in condition 12(b)5 of Section II of this permit. Decontamination methods shall be repeated until the concentrations of the final wash water test parameters are equal to the amount present in a wash water blank. Wash water analysis results shall be submitted to the Department at the address listed in Condition 11(a) of Section II of this permit within sixty (60) days from the date of sampling for review and approval of adequate decontamination.

5. 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.
6. The Department will review the submitted certification and rinse water analysis results and will conduct a closure certification inspection. If the rinse water analysis results are determined to be satisfactory and there is a satisfactory closure certification inspection, the closure certification will be accepted by the Department and the closure will be deemed complete.

(b) Aboveground Storage/Treatment Tanks

At the time of final closure, the permittee shall close the Hazardous Waste Aboveground Tank Storage/Treatment Units 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, and the following:

1. The permittee shall remove and ship all wastes from the hazardous waste treatment/storage tanks specified in condition 1(b) of this section to an authorized hazardous waste facility within ninety (90) days from the date of implementation of the closure plan.
2. The permittee shall decontaminate all hazardous waste treatment/storage tanks specified in condition 1(b) of this section, all tank piping and all other tank equipment (hoses, pumps, valves, etc.) by power washing with detergent/water. The wash water resulting from the decontamination process shall be collected and shipped to an authorized facility.
3. The permittee shall decontaminate the hazardous waste secondary containment units for all hazardous waste treatment/storage tanks specified in condition 1(b) of this section by power washing with detergent water. The wash water resulting from the decontamination process shall be collected and shipped off-site to an authorized facility.
4. The permittee shall test the final wash water resulting from the decontamination of all secondary containment units, hazardous waste treatment/storage tanks, and all tank appurtenances and a wash water blank for total petroleum hydrocarbons, volatile organics from the Target Compound List and PCB's using test methods listed in the Waste Analysis Plan cited in Condition 12(b)5 of Section II of this permit. Decontamination methods shall be repeated until the concentrations of the final waste water test parameters are equal to the amount present in a wash water blank. Wash water analysis results shall be submitted to the Department at the address listed in Condition 11 of Section II of this permit within sixty (60) days from the date of sampling for review and approval of adequate decontamination.
5. 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.

6. The Department will review the submitted certification and rinse water analysis results and will conduct a closure certification inspection. If the rinse water analysis results are determined to be satisfactory and there is a satisfactory closure certification inspection, the closure certification will be accepted by the Department and the closure will be deemed complete.
- (c) The permittee shall keep a copy of the closure plan and all revisions to the plan at the facility until closure is completed.
- (d) 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.
- (e) 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 wastes.

6. Product Specifications

- (a) Materials that are reclaimed from solid wastes and that are used beneficially are not solid wastes and hence are not hazardous wastes unless the reclaimed material is burned for energy recovery or used in a manner constituting disposal.
- (b) If the reclaimed materials are not used beneficially or are burned for energy recovery or used in a manner constituting disposal, such reclaimed material shall be considered as hazardous waste as provided under 40 C.F.R. ?261.3(c)2(i) and managed as such.
- (c) Each hazardous waste stream accepted for reclamation for beneficial use and resale to a customer or the original generator shall be managed as hazardous waste until reclamation has been completed.
- (d) The permittee shall maintain a log at the facility which contains the results of all analysis or evaluation conducted by the permittee to ensure that compliance with this condition is maintained with respect to the reclaimed material. The log shall contain the following information for each individual reclaimed material:
 1. Date of Analysis/Evaluation
 2. Analysis/Evaluation Results
 3. Originating Treatment Unit
 4. Product Tank(s) Used

5. Quantity of Product Generated
6. Customer's Product Specification

7. Construction/Installation Requirements

Upon issuance of this permit, the permittee shall comply with the procedures outlined below:

Modified 01/17/03

Modified 09/28/98

- (a) 1. The permittee shall submit a schedule of construction associated with replacement of tanks 219 through 224 including closure and removal of the existing tanks being replaced to the Bureau of Hazardous Waste and Transfer Facilities for approval within sixty (60) days of permit modification for this condition.
2. The permittee is authorized to install replacement tanks 213 through 218 in accordance with the specifications and design drawings submitted to the Bureau of Hazardous Waste and Transfer Facilities referenced in Condition 12(a) of Section II of this permit.
3. The permittee is authorized to install a new hydropulper tank and a vacuum pumping system to facilitate removal of solid/semi-solid wastes from containers for transfer to a permitted storage/treatment tank in accordance with the specifications and design drawings submitted to the Bureau of Hazardous Waste and Transfer Facilities referenced in Condition 12(a) of Section II of this permit.

Modified 01/17/03

Modified 09/28/98

- (b) Upon approval from the Bureau of Hazardous Waste and Transfer Facilities, the permittee shall complete all construction work specified under paragraph (a)1 above within one hundred eighty (180) days from the date of such approval. Closure of the existing tanks shall be conducted in accordance with the approved closure plan cited in Condition 12(b)7 of Section II of this permit and Condition 5(b) of Section III of this permit.
- (c) The permittee shall submit to the Bureau of Hazardous Waste and Transfer Facilities, at least sixty (60) days prior to initiation of the upgrade construction specified in this paragraph, final engineering design drawings and specifications required to upgrade all existing hazardous waste storage/treatment tanks and thermal treatment unit secondary containment systems to meet the requirements of 40 C.F.R. ? 264.193, including chemical-resistant waterstops in place at all joints and an impermeable interior coating or lining that is compatible with the waste being stored/treated and that will prevent migration of the waste into the concrete.
- (d) The permittee shall complete the construction specified under paragraph (c) above in conformance with 40 C.F.R. ? 264.193(a)3.
- (e) Within thirty (30) days from the date of completion of the construction specified under paragraphs (a) and (c) above, the permittee shall submit to the Bureau of Hazardous Waste and Transfer Facilities, by certified mail or hand delivery, a letter signed by the permittee and a New Jersey licensed professional engineer stating that the construction has been completed in accordance with the approved construction plan and drawings.

- (f) The Department shall inspect the facility to determine whether or not it is in compliance with the layout and specifications of the design plans set forth in the engineering plans and reports. If within fifteen (15) days of the date of submission of a letter pursuant to the paragraph above, the permittee has not received from the Department notice of intent to inspect, prior inspection is waived and it is understood that the facility meets the design requirements. If the facility is not in compliance with the approved design, a schedule shall be submitted within thirty (30) days of the date of the Department's inspection outlining how the facility will be brought into compliance. The schedule shall be subject to the Department's approval.

Added 02/18/00

- (g) The permittee may install a portable structure to completely enclose the permitted container storage area. The enclosure shall be installed in accordance with the design information provided in a correspondence dated November 11, 1999. The certification requirements specified under paragraph (e) above shall also apply to the construction/installation described under this paragraph.

8. Additional Part B Permit Application Requirements

Deleted 01/17/03

End of Section III

Section IV

Conditions Applicable to Marisol, Inc. for Solid Waste Transfer Activities

1. Need to Mitigate

- (a) Pursuant to N.J.A.C. 7:26-2.8(p), should the Department determine that the permittee is operating the facility in an environmentally unsound manner, the permittee shall:
 - 1. Within 90 days of notification by the Department, submit a plan to close or environmentally upgrade the facility in conformance with the applicable standards, as determined by the Department and set forth in N.J.A.C. 7:26-1 et seq.;
 - 2. Within 90 days of receipt of written approval by the Department of the submitted plan, begin to close or construct the environmental upgrading at the facility; and
 - 3. Within one year of receipt of written approval by the Department of the submitted plan, complete closure or construction of the environmental upgrading at the facility.
- (b) Pursuant to N.J.A.C. 7:26-2.8(q), a one time extension of the compliance schedule established by N.J.A.C. 7:26-2.8(p) shall be granted by the Department provided the permittee demonstrates that it has made good faith effort to meet the schedule.
- (c) Pursuant to N.J.A.C. 7:26-2.8(r), should the environmental upgrading required pursuant to N.J.A.C. 7:26-2.8(p) not be completed or should continued operations be determined by the Department to be environmentally unsound despite the implementation of the plan approved pursuant to N.J.A.C. 7:26-2.8(p), the facility shall temporarily or permanently cease operations and close or enter into receivership, as provided for in N.J.S.A. 13:1E-9, for that period of time necessary to rectify the environmentally unsound conditions.

2. Permit Actions

- (a) Pursuant to N.J.A.C. 7:26-2.6(a)1, if cause exists, the Department may modify, or revoke and reissue this permit, subject to the limitations of that section, and may require the permittee to submit an updated or new application in accordance with N.J.A.C. 7:26-2.6(e), if appropriate.
- (b) Pursuant to N.J.A.C. 7:26-2.6(b), the Department may modify or, alternatively, revoke and reissue this permit if cause exists for termination under N.J.A.C. 7:26-

2.6(c) and the Department determines that modification or revocation and reissuance is appropriate.

- (c) Pursuant to N.J.A.C. 7:26-2.6(d), upon the request of the permittee, an interested party or for good cause, the Department may make certain minor modifications to a permit without issuing a tentative approval, providing public notice thereof or holding a public hearing thereon.
- (d) 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, the permittee shall promptly submit such facts or information.

3. Signatory Requirements

- (a) All completed registration statements submitted by the permittee shall be signed as specified at N.J.A.C. 7:26-2.4(e)1.
- (b) All engineering designs and reports, the environmental and health impact statement, other information requested as "Addendums" by the Department pursuant to N.J.A.C. 7:26-2.4(f) and (g)4 and documents required to be submitted pursuant to N.J.A.C. 7:26-2.9 and 2.10, submitted on behalf of the permittee, shall be signed by a person described in N.J.A.C. 7:26-2.4(e)1 or by a duly authorized representative of that person, as specified at N.J.A.C. 7:26-2.4(e)2.
- (c) Any person signing a registration statement, engineering design or report, environmental and health impact statement or addendum mentioned in N.J.A.C. 7:26-2.4(e)1 or (e)2, submitted on behalf of the permittee, shall make the certification specified at N.J.A.C. 7:26-2.4(e)3.

4. Registration Statement

- (a) Pursuant to N.J.A.C. 7:26-2.8(b), prior to May 1 of each calendar year the permittee shall submit to the Department a statement updating the information contained in the permittee's initial registration statement. This update shall be on forms furnished by the Department. In no case shall submission of an updated statement alter conditions of this permit.
- (b) Pursuant to N.J.A.C. 7:26-2.8(c), the permittee shall notify the Department in writing within 30 days of any change in the information set forth in the permittee's current registration statement.
- (c) Pursuant to N.J.A.C. 7:26-2.8(d), failure of the permittee to submit an updated registration statement and to submit all applicable fees, required by N.J.A.C. 7:26-4, on or before July 1 of each calendar year shall be sufficient cause for the Department to revoke this permit or take such other enforcement action as is appropriate.

5. Operating Record and Reporting Requirements

- (a) The permittee shall maintain a daily record of wastes received. The record shall include the information specified at N.J.A.C. 7:26-2.13(a).
- (b) The daily record shall be maintained, shall be kept, and shall be available for inspection in accordance with N.J.A.C. 7:26-2.13(b).
- (c) The permittee shall verify, retain and make available for inspection a waste origin/disposal (O and D) form for each load of solid waste received in accordance with N.J.A.C. 7:26-2.13(c).
- (d) The permittee shall submit monthly summaries of wastes received to the Division of Solid and Hazardous Waste, Bureau of Recycling and Planning and the Solid Waste Coordinator for the Middlesex County District, on forms provided by the Department (or duplicates of same), no later than 20 days after the last day of each month. The monthly summaries shall include the information specified at N.J.A.C. 7:26-2.13(e).
- (e) Pursuant to N.J.A.C. 7:26-6.4, upon request by the Department, the permittee shall submit, in such form as the Department may deem appropriate, information concerning the sources of wastes received and the transportation or disposal patterns associated with such wastes.

6. Conformance to the District Solid Waste Management Plan

Pursuant to N.J.A.C. 7:26-6.12(b), the permittee shall operate the facility in compliance with any applicable district solid waste management plan(s) as well as any amendments to and/or approved administrative actions concerning such plan(s). Should the permittee fail to comply with any applicable district solid waste management plan(s) as well as any amendment to or approved administrative actions concerning such plan(s), the permittee shall be deemed in violation of N.J.S.A. 13:1E-1 et seq. and N.J.A.C. 7:26-1 et seq. and shall be subject to applicable penalties provided thereunder, and any other applicable laws or regulations.

7. No Change to Waste Identification

- (a) Pursuant to N.J.A.C. 7:26-2.13(j), solid waste shall be identified at the point of generation. The facility permitted herein is not the point of generation of waste received. Solid waste received by the facility shall retain the ID type identified in the O and D form received by the facility. The type of solid waste shall not change due to processing of the solid waste.
- (b) Pursuant to N.J.A.C. 7:26-2.13(c):

1. The permittee shall designate waste remaining after processing, within the O and D form and the daily record of the facility, as the same waste type as originally received at the facility; and
2. The permittee shall not subject ID 27 solid waste to mechanized processing, such as grinding, shredding or baling, such that the physical appearance of the material is altered prior to disposal at a designated district facility.

8. General Operating Requirements

Pursuant to N.J.A.C. 7:26-2.11, the facility must be operated in compliance with the following general operating requirements:

- (a) Within each 24-hour period the operator shall clean each area where waste has been processed or stored.
- (b) Facility property surrounding the actual process/storage area shall be maintained free of litter, debris, and accumulations of unprocessed waste, process residues and effluents. Methods of effectively controlling wind-blown papers and other lightweight materials such as fencing shall be implemented at the facility.
- (c) Methods of effectively controlling dust shall be implemented at the facility in order to prevent offsite migration.
- (d) The operation of the facility shall not result in odors associated with solid waste being detected off site in any area of human occupancy.
- (e) Only solid waste vehicles properly registered, pursuant to N.J.A.C. 7:26-3, with the Division of Solid and Hazardous Waste, displaying the appropriate registration number and solid waste decal shall be admitted for loading and unloading of any solid waste at the facility.
- (f) The operator shall maintain a record of the quantity of each authorized waste type accepted for storage and transfer, in accordance with N.J.A.C. 7:26-2.13 and 3.2.
- (g) Departmental inspectors shall have the right to enter and inspect any building or other portion of the facility, at any time. This right to inspect includes, but is not limited to:
 1. Sampling any materials on site;
 2. Photographing any portion of the facility;
 3. Investigating an actual or suspected source of pollution of the environment;

4. Ascertaining compliance or non-compliance with any statutes, rules, or regulations of the Department, including conditions of the this permit or other permit or certificate issued by the Department; or
 5. Reviewing and copying all applicable records, which shall be furnished upon request and made available at all reasonable times for inspection.
- (h) The quantity of waste received by the facility operator shall not exceed the system's designed handling, storage or processing capacity as identified in this permit or other permit certificate. The designed processing and storage capacity approved within this permit, or any other permit certificate or approval conditions as a ton per day operational maximum shall be inclusive of all solid waste received at the facility.
- (i) The approved final O and M manual shall be maintained at the facility. A written description of any proposed changes to the approved, final O and M manual shall be submitted to the Department for review. These proposed changes shall not be implemented at the facility until the Department approves the changes.
- (j) The permittee shall accept only containerized solid wastes and the containers shall always be kept closed except when necessary to add or remove waste, in order to maintain compliance with N.J.A.C. 7:26-2B.5(b)2.

9. Specific Conditions Applicable to the Facility

(a) Permitted Waste Types

The permittee is authorized to accept the following waste types in addition to the waste types authorized under Condition 2 of Section III of this permit:

<u>Waste ID Number</u>	<u>Waste Description</u>
10	Household hazardous waste from household hazardous waste collection centers
27	Dry industrial waste
27A	Waste material consisting of asbestos or asbestos containing waste
27I	Waste material consisting of incinerator ash or ash containing waste

The permittee is not authorized to accept any other type or description of solid waste as defined at N.J.A.C. 7:26-2.13(g) and (h), or regulated medical waste as defined at N.J.A.C. 7:26-3A.6(a).

(b) Approved Designs, Plans and Reports

The permittee shall operate the facility, and construct or install associated appurtenances thereto, in accordance with the provisions of N.J.A.C. 7:26-1 et seq., the conditions of this permit, and the following permit application documents which are incorporated herein by reference:

- (1) Part B Permit Application Documents referenced in Condition 12(a) of Section II of this permit.
- (2) Request to add non-hazardous waste code in the hazardous waste facility permit submitted by Marisol, Inc., dated April 26, 1999, signed by James R. Nerger, President.
- (3) Addendum to the Request to add non-hazardous waste code in the hazardous waste facility permit submitted by Marisol, Inc., dated June 11, 1999, signed by Warren W. Faure.

In case of conflict, the provisions N.J.A.C. 7:26-1 et seq. shall have precedence over the conditions of this permit, the conditions of this permit shall have precedence over the permit application documents listed above, and the most recent revisions and supplemental information approved by the Department shall prevail over prior submittals and designs.

- (c) One complete set of the permit application documents listed in Condition 9(b) above, this 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.

(d) Approved Operations

- (1) The permittee may accept a maximum of 250 tons of solid waste of the type authorized under Condition 9(a) of this Section on any operating day. All wastes shall be accepted in USDOT approved containers for storage at the facility prior to transfer to other authorized facilities. The permittee may also consolidate wastes from smaller containers into roll-off containers.
- (2) The permittee shall use only the container storage areas identified in Condition 2(a)1 of Section III of this permit for storage and consolidation of solid wastes. The permittee shall process the amount of wastes received by the end of each operating day.
- (3) The permittee shall keep all containers appropriately closed or covered at all times except during consolidation in roll-off containers.

- (4) The permittee shall store the containers holding wastes authorized under this Section in accordance with the container management provisions of Condition 1(a) of Section III of this permit, including but not limited to, the design capacity for each storage area, container size, aisle space, and stacking height.
- (5) The permittee shall comply with the waste analysis provisions of Condition 3 of Section III of this permit to determine that each waste stream is adequately classified as a waste authorized for acceptance under this Section.
- (6) The permittee shall inspect the containers holding wastes authorized under this Section in accordance with the container inspection provisions of Condition 4(a) of Section III of this permit.
- (7) The permittee shall accept and process waste at the facility in accordance with the following schedules:

Waste Acceptance:

Monday through Sunday: 6:00 a.m. to 7:00 p.m.

Waste Processing:

Monday through Sunday: 24 hours per day

- (8) The permittee shall schedule the waste deliveries to the facility in such a manner as to minimize truck queuing on the facility property. Under no circumstances shall delivery trucks and/or transfer trailers accessing or exiting the facility be allowed to park or queue on any public road.
- (9) In the event of a facility outage or other significant malfunction which would result in the facility's inability to process waste at a rate equal to or exceeding the rate of incoming waste, the operator shall immediately report such situation or event to the Department at 1-877-927-6337.
- (10) The permittee shall post at the facility, and provide to the users of the facility, a copy of the traffic routes described in the Part B permit application referenced in Condition 9(b)1 of this Section.

End of Section IV