

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

Hazardous Waste Facility Permit

Republic Environmental Recycling, Inc.
P.O. Box 275
Clayton, New Jersey 08321

For the Purpose of Operating a:	Hazardous Waste Storage, Treatment, and Transfer Facility
On Block No.:	1904
Lot Nos.:	21 and 22
Location:	Cenco Boulevard
In the Municipality of:	Clayton Borough
County:	Gloucester
Under Facility Permit No.:	0801F1HP03
EPA ID No.:	NJD 981 133 150

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.

August 31, 1998
Issuance Date
September 30, 1998
Effective Date
April 5, 1999
Modification Date
September 30, 2008
Expiration Date

Signed by Thomas Sherman, Assistant Director
Thomas Sherman
Assistant Director
Office of Permitting & Technical Programs

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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 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 operation of a hazardous waste storage, treatment, and transfer facility by Republic Environmental Recycling, Inc. in Clayton, Gloucester County, New Jersey. Any registration, approval, or permit previously issued by the Division of Solid & Hazardous Waste or its predecessor agencies to authorize hazardous waste operations at the subject facility 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 Republic Environmental Recycling Inc.. Section III of this permit contains specific conditions applicable to the hazardous waste management practices at the Republic Environmental Recycling Inc. facility.

Description of Hazardous Waste Activities

The permittee operates a facility involved in the commercial storage, treatment, and transfer of containerized hazardous waste. The permittee is authorized to accept waste at the facility for storage and various types of treatment prior to shipment to authorized off-site facilities. The permittee is authorized to store a maximum of fifty-three thousand four hundred (53,400) gallons of containerized hazardous waste at the facility. There is no disposal of hazardous waste at the Republic Environmental Recycling facility.

Class 1 Modification dated April 5, 1999

Based on notifications of a Class 1 permit modification by the permittee dated December 1, 1998, and February 5, 1999, the Department modified this permit on 04/05/99. The modification involved revision of language to clarify references to applicable permit application documents, authorization of characteristic wastes as secondary waste codes, and add newly listed waste codes K169 through K172

under the authorized waste code section of the permit. Conditions 12(a) of Section II and 2(a) of Section III of the permit have been modified to reflect these changes.

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 Compliance and 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 Republic Environmental Recycling Inc.

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: (609) 881-2300

Police Department: (609) 881-2300

- (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 40C.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:

- (a) New Jersey Department of Environmental Protection
Bureau of Hazardous Waste and Transfer Facilities
P.O. Box 421
Trenton NJ 08625-0421
- (b) New Jersey Department of Environmental Protection
Bureau of Hazardous Waste Compliance and Enforcement - Southern Region
One Port Center
2 Riverside Drive, Suite 201
Camden NJ 08102

12. Referenced Permit Application Documents

Modified 04/05/99

- (a) The permittee shall operate the container storage 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 portions of the following permit application documents which address solely the container storage facility which is the subject of this permit:

- (1) Part A Permit Application submitted by Republic Environmental Recycling, Inc. dated August 27, 1992, signed by Douglas Gowland, President, Republic Environmental Systems, Inc., and Michael Goebner, General Manager, Republic Environmental Recycling, Inc..
- (2) Part B Permit Application for a Hazardous Waste Treatment and Storage Facility dated March 20, 1986, signed by Paul M. Molner, Plant Manager.
- (3) Revisions to the Part B Permit Application dated February 19, 1987, signed by Edward N. Sailor, Vice President, Diversified Environmental Resources, Inc..
- (4) Revisions to the Part B Permit Application dated December 22, 1987, signed by Edward N. Sailer, Vice President, Diversified Environmental Resources, Inc..
- (5) Revisions to the Part B Permit Application dated September 7, 1988, signed by Edward N. Sailer, Vice President, Diversified Environmental Resources, Inc..
- (6) Amendment to Part B Permit Application dated July 13, 1990, signed by Bradley J. Cunningham, Plant Manager.
- (7) Amendment to Part B Permit Application dated July 31, 1990, signed by Cynde Luthran, Project Manager, Diversified Environmental Resources, Inc..
- (8) The following drawings:
 - (i) Existing Site Plan, Sheet 1, dated February 1987, signed and sealed by Kenneth J. Snow, P.E., and William S. Howard, P.E.;
 - (ii) Grading and Plot Plan, Sheet 2, dated July 31, 1990, signed and sealed by Gary J. Ziegler, P.E.;
 - (iii) Process Area Plan and Sections, Sheet 3, dated July 31, 1990, revised September, 1990, signed and sealed by Gary J. Ziegler, P.E.;
 - (iv) Process Area Sections and Truck Loading and Unloading Plan and Sections, Sheet 4, dated July 31, 1990, signed and sealed by Gary J. Ziegler, P.E.;
- (9) Request for Existing Facility Change, dated October 9, 1995, signed by Jack R. Allen, Compliance Manager.
- (10) Supplemental Information on the Request for Existing Facility Change, dated January 10, 1996, signed by Jack R. Allen, Compliance Manager.
- (11) Amendment to Part B Permit Application, Revised Contingency Plan, dated March 15, 1996, signed by Michael B. Goebner, Vice President/General Manager.
- (12) Amendment to Part B Permit Application, Authorized Hazardous Waste Activities, dated March 3, 1997, signed by Averil B. Rance, Compliance Manager.

Added 04/05/99

- (13) Modification Requests by Republic Environmental Recycling, Inc., dated December 1, 1998, and February 5, 1999, signed by Michael Logan, Director of Environmental Affairs.

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 submitted by Michael B. Goebner, Vice President/General Manager, dated March 15, 1996.
 - (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 submitted by Richard A. Schultes, Camp Dresser and McKee, dated February 19, 1987.
 - (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 submitted by Cynde Luthran, Diversified Environmental Resources, dated July 31, 1990.

End of Section II

Section III

Specific Facility Conditions Applicable to Republic Environmental Recycling Inc.

1. Authorized Activities

(a) Storage in Containers

- (1) The permittee is authorized to accept both commercially generated and onsite generated waste for storage, treatment, and transfer at the container storage area identified in the permit application documents and design drawings cited at Condition 12(a) of Section II of this permit.
- (2) The maximum amount of containerized waste in storage shall not exceed 53,400 gallons (equivalent to approximately 971 fifty-five gallon drums). The largest container utilized in the storage area shall not exceed 30 cubic yards (approximately 6,000 gallons) except that trucks may be held in the containment area while awaiting approval for off-loading. The permittee may also utilize a box trailer within the containment area for holding of containers awaiting transfer and during loading/off-loading operations.
- (3) The secondary containment system shall be maintained for the container storage area identified at Condition 1(a)1 of Section III of this permit. The secondary containment system shall be designed and operated in accordance with the permit application documents and design drawings cited at Condition 12(a) of Section II of this permit. The secondary containment system shall be maintained free of cracks or gaps and be of adequate capacity and sufficient impermeability to contain leaks, spills, and accumulated rainfall until the collected material is detected and removed. The containment base shall have adequate structural integrity to withstand the maximum stress applied 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.
- (4) Spilled or leaked waste or accumulated precipitation shall be removed from the secondary containment system in a timely manner, to prevent blockage or overflow of the collection system.
- (5) 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.
- (6) The containers shall be managed in compliance with all provisions of 40 C.F.R. 264.173. Stacking height of containers or pallets of containers shall be limited to a maximum height the equivalent of three 55-gallon drums. Aisle space between rows of containers shall be maintained at a minimum of thirty (30) inches; except for containers or pallets of containers stacked the equivalent of one 55-gallon drum in

height upon which aisle space shall be maintained at a minimum of eighteen (18) inches.

- (7) 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).
- (b) Treatment may take place at the container storage area identified in (a) above provided it takes place within a container and utilizes ancillary equipment as identified in the permit application documents cited at Condition 12(a) of Section II of this permit. Such treatment may include consolidation and bulking, decanting and mixing, and stabilizing and solidification of authorized wastestreams.
- (c) The permittee shall not store or treat hazardous waste at any location at the facility other than those authorized in (a) above.
- (d) The permittee must obtain prior approval from the Department to make any changes or alterations to the authorized activities in this condition.

2. Authorized Wastes

- (a) The permittee is authorized to accept shipments of the following wastes for storage, treatment, and transfer in containers:

<u>Waste Number</u>	<u>Waste Identification or Description</u>
F001-F005	Used oil wastestreams accepted at the permittee's approved Class D Recycling Center which contain greater than 1,000ppm total halogens and cannot have the presumption of adulterative mixing successfully rebutted in accordance with 40 C.F.R. 279.53
F037	Petroleum refinery primary oil/water/solids separation sludge
F038	Petroleum refinery secondary (emulsified) oil/water/solids separation sludge
K048	Dissolved air floatation (DAF) float 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 (lead) from the petroleum refining industry

Added 04/05/99

K169 Crude oil storage tank sediment from petroleum refining operations

Added 04/05/99

K170 Clarified slurry oil storage tank sediment and/or in-line filter/separation solids from petroleum refining operations

Added 04/05/99

K171 Spent hydrotreating catalyst from petroleum refining operations, including guard beds used to desulfurize feeds to other catalytic units (this listing does not include inert support media)

Added 04/05/99

K172 Spent hydrorefining catalyst from petroleum refining operations, including guard beds used to desulfurize feeds to other catalytic units (this listing does not include inert support media)

Added 04/05/99

The permittee is authorized to accept waste streams described above which, in addition to the waste numbers listed, also exhibit hazardous waste characteristics as identified by waste codes D001, D004 through D011, and D018 through D043, that are associated with the waste as a result of the generation process.

- (b) The permittee is authorized to accept shipments of containerized non-hazardous solid waste which can be further described as soil or debris generated from spill cleanups and remediation projects which has been contaminated with oils, fuels, or other petroleum products.

3. Waste Analysis and Quality Assurance Requirements

The permittee shall adhere to the provisions of the waste analysis plan cited in Condition 12(b)5 of Section II of this permit and any subsequent revisions approved by the Department.

- (a) Each wastestream accepted 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 and treat the waste onsite in accordance with the provisions of this permit, as well as to treat or dispose of the waste at authorized offsite facilities.
- (b) The permittee must grant advanced authorization for shipments of each wastestream from an off-site source. Prior to granting such authorization, the permittee shall obtain a completed waste characterization report and, if necessary to grant advanced authorization, a representative pre-shipment sample of the waste from the generator. The waste characterization report shall include, at a minimum, all of the information requested on the associated completion instructions included with the report form provided in the permit application documents cited at Condition 12(a) of Section II of this permit.

If any waste cannot be fully identified and classified from the knowledge of the process through which the waste was generated, from the information contained on the waste characterization report and/or material safety data sheet associated with the wastestream, or

from results of waste analyses accompanying the shipment, then, at a minimum, the permittee shall have a representative sample of the waste analyzed in accordance with the test parameters and methods listed below, utilizing the Quality Assurance/Quality Control methodology established by the Department. The permittee shall review the analytical data obtained to confirm that the permittee is authorized to accept the wastestream. The permittee must also confirm that (1)the data is sufficient for the intended ultimate destination facility, (2)the wastestream is acceptable to the intended ultimate destination facility, and (3)the generator does not disapprove of the ultimate destination facility or treatment/disposal method.

In addition, each wastestream handled at the facility shall be reviewed whenever (1) the generator informs the permittee of a change in the operation generating the waste, (2) a change in the character of the waste is observed during storage or treatment, or (3) annually, whichever is more frequent.

The following table details the analytical parameters and methods required for the development of analytical data for initial wastestream acceptance or wastestream review:

<u>Analytical Parameter</u>	<u>Analytical Method</u> *
Color	Visual
Physical Characteristics	Visual
Free Liquids (paint filter test)	SW-846 9095
Specific Gravity	ASTM D287-82, SMTD 2710F
Percent Solids	ASTM D4007-81
Polychlorinated Biphenyls	SW-846 3620, 8080
Ignitability (flashpoint)	SW-846 1010,1020; ASTM D93-80
Corrosivity (pH)	SW-846 9040, 9041, 9045
Toxicity (TCLP)	SW-846 1311, 8260, 8270
Total Organic Carbon	SW-846 9060, STMD 5310C
Total Organic Halogens	SW-846 9020, 9076; ASTM D808

* Analytical methods are taken from ASTM, EPA Manual SW-846 3rd Edition, and/or Standard Methods for the Examination of Water & Wastewater 18th Edition (SMTD).

- (c) Each shipment of waste from an off-site source shall be sampled and analyzed for "load verification" prior to acceptance by the permittee. For each bulk container shipped to the facility, the permittee shall collect a representative sample by compositing several samples taken from different locations/depths within the transport unit. For each shipment of containers received, the permittee shall collect a representative sample from no less than ten (10) percent of containers holding the same wastestream from the same generator. These multiple samples from the same wastestream and generator may be composited for analysis.

Load verification testing shall be conducted on each incoming shipment of waste as identified in the permit application documents cited at Condition 12(a) of Section II of this permit and as follows:

<u>Analytical Parameter</u>	<u>Analytical Method</u> *
Color	Visual
Physical Characteristics	Visual
Polychlorinated Biphenyls	SW-846 3620, 8080
Ignitability (flashpoint)	SW-846 1010,1020; ASTM D93-80
Corrosivity (pH)	SW-846 9040, 9041, 9045

*Analytical methods are taken from ASTM, EPA Manual SW-846 3rd Edition, and/or Standard Methods for the Examination of Water & Wastewater 18th Edition (SMTD).

The results of load verification testing shall be compared to the data contained on the waste characterization report and/or developed from analysis of the initial acceptance sample to determine acceptability of the shipment.

- (d) The sampling and analytical requirements of Conditions 3(b) and (c), above, do not apply to individual containers or multiple container shipments to be accepted at the facility if adequate waste identification and handling information is available from a completed waste characterization report and/or material safety data sheet and if the shipment meets one of the following conditions:
 - (1) Container(s) accepted for storage and transfer only and will not be opened at the facility; or
 - (2) Commercial products or materials packaged in their original un-opened container as provided by the manufacturer;
- (e) The permittee shall not accept any waste shipment which has not been adequately identified as specified in Conditions 3(a), (b), (c), and/or (d) of Section III of this permit. The permittee shall not accept any wastestream which is not authorized by Condition 2 of Section III of this permit.
- (f) Sampling methods and all waste analyses performed 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 and analysis methods as described in the latest edition of USEPA Manual SW-846 or as otherwise approved by the Department.
- (g) 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.
- (h) 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.
- (i) No changes shall be made to the waste analysis plan without the prior approval of the Department.

4. Inspection Requirements (40 C.F.R. 264.15, 264.174, 264.174 and 70.14(b)(5))

- (a) The permittee shall inspect the facility for malfunctions and deterioration, operator errors, and leaks or other discharges which may be a threat to human health and the environment. The permittee shall follow a written inspection schedule for inspection of the operational facility including storage and treatment areas, safety and emergency equipment, and general site safety and security devices as detailed in the permit application documents cited in Condition 12(a) of Section II of this permit and identified below. Results of the inspections shall be made part of the inspection log and shall be maintained as specified in Condition 4(b) of this section.

(1) Container Storage Area

<u>Area/Item</u>	<u>Inspect For</u>	<u>Frequency</u>
Containers	Number/Inventory	Weekly
	Damage	Weekly
	Leaks	Weekly
	Labels	Weekly
	Segregation by waste type	Weekly
	Aisle space	Weekly
	Stacking height	Weekly
Pallets (when used)	Damage, deterioration	Weekly
Trailer (when used)	Damage, deterioration	Weekly
Secondary Containment Systems	Cracks, spalling, uneven settlement, deterioration	Weekly
	Spills, precipitation, debris	Weekly

(2) Safety/Emergency Equipment

<u>Area/Item</u>	<u>Inspect For</u>	<u>Frequency</u>
Alarms	Function	Weekly
Telephones, communication equipment	Function	Weekly
First aid supplies	Availability	Weekly
Protective clothing	Availability	Weekly
Safety showers	Function	Weekly
Spill control supplies	Availability	Weekly

Fire control systems and equipment	In-Service Status Function	Weekly Semi-annual
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(3) General Facility Safety and Security

<u>Area/Item</u>	<u>Inspect For</u>	<u>Frequency</u>
Housekeeping	Cleanliness, orderliness	Daily
Evacuation Routes	Obstructions	Daily
Fence, gates	Security, function	Daily
Warning signs	Availability, legibility	Daily

- (b) A log shall be kept of all inspections specified in Condition 4(a), above, to confirm adequate maintenance of the hazardous waste storage and treatment unit and all associated equipment. Results of all required inspections shall be maintained in the log at the facility for a minimum of three (3) years. At a minimum, this log must include the date and time of each inspection, the name of the inspectors, a notation of the observations made, and the date and nature of any repairs or other remedial actions performed.
- (c) The permittee shall remedy any deterioration or malfunction of equipment or structures which the inspection reveals on a schedule which ensures that the problem does not lead to an environmental or human health hazard. Where a hazard is imminent or has already occurred, remedial action shall be taken immediately.

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

- (a) At the time of final closure, the permittee shall close the facility in the manner that is stated in 40 C.F.R. 264.110, in accordance with the closure plan referenced in Condition 12(b)7 of Section II of this permit, and the following:
 - (1) Within ninety (90) days from receipt of the final volume of waste, all waste in the container storage area shall be shipped off-site to an authorized facility.
 - (2) The container storage secondary containment system, including base, sidewalls, berms, and associated structures, shall be thoroughly washed, scrubbed, and rinsed. High-pressure washing or steam cleaning may be employed as necessary to remove waste residues.
 - (3) The wash and rinse wastes generated from the decontamination procedures described in Condition 5(a)2 above shall be collected for shipment off-site to an authorized facility.
 - (4) Decontamination of the secondary containment system shall be verified by collecting samples of the final rinse liquid from the unit. These samples and a rinse blank shall

be analyzed for hazardous waste characteristics, total volatile organics, total organic carbon, total petroleum hydrocarbons, and polychlorinated biphenyls. Results of the analyses shall be submitted to the Department within one hundred eighty (180) days from receipt of the final volume of waste. The Department will review the results and determine if the facility has been adequately decontaminated. Based on this determination, the permittee may be required to perform additional decontamination procedures.

- (5) All closure activities shall be completed within one hundred eighty (180) days from receipt of the final volume of waste.
 - (6) The permittee shall submit certification by both the owner or operator and an independent professional engineer, licensed in the State of New Jersey, that the facility has been closed in accordance with the closure plan specifications. The certification shall be submitted to the Department within two hundred forty (240) days from the date of implementation of the closure plan, in accordance with 40 C.F.R. 264.115.
 - (7) The Department will review the certification documentation and will conduct a closure certification inspection. If the closure certification documents are complete 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) The permittee shall keep a copy of the closure plan and all revisions to the plan at the facility until closure is completed.
 - (c) The permittee shall amend the closure plan any time changes in operating plans or facility design affect the closure plan or whenever there is a change in the expected year of closure of the facility. The permittee must comply with the requirement cited at 40 C.F.R. 264.112(c)(3) for amendment of closure plan.
 - (d) The permittee shall notify the Department at least forty five (45) days prior to the date the permittee expects to begin closure, except in cases where the facility's permit is terminated or if the facility is otherwise ordered by judicial decrees or compliance order to close. The date when the owner or operator "expects to begin closure" shall be within thirty (30) days after the date on which the owner or operator expects to receive the final volume of wastes.

End of Section III