

Division of Solid and Hazardous Waste  
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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:

Department of the Navy  
Naval Weapons Station Earle  
Monmouth County, New Jersey 07722-5014

For the Purpose of Operating a:	Hazardous Waste Storage Facility
County:	Federal Enclave Located in Monmouth County
Under Facility Permit No.:	1309A1HP05
USEPA ID No.:	NJ0 170 022 172

This permit is subject to compliance with all conditions 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 permit the registrant to fill or alter, or allow to be filled or altered, in any way, lands that are deemed to be Riparian, Wetlands, stream encroachment or flood plains, or within the coastal Area Facility Review Act (CAFRA) zone or allow the discharge of pollutants to waters of this State without first acquiring the necessary grants, permits, or approvals from the Department of Environmental Protection or the U.S. Environmental Protection Agency.

November 17, 1995  
Issuance Date  
March 20, 1997  
Reissuance Date  
April 20, 1997  
Effective Date  
September 8, 1999  
Modification Date  
December 17, 2005  
Expiration Date

Signed by Thomas Sherman, Assistant Director  
Thomas Sherman  
Assistant Director  
Division of Solid and Hazardous Waste

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### Scope of Permit

The hazardous waste rules at N.J.A.C. 7:26G were adopted by the New Jersey Department of Environmental Protection on October 21, 1996. By this adoption, the Department "incorporated by reference" (with limited exception) the July 1, 1993, version of 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.). Those provisions of the Federal regulations, which were not incorporated by reference, are listed in the State regulatory adoption. Additional changes to the New Jersey hazardous waste rules will be necessary to address Federal regulations adopted subsequent to July 1, 1993. The Department anticipates addressing these subsequent Federal regulations in a regulatory adoption sometime in 1997. At that time, the Department will adopt amendments to N.J.A. C. 7:26G to incorporate by reference those changes to the Federal regulations that have been made since July 1, 1993, and a prospective incorporation by reference which will incorporate all future amendments and supplements to the Federal regulations automatically. Within 180 days of the effective date of these amendments to N.J.A.C. 7:26G, the Department will initiate a modification of this permit to incorporate such provisions as are made necessary by the newly adopted rules.

The conditions of this permit are based on the New Jersey hazardous waste regulations at N.J.A.C. 7:26G and on the permit application submitted by the permittee. In order to eliminate confusion, and to clearly describe the precise obligations, which are imposed upon the permittee, only the specific Federal regulatory citations as of July 1, 1993, are listed in the conditions of this permit. For the applicable State regulatory citations, refer to N.J.A.C. 7:26G.

This permit, along with the referenced permit application documents herein specified, shall constitute the sole Hazardous Waste Facility Permit for the construction and operation of a hazardous waste storage facility by the Department of the Navy, Naval Weapons Station Earle located in Monmouth County, New Jersey. Any registration, approval or permit previously issued by the Office of Permitting or its predecessor agencies is hereby superseded. The permittee need not comply with the conditions of this permit to the extent and for 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 hazardous waste management activities. Section III of this permit contains specific conditions applicable to the Department of the Navy, Naval Weapons Station Earle facility.

### Description of Hazardous Waste Activities

The Department of the Navy, Naval Weapons Station Earle (NWSE) generates hazardous and non-hazardous waste from receiving, storing and maintaining different types of ammunition, explosives, mines and related components. Additional hazardous waste generation activities include, but are not limited to container repair, transportation equipment maintenance and repair and engine overhaul.

NWSE stores on-site generated hazardous waste and non-hazardous waste in containers at one existing indoor storage area designated as Building QH-8 and one existing outdoor storage area designated as the Demil Storage Pad. Building QH-8 and the Demil Storage Pad have existing storage capacities of three thousand three hundred (3,300) gallons and twelve thousand one hundred (12,100) gallons, respectively.

Modified 09/08/99

NWSE proposes to construct a new indoor hazardous waste container storage building that will replace the two existing hazardous waste container storage areas. This building will have a maximum storage capacity of twenty eight thousand nine hundred and sixty (28,960) gallons. The two existing hazardous waste container storage areas will be closed in accordance with the closure requirements of Condition 5 of Section III of this permit after completion of construction of the proposed building and approval of its use by the Department.

Modification 09/08/99

In response to the permittee's April 12, 1999, request for a Class 1 permit modification, the Department has added as new conditions the permittee's April 12, 1999, letter and engineering designs signed and sealed by Jeffrey R. Bennett, P.E. at Section II, Condition 12(a), Referenced Permit Application Documents. In addition, the Department has modified Section III, Condition 1(b)2 by reducing the maximum permitted hazardous waste container storage capacity from 31,030 gallons to 28,960 gallons.

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 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 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 time 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 purpose 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 three (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 permittee has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the permit; or

(B) If, within fifteen (15) days of the date of submission of the letter in paragraph 12(b)1i of this section, the permittee has not recently received 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 the 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 fourteen (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 twenty-four (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 hazardous waste management (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 five (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 (5) 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 address provided in Condition 11 of Section II of this permit.

(g) Biennial Report

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

(h) Other Noncompliance

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

(i) Other Information

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

End of Section I

Section II

General Conditions Applicable to the Department of the Navy, Naval Weapons Station Earle

1. Permit Modification or Revocation and Reissuance

- (a) Cause for, and procedures of, modification, or revocation and reissuance of this permit shall be as provided under 40 C.F.R. 270.41.
- (b) Cause for, and procedures of, termination of this permit shall be as provided under 40 C.F.R. 270.43.

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 facilities 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 communication 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:

Fire Department: (732) 462-4343

Police Department: (732) 462-4343

(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). When notifying these agencies, the coordinator shall report the type of substance and the estimated quantity discharged, if know; 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 fifteen (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)1.i or (b)1.ii.
  3. The owner or operator shall post a sign with the legend, "Danger-Unauthorized Personnel Keep Out", at each entrance to the active portion of a facility, and at other locations, in sufficient numbers to be seen from any approach to this active portion. The legend shall be written in English and in any other language prevalent in the area surrounding the facility and must be legible from a distance of at least twenty-five (25) feet. Existing signs with a legend other than "Danger-Unauthorized Personnel Keep Out" may be used if the legend on the sign indicates that only authorized personnel are allowed to enter the active portion, and that entry onto the active portion can be dangerous.

5. 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 conditions 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. 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.

10. Submission of Documents Required by Permit Conditions

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

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

11. 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 and 270, the conditions of this permit, and the following permit application documents:
  - 1. Department of the Navy, Naval Weapons Station Earle; Part A and B permit renewal application for a hazardous waste storage facility; dated May 1995 signed by John C. Shick, Captain, U.S. Navy Commanding Officer, subsequently revised August 11, 1995.
  - 2. Engineering designs signed and sealed by S.A. Betts, P.E.:

<u>Drawing Title</u>	<u>Issue or Revision</u>	<u>Drawing Number</u>
Layout of Building	0	D-2

QH-8 Storage Area

Layout of Storage Area Near Demil Furnace 0 D-3

Modified 09/08/99

3. Engineering designs signed and sealed by Warren F. Daniell, Jr. P.E.:

<u>Drawing Title</u>	<u>Issue or Revision</u>	<u>Drawing Number</u>
Hazardous Waste Storage Facility Existing Conditions and Site Preparation Plan	0	2163874
Hazardous Waste Storage Facility Layout and Underground Utilities Plan	0	2163875
Hazardous Waste Storage Facility, Roof Plan and Details	0	2163884
Hazardous Waste Storage Facility, Roof Plan	0	2163890

4. Engineering designs signed and sealed by Vladimir V. Manou, P.E.:

<u>Drawing Title</u>	<u>Issue or Revision</u>	<u>Drawing Number</u>
Demilitarization Furnace/Storage Pad	0	B-4b

5. Engineering designs signed and sealed by Warren F. Daniell, Jr. P.E.:

<u>Drawing Title</u>	<u>Issue or Revision</u>	<u>Drawing Number</u>
Hazardous Waste Storage	0	A-1

Added 09/08/99

6. Engineering designs signed and sealed by Jeffrey R. Bennett, P.E.:

<u>Drawing Title</u>	<u>Issue or Revision</u>	<u>Drawing Number</u>
RCRA Certification Floor Plan	0	2163883 Figure No. 4
RCRA	0	2163883

Certification Partial Floor Plan 1		Figure No. 5
RCRA Certification Partial Floor Plan 2	0	2163883 Figure No. 6
RCRA Certification Sections, Isometric & Schedule	0	2163889

Added 09/08/99

7. April 12, 1999, request for a Class 1 permit modification to reduce the permitted hazardous waste container storage capacity from 31,030 gallons to 28,960 gallons signed by R.M. Honey, Captain, U.S. Navy, Commanding Officer, Department of the Navy, Naval Weapons Station Earle.

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 permit application documents listed in Condition 11(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 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 Naval Weapons Station Earle dated May 1995 subsequently revised August 11, 1995;
  3. The written Operating Record required by Condition 7 of Section II of this permit and 40 C.F.R. 264.73;
  4. 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 Naval Weapons Station Earle dated May 1995 subsequently revised August 11, 1995;
  5. The inspection Schedule required by Condition 4 of Section III of this permit and 40 C.F.R. 264.174; and
  6. 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 Naval Weapons Station Earle dated May 1995 subsequently revised August 11, 1995.

End of Section II

Section III

Specific Facility Conditions Applicable to the Department of the Navy, Naval Weapons Station Earle

1. Authorized Activities

Container Storage

(a) The permittee is authorized to store hazardous waste in containers for a facility maximum of fifteen thousand four hundred (15,400) gallons as detailed on engineering drawings cited in Condition 11(a) of this permit and as follows:

<u>Drum Storage Area I.D.</u>	<u>Design Capacity (gallons)</u>	<u>Container Type</u>	<u>Aisle Space (inches)</u>	<u>Stacking(*) Height</u>
Building QH-8	3,300	Containers of capacity up to 110 gallons	In accordance with Condition 1(i) of Section III of this permit	In accordance with Condition 1(g) of Section III of this permit
Demil Pad	12,100	Containers of capacity up to 110 gallons	In accordance with Condition 1(i) of Section III of this permit	In accordance with Condition 1(g) of Section III of this permit

(b) Proposed Hazardous Waste Storage Building

1. The permittee is authorized to construct the proposed hazardous waste container storage building in accordance with the engineering drawings referenced at Condition 11(a) of Section II of this permit. The permittee shall not begin storage of any waste in the proposed building until the Department has approved its construction in accordance with Condition 6(c) of Section III of this permit.

Modified 09/08/99

2. The permittee shall be authorized to store containerized hazardous waste in the proposed building having a total maximum storage volume of up to twenty eight thousand nine hundred and sixty (28,960) gallons. The permittee shall operate and maintain the hazardous waste container storage building in accordance with the Part B permit application documents and engineering designs referenced at Condition 11(a) of Section II of this permit and as follows:

Modified 09/08/99

<u>Drum Storage Area I.D.</u>	<u>Design Capacity (gallons)</u>	<u>Container Type</u>	<u>Aisle Space (inches)</u>	<u>Stacking (*) Height</u>
Area 113	1,270	Containers of capacity up to 110 gallons	As per 1(i) of Section III of this permit	As per 1(g) of Section III of this permit
Area 114	3,005	Containers of capacity up to 110 gallons	As per 1(i) of Section III of this permit	As per 1(g) of Section III of this permit

Area 115	3,475	Containers of capacity up to 110 gallons	As per 1(i) of Section III of this permit	As per 1(g) of Section III of this permit
Area 116	4,690	Containers of capacity up to 110 gallons	As per 1(i) of Section III of this permit	As per 1(g) of Section III of this permit
Area 117	5,890	Containers of capacity up to 110 gallons	As per 1(i) of Section III of this permit	As per 1(g) of Section III of this permit
Area 118	4,685	Containers of capacity up to 110 gallons	As per 1(i) of Section III of this permit	As per 1(g) of Section III of this permit
Area 119	5,945	Containers of capacity up to 110 gallons	As per 1(i) of Section III of this permit	As per 1(g) of Section III of this permit

- (c) A secondary containment system, constructed of concrete shall be maintained free of cracks or gaps and of adequate capacity and be sufficiently impervious to contain leaks, spills and accumulated rainfall 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 liquids resulting from leaks, spills and precipitation.
- (d) Spilled or leaked waste shall be removed from the secondary containment system in a timely manner, to prevent blockage or overflow of the collection system.
- (e) The containers shall be managed in compliance with all provisions of 40 C.F.R. 264.173.
- (f) 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 must transfer the hazardous waste from this 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.
- (g) Containers smaller than one hundred and ten (110) gallons shall be stacked no higher than the equivalent of one hundred and ten (110) gallon containers stacked two (2) high. One hundred and ten (110) gallon containers shall be stacked no greater than two (2) high.
- (h) The permittee may utilize any area available within each container storage area authorized by this permit for the storage of containerized compatible waste authorized by Condition 2 of Section III of this permit in the event that the space within the area planned for that waste is totally utilized.
- (i) Thirty (30) inch aisle spacing shall be maintained between double rows of containers stacked greater than the equivalent height of one hundred and ten (110) gallon containers stacked one (1) high. Eighteen (18) inch aisle spacing shall be maintained between

double rows of containers stacked less than or equal to the equivalent height of one hundred and ten (110) gallon containers stacked one (1) high.

2. Authorized Wastes

The permittee is authorized to store the following on-site generated hazardous wastes types in containers, prior to transfer to an authorized off-site treatment, storage and disposal facility:

<u>Hazardous Waste Code</u>	<u>Description</u>
D001	Stoddard Solvent, Petroleum Naphtha, Paint Waste, Waste Adhesive, Contaminated Gasoline
D002	Potassium Hydroxide, Sulfuric Acid, Carbon Batteries
D003	Otto Fuel (Liquid and Solid)
D006	Nickel Cadmium Batteries
D007	Spent Abrasive
D008	Spent Abrasive, Precipitation, Fly Ash
D009	Mercuric Nitrate, Mercury Supernate
D011	Scrap Silver, Mercury Scrap, Silver
F001	Trichloroethylene, Tetrachloroethylene, Methylene Chloride, Trichloroethane, Trichlorofluoromethane
F003	Xylene, Acetone, Methanol
F005	Toluene, Methyl Ethyl Ketone
U159	Methyl Ethyl Ketone
U239	Xylene

The permittee may also store non-hazardous wastes which were previously classified as hazardous (X721, X724 through X726, X750, X751), non-hazardous dry industrial waste (ID27) and non-hazardous bulk liquid and semi-liquids waste (ID72) in the hazardous waste container storage areas. The total quantity of hazardous waste and non-hazardous waste stored in the Hazardous Waste Container Storage Areas at anytime shall not exceed the authorized design capacity specified under Condition 1(a) of Section III of this permit. The permittee may also store the non-hazardous waste (X721 and X726) which were previously classified hazardous wastes in the facility's aboveground storage tank.

3. Waste Analysis and Quality Assurance Requirements

- (a) The permittee shall adhere to the provisions of the waste analysis plan cited in Condition 11(b)5 of Section II of this permit, and any subsequent revisions approved by the Department's Office of Permitting.
- (b) Each hazardous waste generated at this location shall be fully identified and classified in accordance with 40 C.F.R. 261.3. At a minimum, the permittee shall develop all of the information which must be known to store the waste in accordance with the provisions of this permit as well as to treat or dispose of the waste at an authorized facility. If any hazardous waste cannot be fully identified and classified from the company's knowledge of the process through which the waste was generated, then the permittee shall have proper samples of the waste analyzed in accordance with the permittee's waste analysis plan cited in Condition 11(b)5 of Section II of this permit and any Quality Assurance/Quality Control methodology established by the Department.
- (c) Sampling methods shall be in accordance with the procedures as outlined in the waste analysis plan cited in Condition 11(b)5 of Section II of this permit, and shall employ equipment as prescribed in the latest edition of EPA Manual SW 846.
- (d) 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.
- (e) The permittee shall maintain the following information as per 40 C.F.R. 270.30(j)(3) in the written Operating Record:
  - 1. The date, exact place, and time of sampling or measurements;
  - 2. The individual(s) who performed the sampling or measurements;
  - 3. The date(s) the analyses were performed;
  - 4. The individual(s) who performed the analysis;
  - 5. The analytical techniques or methods used; and
  - 6. The results of the analysis.
- (f) The permittee shall maintain a written record of the information used to classify each waste, including all waste profiles completed for off-site facilities.
- (g) 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 and 270.14(b)(5))

The permittee shall inspect the areas and items listed below for deterioration or malfunction, which may cause discharge of hazardous waste or a threat to human health or the environment. The results of the inspection shall be maintained for at least three (3) years from the date of inspection at the Naval Weapons Station Earle facility.

- (a) The container storage area shall be inspected at least weekly as follows:
  - 1. All containers sealed;
  - 2. Any leaking containers or spills;
  - 3. Any deteriorating containers;
  - 4. Any containers swollen or bulged;
  - 5. Any containers concaved due to internal vacuum building up;
  - 6. Any containers with corrosion;
  - 7. All containers properly labeled, identified and stacked;
  - 8. All containers compatible with the waste stored in them;
  - 9. Indications of cracks or leaks in the concrete floor, concrete sump, concrete curbs, or concrete vehicle ramps; and
  - 10. Aisle space access as per Condition 1(g) of Section III of this permit.
- (b) All container storage safety/emergency equipment shall be inspected as outlined in the Inspection Plan included in the Part B permit application referenced in Condition 11(a)1 of Section II of this permit.
- (c) The permittee shall remedy any deterioration or malfunction of equipment or structures, which the inspection reveals, on a schedule, which ensures that the problem does not lead to an environmental or human health hazard. Where a hazard is imminent or has already occurred, remedial action must be taken immediately.
- (d) A log shall be kept of the inspections and any remediation actions described under paragraphs (a) through (c) above to confirm adequate maintenance of the hazardous waste storage areas and all appurtenances.

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

- (a) At the time of final closure, the permittee shall close the Hazardous Waste container Storage unit in the manner that is stated in 40 C.F.R. 264.110, closure plan referenced in Condition 11(b)6 of Section II of this permit, and the following:
  - 1. Closure of building QH-8 and the Demil Storage Pad
    - i. All hazardous wastes shall be removed from the hazardous waste container storage areas and manifested to an authorized hazardous waste facility within ninety (90) days after receiving the final volume of waste.
    - ii. All hazardous waste residues shall be removed from the containment system and manifested to an authorized facility. Decontamination of the containment system shall be conducted by washing with detergent and water at high pressure, within ninety (90) days after the removal of hazardous waste from the units. The wash water resulting from the decontamination shall be collected and shipped off-site to an authorized facility.

- iii. Final rinse water from the hazardous waste container storage areas and a wash water blank sample shall be collected and tested for all the parameters listed in the facility's closure plan, Section H, Table H-1 of the Part B permit application referenced in Condition 11(a)1 of Section II of this permit. Decontamination methods shall be repeated until the concentrations of the rinse water test parameters are equal to the amount present in a wash water blank. The analysis results of final rinse water sample and the wash water blank shall be submitted to the Department at the address listed in Condition 10(a) of Section II of this permit, within sixty (60) days from the date of sampling.
- iv. The permittee shall retain the equipment or structures that require decontamination by the closure plan referenced at Condition 11(b)8 of Section II of this permit on-site until the facility has received a written determination from the Department that the decontamination levels specified by the closure plan have been achieved and the analytical results are acceptable to the Department, unless the permittee decides to dispose of the equipment or structures as hazardous waste; and
- v. Closure soil sampling of the areas around the pad shall be conducted in accordance with the closure plan referenced in Condition 11(b)8 of Section II of this permit. Soil sampling shall be conducted within one hundred eighty days (180) from the date of implementation of the closure plan. Soil sampling shall not be conducted prior to the removal of all hazardous waste from the units. The permittee shall notify in writing the party listed in Condition 10(a) of Section II of this permit at least fourteen (14) calendar days prior to initiation of soil sampling so that an auditor from the Department can be present during the soil sampling episode. Soil sampling analytical results required by this closure plan shall be submitted for the Department's review to the address listed at Condition 10(a) of Section II of this permit within ninety (90) days from the date of the sampling.

2. Closure of the Proposed Hazardous Waste Storage Building

- i. The permittee shall remove all hazardous waste from the hazardous waste storage areas within ninety (90) days after the date the areas receives the final volume of waste and ship the waste to an authorized facility;
- ii. The permittee shall decontaminate the areas within ninety (90) days after the removal of hazardous waste by washing with detergent and water at high pressure. The rinse water resulting from the decontamination shall be collected and disposed of properly;
- iii. The permittee shall collect the final rinse water and wash water blank sample and test for the parameters listed in the closure plan, Section H, Table H-1 of the Part B permit application referenced in Condition 11(b)8 of Section II of this permit. Decontamination methods shall be repeated until the concentrations of the rinse water test parameters are equal to the amount present in a wash water blank. Rinse water and wash water blanks analysis results shall be submitted to the address listed in Condition 10(a) of Section II of this permit within sixty (60) days from the date of sampling; and
- iv. The permittee shall retain the equipment or structures that require decontamination by the closure plan referenced at Condition 11(b)8 of Section II of this permit on-site until the facility has received a written determination from the Department that the decontamination levels specified by the closure plan have been achieved and the

analytical results are acceptable to the Department, unless the permittee decides to dispose of the equipment or structures as hazardous waste.

- (b) The permittee shall complete closure activities for a hazardous waste storage unit within one hundred eighty (180) days after the unit receives the final volume of hazardous waste.
- (c) Within two hundred forty (240) days from the date of the implementation of the closure plan, when closure is completed the owner or operator shall submit to the Department, at the address listed in Condition 10(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.
- (d) 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.
- (e) The permittee shall keep a copy of the closure plan and all revisions to the plan at the facility until closure is completed.
- (f) 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 requirements cited at 40 C.F.R. 264.112(c)(3) for amendment of the closure plan.
- (g) 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. Construction/Installation Requirements

Upon issuance of this permit, the permittee shall comply with the procedures outlined below for the construction of the proposed Hazardous Waste Storage Building to replace storage Building QH-8 and the Demil Storage Pad:

- (a) The permittee shall construct the proposed hazardous waste storage building as per the designs submitted with the Part B permit renewal application referenced in Condition 11(a) of Section 11(a) of this permit. The permittee shall adhere to the construction schedule as per the aforementioned Part B permit renewal application.
- (b) Within thirty (30) days after completion of the construction specified above, the permittee shall submit to the Department, by certified mail or hand deliver, a letter signed by the permittee and a New Jersey licensed professional engineer stating that all constructions and/or modifications have been completed in accordance with cited designs.
- (c) The Department shall inspect the facility to determine whether or not it is in compliance with the layout and specifications of the 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.

End of Section III

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