DRAFT PERMIT

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY

OPERATING PRMIT RENEWAL
FOR HAZARDOUS WASTE STORAGE
HEXION SPECIALITY CHEMICALS, INC

PERMITTEE: Hexion Specialty Chemicals, Inc

PERMIT NUMBER: LAD 980622104-RN-OP-1
Agency Interest # 87883/ PER19960002

FACILITY LOCATION: 16122 River Road
Norco, LA 70079

This permit is issued by the Louisiana Department of Environmental Quality (LDEQ) under the authority of the Louisiana Hazardous Waste Control Law R.S. 20:2171 et seq., and the regulations adopted thereunder and the 1984 Hazardous and Solid Waste Amendments (HSWA) to Resource Conservation and Recovery Act (RCRA) to Hexion Specialty Chemicals Inc., (hereafter called the Permittee), to operate a hazardous waste TSD facility located at Norco, Louisiana, at latitude 30° 00' 11" and longitude 90° 25' 32".

For the purposes of this permit, the "Administrative Authority" shall be the Secretary of the Louisiana Department of Environmental Quality, or his/her designee.

The permittee must comply with all terms and conditions of this permit. This permit consists of the conditions contained herein and the applicable regulations as specified in the permit. Applicable regulations are those which are in effect on the effective date of issuance of this permit.

This permit is based on the assumption that the information provided to LDEQ by the Permittee is accurate. Further, this permit is based in part on the provisions of Sections 206, 212, and 224 of the HSWA of 1984, which modify Section 3004 and 3005 of RCRA. In particular, Section 206 requires corrective action for all releases of hazardous waste or constituents from any solid waste management unit at a treatment, storage or disposal facility seeking a permit, regardless of the time at which waste was placed in such unit.

Section 212 provides authority to review and modify the permit at any time. Any inaccuracies found in the submitted information may be grounds for the termination, modification, revocation, and reissuance of this permit (see LAC 33:V.323) and potential enforcement action. The Permittee must inform the LDEQ of any deviation from or changes in the information in the application which would affect the Permittee's ability to comply with the applicable regulations or permit conditions.

This renewed permit shall be effective as of _____, and shall remain in effect until_____, unless revoked, reissued, modified or terminated in accordance with LAC 33:V.323 and 705 of the Louisiana Hazardous Waste Regulations. The Administrative Authority may issue any permit for a duration that is less than the maximum term of ten (10) years and the term shall not be extended beyond the maximum duration by modification in accordance with LAC 33:V.315.

Provisions of this permit may be appealed in writing pursuant to LA. R.S. 30:2024(A) within 30 days from receipt of the permit. Only those provisions specifically appealed will be suspended by a request for hearing, unless the secretary or the assistant secretary elects to suspend other provisions as well. A request for hearing must be sent to the following:

Louisiana Department of Environmental Quality
Office of the Secretary
Attention: Hearings Clerk, Legal Services Division
Post Office Box 4302
Baton Rouge, Louisiana 70821-4302

Draft

_____ _____

Chuck Carr Brown, Ph.D., Assistant Secretary Date
Louisiana Department of Environmental Quality

PUBLIC PARTICIPATION

DEPARTMENT OF ENVIRONMENTAL QUALITY

KATHLEEN BABINEAUX BLANCO
GOVERNOR

MIKE D. McDANIEL, Ph.D.
SECRETARY

May 9, 2007

Phone: 985-764-6581

Mary desBordes, Director
St. Charles Parish Library - Norco Branch
197 Good Hope Street
Norco LA 70079

Re: **REQUEST FOR PUBLIC COMMENTS ON A DRAFT HAZARDOUS WASTE OPERATING PERMIT RENEWAL HEXION SPECIALITY CHEMICALS, INC.**
AI NUMBER 87883, PERMIT NUMBER LAD 980 662 104-OP-RN-1, AND ACTIVITY NUMBER PER19960002
ST. CHARLES PARISH, LOUISIANA

Dear Ms. DesBordes:

We request that the enclosed draft hazardous waste permit renewal and all subsequent submittals of additional information and public notice associated with the referenced facility be made available for public review upon receipt in the **St. Charles Parish Library, Norco Branch, 197 Good Hope Street, Norco, LA 70079.** It is imperative that these documents are available for review at all times; therefore, they cannot be checked out by anyone at any time.

The documents should be retained during the permitting process. At the close of the permitting period, the Louisiana Department of Environmental Quality, Office of Environmental Services (LDEQ-OES), Permits Division, will provide written notice to you requesting that the information be removed.

Please complete the attached 'Verification by Library' and mail to Ms. Dina Heidar, LDEQ-OES, Environmental Assistance Division, Post Office Box 4313, Baton Rouge, Louisiana 70821-4313, or Fax to (225) 325-8149.

We appreciate your assistance in our efforts to serve the public. If you have any questions, please call Ms. Heidar at (225) 219-3278.

Sincerely,

Dina Heidar
Environmental Scientist, Public Participation Group

DH

Attachments/3

ENVIRONMENTAL **SERVICES**
: PO BOX 4313, BATON ROUGE, LA 70821-4313
P:225-219-3181 F:225-219-3309
WWW.DEQ.LOUISIANA.GOV

DEPARTMENT OF ENVIRONMENTAL QUALITY

KATHLEEN BABINEAUX BLANCO
GOVERNOR

MIKE D. McDANIEL, Ph.D.
SECRETARY

May 9, 2007

Phone: (214) 665-6750

Ms. Cathy Carter
U. S. EPA, Region VI
1445 Ross Avenue
Dallas, Texas 75202-2733

Re: **REQUEST FOR PUBLIC COMMENTS ON A DRAFT HAZARDOUS WASTE OPERATING PERMIT RENEWAL**
HEXION SPECIALITY CHEMICALS, INC.
AI NUMBER 87883, PERMIT NUMBER LAD 980 662 104-OP-RN-1, AND ACTIVITY NUMBER PER19960002
ST. CHARLES PARISH, LOUISIANA

Dear Ms. Carter:

The Louisiana Department of Environmental Quality (LDEQ) is enclosing for your reference, a copy of the draft hazardous waste permit renewal and the legal notice for the public notice for public comments to be published in THE ADVOCATE and ST. CHARLES HERALD-GUIDE on Thursday, May 17,2007. It is also posted on the LDEQ Website, found at www.deq.state.la.us. Written comments on the proposed air permits may be submitted to Ms. Soumaya Ghosn, LDEQ-OES, Environmental Assistance Division, P.O. Box 4313, Baton Rouge, LA 70821-4313. All comments regarding the technically complete permit renewal application should specify Agency Interest (AI) No. 87883

Should you have any questions additional permit information may be obtained from Ms. Amy Exnicios, LDEQ, Permits Division, P.O. Box 4313, Baton Rouge, LA 70821-4313, telephone (225) 219-0029. Should you have any questions regarding the draft hazardous waste permit renewal, please contact Ms. Dina Heidar, LDEQ, Environmental Assistance Division, Stakeholder Outreach Section, at (225) 219-3278.

Please complete the attached 'Verification of Receipt' and mail to Ms. Dina Heidar, LDEQ-OES, Environmental Assistance Division, PO Box 4313, Baton Rouge, LA 70821-4313, or Fax (225) 325-8149.

We appreciate your assistance in our efforts to serve the public. If you have any questions, please call Ms. Heidar at (225) 219-3278.

Sincerely,

Dina Heidar
Environmental Scientist, Public Participation Group

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DEPARTMENT OF ENVIRONMENTAL QUALITY

KATHLEEN BABINEAUX BLANCO
GOVERNOR

MIKE D. McDANIEL, Ph.D.
SECRETARY

May 9, 2007

Phone: (504) 736-7701
Fax: (504) 736-7702

Blaise Guzzardo - Regional Manager
LDEQ Southeast Regional Office
201 Evans Road, Building 4, Suite 420
New Orleans, LA 70123

Re: REQUEST FOR PUBLIC COMMENTS ON A DRAFT HAZARDOUS WASTE OPERATING PERMIT RENEWAL HEXION SPECIALITY CHEMICALS, INC.
AI NUMBER 87883, PERMIT NUMBER LAD 980 662 104-OP-RN-1, AND ACTIVITY NUMBER PER19960002
ST. CHARLES PARISH, LOUISIANA

Dear Mr. Guzzardo:

We are enclosing a copy of the draft hazardous waste permit renewal and public notice for the referenced facility for your use and for public review.

Please complete the attached 'Verification of Receipt' and mail to Ms. Dina Heidar, LDEQ-OES, Environmental Assistance Division, PO Box 4313, Baton Rouge, LA 70821-4313, or Fax (225) 219-3309.

We appreciate your assistance in our efforts to serve the public. If you have any questions, please call Ms. Heidar at (225) 219-3278.

Sincerely,

Dina Heidar
Environmental Scientist, Public Participation Group

DH

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ENVIRONMENTAL **SERVICES**
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DEPARTMENT OF ENVIRONMENTAL QUALITY

KATHLEEN BABINEAUX BLANCO
GOVERNOR

MIKE D. McDANIEL, Ph.D.
SECRETARY

May 17, 2007

Phone: (985) 783-5000
Fax : (985) 783-2067

Mr. Albert D. Laque - Parish President
St. Charles Parish Council
15045 Highway 18
Hahnville, LA 70057

Re: **REQUEST FOR PUBLIC COMMENTS ON A DRAFT HAZARDOUS WASTE OPERATING PERMIT RENEWAL HEXION SPECIALITY CHEMICALS, INC.**
AI NUMBER 87883, PERMIT NUMBER LAD 980 662 104-OP-RN-1, AND ACTIVITY NUMBER PER19960002
ST. CHARLES PARISH, LOUISIANA

Dear Mr. Laque:

The Louisiana Department of Environmental Quality (LDEQ) is requesting public comments regarding permitting actions for the Hexion Speciality Chemicals, Inc.., 16122 River Road, Lot 3, Norco, LA 70079.

For your reference, attached is a copy of the draft hazardous waste permit renewal and the legal notice is to be published in THE ADVOCATE and ST. CHARLES HERALD-GUIDE on Thursday, May 17,2007. It is also posted on the LDEQ Website, found at www.deq.state.la.us. Written comments on the proposed air permits may be submitted to Ms. Soumaya Ghosn, LDEQ-OES, Environmental Assistance Division, P.O. Box 4313, Baton Rouge, LA 70821-4313. All comments regarding the technically complete permit renewal application should specify Agency Interest (AI) No. 87883

Should you have any questions additional permit information may be obtained from Ms. Amy Exnicios, LDEQ, Permits Division, P.O. Box 4313, Baton Rouge, LA 70821-4313, telephone (225) 219-0029. Should you have any questions regarding the draft hazardous waste permit renewal, please contact Ms. Dina Heidar, LDEQ, Environmental Assistance Division, Stakeholder Outreach Section, at (225) 219-3278.

Please complete the attached 'Verification of Receipt' and mail to Ms. Dina Heidar, LDEQ-OES, Environmental Assistance Division, PO Box 4313, Baton Rouge, LA 70821-4313, or Fax (225) 325-8149.

We appreciate your assistance in our efforts to serve the public. If you have any questions, please call Ms. Heidar at (225) 219-3278.

Sincerely,

Dina Heidar
Environmental Scientist, Public Participation Group

DH

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DEPARTMENT OF ENVIRONMENTAL QUALITY

KATHLEEN BABINEAUX BLANCO
GOVERNOR

MIKE D. McDANIEL, Ph.D.
SECRETARY

May 9, 2007

Phone: 985-764-2366

Mary desBordes, Director
St Charles Parish Library - East Regional Branch
100 River Oaks Drive,
Destrehan LA 70047

Re: **REQUEST FOR PUBLIC COMMENTS ON A DRAFT HAZARDOUS WASTE OPERATING PERMIT RENEWAL HEXION SPECIALITY CHEMICALS, INC.**
AI NUMBER 87883, PERMIT NUMBER LAD 980 662 104-OP-RN-1, AND ACTIVITY NUMBER PER19960002
ST. CHARLES PARISH, LOUISIANA

Dear Ms. DesBordes:

We request that the enclosed draft hazardous waste permit renewal and all subsequent submittals of additional information and public notice associated with the referenced facility be made available for public review upon receipt in the **St Charles Parish Library - East Regional Branch located at 100 River Oaks Drive, Destrehan LA 70047.** It is imperative that these documents are available for review at all times; therefore, they cannot be checked out by anyone at any time.

The documents should be retained during the permitting process. At the close of the permitting period, the Louisiana Department of Environmental Quality, Office of Environmental Services (LDEQ-OES), Permits Division, will provide written notice to you requesting that the information be removed.

Please complete the attached 'Verification by Library' and mail to Ms. Dina Heidar, LDEQ-OES, Environmental Assistance Division, Post Office Box 4313, Baton Rouge, Louisiana 70821-4313, or Fax to (225) 325-8149.

We appreciate your assistance in our efforts to serve the public. If you have any questions, please call Ms. Heidar at (225) 219-3278.

Sincerely,

Dina Heidar
Environmental Scientist, Public Participation Group

DH

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PUBLIC NOTICE
LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY (LDEQ)
HEXION SPECIALITY CHEMICALS, INC.
DRAFT HAZARDOUS WASTE OPERATING PERMIT RENEWAL

The LDEQ, Office of Environmental Services, is accepting written comments on the draft hazardous waste operating permit renewal for Hexion Specialty Chemicals, Inc., 16122 River Road, Norco, LA 70079 for the Norco Facility. **The facility is located at 16122 River Road Lot 3, Norco, LA 70079, St. Charles Parish.**

Hexion is a Synthetic Chemical Manufacturing Industrial facility. Hexion manufactures organic chemical intermediates and products including operations of an allyl chloride/ crude epichlorohydrin process unit, high performance resins process unit, and a calcium chloride unit. The hazardous waste units include two (2) Organic Chloride Incinerators and four (4) Storage Tanks. All waste is stored and either treated on-site in the incinerators or is properly manifested and sent off-site for disposal.

Hexion requests a renewal of its hazardous waste permit governing the operation of storage tanks T-C991, T-C992, T-C907, T-R913 and organic chloride incinerators NCIN-1 and NCIN-2.

Written comments, written requests for a public hearing, or written requests for notification of the final decision regarding this permit action may be submitted to Ms. Soumaya Ghosn at LDEQ, Public Participation Group, P.O. Box 4313, Baton Rouge, LA 70821-4313. **Written comments and/or written requests must be received by 12:30 p.m., Thursday, July 5, 2007.** Written comments will be considered prior to a final permit decision.

LDEQ finds a significant degree of public interest, a public hearing will be held. LDEQ will send notification of the final permit decision to the applicant and to each person who has submitted written comments or a written request for notification of the final decision.

The draft permit, updated Part B application and the responses to the notices of deficiencies are available for review at the LDEQ, Public Records Center, Room 127, 602 North 5th Street, Baton Rouge, LA. Viewing hours are from 8:00 a.m. to 4:30 p.m., Monday through Friday (except holidays). **The available information can also be accessed electronically on the Electronic Document Management System (EDMS) on the DEQ public website at www.deq.louisiana.gov**.

Additional copies may be reviewed at the St. Charles Parish Library - Norco Branch at 197 Good Hope Street, Norco, LA 70079 and the St Charles Parish Library - East Regional Branch located at 100 River Oaks Drive, Destrehan LA 70047.

Previous notices have been published in The Advocate and The St. Charles Herald Guide on Wednesday, April 20, 2005.

Inquiries or requests for additional information regarding this permit action should be directed to Ms. Amy Exnicios, LDEQ, Waste Permits Division, P.O. Box 4313, Baton Rouge, LA 70821-4313, phone (225) 219-0029.

Persons wishing to be included on the LDEQ permit public notice mailing list or for other public participation related questions should contact the Public Participation Group in writing at LDEQ, P.O. Box 4313, Baton

Rouge, LA 70821-4313, by email at deqmaillistrequest@la.gov or contact the LDEQ Customer Service Center at (225) 219-LDEQ (219-5337).

Permit public notices including electronic access to the draft permit and associated information can be viewed on the LDEQ permits public webpage at www.deq.louisiana.gov/apps/pubNotice/default.asp and general information related to the public participation in permitting activities can be viewed at www.deq.louisiana.gov/portal/tabid/2198/Default.aspx.

Alternatively, individuals may elect to receive the permit public notices via email by subscribing to the LDEQ permits public notice List Server at www.doa.louisiana.gov/oes/listservpage/ldeq_pn_listserv.htm

All correspondence should specify AI Number 87883, Permit Number LAD 980 662 104-OP-RN-1, and Activity Number PER19960002.

Scheduled Publication Date: Thursday, May 17, 2007.

PUBLIC ANNOUNCEMENT

The Louisiana Department of Environmental Quality (LDEQ), Office of Environmental Services, has made the decision to issue the the draft hazardous waste operating permit renewal for Hexion Specialty Chemicals, Inc.. The facility is located at 16122 River Road Lot 3, Norco, LA 70079, St. Charles Parish.

Under this the draft hazardous waste operating permit renewal permit, Hexion Specialty Chemicals, Inc. will govern the operation of storage tanks T-C991, T-C992, T-C907, T-R913 and organic chloride incinerators NCIN-1 and NCIN-2.

The draft permit, updated Part B application, the responses to the notices of deficiencies and related documents are available for review and copying at the LDEQ, Public Records Center, Room 127, 602 North 5th Street, Baton Rouge, LA. Viewing hours are from 8:00 a.m. to 4:30 p.m., Monday through Friday (except holidays). An additional copy of this action may be reviewed at the St. Charles Parish Library - Norco Branch at 197 Good Hope Street, Norco, LA 70079 and the St Charles Parish Library - East Regional Branch located at 100 River Oaks Drive, Destrehan LA 70047..

Written comments, written requests for a public hearing, or written requests for notification of the final decision regarding this permit action may be submitted to Ms. Soumaya Ghosn at LDEQ, Public Participation Group, P.O. Box 4313, Baton Rouge, LA 70821-4313.

Written comments and/or written requests must be received by 12:30 p.m., Thursday, July 5, 2007. Written comments will be considered prior to a final permit decision

For any inquiries contact LDEQ Customer Service Center at (225) 219-LDEQ, that is (225) 219-5337.

All correspondence should specify AI Number 87883, Permit Number LAD 980 662 104-OP-RN-1, and Activity Number PER19960002

The public notice with detailed information has been scheduled to publish in The Advocate and The St Charles Herald guide on May 17, 2007 and can be viewed on the LDEQ Permits Public Notice Web page.

PART A
APPLICATION

MAIL THE COMPLETED FORM TO: The Appropriate EPA Regional or State Office.	United States Environmental Protection Agency **RCRA SUBTITLE C SITE IDENTIFICATION FORM**	
1. Reason for Submittal (See instructions on page 25) CHECK CORRECT BOX(ES)	Reason for Submittal: ☐ To provide initial notification (to obtain an EPA ID Number for hazardous waste, universal waste, or used oil activities). ☐ To provide subsequent notification (to update site identification information). ☐ As a component of a First RCRA Hazardous Waste Part A Permit Application. ☑ As a component of a Revised RCRA Hazardous Waste Part A Permit Application (Amendment #____ _____). ☐ As a component of the Hazardous Waste Report.	
2. Site EPA ID Number (See instructions on page 26)	EPA ID Number: L A C 9 8 0 6 2 2 1 0 4	
3. Site Name (See instructions on page 26)	Name: Hexion Specialty Chemicals, Inc.	
4. Site Location Information (See instructions on page 26)	Street Address: 16122 River Road (Lot 3)	
	City, Town, or Village: Norco	State: LA
	County Name: St. Charles Parish	Zip Code: 70079-2061
5. Site Land Type (See instructions on page 26)	Site Land Type: X☐ Private ☐ County ☐ District ☐ Federal ☐ Indian ☐ Municipal ☐ State ☐ Other	
6. North American Industry Classification System (NAICS) Code(s) for the Site (See instructions on page 26)	A. 32511	B. 325211
	C. 325188	D.
7. Site Mailing Address (See instructions on page 27)	Street or P. O. Box: 16122 River Road	
	City, Town, or Village: Norco	
	State: Louisiana	
	Country: U.S.	Zip Code: 70079-2061
8. Site Contact Person (See instructions on pages 27)	First Name: Andrea MI:	Last Name: Perez
	Phone Number: (504) 472-6563	Phone Number Extension:
9. Legal Owner and Operator of the Site (See instructions on pages 27 and 28)	A. Name of Site's Legal Owner: Hexion Specialty Chemicals, Inc.	Date Became Owner (mm/dd/yyyy): 05/31/2005
	Owner Type: ☑ Private ☐ County ☐ District ☐ Federal ☐ Indian ☐ Municipal ☐ State ☐ Other	
	B. Name of Site's Operator: Hexion Specialty Chemicals, Inc.	Date Became Operator (mm/dd/yyyy): 05/31/2005
	Operator Type: ☑ Private ☐ County ☐ District ☐ Federal ☐ Indian ☐ Municipal ☐ State ☐ Other	

EPA ID No. L A D 9 8 0 6 2 2 1 0 4

10. Type of Regulated Waste Activity (Mark 'X' in the appropriate boxes. See instructions on pages 28 to 32)

A. Hazardous Waste Activities

1. Generator of Hazardous Waste
(choose only one of the following three categories)

☒ a. LQG: Greater than 1,000 kg/mo (2,200 lbs./mo.) of non-acute hazardous waste; or

☐ b. SQG: 100 to 1,000 kg/mo (220 - 2,200 lbs./mo.) of non-acute hazardous waste; or

☐ c. CESQG: Less than 100 kg/mo (220 lbs./mo.) of non-acute hazardous waste

In addition, indicate other generator activities (check all that apply)

☐ d. United States Importer of Hazardous Waste

☐ e. Mixed Waste (hazardous and radioactive) Generator

For Items 2 through 6, check all that apply:

☐ **2. Transporter of Hazardous Waste**

☒ **3. Treater, Storer, or Disposer of Hazardous Waste (at your site)** Note: A hazardous waste permit is required for this activity.

☒ **4. Recycler of Hazardous Waste (at your site)** Note: A hazardous waste permit may be required for this activity.

5. Exempt Boiler and/or Industrial Furnace

☐ a. Small Quantity On-site Burner Exemption

☐ b. Smelting, Melting, and Refining Furnace Exemption

☐ **6. Underground Injection Control**

B. Universal Waste Activities

1. Large Quantity Handler of Universal Waste (accumulate 5,000 kg or more) (refer to your State regulations to determine what is regulated). Indicate types of universal waste generated and/or accumulated at your site. (check all boxes that apply):

	Generated	Accumulated
a. Batteries	☐	☐
b. Pesticides	☐	☐
c. Thermostats	☐	☐
d. Lamps	☐	☐
e. Other (specify) _____	☐	☐
f. Other (specify) _____	☐	☐
g. Other (specify) _____	☐	☐

☐ **2. Destination Facility for Universal Waste**
Note: A hazardous waste permit may be required for this activity.

C. Used Oil Activities

1. Used Oil Transporter - Indicate Type(s) of Activity(ies)

☐ a. Transporter

☐ b. Transfer Facility

2. Used Oil Processor and/or Re-refiner - Indicate Type(s) of Activity(ies)

☐ a. Processor

☐ b. Re-refiner

☐ **3. Off-Specification Used Oil Burner**

4. Used Oil Fuel Marketer - Indicate Type(s) of Activity(ies)

☐ a. Marketer Who Directs Shipment of Off-Specification Used Oil to Off-Specification Used Oil Burner

☐ b. Marketer Who First Claims the Used Oil Meets the Specifications

11. Description of Hazardous Wastes (See instructions on page 33)

A. Waste Codes for Federally Regulated Hazardous Wastes. Please list the waste codes of the Federal hazardous wastes handled at your site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more spaces are needed.

D001	D002	D003	D004	D005	D006	D007
D008	D009	D010	D011	D018	D019	D021
D022	D023	D024	D025	D028	D029	D035
D038	D039	D040	F001	F002	F003	F004
F005	F024	F025	F037	F038	K048	K049
K050	K051	P003	P022	U003	U006	U012
U019	U041	U044	U052	U076	U077	U079

EPA ID No. L A D 9 8 0 6 2 2 1 0 4

B. Waste Codes for State-Regulated (i.e., non-Federal) Hazardous Wastes. Please list the waste codes of the State-regulated hazardous wastes handled at your site. List them in the order they are presented in the regulations. Use an additional page if more spaces are needed for waste codes.

12. Comments (See instructions on page 33)

Section 11, Box A, U080, U119, U121, U151, U159, U161, U188, U196, U208, U209, U210, U211, U220, U226, U239, U404

13. Certification. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. **(See Instructions on page 33)**

Signature of owner, operator, or an authorized representative	Name and Official Title (type or print)	Date Signed (mm/dd/yyyy)
Paul Barletta	Paul Barletta, Site Manager	05/24/2005

United States Environmental Protection Agency

HAZARDOUS WASTE PERMIT INFORMATION FORM

1. Facility Permit Contact (See instructions on page 35)	First Name: Andrea	MI:	Last Name: Perez
	Phone Number: (504) 472-6563		Phone Number Extension:
2. Facility Permit Contact Mailing Address (See instructions on page 35)	Street or P.O. Box: 16122 River Road		
	City, Town, or Village: Norco		
	State: Louisiana		
	Country: U.S.		Zip Code: 70079-2061
3. Legal Owner Mailing Address and Telephone Number (See instructions on page 36)	Street or P.O. Box: 180 E. Broad Street		
	City, Town, or Village: Columbus		
	State: Ohio		
	Country: U.S.	Zip Code: 43215	Phone Number
4. Operator Mailing Address and Telephone Number (See instructions on page 36)	Street or P.O. Box: 16122 River Road		
	City, Town, or Village: Norco		
	State: Louisiana		
	Country: U.S.	Zip Code: 70079-2061	Phone Number (504) 472-6563
5. Facility Existence Date (See instructions on page 36)	Facility Existence Date (mm/dd/yyyy):		

6. Other Environmental Permits (See instructions on page 36)

A. Permit Type (Enter code)	B. Permit Number	C. Description
E	2586-V0	Title V Air Permit for HPRU
E	2252-V0	Title V Air Permit for Incinerators
R	LAD980622104	RCRA Hazardous Waste Permit
E	2869-V0	Title V Air Permit for C-Unit and CaCl2 Unit
E	2914-V0	Title V Air Permit for Utilities
E	2764-V1	Title V Air Permit for Flare

7. Nature of Business (Provide a brief description; see instructions on page 37)

Hexion Specialty Chemicals, Inc. is a Synthetic Organic Chemical Manufacturing Industry (SOCMI) facility. The facility operates 24 hours a day seven days a week. The facility operates an allyl chloride/crude epichlorohydrin process unit (C-Unit), a high performance resins process unit (R-Unit), and a calcium chloride unit (CaCl2-Unit).

8. Process Codes and Design Capacities (See instructions on page 37)

A. PROCESS CODE - *Enter the code from the list of process codes below that best describes each process to be used at the facility. Thirteen lines are provided for entering codes. If more lines are needed, attach a separate sheet of paper with the additional information. For "other" processes (i.e., D99, S99, T04 and X99), describe the process (including its design capacity) in the space provided in Item 9.*

B. PROCESS DESIGN CAPACITY- *For each code entered in column A, enter the capacity of the process.*

1. AMOUNT - *Enter the amount. In a case where design capacity is not applicable (such as in a closure/post-closure or enforcement action) enter the total amount of waste for that process.*

2. UNIT OF MEASURE - *For each amount entered in column B(1), enter the code in column B(2) from the list of unit of measure codes below that describes the unit of measure used. Select only from the units of measure in this list.*

C. PROCESS TOTAL NUMBER OF UNITS - *Enter the total number of units for each corresponding process code.*

PROCESS CODE	PROCESS	APPROPRIATE UNITS OF MEASURE FOR PROCESS DESIGN CAPACITY
	Disposal:	
D79	Underground Injection Well Disposal	Gallons; Liters; Gallons Per Day; or Liters Per Day
D80	Landfill	Acre-feet; Hectare-meter; Acres; Cubic Meters; Hectares; Cubic Yards
D81	Land Treatment	Acres or Hectares
D82	Ocean Disposal	Gallons Per Day or Liters Per Day
D83	Surface Impoundment Disposal	Gallons; Liters; Cubic Meters; or Cubic Yards
D99	Other Disposal	Any Unit of Measure Listed Below
	Storage:	
S01	Container	Gallons; Liters; Cubic Meters; or Cubic Yards
S02	Tank Storage	Gallons; Liters; Cubic Meters; or Cubic Yards
S03	Waste Pile	Cubic Yards or Cubic Meters
S04	Surface Impoundment Storage	Gallons; Liters; Cubic Meters; or Cubic Yards
S05	Drip Pad	Gallons; Liters; Acres; Cubic Meters; Hectares; or Cubic Yards
S06	Containment Building Storage	Cubic Yards or Cubic Meters
S99	Other Storage	Any Unit of Measure Listed Below
	Treatment:	
	Tank Treatment	Gallons Per Day; Liters Per Day; Short Tons Per Hour; Gallons Per Hour; Liters Per Hour; Pounds Per Hour; Short Tons Per Day; Kilograms Per Hour; Metric Tons Per Day; or Metric Tons Per Hour
T02	Surface Impoundment Treatment	Gallons Per Day; Liters Per Day; Short Tons Per Hour; Gallons Per Hour; Liters Per Hour; Pounds Per Hour; Short Tons per Day; Kilograms Per Hour; Metric Tons Per Day; or Metric Tons Per Hour
T03	Incinerator	Short Tons Per Hour; Metric Tons Per Hour; Gallons Per Hour; Liters Per Hour; Btu Per Hour; Pounds Per Hour; Short Tons Per Day; Kilograms Per Hour; Gallons Per Day; Liters Per Day; Metric Tons Per Hour; or Million Btu Per Hour
T04	Other Treatment	Gallons Per Day; Liters Per Day; Pounds Per Hour; Short Tons Per Hour; Kilograms Per Hour; Metric Tons Per Day; Metric Tons Per Hour; Short Tons Per Day; Btu Per Hour; Gallons Per Day; Liters Per Hour; or Million Btu Per Hour
T80	Boiler	Gallons; Liters; Gallons Per Hour; Liters Per Hour; Btu Per Hour; or Million Btu Per Hour
T81	Cement Kiln	Gallons Per Day; Liters Per Day; Pounds Per Hour; Short Tons Per Hour; Kilograms Per Hour; Metric Tons Per Day; Metric Tons Per Hour; Short Tons Per Day; Btu Per Hour; Liters Per Hour; Kilograms Per Hour; or Million Btu Per Hour
T82	Lime Kiln	
T83	Aggregate Kiln	
T84	Phosphate Kiln	
T85	Coke Oven	
T86	Blast Furnace	
T87	Smelting, Melting, or Refining Furnace	Gallons Per Day; Liters Per Day; Pounds Per Hour; Short Tons Per Hour; Kilograms Per Hour; Metric Tons Per Day; Metric Tons Per Hour; Short Tons Per Day; Btu Per Hour; Gallons Per Hour; Liters Per Hour; or Million Btu Per Hour
T88	Titanium Dioxide Chloride Oxidation Reactor	
T89	Methane Reforming Furnace	
T90	Pulping Liquor Recovery Furnace	
T91	Combustion Device Used In The Recovery Of Sulfur Values From Spent Sulfuric Acid	
T92	Halogen Acid Furnaces Other Industrial Furnaces Listed In 40 CFR §260.10	
T93		
T94	Containment Building - Treatment	Cubic Yards; Cubic Meters; Short Tons Per Hour; Gallons Per Hour; Liters Per Hour; Btu Per Hour; Pounds Per Hour; Short Tons Per Day; Kilograms Per Hour; Metric Tons Per Day; Gallons Per Day; Liters Per Day; Metric Tons Per Hour; or Million Btu Per Hour
	Miscellaneous (Subpart X):	
X01	Open Burning/Open Detonation	Any Unit of Measure Listed Below
X02	Mechanical Processing	Short Tons Per Hour; Metric Tons Per Hour; Short Tons Per Day; Metric Tons Per Day; Pounds Per Hour; Kilograms Per Hour; Gallons Per Hour; Liters Per Hour; or Gallons Per Day
X03	Thermal Unit	Gallons Per Day; Liters Per Day; Pounds Per Hour; Short Tons Per Hour; Kilograms Per Hour; Metric Tons Per Day; Metric Tons Per Hour; Short Tons Per Day; Btu Per Hour; or Million Btu Per Hour
X04	Geologic Repository	Cubic Yards; Cubic Meters; Acre-feet; Hectare-meter; Gallons; or Liters
X99	Other Subpart X	Any Unit of Measure Listed Below

UNIT OF MEASURE	UNIT OF MEASURE CODE
Gallons	G
Gallons Per Hour	E
Gallons Per Day	U
Liters	L
Liters Per Hour	H
Liters Per Day	V

UNIT OF MEASURE	UNIT OF MEASURE CODE
Short Tons Per Hour	D
Metric Tons Per Hour	W
Short Tons Per Day	N
Metric Tons Per Day	S
Pounds Per Hour	J
Kilograms Per Hour	R
Million Btu Per Hour	X

UNIT OF MEASURE	UNIT OF MEASURE CODE
Cubic Yards	Y
Cubic Meters	C
Acres	B
Acre-feet	A
Hectares	Q
Hectare-meter	F
Btu Per Hour	I

8. Process Codes and Design Capacities (*Continued*)

EXAMPLE FOR COMPLETING Item 8 (shown in line number X-1 below): A facility has a storage tank, which can hold 533.788 gallons.

Line Number		A. Process Code (From list above)			B. PROCESS DESIGN CAPACITY (1) Amount (Specify)		(2) Unit of Measure (Enter code)	C. Process Total Number of Units	For Official Use Only
X	1	S	0	2		5 3 3 . 7 8 8	G	0 0 1	
X	1	T	0	3	NCIN-I	8,296	J	001	
X	2	T	0	3	NCIN-II	7,156	J	001	
X	3	S	0	2	T-C991	62,000	G	001	
X	4	S	0	2	T-C992	62,000	G	001	
X	5	S	0	2	T-C907	62,000	G	001	
X	6	S	0	2	T-R913	10,000	G	001	
	7								
	8								
	9								
1	0								
1	1								
1	2								
1	3								

NOTE: If you need to list more than 13 process codes, attach an additional sheet(s) with the information in the same format as above. Number the lines sequentially, taking into account any lines that will be used for "other" processes (i.e., D99, S99, T04 and X99) in Item 9.

9. Other Processes (*See instructions on page 37 and follow instructions from Item 8 for D99, S99, T04 and X99 process codes*)

Line Number (Enter its in sequence with Item 8)		A. Process Code (From list above)			B. PROCESS DESIGN CAPACITY (1) Amount (Specify)	(2) Unit of Measure (Enter code)	C. Process Total Number of Units	D. Description of Process
X	1	T	0	4				In-situ Vitrification
	1							
	2							
	3							
	4							

10. Description of Hazardous Wastes (See instructions on page 37)

A. EPA HAZARDOUS WASTE NUMBER - *Enter the four-digit number from 40 CFR, Part 261 Subpart D of each listed hazardous waste you will handle. For hazardous wastes which are not listed in 40 CFR, Part 261 Subpart D, enter the four-digit number(s) from 40 CFR Part 261, Subpart C that describes the characteristics and/or the toxic contaminants of those hazardous wastes.*

B. ESTIMATED ANNUAL QUANTITY - *For each listed waste entered in column A, estimate the quantity of that waste that will be handled on an annual basis. For each characteristic or toxic contaminant entered in column A, estimate the total annual quantity of all the non-listed waste(s) that will be handled which possess that characteristic or contaminant.*

C. UNIT OF MEASURE - *For each quantity entered in column B, enter the unit of measure code. Units of measure which must be used and the appropriate codes are:*

ENGLISH UNIT OF MEASURE	CODE	METRIC UNIT OF MEASURE	CODE
POUNDS	P	KILOGRAMS	K
TONS	T	METRIC TONS	M

If facility records use any other unit of measure for quantity, the units of measure must be converted into one of the required units of measure, taking into account the appropriate density or specific gravity of the waste.

D. PROCESSES

1. PROCESS CODES:

For listed hazardous waste: For each listed hazardous waste entered in column A select the code(s) from the list of process codes contained in Items 8A and 9A on page 3 to indicate the waste will be stored, treated, and/or disposed at the facility.

For non-listed hazardous waste: For each characteristic or toxic contaminant entered in column A, select the code(s) from the list of process codes contained in Items 8A and 9A on page 3 to indicate all the processes that will be used to store, treat, and/or dispose of all the non-listed hazardous wastes that possess that characteristic or toxic contaminant.

NOTE: THREE SPACES ARE PROVIDED FOR ENTERING PROCESS CODES. IF MORE ARE NEEDED:

1. *Enter the first two as described above.*
2. *Enter "000" in the extreme right box of Item 10.D(1).*
3. *Use additional sheet, enter line number from previous sheet, and enter additional code(s) in Item 10.E.*

2. PROCESS DESCRIPTION: *If a code is not listed for a process that will be used, describe the process in Item 10.D(2) or in Item 10.E(2).*

NOTE: HAZARDOUS WASTES DESCRIBED BY MORE THAN ONE EPA HAZARDOUS WASTE NUMBER - Hazardous wastes that can be described by more than one EPA Hazardous Waste Number shall be described on the form as follows:

1. *Select one of the EPA Hazardous Waste Numbers and enter it in column A. On the same line complete columns B, C and D by estimating the total annual quantity of the waste and describing all the processes to be used to treat, store, and/or dispose of the waste.*
2. *In column A of the next line enter the other EPA Hazardous Waste Number that can be used to describe the waste. In column D(2) on that line enter "Included with above" and make no other entries on that line.*
3. *Repeat step 2 for each EPA Hazardous Waste Number that can be used to describe the hazardous waste.*

EXAMPLE FOR COMPLETING Item 10 (shown in line numbers X-1, X-2, X-3, and X-4 below) - A facility will treat and dispose of an estimated 900 pounds per year of chrome shavings from leather tanning and finishing operations. In addition, the facility will treat and dispose of three non-listed wastes. Two wastes are corrosive only and there will be an estimated 200 pounds per year of each waste. The other waste is corrosive and ignitable and there will be an estimated 100 pounds per year of that waste. Treatment will be in an incinerator and disposal will be in a landfill.

Line Number	A. EPA Hazardous Waste No. (Enter code)	B. Estimated Annual Quantity of Waste	C. Unit of Measure (Enter code)	D. PROCESSES (1) PROCESS CODES (Enter code)									D. PROCESSES (2) PROCESS DESCRIPTION (If a code is not entered in D(1))
X 1	K 0 5 4	900	P	T	0	3	D	8	0				
X 2	D 0 0 2	400	P	T	0	3	D	8	0				
X 3	D 0 0 1	100	P	T	0	3	D	8	0				
X 4	D 0 0 2												Included With Above

10. Description of Hazardous Wastes (*Continued; use additional sheets as necessary*)

Line Number	A. EPA Hazardous Waste No. (Enter code)	B. Estimated Annual Quantity of Waste	C. Unit of Measure (Enter code)	D. PROCESSES (1) PROCESS CODES (Enter code)									D. PROCESSES (2) PROCESS DESCRIPTION (If a code is not entered in D(1))
X 1	D 0 0 1	9405.70	T	T	0	3							NCIN-I
X 2	D 0 1 0												Included with above
X 3	D 0 1 8												Included with above
X 4	D 0 2 1												Included with above
X 5	D 0 2 2												Included with above
X 6	D 0 2 8												Included with above
X 7	D 0 3 5												Included with above
X 8	F 0 0 3												Included with above
X 9	F 0 0 5												Included with above
1 0	F 0 2 4												Included with above
1 1	D 0 0 1	8012.26	T	T	0	3							NCIN-II
1 2	D 0 1 0												Included with above
1 3	D 0 1 8												Included with above
1 4	D 0 2 1												Included with above
1 5	D 0 2 2												Included with above
1 6	D 0 2 8												Included with above
1 7	D 0 3 5												Included with above
1 8	F 0 0 3												Included with above
1 9	F 0 0 5												Included with above
2 0	F 0 2 4												Included with above
2 1	D 0 0 1	5536.27	T	S	0	2	T	0	3				T-C991
2 2	D 0 1 8												Included with above
2 3	D 0 2 1												Included with above
2 4	D 0 2 2												Included with above
2 5	D 0 2 8												Included with above
2 6	F 0 2 4												Included with above
2 7	D 0 0 1	5536.27	T	S	0	2	T	0	3				T-C992
2 8	D 0 1 8												Included with above
2 9	D 0 2 1												Included with above
3 0	D 0 2 2												Included with above
3 1	D 0 2 8												Included with above
3 2	F 0 2 4												Included with above
3 3	D 0 0 1	333.95	T	S	0	2	T	0	3				T-R913

10. Description of Hazardous Wastes (*Continued; Additional Sheet*)

Line Number	A. EPA Hazardous Waste No. (Enter code)	B. Estimated Annual Quantity of Waste	C. Unit of Measure (Enter code)	E. PROCESSES (1) PROCESS CODES (Enter code)									E. PROCESSES (2) PROCESS DESCRIPTION (If a code is not entered in E(1))
34	D010												Included with above
35	D018												Included with above
36	D035												Included with above
37	F003												Included with above
38	F005												Included with above
39	D001	6011.47	T	S	0	2	T	0	3				T-C907
40	D018												Included with above
41	D022												Included with above

11. Map (See instructions on page 38)

Attach to this application a topographic map, or other equivalent map, of the area extending to at least one mile beyond property boundaries. The map must show the outline of the facility, the location of each of its existing and proposed intake and discharge structures, each of its hazardous waste treatment, storage, or disposal facilities, and each well where it injects fluids underground. Include all springs, rivers and other surface water bodies in this map area. See instructions for precise requirements.

12. Facility Drawing (See instructions on page 39)

All existing facilities must include a scale drawing of the facility (see instructions for more detail).

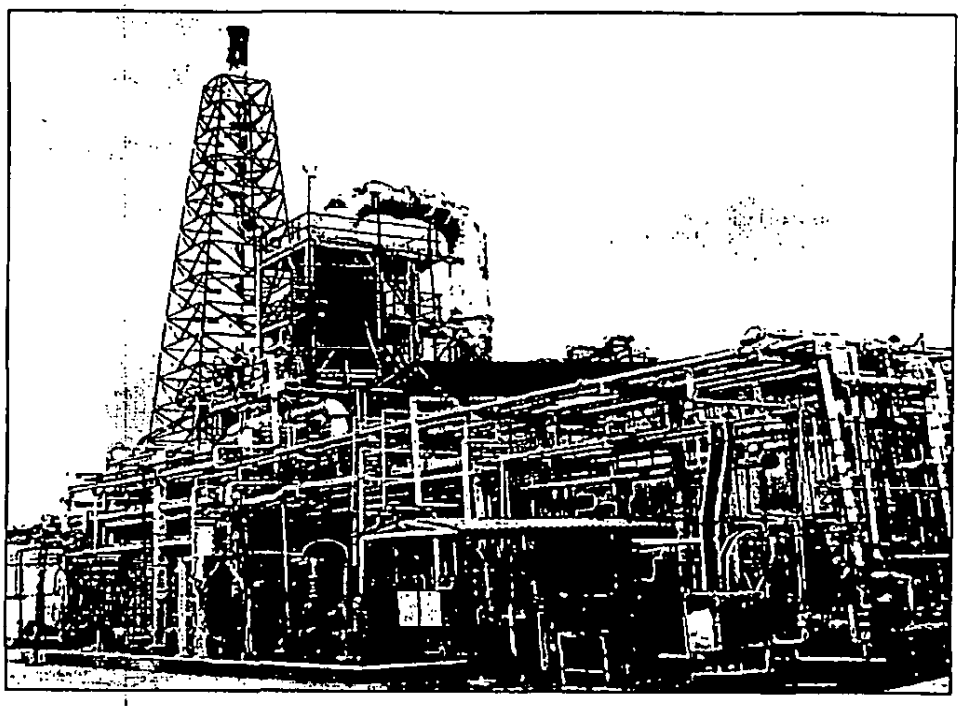
13. Photographs (See instructions on page 39)

All existing facilities must include photographs (aerial or ground-level) that clearly delineate all existing structures; existing storage, treatment and disposal areas; and sites of future storage, treatment or disposal areas (see instructions for more detail).

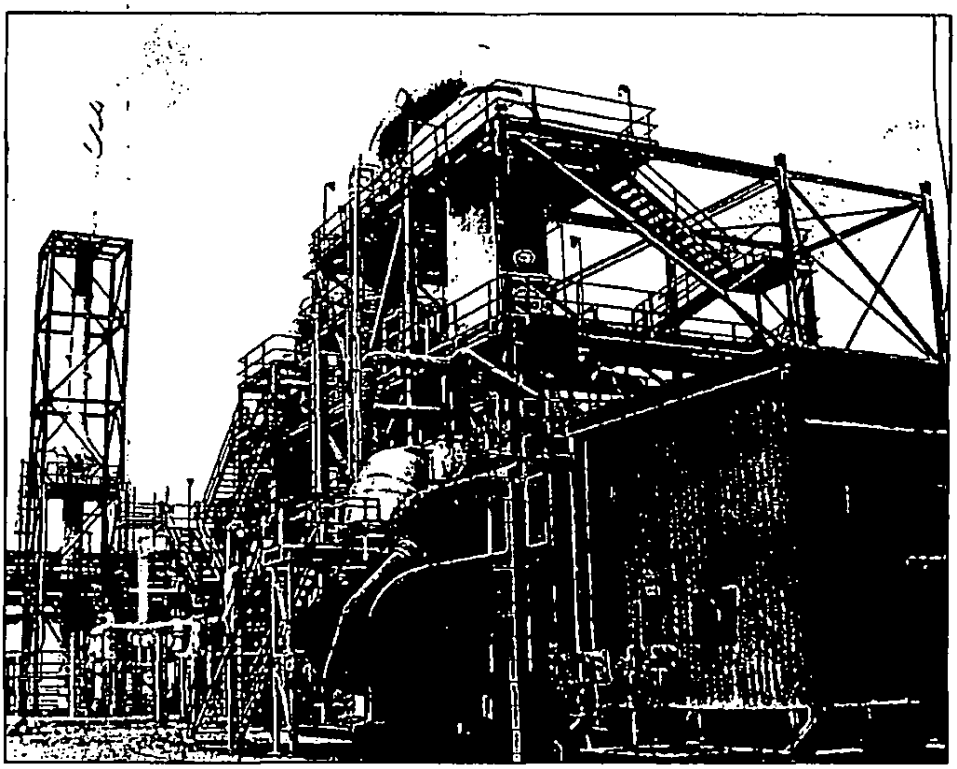
14. Comments (See instructions on page 39)

EXHIBIT A

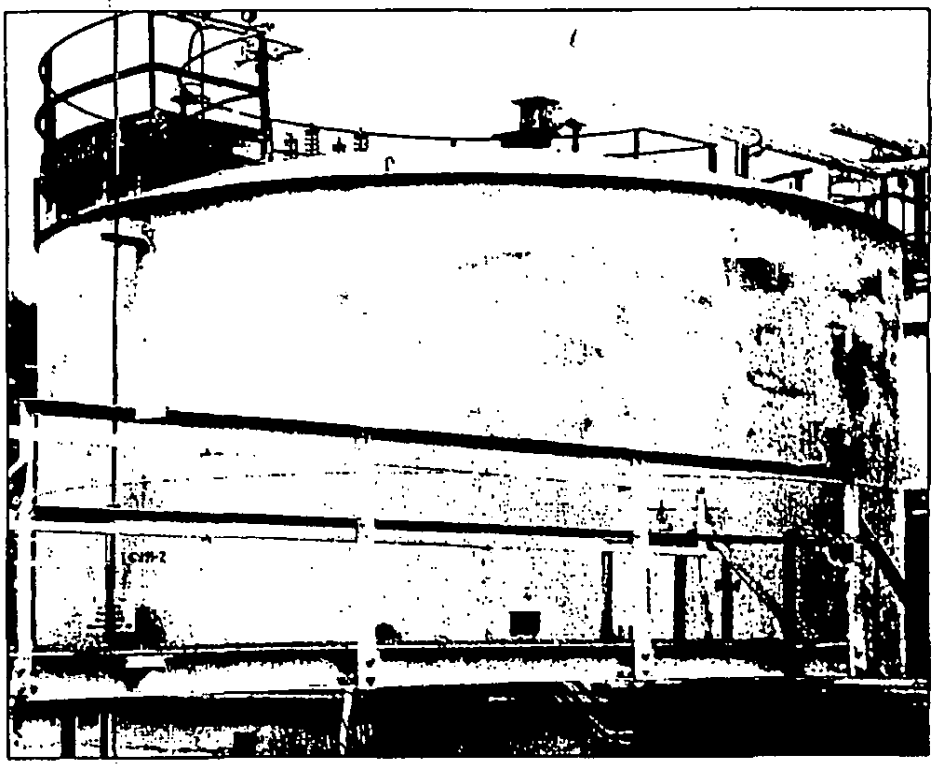
PHOTOGRAPH OF EXISTING EQUIPMENT



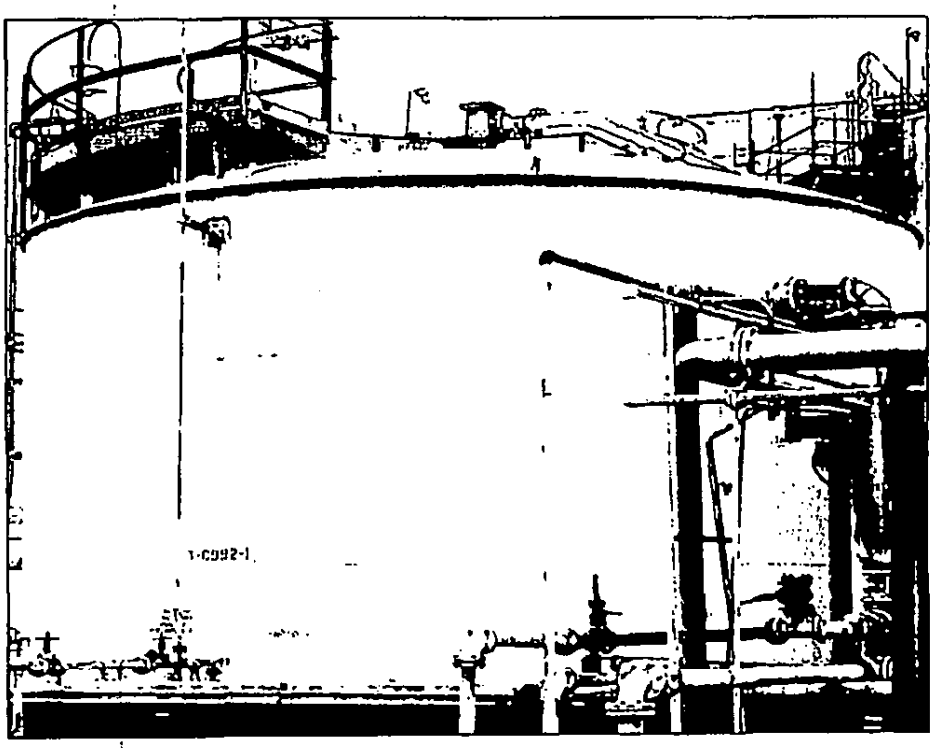
Location of Incinerator NCIN-1



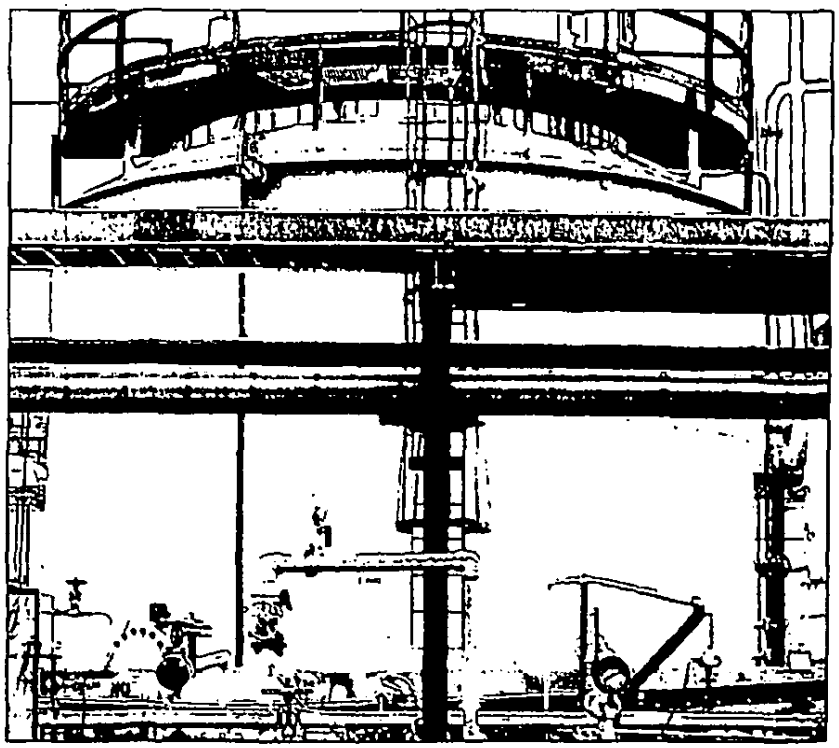
Location of Incinerator NCIN-2



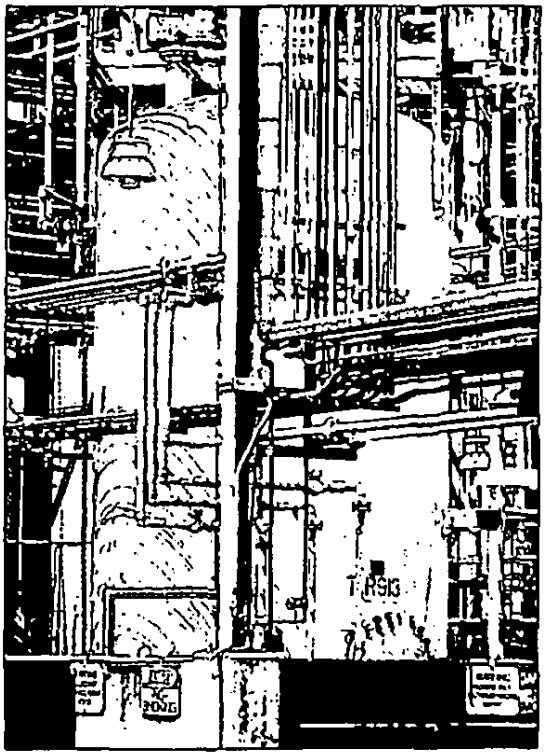
Location of Storage Tank T-C991



Location of Storage Tank T-C992



Location of Storage Tank T-C907



Location of Storage Tank T-R913

EXHIBIT B

TOPOGRAPHIC MAP

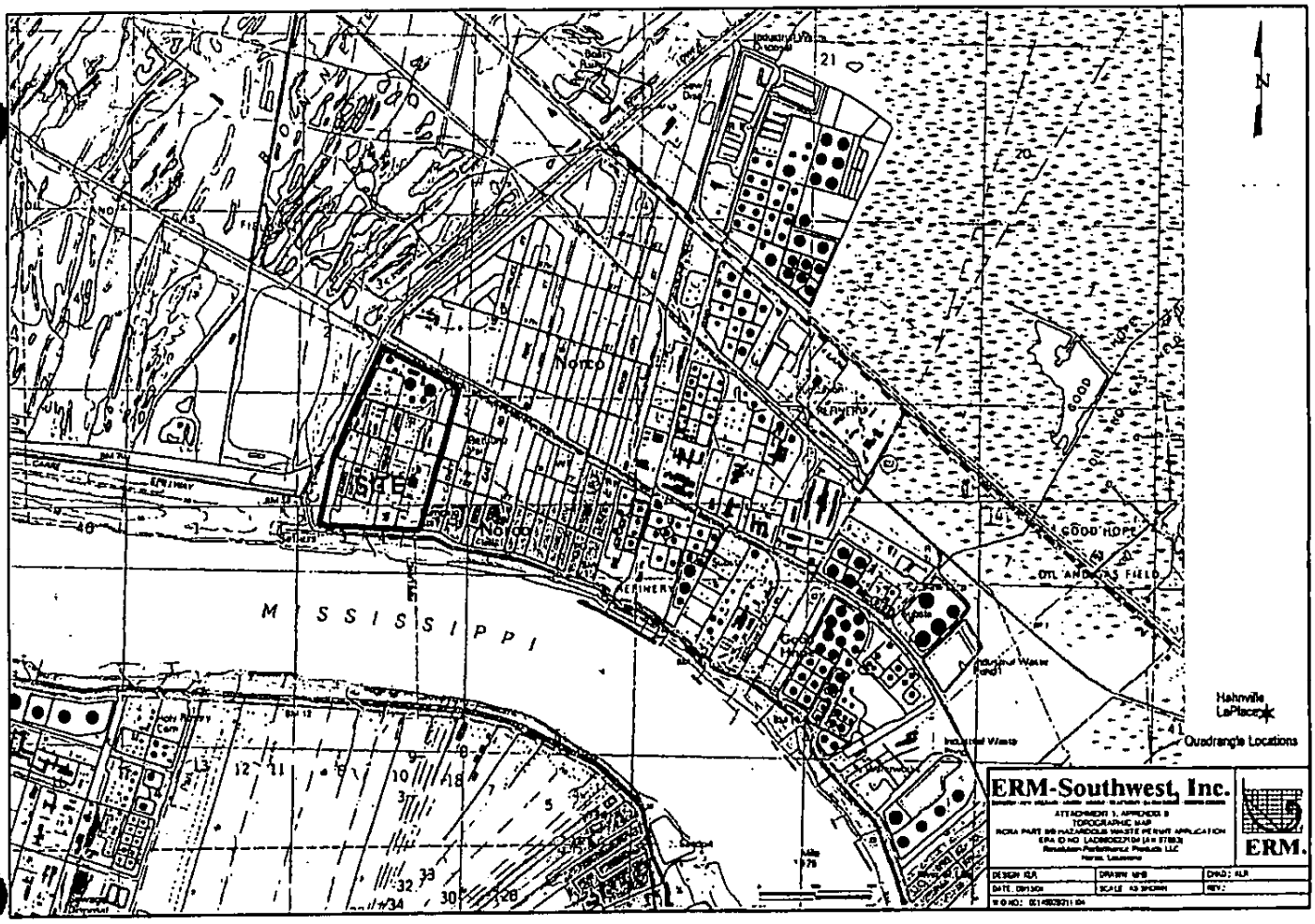
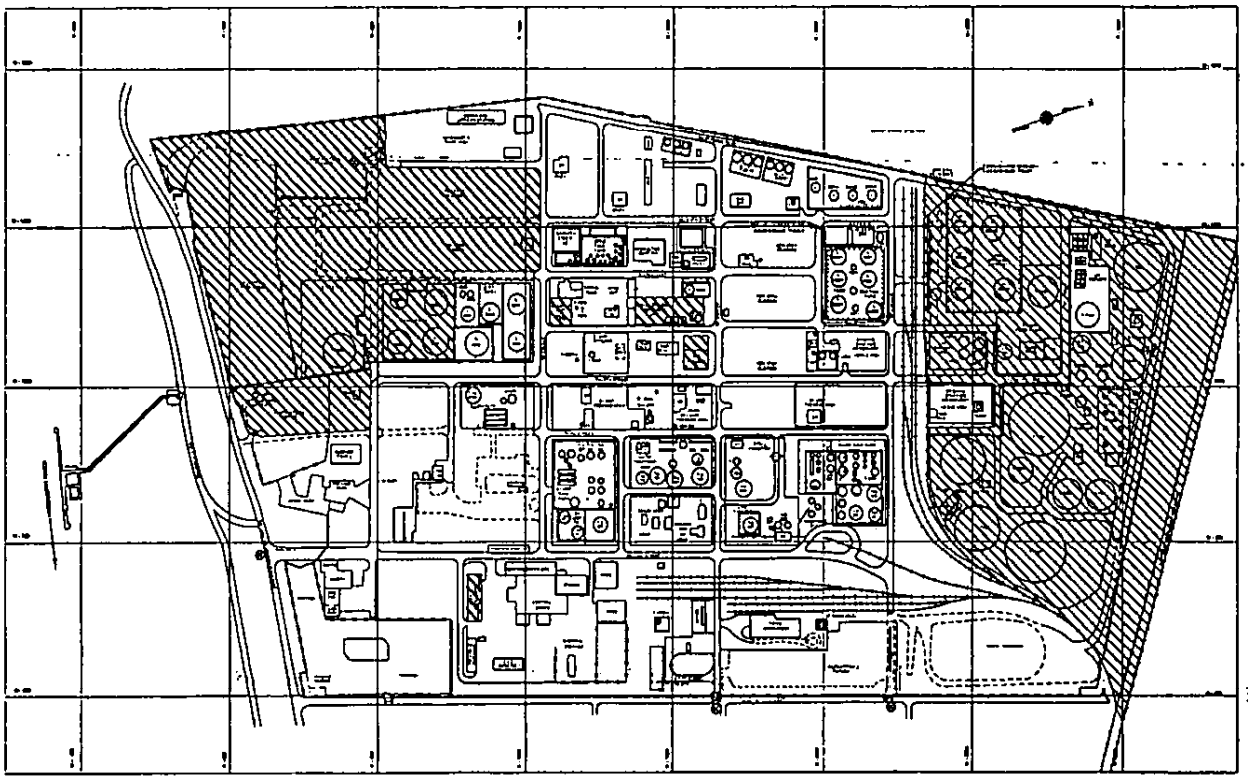

SITE
NORCO
MISSISSIPPI
GOOD HOPE
OIL AND GAS FIELD
REFINERY
Industrial Waste
Hahnville
LaPlace
Quadrangle Locations
ERM-Southwest, Inc.
ATTACHMENT 1, APPENDIX B
TOPOGRAPHIC MAP
ERM.

EXHIBIT C

FACILITY PLOT PLAN



LEGEND:

NON-RPP BOUNDARY

ERM-Southwest, Inc.

ERM

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LIST OF ATTACHMENTS

ATTACHMENT 1	LIST OF FACILITY DOCUMENTS INCORPORATED IN THE PERMIT BY REFERENCE

BODY
OF
PERMIT

DRAFT
HAZARDOUS WASTE OPPERATING PERMIT

Hexion Specialty Chemicals, Inc.
EPA ID# LAD 980 622 104
Norco, Louisiana
St. Charles, Parish

Agency Interest # 87883
PER19960002
PERMIT # LAD 980 622 104-OP-RN-1

I. PERMIT PREAMBLE

This permit is issued to Hexion Specialty Chemicals, Inc. hereinafter referred to as the Permittee, by the Louisiana Department of Environmental Quality (LDEQ) under authority of the Louisiana Hazardous Waste Control Law, R.S. 30:2171 et seq., and the regulations adopted thereunder.

For the purposes of the permit, "Administrative Authority" shall mean the Secretary of the Department of Environmental Quality, or his/her designee.

This permit is based on information submitted in the permit application, and all subsequent amendments, and on the applicant's certification that such information is accurate and that all facilities were or will be maintained and operated as specified in the application.

This permit is conditioned upon full compliance with all applicable provisions of the Louisiana Hazardous Waste Control Law, R.S. 30:2171 et. Seq., and the regulations adopted thereunder.

GLOSSARY OF TERMS

For the purpose of this Permit, terms used herein shall have the same meaning as those in LAC 33:V.Subpart 1 unless the context of use in this Permit clearly indicates otherwise. Where terms are not otherwise defined, the meaning otherwise associated with such terms shall be as defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.

"Administrative Authority" means the Secretary of the Louisiana Department of Environmental Quality (LDEQ).

"Application" refers to the RCRA Part B Permit Application and subsequent amendments submitted by the Permittee for obtaining a Permit.

"Area of Concern" (AOC) means any discernable unit or area, which, in the opinion of the Administrative Authority, may have received solid or hazardous waste or waste containing hazardous constituents at any time. The Administrative Authority may require investigation of the unit to determine if it is a Solid Waste Management Unit (SWMU). If shown to be a SWMU by the investigation, the AOC must be reported by the Permittee as a newly identified SWMU. If the AOC is shown not to be a SWMU by the investigation, the Administrative Authority may determine that no further action is necessary and notify the Permittee in writing.

"Area of Investigation" (AOI) is a zone contiguous to and including impacted media defined vertically and horizontally by the presence of one or more constituents in concentrations exceeding the limiting SS, MO-1 RS, or MO-2 RS (depending on the option being implemented).

"Beneficial Resource" describes a natural resource that is useful to human and ecological receptors. The state may establish statutes or regulations that identify certain environmental components, such as specific ground water or surface water sources, as a "Special Beneficial Resource," or "Designated Beneficial Resource." The beneficial resource then may be entitled to greater protection from contamination.

"Constituents of Concern" (COC) means the COPC's that pose a significant risk.

"Constituents of Potential Concern" (COPC) means chemicals from hazardous waste and hazardous waste constituents that are potentially site related and have data of quality for use in the Screen or a site-specific risk assessment. The facility should compile a list of COPC's for each release site based on existing sampling data, waste analysis reports, etc.

"Conceptual Site Model" (CSM) is part of the Data Quality Objective (DQO) process that presents a three-dimensional picture of site conditions at a discrete point in time that conveys what is known about the facility, releases, release mechanisms, contaminant fate and transport, exposure pathways, potential receptors, and risks. The information for the CSM is documented into six profiles. The CSM evolves as data gaps in the profiles become more complete, and will be refined based upon results of site characterization data. The final CSM is documented in the Risk Management Plan (RMP).

"CWA" means Clean Water Act.

"Corrective Action" is an activity conducted to protect human health and the environment.

"Dense Non-Aqueous Phase Liquid" (DNAPL) a dense liquid not dissolved in water, commonly referred to as "free product."

"Department" means the Louisiana Department of Environmental Quality.

"EPA" means the United States Environmental Protection Agency.

"HSWA" means the 1984 Hazardous and Solid Waste Amendments to RCRA.

"Hazardous Constituent" means any constituent identified in LAC 33:V.Chapter 31. Table 1, or any constituent identified in LAC 33:V.3325. Table 4.

"LDEQ" means the Louisiana Department of Environmental Quality.

"LNAPL" a light liquid not dissolved in water, commonly referred to as "free product."

"Operating Record" means written or electronic records of all maintenance, monitoring, inspection, calibration, or performance testing—or other data as may be required—to demonstrate compliance with this Permit, document noncompliance with this Permit, or document actions taken to remedy noncompliance with this Permit. A minimum list of documents that must be included in the operating record are identified at LAC 33:V.1529.B.

"Permittee" Hexion Specialty Chemicals, Inc., 16122 River Road, Norco, Louisiana 70079.

"RCRA Permit" means the full permit, with RCRA and HSWA portions.

"RFA" means RCRA Facility Assessment.

"RFI" means RCRA Facility Investigation.

"Release" means any spilling, leaking, pouring, emitting, emptying, discharging, injecting, pumping, escaping, leaching, dumping or disposing of hazardous wastes (including hazardous constituents) into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing hazardous wastes or hazardous constituents).

"SARA" means Superfund Amendments and Reauthorization Action of 1986.

"Solid Waste Management Unit" (SWMU) means any discernable unit at which solid wastes have been placed at any time, irrespective of whether the unit was intended for the management of solid or hazardous waste. Such units include any area at a facility at which solid wastes have been routinely and systematically released.

"Stabilization" is an action taken for the purpose of controlling or abating threats to human health or the environment from releases or preventing or minimizing the further spread of contaminants while long-term remedies are pursued.

If, subsequent to the issuance of this Permit, regulations are promulgated which redefine any of the above terms, the Administrative Authority may, at its discretion, apply the new definition to this Permit.

All regulating citations are defined as being the regulations in effect on the date of issuance of this permit. New and/or amended regulations are not included as Permit requirements until permit modification procedures as specified in Condition II.C. of the permit and LAC 33:V.321 are completed.

II. GENERAL PERMIT CONDITIONS

II.A. DURATION OF PERMIT

This permit is effective as of the date indicated on the accompanying signature page and shall remain in effect for a maximum period of ten (10) years from the effective date, unless suspended, modified, revoked and reissued or terminated for just cause.

II.B. EFFECT OF PERMIT

This permit authorizes the Permittee to store, treat, or dispose of hazardous waste in accordance with the conditions of this permit. The Permittee is prohibited from any storage, treatment or disposal of hazardous waste not authorized by statute, regulation, or this permit. Compliance with this permit, LAC 33:V.Subpart 1 and HSWA, constitutes compliance, for purposes of enforcement, with Subtitle C of RCRA and Chapter 9 of the Louisiana Environmental Quality Act (Act). However, compliance with the terms of this permit does not constitute a defense to any order issued or any action brought under Section 3013 or Section 7003 of RCRA, or under Section 106 (a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) {42 U.S.C. 9606 (a)}.

In accordance with LAC 33:V.307.B and C, issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of State or local law regulations.

II.C. PERMIT ACTIONS

Any inaccuracies found in the permit application may be cause for revocation of modification of this permit. The Permittee must inform the Administrative Authority of any deviation from, changes, or inaccuracies in the information in the permit application.

The Administrative Authority may also suspend, modify, revoke and reissue, or terminate the permit for cause or when necessary to be protective of human health or the environment as specified in 40 CFR 270.41, 270.42, 270.43 or LAC 33:V.309.F, 311.A or 323. The Administrative Authority may modify the permit when the standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulation, or by judicial decision after the permit was issued. The filing of a request for permit modification, revocation and reissuance, or termination or the notification of planned changes or anticipated noncompliance on the part of Permittee does not stay the applicability or enforceability of any permit condition.

II.D. SEVERABILITY

The conditions of this permit are severable and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

II.E. DUTIES AND REQUIREMENTS

II.E.1. Duty to Comply

The Permittee shall comply with all conditions of this permit, except to the extent and for the duration such noncompliance may be authorized by an emergency permit. Any permit noncompliance, other than noncompliance authorized by an emergency permit (LAC 33:V.701), constitutes a violation of the LAC 33:V.Subpart 1 and the Environmental Quality Act and is grounds for enforcement action which may include permit termination, permit revocation and reissuance, permit modification, or denial of permit renewal application.

II.E.2. Duty to Reapply

If the Permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the Permittee must reapply for the permit as required by the LAC 33:V.303.N and 309 .B. Notification shall be at least 180 calendar days before the permit expires.

II.E.3. Permit Extension

This permit and all conditions herein will remain in effect beyond the permit's expiration date until the Administrative Authority issues a final decision on the re-application, provided the Permittee has submitted a timely, complete new permit application as provided in LAC 33:V.309.B and 315.A.

II.E.4. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for the 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.

II.E.5. Duty to Mitigate

The Permittee shall immediately take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this permit as required by LAC 33:V.309.D.

II.E.6. Proper Operation and Maintenance

The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related ancillary equipment) that 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.

II.E.7. Duty to Provide Information

The Permittee shall furnish to the Administrative Authority, within a reasonable time, any information which the Administrative Authority 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 Administrative Authority upon request, copies of records required by this permit.

II.E.8. Inspection and Entry

The Permittee shall allow the Administrative Authority or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

II.E.8.a. enter 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;

II.E.8.b. have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

II.E.8.c. inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operation regulated or required under this permit; and

II.E.8.d. sample or monitor, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Administrative Authority any substances or parameters at any location.

II.E.9. Sample Monitoring

II.E.9.a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. The method used to obtain a representative sample of the waste to be analyzed must be the appropriate method from Appendix I of 40 CFR Part 261. Laboratory methods must be those specified in Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, "SW-846", latest revision; Manual of Ground Water Quality Sampling Procedures, 1981, EPA-600/2-81-160, as revised; Procedures Manual for Ground Water Monitoring at Solid Waste Disposal Facilities, 1977, EPA-530/SW-611, as revised; or an equivalent method as specified in the attached Waste Analysis Plan as listed in Attachment 1.

II.E.9.b. Records of monitoring information shall include:

II.E.9.b(1) the date, exact place, and time of sampling or measurements;

II.E.9.b(2) the name(s) and signature(s) of the individual(s) who performed the sampling or measurements:

II.E.9.b(3) the date(s) analyses were performed;

II.E.9.b(4)the name(s) and signature(s) of the individual(s) who performed the analyses;

II.E.9.b(5) the analytical techniques or methods used;

II.E.9.b(6) the results of such analyses; and

II.E.9.b(7) associated quality assurance performance data.

II.E.9.c. Laboratory Quality Assurance/Quality Control

In order to ensure the accuracy, precision, and reliability of data generated for use, the Permittee shall submit a statement, certified as specified in LAC 33:V.513 and included in the annual report, indicating that:

II.E.9.c(1) any commercial laboratory providing analytical results and test data to the Department required by this permit is accredited by the Louisiana Environmental Laboratory Accreditation Program (LELAP) in accordance with LAC 33:I. Subpart 3, Chapter 45. Laboratory data generated by commercial laboratories not accredited under LELAP will not be accepted by the Department.

LAC 33:I. Subpart 3 (Chapters 45-49) provides requirements for the accreditation program. The laboratory accreditation application and a list of labs that have applied for accreditation are available on LDEQs website located at: http://www.deq.louisiana.gov/portal/tabid/2412/Default.aspx.

In accordance with LAC 33:V.4501, the requirements for LELAP accreditation applies whenever data is:

- submitted on behalf of a facility;
- required as part of a permit application;
- required by order of the Department;
- required to be included in a monitoring report submitted to the Department;
- required to be submitted by contract; or
- otherwise required by the Department regulations.

This includes, but is not limited to data from RCRA Trial Burns, Risks Burns, Risk Assessments, MACT Comprehensive Performance Tests, and data used for continuing compliance demonstrations.

II.E.9.c(2) If the Permittee decides to use their own in-house laboratory for test and analysis, the laboratory is not required to be accredited by LELAP. However, the laboratory must document and submit for approval, quality assurance/quality control procedures that are commensurate with requirements in LAC 33:I. Subpart 3. Laboratory Accreditation.

II.E.9.c(3) For approval of equivalent testing or analytical methods, the Permittee may petition for a regulatory amendment under LAC 33:V.105.I and LAC 33:I Chapter 9. In cases where an approved methodology for a parameter/ analyte is not available or listed, a request to utilize an alternate method shall be submitted to the Administrative Authority for approval. Documentation must be submitted to the LDEQ that will verify that the results obtained from the alternate method are equal to or better than those obtained from EPA-accepted methods, as well as those deemed equivalent by the LDEQ.

II.E.10. Retention of Records

The Permittee shall maintain records through the active life of the facility (including operation, closure and post-closure periods) as required by LAC 33:V.309.J and LAC 33:V.1529.A, B, and C. All records, including plans, must be furnished upon request and made available at all reasonable times as required by LAC 33:V.1529.C.

File copies shall be kept for LDEQ inspection for a period of not less than three years as required by LAC 33:V.317.B.

The Permittee shall, for the life of the facility, maintain records of all data used to complete the application for this permit and any supplemental information submitted under the Louisiana Hazardous Waste Control Law (LA. R.S. 30:2171 et seq.).

II.E.11. Notices of Planned Physical Facility Changes

The Permittee shall give notice to the Administrative Authority, as soon as possible, of any planned physical alterations or additions to the permitted facility, in accordance with LAC 33:B.309.L.1.

II.E.12. Physical Facility after Modification or Construction

For any new or existing unit being modified, the Permittee may not manage hazardous waste in the modified portion of the unit until the unit is complete and:

II.E.12.a. the Permittee has submitted to and received approval from the Administrative Authority, by certified mail or hand delivery, a letter signed by the Permittee and an independent registered professional engineer stating that the unit is complete and has been constructed or modified in compliance with the permit; and

II.E.12.b. the Administrative Authority has inspected the modified unit following a request to make final inspection by the Permittee and finds it is in compliance with the conditions of the Permit and all applicable sections of LAC 33:V.Subpart 1, and has issued an Order to Proceed. The Permittee may then commence treatment, storage, or disposal of hazardous waste.

II.E.13. Anticipated Noncompliance

The Permittee shall give advance notice to the Administrative Authority of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

II.E.14. Transfer of Permits

This permit may be transferred to a new owner or operator only if it is modified or revoked and reissued pursuant to LAC 33:V.309.L.4, 321.B, 321.C.4, and 1531 and other requirements if necessary.

II.E.15. 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 as required by LAC 33:V.309.L.6.

II.E.16. Emergency Unauthorized Discharge Notification

In accordance with LAC 33:I.3915, in the event of an unauthorized discharge that results in an emergency condition (an emergency condition is any condition which could be reasonably expected to endanger the health and safety of the public, cause significant adverse impact to the land, water, or air environment, or cause severe damage to property), the Permittee shall notify the DPS (Department of Public Safety) 24-hour Louisiana Emergency Hazardous Materials Hotline by telephone at (225) 925-6595 immediately, but in no case later than one (1) hour after learning of the discharge. The DPS 24-hour Louisiana Emergency Hazardous Materials Hotline will subsequently notify the Department regarding the details of the discharge.

II.E.17. Non-Emergency Unauthorized Discharge Notification

In accordance with LAC 33:I.3917, in the event of an unauthorized discharge that exceeds a reportable quantity specified in LAC 33:I.Chapter 39.Subchapter E and/or results in contamination of the groundwaters of the state but does not result in an emergency condition, the Permittee shall promptly notify the Department within twenty-four (24) hours after learning of the discharge. Notification shall be made to the Office of Environmental Compliance, Emergency and Radiological Services Division, Single Point of Contact (SPOC) in accordance with the procedure and content requirements specified in LAC 33:I.3923.

II.E.18. Unauthorized Discharge to Groundwater Notification

In accordance with LAC 33:I.3919, in the event of an unauthorized discharge resulting in contamination of groundwaters of the state by moving in, into, within or on any saturated subsurface strata, the Permittee shall promptly notify the Department within twenty-four (24) hours after learning of the discharge. Notification shall be made to the Office of Environmental Compliance, Emergency and Radiological Services Division, SPOC in accordance with the procedure and content requirements specified in LAC 33:I.3923.

II.E.19. Written Notification Reports for Unauthorized Discharges

The Permittee shall submit written reports to the SPOC for any unauthorized discharges requiring notification under Conditions II.E.16, II.E.17 or II.E.18 of this permit. The written report shall be submitted in accordance with the procedure and content requirements specified in LAC 33:I.3925.

II.E.20. Noncompliance Reporting

The Permittee shall report orally within twenty-four (24) hours any noncompliance with the permit that may endanger human health or the environment, except where more immediate notification is required by LAC 33:I.3901, et seq. ("Notification Regulation and Procedures for Unauthorized Discharges" dated November 19, 1985, as amended.) This report shall include the following:

II.E.20.a. information concerning the release of any hazardous waste that may endanger public drinking water supplies; and

II.E.20.b. information concerning the release or discharge of any hazardous waste, or of a fire or explosion at the facility, that could threaten the environment or human health outside the facility. The description of the occurrence and its cause shall include:

II.E.20.b(1) telephone number of the owner or operator;

II.E.20.b(2) name, address, and telephone number of the facility;

II.E.20.b(3) date, time, and type of incident;

II.E.20.b(4) name and quantity of materials involved;

II.E.20.b(5) the extent of injuries, if any;

II.E.20.b(6) an assessment of actual or potential hazard to the environmental and human health outside the facility, where this is applicable; and

II.E.20.b(7) estimated quantity and disposition of recovered material that resulted from the incident.

II.E.21. Follow-up Written Report of Noncompliance

The Permittee shall provide a written submission within five (5) days after the time the Permittee becomes aware of any noncompliance which may endanger human health or the environment. However, where more immediate submission is required by LAC 33:I. 3901, "Notification Regulations and Procedures for Unauthorized Discharges" dated November 19, 1985, as amended, the report shall be submitted in accordance with those regulations. The written submission shall contain a description of the noncompliance and its cause; the periods of noncompliance (including exact dates and times); whether the noncompliance has been corrected; and if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. If the Administrative Authority waives the requirement, then the Permittee shall submit a written report within fifteen (15) days after the time the Permittee becomes aware of the circumstances, as required by LAC 33:V.309.L.7.

II.E.22. Other Noncompliance

The Permittee shall report all other instances of noncompliance not otherwise required to be reported above, at the time required monitoring reports are submitted. The reports shall contain the information listed in Condition II.E.20.

II.E.23. Other Information

Whenever the Permittee becomes aware that it failed to submit any relevant facts in the permit application, or that it submitted incorrect information in the permit application, or in any report to the Administrative authority, the Permittee shall promptly submit such facts or information.

II.E.24. Signatory Requirement

All applications, reports or other information submitted to the Administrative Authority shall be signed and certified according to LAC 33:V.507, 509, 511, and 513.

II.E.25. Schedule of Compliance

(RESERVED)

II.E.26. Additional Operating Standards

(RESERVED)

II.E.27. Updated Documents To Be Submitted Prior to Operation

(RESERVED)

II.E.28. Documents To Be Maintained at Facility Site

II.E.28.a. The Permittee shall maintain at the facility, until closure is completed and certified by an independent registered professional engineer, the following documents and amendments, revisions, and modifications to these documents. Any revision or changes shall be submitted with the annual report unless previously submitted.

II.E.28.a(1) Waste Analysis Plan submitted in accordance with LAC 33:V.1519 (Attachment 1).

II.E.28.a(2) Personnel Training Plan and the training records as required by LAC 33:V.1515 (Attachment 1).

II.E.28.a(3) Contingency Plan submitted in accordance with LAC 33:V.1513 (Attachment 1).

II.E.28.a(4) Arrangements with local authorities in accordance with LAC 33:V.1511.G (Attachment 1).

II.E.28.a(5) Closure Plan submitted in accordance with LAC 33:V.3511 and any post-closure care requirements that may be required initially or through permit modifications in accordance with LAC 33:V.3523 (Attachment 1).

II.E.28.a(6) Cost Estimate for facility closure care submitted in accordance with LAC 33:V.3705 and any post closure cost estimate that may be required initially or through a permit modification in accordance with LAC 33:V.3709 (Attachment 1).

II.E.28.a(7) Operating Records as required by LAC 33:V.1529 and 2115.D.

II.E.28.a(8) Inspection Plan and schedules developed in accordance with LAC 33:V.517.G and 1509.B (Attachment 1).

II.E.28.a(9) Security Plan developed in accordance with LAC 22:V.1507 (Attachment 1).

II.E.28.b. All proposed amendments, revisions and modifications to any plan or cost estimates required by this permit shall be submitted to the Administrative Authority for approval and in accordance with LAC 33:V.321.

II.E.29. Annual Report

An annual report shall be submitted covering all hazardous waste units and their activities during the previous calendar year as required by LAC 33:V.1529.D.

II.E.30. Manifest

The Permittee shall report manifest discrepancies and unmanifested waste as required by LAC 33:V.309.L.8 and 9.

II.E.31. Emissions

Emissions from any hazardous waste facility shall not violate the Louisiana Air Quality Regulations. If air quality standards are exceeded, the site will follow air regulation protocol.

II.E.32. Waste Discharges

Waste discharges from any hazardous waste facility shall not violate the Louisiana Water Quality Regulations. If water standards are exceeded, the site will follow water quality regulation protocol.

II.E.33. Non-Listed Hazardous Waste Facilities

This permit is issued for those hazardous waste facilities listed in Condition IV (Permitted Facilities). If the Permittee determines that an unpermitted hazardous waste facility exists, the Permittee must immediately notify the Administrative Authority in accordance with Condition II.E.23 of the General Permit Conditions.

II.E.34. Compliance With Land Disposal Restrictions

The Permittee shall comply with those land disposal restrictions set forth in LA. R.S. 30:2193, all regulations promulgated thereunder, and the HSWA portion of this permit (Conditions VII and VIII).

II.E.35. Establishing Permit Conditions

Permits for facilities with pre-existing groundwater contamination are subject to all limits, conditions, remediation and corrective action programs designated under LAC 33:V.311.D and LAC 33:V.3303.

II.E.36. Incinerator MACT Provisions

The Environmental Protection Agency (EPA) has established an interim final rule on Hazardous Waste Combustor (HWC) emission standards. The emission standards were issued under the joint authority of the Clean Air Act and the Resource Conservation and Recovery Act. The HWC rule sets Maximum Achievable Control Technology (MACT) emission standards for hazardous waste incinerators. The emission standards and operating procedures for affected facilities are codified at 40 CFR, Part 63, Subpart EEE. The facility submitted a revised Notification of Compliance on June 26, 2006. Operating parameter limits for NCIN-1 and NCIN-2 were transferred to the Permittee's air permit after the Administrative Authority issued a Finding of Compliance for this document on July 14, 2006.

II.E.37. Obligation for Corrective Action

Owners or operators of hazardous waste management units must have all necessary permits during the active life of the unit and for any period necessary to comply with the corrective action requirements in Condition VII and VIII of this Permit. The facility is obligated to complete facility-wide corrective action regardless of the operational status of the facility.

II.E.38. Attachments and Documents Incorporated by Reference

All attachments and documents required by this permit, including all plans and schedules, are incorporated, upon approval by the Administrative Authority, into this permit by reference and become an enforceable part of this permit. Since required items are essential elements of this permit, failure to submit any of the required items or submission of inadequate or insufficient information may subject the Permittee to enforcement action, which may include fines, suspension, or revocation of the permit.

Any noncompliance with approved plans and schedules shall be termed noncompliance with this Permit. Written requests for extension of due dates for submittals may be granted by the Administrative Authority.

If the Administrative Authority determines that actions beyond those provided for, or changes to what is stated herein, are warranted, the Administrative Authority may modify this Permit according to procedures in LAC 33:V.321 and Condition II.C of this Permit.

III. GENERAL FACILITY CONDITIONS

III.A. DESIGN AND OPERATION OF ALL FACILITIES

III.A.1. The Permittee must maintain and operate all facilities to minimize the possibility of a fire, explosion, or any unauthorized sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or water that could threaten human health or the environment.

III.A.2. The Permittee shall not receive for treatment, storage, or disposal any hazardous waste generated outside of the United States or its territories, in accordance with LA. R.S. 30:2189 of the Louisiana Environmental Quality Act.

III.A.3. No off-site generated hazardous waste may be shipped to the Norco facility (LAD 980 622 104), for storage, treatment, and/or disposal.

III.B. REQUIRED NOTICE

(RESERVED)

III.C. GENERAL WASTE ANALYSIS

The Permittee shall follow the procedures described in the Waste Analysis Plan (Attachment 1) and in accordance with LAC 33:V.1519.

III.C.1. The Permittee shall review the Waste Analysis Plan annually and report to the Administrative Authority in the annual report whether any revision is required to stay abreast of changes in EPA methods and/or State regulatory provisions.

III.C.2. In order to ensure the accuracy, precision, and reliability of data generated for use, the Permittee shall submit annually, a certified statement indicating that any commercial laboratory providing analytical results and test data to the Department must be accredited by the Louisiana Environmental Laboratory Accreditation Program (LELAP) in accordance with LAC 33:I.Subpart 3, Chapter 45. This written statement shall be certified as specified in LAC 33:V.513 and included in the annual report. Laboratory data generated by commercial laboratories not accredited under LELAP will not be accepted by the Department.

III.C.2.a. In accordance with LAC 33:V.4501, the requirements for LELAP accreditation applies whenever data is:

- submitted on behalf of a facility;
- required as part of a permit application;
- required by order of the Department;
- required to be included in a monitoring report submitted to the Department;
- required to be submitted by contract; or
- otherwise required by the Department regulations.

This includes, but is not limited to data from RCRA Trial Burns, Risks Burns, Risk Assessments, MACT Comprehensive Performance Tests, and data used for continuing compliance demonstrations.

III.C.2.b. If the Permittee decides to use their "in-house" laboratory for test and analysis, the laboratory is not required to be accredited by LELAP. However, the laboratory must document and submit for approval, quality assurance/quality control procedures that commensurate with requirements in LAC 33:I.Subpart 3. Laboratory Accreditation.

III.C.2.c. For approval of equivalent testing or analytical methods, the Permittee may petition for a regulatory amendment under LAC 33:V.105.I and LAC 33:I.Chapter 9.

III.C.3. If there is reason to believe that the hazardous waste has changed or the operation generating the hazardous waste has changed, the Permittee shall review and recharacterize all hazardous waste streams generated by the Permittee onsite and either shipped offsite, or treated, stored or disposed onsite. The Permittee must recharacterize wastes in accordance with LAC 33:V.1519.A.3. This recharacterization shall include laboratory analyses and/or process knowledge which provide information needed to properly treat, store and dispose of the hazardous waste, including physical characteristics and chemical components of the waste. The results of this recharacterization shall be summarized in the Permittee's Annual Report.

III.C.4. The Permittee shall submit documentation if they contract with an outside laboratory for any service required by the Waste Analysis Plan or LAC 33:V.Chapter 15. This document shall be resubmitted when a different laboratory is contracted. The Permittee shall also submit documentation that the laboratory complies with the accreditation requirements of LAC 33:I.Chapter 45.

III.C.5. In accordance with LAC 33:V.1519.B, the Waste Analysis Plan must meet all the sampling and QA/QC procedures of Condition II.E.9.c. All test procedures used by the Permittee shall be maintained on file by the Permittee and made available to LDEQ upon request.

III.D. SECURITY

The Permittee shall comply with the security provisions of LAC 33:V.1507 and as specified in the Security Plan, as referenced in Attachment 1.

III.E. GENERAL INSPECTION REQUIREMENTS

The Permittee shall follow the inspection schedule referenced in Attachment 1 of this permit. The Permittee shall remedy any deterioration or malfunction discovered by an inspection as required by LAC 33:V.1509.C. Records of inspections shall be kept as required by LAC 33:V.1509.D. The inspection schedule shall include the regulatory requirements of LAC 33:V. 517.G, 1509.A, 1905, 1911, 2109, and 3119.

III.F. PERSONNEL TRAINING

The Permittee shall conduct personnel training as required by LAC 33:V.1515.A, B, and C. This training program shall follow the outline in the training plan referenced in Attachment 1. The Permittee shall maintain all training documents and records as required by LAC 33:V.1515.D and E.

III.G. GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTE

The Permittee shall take precautions as required by LAC 33:V.1517 to prevent accidental ignition or reaction of ignitable or reactive wastes.

III.H. LOCATION STANDARDS

III.H.1. The Permittee has furnished evidence that it is in compliance with seismic standards as required by LAC 33:V.517.T.

III.H.2. The Permittee must not manage any hazardous waste on any portion of the property that lies within the 100 year flood plain (as identified in the Flood Insurance Rating Map) unless such areas are raised above this flood level or other means (e.g., levees) are provided to protect such areas from washouts, overtopping by wave action, soil erosion or other effects of such a flood as required by LAC 33:V.1503.B.3. Such site improvements must be certified by independent licensed professional engineers and approved by LDEQ prior to any hazardous waste and/or hazardous waste units being placed thereon.

III.I. PRECIPITATION RUN-ON AND RUN-OFF

The Permittee must provide for the control by diversion or treatment of run-on and run-off resulting from a rainfall occurring in 24 hours from a 25 year storm as defined by local rainfall records and LAC 33:V.1503.B.2. The Permittee shall comply with the requirements of LAC 33:V.1907.E.1.b; 2111.B.4, B.5, and B.6.

III.J. HURRICANE EVENTS

The Permittee shall initiate those applicable portions of the contingency plan during a hurricane as well as appropriate actions required by LAC 33:V.1507, 1509, and 1511.

III.K. PREPAREDNESS AND PREVENTION

III.K 1. Required Equipment

At a minimum, the Permittee shall install and maintain the equipment set forth in the contingency plan as required by and which is in conformance with LAC 33:V.1511.C.

III.K 2. Testing and Maintenance of Equipment

The Permittee shall test and maintain the equipment specified in Condition III.K.1 to insure its proper operation in time of emergency. The testing and maintenance of the equipment must be documented in the operating record.

III.K 3. Access to Communications or Alarm Systems

The Permittee shall maintain access to the communications or alarm systems as required by LAC 33:V.1511.E.1 and 1511.E.2.

III.K 4. Required Aisle Space

In no case shall aisle space be less than two (2) feet. In addition, the Permittee shall maintain adequate aisle space as required by LAC 33:V.1511.F and 2109.B.

III.K 5. Arrangements with Local Authorities

The Permittee shall document in the annual report that the requirements of LAC 33:V.1511.G. have been met. This documentation shall include those state and local agencies involved and those facilities and operations covered. Documentation of annual written renewal of arrangements with state and local agencies shall also be included in this report. Where state or local authorities decline to enter into such arrangements, the Permittee must document the refusal in the operating record.

III.L. CONTINGENCY PLAN

III.L.1. Implementation of Plan

The Permittee shall immediately carry out the provisions of the contingency plan, referenced in Attachment 1 of this permit, and follow the emergency procedures described by LAC 33:V.1513.F whenever there is a fire, explosion, release of hazardous waste or hazardous waste constituents that threaten or could threaten human health or the environment.

III.L.2. Copies of Plan

The Permittee must comply with the requirements of LAC 33:V.1513.C.

III.L.3. Amendments to Plan

The Permittee must review and immediately amend (if necessary), the contingency plan, as required by LAC 33:V.1513.D.

III.L.4. Emergency Coordinator

The Permittee must comply with the requirements of LAC 33:V.1513.E concerning the emergency coordinator.

III.M. MANIFEST SYSTEM

The Permittee shall comply with the manifest requirements of LAC 33:V.Chapter 9 and 11.

III.N. RECORDKEEPING AND REPORTING

III.N.1. Operating Record

The Permittee shall maintain a written operating record at the facility in accordance with LAC 33:V.1529.A, 1529.B, and 1529.C.

III.N.2. Annual Report

The Permittee shall comply with the annual report requirements of LAC 33:V.1529.D.

III.N.3. Operations Manual

The Permittee shall compile and keep current an operations manual covering all aspects of the Permittee's treatment, storage, and disposal facilities as required by LAC 33:V.517.T.7.

III.O. CLOSURE

The closure plan shall include the following responses by the Permittee to LAC 33:V.1915, 3121, 3503, 3505, 3507, 3509, 3511, 3513, and 3515. The Administrative Authority may re-evaluate the adequacy of the approved closure plan and/or the confirmatory sampling procedures prior to the commencement of closure (e.g., permit renewal applications, permit modifications, notifications of intent to close).

III.O.1. Closure Plan

The Permittee shall close the facility in accordance with the closure plan referenced in Attachment 1, and in accordance with applicable conditions of LAC 33:V.3507.

III.O.2. Amendment to Closure Plan

The Permittee shall amend the closure plan where necessary, in accordance with LAC 33:V.3511.C. Any modification shall be subject to LAC 33:V.321, 322, and 323 where applicable.

III.O.3. Notification of Closure

The Permittee shall notify the Administrative Authority at least forty-five (45) days prior to the date he expects to begin closure in accordance with LAC 33:V.3511.D.

III.O.4. Time Allowed For Closure

After receiving the final volume of hazardous waste, the Permittee shall treat or remove from the site all hazardous waste in accordance with the schedule specified in the closure plan, and in accordance with LAC 33:V.3513.

III.O.5. Disposal or Decontamination of Equipment

The Permittee shall decontaminate and dispose all facility equipment in accordance with the closure plan, and LAC 33:V.3515.

III.O.6. Certification of Closure

The Permittee shall certify that the facility has been closed in accordance with the specifications in the closure plan as required by LAC 33:V.3517.

III.O.7. Inventory at Closure

The Permittee shall be responsible for closure cost based upon the maximum permitted facility inventories listed in Tables1 and 2.

TABLE 1
Tanks

EXISTING TANKS	SERVICE	LOCATION	MAXIMUM PERMITTED CAPACITY(GALLONS)
T-C991	Surge Allyl Chloride Heavy Ends Storage	C-Unit Tank Farm	60,000
T-C992	Surge Allyl Chloride Heavy Ends Storage	C-Unit Tank Farm	60,000
T-C907	TCP Residue Storage	C-Unit Tank Farm	60,000
T-R913	Organic Solvents Storage	HPRU Tank Farm	10,000

TABLE 2
Incinerators

INCINERATOR	SERVICE	LOCATION
NCIN-1	Liquid Waste	NCIN-1 Area
NCIN-2	Liquid Waste	NCIN-2 Area

Closure will include the two (2) organic chloride incinerators, (NCIN 1 and NCIN 2), cooling equipment, gas cleaning equipment, fan, stack, and all feed and loading equipment.

In addition to the above listed units, the closure costs must include allowances for decontamination of the buildings, associated equipment, and any adjacent contaminated soils.

II.P. POST-CLOSURE

III.P.1. The Permittee must attempt to clean close all hazardous waste units. If the facility cannot be clean closed, the Permittee shall submit a post-closure plan for approval

by the Administrative Authority. If some waste residues or contaminated materials are left in place at final closure, the Permittee must comply with all post-closure requirements in accordance with LAC 33:.3519-3527, including maintenance and monitoring throughout the post-closure care period.

III.Q. COST ESTIMATE FOR CLOSURE/POST-CLOSURE

III.Q.1. The Permittee must maintain cost estimates for closure of all facilities in accordance with LAC 33:V.3705 and 3707.

III.Q.2. The Permittee shall maintain and adjust the closure cost estimate for inflation, as specified in LAC 33:V.3705.B, 3705.C, and for other circumstances that increase the cost of closure.

III.Q.3. The Permittee must adjust the closure cost estimate within thirty (30) days after approval by the Administrative Authority of any request to modify the closure plan in accordance with LAC 33:V.3705.C. The Permittee shall consider the impact of any inventory and or process changes on the closure cost estimate.

III.Q.4. The closure cost estimate must equal the cost of closure at the point in the facility's operating life when the extent and manner of its operation would make closure most expensive. The closure cost estimate shall be based on the maximum permitted inventory of each facility as specified in Condition III. Tables 1 and 2 of this permit.

III.Q.5. If the Permittee is unable to complete closure of all facilities specified in Condition III. Tables 1 and 2 of this permit as per LAC 33:V.Chapter 35 and as acceptable by the Administrative Authority, a Post-Closure Plan must be submitted for each facility failing to achieve clean closure within ninety (90) days from the date that the Permittee or Administrative Authority determines that the unit must be closed in accordance with landfill regulations, LAC 33:V.Chapter 25. The Post-Closure Plan must meet the requirements of LA 33:V.3523.B.

III.R. FINANCIAL ASSURANCE FOR CLOSURE UNITS

The Permittee shall establish and maintain financial assurance for closure in accordance with LAC 33:V.3707 for all units listed under Condition III.O.7.

III.S. LIABILITY REQUIREMENTS

The Permittee shall have and maintain liability coverage for sudden accidental occurrences in the amounts of $1,000,000 each occurrence and $2,000,000 annual aggregate, exclusive of legal defense costs, as required by LAC 33:V.3715.A. The Permittee shall have and maintain liability coverage for non-sudden accidental occurrences in the amounts of $3,000,000 each occurrence and $6,000,000 annual aggregate, exclusive of legal defense costs, as specified in LAC 33:V. 3715.B.

III.T. INCAPACITY OF THE PERMITTEE

The Permittee shall comply with LAC 33:V.3717 whenever bankruptcy is initiated for Permittee or its institutions providing financial assurance. If insurance is used for compliance with LAC 33:V.3715, the Permittee shall immediately notify the Administrative Authority if the insurance company is placed in receivership. The Permittee must establish other financial assurance or liability coverage within sixty (60) days after such an event.

IV. PERMITTED FACILITIES

The following facilities are permitted to be used in hazardous waste service:

IV.A. TANKS

Details of the tanks listed in Table 3, including design and operational specifications, are contained in Permit Condition V.A.

TABLE 3
Tanks

EXISTING TANKS	SERVICE	LOCATION	MAXIMUM PERMITTED CAPACITY
T-C991	Surge Allyl Chloride Heavy Ends Storage	C-Unit Tank Farm	60,000 gallons
T-C992	Surge Allyl Chloride Heavy Ends Storage	C-Unit Tank Farm	60,000 gallons
T-C907	TCP Residue Storage	C-Unit Tank Farm	60,000 gallons
T-R913	Organic Solvents Storage	HPRU Tank Farm	10,000 gallons

IV.B. INCINERATORS

Details of the Incinerators listed in Table 4, are contained in Permit Condition V.B.

TABLE 4
(2) Incinerators

INCINERATOR	SERVICE	LOCATION
NCIN-1	Liquid Waste	NCIN-1 Area
NCIN-2	Liquid Waste	NCIN-2 Area

V. PERMIT CONDITIONS APPLICABLE TO PERMITTED FACILITIES

V.A. TANKS

V.A.1. Description of Tank Systems

V.A.1.a. Operation

V.A.1.a(1) All permitted tanks and associated piping, pumps, instruments, containments, and vent controls shall be operated and maintained in accordance with LAC 33:V.Chapter 19, the specification and design criteria submitted in the Part B Permit Application, and the design limits specified in Table 5.

V.A.1.a(2) The design temperature and pressure for each tank shall not change from the one listed in Table 5, unless a permit modification is approved by the Department.

V.A.1.b. Permitted Tanks

V.A.1.b(1) The tank systems listed in Table 5 are permitted to be used for hazardous waste storage. These tanks have been certified by an independent, professional engineer licensed in the State of Louisiana to have sufficient structural integrity for storage of hazardous waste.

V.A.1.b(2) All of the tank systems listed in Table 5 must be clearly marked with the words "Hazardous Waste".

V.A.1.b(3) The Permittee is prohibited from storing or treating hazardous waste in any tank storage system not listed in Table 5 for greater than ninety (90) days, unless an extension is granted by the Department, the activity is exempt from regulations, or an Emergency Permit is issued.

V.A.1.b(4) The Permittee is prohibited from storing any hazardous waste received from offsite in any tank storage system.

V.A.2. Permitted and Prohibited Wastes

V.A.2.a. Permitted Waste

Subject to the terms of this Permit, the Permittee is allowed to store in the tanks described in Condition V.A.1.b of this Permit, the hazardous wastes identified in the Part A Permit Application.

V.A.2.b. Prohibited Waste

The Permittee is prohibited from storing hazardous waste that is not identified in the Part A Permit Application.

V.A.3. Secondary Containment

V.A.3.a. Duty to Comply with LAC 33:V.1907.B through F

The Permittee shall design, construct, operate, and maintain the secondary containment system in accordance with LAC 33:V.1907.B-F, the Part B Permit Application, and Table 5 of this Permit.

V.A.3.b. Prevention of Migration

V.A.3.b(1) Secondary containment systems must be maintained and operated to prevent any migration of wastes or accumulated liquid out of the system to the soil, groundwater, or surface water at any time during the use of the tank system.

V.A.3.b(2) Ancillary equipment must be provided with secondary containment, except as excluded by LAC 33:V.1907.F.

V.A.3.b(3) Secondary containment systems must be free of cracks or gaps and other surface defects that would allow liquid to migrate out of the containment system.

V.A.3.b(4) Spilled or leaked waste must be removed from the secondary containment system within 24 hours or in as timely a manner as is possible to prevent harm to human health and the environment if it can be demonstrated that removal cannot be accomplished within 24 hours.

V.A.3.b(5) Accumulated precipitation must be removed from the secondary containment system within 24 hours or in as timely a manner as is possible.

V.A.4. Operating Requirements

V.A.4.a. Duty to Comply with LAC 33:V.1909.A

The Permittee shall comply with LAC 33:V.1909.A. Hazardous wastes or treatment reagents must not be placed in a tank system if they could cause the tank, its ancillary equipment, or the containment system to rupture, leak, corrode, or otherwise fail.

V.A.4.b. Duty to Comply with LAC 33:V.1909.B

The Permittee shall comply with LAC 33:V.1909.B and Table 5 of this Permit. The Permittee must use appropriate controls and practices to prevent spills and overflows from tanks and containment systems.

V.A.4.c. Tank Covers

All hazardous waste storage tanks shall be covered and shall not be vented directly to the atmosphere if the tanks are used to store, or if a possibility exists that they may be used to store, volatile or malodorous waste.

V.A.4.d. Maintenance

The Permittee shall maintain the permitted tank systems according to the design code specified for each tank as listed in Table 5 and not exceed the listed operating conditions.

V.A.5. Ignitable, Reactive, and Incompatible Wastes

The Permittee shall store ignitable, reactive, or incompatible wastes only in accordance with LAC 33:V.1517.B, 1917 and 1919.

V.A.6. Inspections

V.A.6.a. Inspection Schedule

The Permittee shall comply with LAC 33:V.1911.A through C by following the inspection plan referenced in Attachment 1.

V.A.6.b. Daily Inspection

V.A.6.b(1) At least once per day while the tank is operating in hazardous waste service, the Permittee shall inspect the following:

V.A.6.b(1)(a) Aboveground portions of the tank system, including the tank, ancillary piping, valves, and vent controls, to detect corrosion, cracks or releases of waste.

V.A.6.b(1)(b) Data gathered from monitoring and leak detection equipment.

V.A.6.b(1)(c) The construction materials and area immediately surrounding the externally accessible portion of the tank system and ancillary equipment, e.g. secondary containment system, to detect erosion, cracks and signs of hazardous waste releases.

V.A.6.b(3) All deficiencies noted during daily inspections must be remedied in a timely manner.

V.A.6.c. External Inspection

At a minimum, external inspection of each tank covered by this Permit shall be performed as often as required by the Inspection Standard in Table 5. The required frequency of inspection with reference to the applicable section of the standard shall be kept on site and available for review by the Department upon request. The inspection shall be performed by a person meeting the minimum qualifications required under the Inspection Standard in Table 5. The inspection checklist shall be comparable to that in Appendix C of API Standard 653.

If the result of such an inspection reveals that the tank is unfit for continued service, the Permittee shall immediately stop the flow of hazardous waste into the tank and comply with LAC 33:V.1913. The certification required by LAC 33:V.1913.F shall be obtained before the tank is put back into service.

V.A.6.d. Internal Inspection

Internal inspection of each tank covered by this Permit shall be performed as often as required by the Inspection Standard in Table 5. The required frequency of inspection with reference to the applicable section of the standard shall be kept on site and available for review by the Department upon request. The inspection shall be performed by a person meeting the minimum qualifications required under the Inspection Standard in Table 5. The inspection checklist shall be comparable to that in Appendix C of API Standard 653.

If the result of such an inspection reveals that the tank is unfit for continued service, the Permittee shall immediately stop the flow of hazardous waste into the tank and comply with LAC 33:V.1913. The certification required by LAC 33:V.1913.F shall be obtained before the tank is put back into service.

V.A.6.e. Thickness Testing

V.A.6.e(1) Thickness testing of each metallic tank covered by this Permit shall be performed biennially.

V.A.6.e(2) Tank thickness measurements shall be taken on the tank top, bottom, and shell and shall be taken at least on each tank quadrant. Tank thickness readings shall be taken in the same place during each testing event in order to form a comparison of readings for corrosion rate determination.

V.A.6.e(3) Tank thickness readings shall also be taken at any spot where visual corrosion or compromised integrity is evident.

V.A.6.e(4) When any tank shell thickness measurement at a single point is less than that required in Table 5, the Permittee shall immediately comply with either V.A.6.e.(4)(a) or (b) below:

V.A.6.e(4)(a) The tank shall be deemed unfit for use, and the Permittee shall immediately stop the flow of hazardous waste into the tank and comply with LAC 33:V.1913. The tank shall be repaired or replaced and the certification required by LAC 33:V.1913.F shall be obtained before the tank is put back into service.

V.A.6.e(4)(b) An engineering evaluation shall be performed, conforming to the appropriate standard or standards, as allowed by the design or inspection standard in Table 5. If the evaluation determines that the tank is unfit for service, the Permittee shall comply with Condition V.A.6.e.(4)(a) of this Permit immediately. The evaluation must be submitted to the Waste Permits Division for approval within forty-five (45) days of the initial measurement.

V.A.6.e(5) Tank thickness measurements shall not be averaged, unless allowed under the tank inspection standard in Table 5.

V.A.6.f. Overfill Controls

Tank levels shall be continuously monitored and overfill controls shall be visually inspected daily along with other above ground portions of the tank. Function of the overfill controls shall be tested annually.

V.A.7. Response to Leaks or Spills

V.A.7.a. Duty to Comply with LAC 33:V.1913.A through E

In the event of a leak or spill from a tank system, secondary containment system, or if a system becomes unfit for use, the Permittee shall comply with LAC 33:V.1913.A through E.

V.A.7.b. Leaks and Spills

V.A.7.b(1) Upon discovering a leak or spill, the Permittee must immediately stop the flow of hazardous waste into the tank system or secondary containment system and inspect the system to determine the cause of the release.

V.A.7.b(2) Within 24 hours of detecting a leak from the tank system, or in as timely a manner as is practical, if the Permittee demonstrates that is not possible to remove the waste within 24 hours, the Permittee must remove as much waste as necessary to prevent further release from the tank or secondary containment system and to allow inspection and repair of the tank system.

V.A.7.b(3) Any spilled material or material trapped in sumps that is a hazardous waste or that will be disposed of as a hazardous waste must be cleaned up in a timely manner, as required by LAC 33:V.1505.C.3.

> **V.A.7.b(3)(a)** If the collected material is discharged through a point source to United States waters or to a Publicly Owned Treatment Works, it is subject to the requirements of the Clean Water Act.
>
> **V.A.7.b(3)(b)** If the collected material is released to the environment, it may be subject to reporting under applicable requirements of LAC 33:V.1505, LAC 33:I.Chapter 39, and 40 CFR Part 302.

V.A.7.b(4) When a leak or spill occurs, the Permittee shall remove and properly dispose of any visible contamination of the soil or surface water.

V.A.7.b(5) A tank system from which a leak or spill has occurred must be closed in accordance with the Closure Plan and LAC 33:V.1915, unless the requirements of LAC 33:V.1913.E.2-3 are satisfied.

> **V.A.7.b(5)(a)** For a release caused by a spill that has not damaged the integrity of the system, the Permittee shall remove the released waste and make any necessary repairs to fully restore the integrity of the system before returning the tank system to service.
>
> **V.A.7.b(5)(b)** For a release caused by a leak from the primary tank system to the secondary containment system, the Permittee shall repair the primary system prior to returning the tank to service.

V.A.7.b(6) If the Permittee replaces a component of the tank system to eliminate a leak, that component must satisfy the requirements for new tank systems or components in LAC 33:V.1905 and 1907.

V.A.7.b(7) All leaks and spills shall be documented in the daily inspection log.

V.A.7.c. Major Repairs

V.A.7.c(1) The Permittee shall comply with LAC 33:V.1913.F when performing major repairs to a tank system.

V.A.7.c(2) Major repairs shall include, but not be limited to, installation of an internal liner, repair of a ruptured tank, repair of a ruptured secondary containment area, and removal of a tank from its foundation for any reason.

V.A.7.c(3) The Permittee shall conform to the appropriate portion of the most recent inspection code listed in Table 5 for maintenance, inspection, re-rating, repair, and alteration of all tanks.

V.A.7.c(4) *The tank shall not be returned to service unless the Permittee* has obtained a certification by an independent, professional engineer licensed in the State of Louisiana that the system is capable of handling hazardous waste without release for the intended life of the system. The certification of repairs shall include an inspection in accordance with the requirements of any applicable codes, such as API 510 or API 653. The certification shall be submitted to the Department within seven (7) days of returning the tank system to use.

V.A.8. Air Emission control Equipment Standards

The Hazardous Waste Tanks listed in Table 5 are in compliance with the applicable Clean Air Act Standards for operating air emission controls; therefore they are exempt from the air control emission standards in LAC 33:V.1747-1799 and Condition VII.B of this permit. In the event that the Clean Air Act Standards are not longer applicable to the tanks listed in Table 5, the Permittee shall comply with LAC 33:V.1747-1799 and Condition VII.B of this permit.

V.A.9. Recordkeeping

V.A.9.a. New Tanks

The Permittee shall obtain, and keep on file at the facility, the written statements by those persons required to certify the design and installation of new tank systems, in accordance with LAC 33:V.1905.G.

V.A.9.b. Written Assessment

The Permittee shall keep on file at the facility, written assessments of the tank systems' integrity. Assessments shall be updated at the time of submittal of the Permit Renewal Application and at any other time deemed necessary by the Department.

V.A.9.c. Inspections

V.A.9.c(1) The Permittee shall document in the operating record for the facility inspection of those items in Condition V.A.6.(a)-(b) of this Permit.

V.A.9.c(1)(a) The daily log sheets shall include all monitored parameters for the prevention of spills and overflows, including temperature, pressures, levels, and pump flows into and out of the tanks.

V.A.9.c(1)(b) The Permittee shall note all deficiencies discovered during the inspection in the inspection log.

V.A.9.c(1)(c) Corrective action taken in response to deficiencies must be included as part of the operating record for the facility.

V.A.9.c(2) The Permittee shall document in the operating record all tests or inspections of overfilling controls.

V.A.9.c(3) The Permittee shall keep on file at the facility, the results of the internal and external inspections required by Condition V.A.6.(c)-(d) of this Permit. The Permittee shall note all deficiencies discovered during the inspection in the inspection log. Corrective action taken in response to deficiencies must be included as part of the operating record for the facility.

V.A.9.c(4) The Permittee shall keep on file all information related to tank thickness testing required under Condition V.A.6.(e) of this Permit.

V.A.9.c(4)(a) This information shall include at a minimum, the date(s) of assessment, the location where measurement readings are taken, the raw measurement data, comparison of actual reading to minimum thickness requirements, the corrosion rate, and calculation of remaining tank life.

V.A.9.c(4)(b) If an engineering evaluation is performed in accordance with Condition V.A.6.e.(4)(b) of this Permit, the results of such an evaluation shall be kept in the operating record. The engineering evaluation must include, at a minimum, details on how the evaluation was performed, references to applicable tank codes, raw data, calculations performed, and an explanation of why the tank is or is not fit for continued service.

V.A.9.c(4)(c) Any tank thickness measurements that are averaged under Condition V.A.6.e.(5) of this Permit must be supported by documentation with references to the applicable tank codes. The documentation shall include all raw measurement data, calculations, and results of averaging. This information shall be kept as a part of the operating record for the facility.

V.A.9.d. Releases

V.A.9.d(1) The Permittee shall keep on file at the facility notification reports submitted under LAC 33:V.1913.D.

V.A.9.d(2) Within twenty-four (24) hours of detecting a reportable leak or spill from a tank system or secondary containment system to the environment, the Permittee shall report the leak or spill to the Department's Single Point of Contact (SPOC).

V.A.9.d(3) Within thirty (30) days of detecting a reportable release to the environment from a tank system or secondary containment system, the Permittee shall report the following information to the Department's Single Point of Contact:

V.A.9.d(3)(a) Likely route of migration of the release;

V.A.9.d(3)(b) Characteristics of the surrounding soil, including soil composition, geology, hydrogeology, and climate;

V.A.9.d(3)(c) Results of any monitoring or sampling conducted in connection with the release (if available). If the Permittee finds it will be impossible to meet this time schedule, the Permittee must provide the Department with a schedule of when the results will be available. This schedule must be provided before the required thirty (30) day submittal period expires;

V.A.9.d(3)(d) Proximity of downgradient drinking water, surface water, and populated areas; and

V.A.9.d(3)(e) A description of response actions taken or planned.

V.A.9.e. Repairs

The Permittee shall keep on file at the facility all certifications required by Condition V.A.7.c of this Permit.

V.A.10. Closure and Post Closure Care

V.A.10.a. Duty to Comply with LAC 33:V.1915.A

The Permittee shall comply with LAC 33:V.1915.A by following the procedures specified in the Closure Plan, Attachment 1.

V.A.10.b. Duty to Comply with LAC 33:V.1915.B

If the Permittee demonstrates that not all contaminated soils can be practicably removed or decontaminated in accordance with Condition V.A.10.a of this Permit, the Permittee shall comply with LAC33:V.1915.B.

V.A.10.c. Post-Closure

The Permittee shall attempt to clean close all tank systems. If a tank cannot be clean closed and the Permittee has not demonstrated through a risk assessment approved by the Department that closure with the remaining contaminant levels is protective of human health and the environment, the Permittee shall present a post-closure plan to the Department for approval. If any waste residue or contaminated materials are left in place at final closure, the Permittee must comply with all post-closure requirements contained in LAC 33:V.3519 and 3527, including maintenance and monitoring throughout the post-closure care period.

V.B. INCINERATORS

NCIN-1 and NCIN-2 are subject to the following provisions and to 40 CFR 63 Subpart EEE. The Permittee performed a Comprehensive Performance Test (CPT) for NCIN-1 and NCIN-2 on March 24, 2006, to demonstrate compliance with 40 CFR 63 Subpart EEE. LDEQ issued a Finding of Compliance (FOC) on July 14, 2006, and transferred the operating limits to their air permit to prevent duel permitting.

V.B.1. Permit Conditions For Incinerators NCIN-1 and NCIN-2

V.B.1.a. Regulation of Residue

The Permittee shall regulate all hazardous waste combustion residues in accordance with LAC 33:V.3121.

V.B.1.b. Closure

The Permittee will close this facility in accordance with LAC 33:V.3121 and the closure plan referenced in Attachment 1.

V.C. RISK-BASED CONDITIONS

V.C.1. Definitions

V.C.1.a. Annual Sampling Mode: A rate of sampling once per twelve months, but no closer than 200 days or longer than 530 days since the last sampling.

V.C.1.b. Quarterly Sampling Mode: A rate of sampling once per every three months, but no closer than 40 days or longer than 140 days since the last sampling.

V.C.1.c. Monthly Sampling Mode: A rate of sampling once every month, but no closer than ten (10) days or longer than fifty (50) days since the last sampling.

V.C.1.d. Analytical Database: A record of analytical results from all hazardous waste feed metal samples taken, voluntarily or required. This database contains all data obtained whether used in calculating a five-year rolling total metals feed rate or not.

V.C.1.e. Five-Year Rolling Total Metals Feed: A time-weighted calculation of total mass of a metal fed to the hazardous waste combustion unit based upon analysis results obtained during the previous sixty (60) months. Invalidated data shall not be used in calculating this total. The time weighting of data will be from the date of sampling that generates valid data to the next sampling date when valid data is obtained. This value is a monthly rolling total.

V.C.1.f. Five-Year Metals Feed Guideline: A site-specific, risk-based guideline based upon an EPA Risk Assessment and plant operations during the Risk Assessment Burn. The guideline value is calculated using EPA's grams per second mass flow rate results from the risk assessment and projecting that flow over sixty (60) months, including one leap day.

V.C.2. For each permitted hazardous waste combustion unit, the Permittee shall conduct total metals sampling and analysis for antimony, arsenic, barium, beryllium, cadmium, chromium, lead, mercury, nickel, selenium, silver, thallium, and zinc.

V.C.2.a. The Permittee shall sample each feed stream to the hazardous waste combustion unit four times annually (referred to as quarterly sampling mode), unless permit Conditions V.C.7 or 8 apply.

V.C.2.b. LDEQ/EPA-approved sampling and analytical methods (e.g., "Test Methods for Evaluating Solid Waste – Physical/Chemical Methods", SW-846) shall be used unless the Permittee obtains approval from the LDEQ to use another method.

V.C.3. The site-specific, risk-based guidelines are based upon the EPA Risk Assessment conducted for this facility. EPA recommended these guidelines as annual average values since the risk assessment evaluated risk over a 30-year operating time period. In

determining the metal mass flow rate for each hazardous waste combustion unit to compare to the site-specific, risk-based guideline for that metal, the Permittee shall calculate a five-year rolling total metals feed to the combustion unit from the valid data in the analytical database.

V.C.4. The Permittee shall not exceed:

V.C.4.a. the five-year metals feed guideline specified in Tables V.C.1 or 2 when calculating the total metals feed for any metal over the previous twelve months;

V.C.4.b. after five years from the effective date of this permit, the five-year metals feed guideline in Tables V.C.1 or 2 when calculating the five-year rolling total metals feed for any metal over the previous sixty (60) months. (An exceedance of Condition V.C.4.a above shall not constitute an exceedance of this section.)

V.C.5. During the initial five-year period the Permittee may use existing historical data to calculate the five-year rolling total metals feed, if that data exists.

V.C.5.a. Facilities with limited historical data, less than five (5) consecutive years of annual sampling and analysis data, shall develop historical data at an accelerated rate by either option listed as follows:

V.C.5.a(1) Sample at the monthly sampling mode for one(1) year; or

V.C.5.b(2) Sample at the quarterly sampling mode for five (5) quarters.

V.C.5.b. After completion of the accelerated sampling frequency to develop a historical record, the Permittee may initiate the quarterly or annual sampling mode, as determined by the Permittee's projected five-year compliance with the risk-based guidelines in Tables V.C.1 and 2 and as described in permit Conditions V.C.7 and 9 below.

V.C.6. When the five (5)-year rolling total metals feed rate for a metal being sampled under the annual sampling mode exceeds the five (5)-year metals feed guideline listed in Tables C.1 or 2 for that metal during a sampling and analysis event, the Permittee shall increase the sampling frequency for that metal to the quarterly sampling mode.

V.C.7. When the five-year rolling total metals feed rate for a metal being sampled under the quarterly sampling mode does not exceed the five (5)-year metals feed guideline listed in Tables V.C.1 or 2 for the last five (5) sampling events for that metal, the Permittee may reduce the sampling frequency for that metal to the annual sampling mode.

V.C.8. When the five (5)-year rolling total metals feed rate for a metal being sampled under the quarterly sampling mode exceeds the five (5)-year metals feed guideline listed in Tables V.C.1 or 2 for that metal during any two (2) of five (5) consecutive sampling and analysis events, the Permittee shall:

V.C.8.a. increase the sampling frequency for that metal in the hazardous waste stream to the monthly sampling mode;

V.C.8.b. investigate the cause of the high metal mass flow rate;

V.C.8.c. determine probable causes for exceeding the site-specific, risk-based guideline for that metal;

V.C.8.d. take corrective measures to demonstrate compliance with the risk-based guidelines for that metal; and

V.C.8.e. notify LDEQ of the exceedance, probable causes of the exceedance and corrective measures taken.

V.C.9. When the five (5)-year rolling total metals feed rate for a metal being sampled under the monthly sampling mode does not exceed the five (5)-year metals feed guideline listed in Tables V.C.1 or 2 for the last five (5) sampling events for that metal, the Permittee may reduce the sampling frequency for that metal to the quarterly sampling mode.

V.C.10. Data Handling

V.C.10.a. At any time the Permittee may voluntarily increase the sampling frequency of a metal in a hazardous waste stream.

V.C.10.a(1) When sampling under a voluntarily-increased frequency, the Permittee may return at any time to the sampling mode for which the metal in the hazardous waste stream was qualified.

V.C.10.a(2) Sampling and analysis results obtained during the voluntarily-increased sampling frequency shall not be used to increase or reduce the sampling mode.

V.C.10.a(3) Data obtained during the voluntarily-increased frequency shall be included in the analytical database and used in calculating the five (5)-year rolling total metals feed.

V.C.10.b. The Permittee may request that the laboratory immediately reanalyze the sample (replicate analysis) for a metal when data is suspect.

V.C.10.b(1) All analysis data obtained shall be included in the analytical database.

V.C.10.b(2) Any data that is considered invalid shall have an explanation defining what basis was used to invalidate the data.

V.C.10.b(3) Data that is proven to be invalid shall not be used in calculating the five (5)-year rolling total metals feed.

V.C.10.b.(4) Replicate sample results may be used as the sampling frequency results when the original sample results have been invalidated.

V.C.10.c. The Permittee may resample the hazardous waste stream and have the sample analyzed for the subject metal when data is suspect.

V.C.10.c(1) All analysis data obtained shall be included in the analytical database.

V.C.10.c(2) Any data that is considered invalid shall have an explanation defining what basis was used to prove the invalid nature of that data.

V.C.10.c(3) Data that is proven to be invalid shall not be used in calculating the five (5)-year rolling total metals feed.

V.C.10.c(4) Resampled analytical results are normally considered a voluntary sample and do not impact shifts in sampling frequency. These results are used for calculating the five (5)-year rolling total metals feed rate.

V.C.10.c(5) Resampled analytical results can impact sampling frequency when the results from the original samples have been proven to be invalid.

V.C.10.d. LDEQ reserves the right to review the analytical database, to modify, as appropriate, the classification of valid or invalid data, and to recalculate mass feed rates and the five (5)-year rolling total metals feed.

V.C.11. For beryllium and mercury, where the non detect (ND) value was used as the recommended permit limit per the EPA Risk Assessment, the Permittee must demonstrate a good-faith effort to monitor and control the metals' feed rates.

V.C.11.a. Demonstrate that the detection limit using the best available analytical technology is at or below the following:

V.C.11.a(1) 3 ppm for beryllium; and

V.C.11.a(2) 0.01 ppm for mercury.

V.C.11.b. If the Permittee fails to demonstrate that the detection limit is at or below the specified values, the Permittee must establish the method detection limit for the sample matrix with the analytical laboratory contracted to perform the analyses in accordance with 40 CFR 136, Appendix B.

V.C.11.c. Should an analysis result indicate the presence of a metal at a concentration greater than the method detection limit, the Permittee shall either reduce the hazardous waste feed rate so that the five (5)-year rolling total metals feed does not exceed the five (5)-year metals feed guideline or demonstrate that the reported analysis result is invalid.

V.C.12. The Permittee may request that EPA re-evaluate changes in risk assessment methodology or information and/or waste feed characterization and/or facility operations in order to revise the site-specific, risk-based guideline levels. The Permittee shall identify specifically the basis for requesting re-evaluation and within thirty (30) days of the request, the EPA will respond in writing to indicate if and when the reanalysis will be conducted.

Table V.C.1 Feed Rate Guidelines for Incinerator NCIN-1			
Constituent	**Average Annual Metals Feed Rate (kg/yr)**	**Metals Feed Rate (g/s)**	**Five-Year Maximum Waste Feed (kg)**
Antimony	*1,005*	*3.19E-02*	*5,025*
Arsenic	*4,161*	*1.32E-01*	*20,804*
Barium	*537*	*1.71E-02*	*2,687*
Beryllium	*92.8*	*2.95E-03*	*463.8*
Cadmium	*381.1*	*1.21E-02*	*1,905*
Chromium (total)	*6,518*	*2.07E-01*	*32,591*
Lead	*1,986*	*6.31E-02*	*9,931*
Mercury	*0.22*	*7.03E-06*	*1.1*
Nickel	*1,603*	*5.09E-02*	*8,013*
Selenium	*1,479*	*4.70E-02*	*7,393*
Silver	*1,335*	*4.24E-02*	*6,674*
Thallium	*3,719*	*1.18E-01*	*18,596*
Zinc	*1,693*	*5.38E-02*	*8,466*

Table V.C.2 Feed Rate Guidelines for Incinerator NCIN-2			
Constituent	**Average Annual Metals Feed Rate (kg/yr)**	**Metals Feed Rate (g/s)**	**Five-Year Maximum Waste Feed (kg)**
Antimony	*861*	*2.74E-02*	*4,304*
Arsenic	*3,589*	*1.14E-01*	*17,946*
Barium	*736*	*2.34E-02*	*3,678*
Beryllium	*81.8*	*2.60E-03*	*409*
Cadmium	*327*	*1.04E-02*	*1,637*
Chromium (total)	*6,963*	*2.21E-01*	*34,817*
Lead	*2,995*	*9.52E-02*	*14,977*
Mercury	*0.22*	*7.03E-06*	*1.1*
Nickel	*1,407*	*4.47E-02*	*7,036*
Selenium	*1,284*	*4.08E-02*	*6,422*
Silver	*262*	*8.31E-03*	*1,308*
Thallium	*3,233*	*1.03E-01*	*16,163*
Zinc	*3,066*	*9.74E-02*	*15,328*

VI. GROUND WATER PROTECTION

VI.A. APPLICABILITY

The regulations of the Louisiana Administrative Code (LAC), Title 33; Part V, Chapters 3, 5, 15, 19, 31, 33, 35, and 37; and the Louisiana Hazardous Waste Control Law Revised Statute (R.S.) 30:2171 et seq., of the Environmental Quality Control Act, R.S. 30:2001 et seq., and the provisions of this condition shall apply to ground water protection programs for facilities that are used to treat, store, and dispose hazardous waste at Hexion Specialty Chemicals in Norco, LA. No active regulated units are included in this permit are subject to Ground Water monitoring under LAC 33:V.3317, 3319, or 3321 at this time.

VI.B. The Permittee shall comply with the monitoring, response, and corrective action provisions for any existing or new systems in accordance with LAC 33:V.Chapter 33 and as outlined in the permit (i.e., Condition VII and VIII, HSWA).

VI.C. If ground water contamination is confirmed as a result of operations related to present and future hazardous waste management facilities associated with this site, the Permittee shall establish, expand, or continue assessment and corrective action programs in accordance with the requirements of LAC 33:V.Chaper 33 and as subsequently directed by the Administrative Authority.

TABLE 5
DESIGN AND OPERATING PARAMETERS FOR RCRA TANK SYSTEMS

Tank No.	Year Put Into Service	Service	Materials of Construction	Dimensions and Permitted Capacity	Design Standard	Inspection Standard	Design Temp. and Pressure	Nominal Built Thickness	Minimum Thickness	Secondary Containment Type and Capacity
T-C991	1988	Storage	ASTM A36 Steel	D-25' H-17' 60,000 gal	API 620	API 653	200° F at 5 psig	0.25"	0.1875"	131,600 gal External Liner with Impermeable Coating
T-C992	1988	Storage	ASTM A36 Steel	D-25' H-17' 60,000 gal	API 620	API 653	200° F at 5 psig	0.25"	0.1875"	131,600 gal External Liner with Impermeable Coating
T-C907	1998	Storage	ASTM A36 Steel	D-25' H-17' 60,000 gal	API 620	API 653	200° F at 5 psig	0.3125" 0.375"	0.1875" 0.250"	131,600 gal External Liner with Impermeable Coating
T-R913	1991	Storage	ASTM A36 Steel	D-10' H-16' 10,000 gal	API 620	API 653	200° F at 5 psig	0.3125"	0.1875"	14,700 gal External Liner with Impermeable Coating

HAZARDOUS AND SOLID WASTE AMENDMENTS

VII. GENERAL CONDITIONS PURSUANT TO THE HAZARDOUS AND SOLID WASTE AMENDMENTS

VII.A. STANDARD CONDITIONS

VII.A.1. Waste Minimization

Annually, by March 1, for the previous year ending December 31, the Permittee shall enter into the operating record as required by LAC 33:V.1529.B.19, a statement certified according to LAC 33:V.513.A specifying that the Permittee has a program in place to reduce the volume and toxicity of hazardous wastes generated by the facility's operation to the degree determined by the Permittee to be economically practicable; and that the proposed method of treatment, storage, or practicable disposal method that is currently available to the Permittee minimizes the present and future threat to human health and the environment. A current description of the program shall be maintained in the operating record and a copy of the annual certified statement shall be submitted to the Administrative Authority. The following criteria should be considered for the program:

VII.A.1.a. Any written policy or statement that outlines goals, objectives, and/or methods for source reduction and recycling of hazardous waste at the facility;

VII.A.1.b. Any employee training or incentive programs designed to identify and implement source reduction and recycling opportunities;

VII.A.1.c. An itemized list of the dollar amounts of capital expenditures (plant and equipment) and operating costs devoted to source reduction and recycling of hazardous waste;

VII.A.1.d. Factors that have prevented implementation of source reduction and/or recycling;

VII.A.1.e. Sources of information on source reduction and/or recycling received at the facility (e.g., local government, trade associations, suppliers, etc.);

VII.A.1.f. An investigation of additional waste minimization efforts that could be implemented at the facility. This investigation would analyze the potential for reducing the quantity and toxicity of each waste stream through production reformulation, recycling, and all other appropriate means. The analysis would include an assessment of the technical feasibility, cost, and potential waste reduction for each option;

VII.A.1.g. A flow chart or matrix detailing all hazardous wastes the facility produces by quantity, type, and building/area;

VII.A.1.h. A demonstration of the need to use those processes that produce a particular hazardous waste due to a lack of alternative processes or available technology that would produce less hazardous waste;

VII.A.1.i. A description of the waste minimization methodology employed for each related process at the facility. The description should show whether source reduction or recycling is being employed;

VII.A.1.j. A description of the changes in volume and toxicity of waste actually achieved during the year in comparison to previous years; and

VII.A.1.k. The Permittee may meet the requirements for waste minimization by developing an Environmental Management System according to the EPA document, Integrated Environmental Management System Implementation Guide, EPA 744-R-00-011, October 2000, found on www.epa.gov/opptintr/dfe/pubs/iems/iems_guide/index.htm.

VII.A.2. Dust Suppression

Pursuant to LAC 33:V.4139.B.4, and the Toxic Substances Control Act, the Permittee shall not use waste or used oil or any other material which is contaminated with dioxin, polychlorinated biphenyls (PCBs), or any other hazardous waste (other than a waste identified solely on the basis of ignitability), for dust suppression or road treatment.

VII.A.3. Failure to Disclose

The Permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts at any time may be cause for termination or modification of this Permit in accordance with LAC 33:323.B.2 and 3.

VII.A.4. Suspension, Modification, or Revocation and Reissuance, and Termination of Permit

This Permit may be modified, revoked and reissued, or terminated for cause as specified in LAC 33:V.323. The filing of a request by the Permittee for a permit modification, revocation and reissuance, termination, or the notification of planned changes or anticipated noncompliance on the part of the Permittee, does not stay the applicability or enforceability of any permit condition.

VII.A.4.a. If the Administrative Authority tentatively decides to modify or revoke and reissue a permit under LAC 33:V.321.C. or 323, a draft permit shall be prepared incorporating the proposed changes. The Administrative Authority may request additional information and, in the case of a modified permit, may require the submission of an updated permit application.

VII.A.4.b. The Permittee may initiate permit modification proceedings under LAC 33:V.321.C. All applicable requirements and procedures as specified in LAC 33:V.321.C shall be followed.

VII.A.4.c. Modifications of this Permit do not constitute a reissuance of the Permit.

VII.A.5. Permit Review

This Permit may be reviewed by the Administrative Authority five years after the date of permit issuance and may be modified as necessary as provided for in LAC 33:V.321.C. Nothing in this section shall preclude the Administrative Authority from reviewing and modifying the Permit at any time during its term.

VII.A.6. Compliance with Permit

Compliance with a RCRA permit during its term constitutes compliance, for purposes of enforcement, with Subtitle C of RCRA except for those requirements not included in the permit which:

VII.A.6.a. Become effective by statute;

VII.A.6.b. Are promulgated under LAC 33:V.Chapter 22 restricting the placement of hazardous wastes in or on the land; or

VII.A.6.c. Are promulgated under LAC 33:V.Chapters 23, 25 and 29 regarding leak detection systems for new and replacement surface impoundment, waste pile, and landfill units, and lateral expansions of surface impoundment, waste pile, and landfill units. The leak detection system requirements include double liners, construction quality assurance (CQA) programs, monitoring action leakage rates, and response action plans, and will be implemented through the procedures of LAC 33:V.321.C Class 1 permit modifications.

VII.A.7. Specific Waste Ban

VII.A.7.a. The Permittee shall not place in any land disposal unit the wastes specified in LAC 33:V. Chapter 22 after the effective date of the prohibition unless the Administrative Authority has established disposal or treatment standards for the hazardous waste and the Permittee meets such standards and other applicable conditions of this Permit.

VII.A.7.b. The Permittee may store wastes restricted under LAC 33:V.Chapter 22 solely for the purpose of accumulating quantities necessary to facilitate proper recovery, treatment, or disposal provided that it meets the requirements of LAC 33:V.2205 including, but not limited to, clearly marking each tank or container.

VII.A.7.c. The Permittee is required to comply with all applicable requirements of LAC 33:V.2245 as amended. Changes to the Waste Analysis Plan will be considered permit modifications at the request of the Permittee, pursuant to LAC 33:V.321.C.

VII.A.7.d. The Permittee shall review the Waste Analysis Plan and analyze the waste when a process changes to determine whether the waste meets applicable treatment standards. Results shall be maintained in the operating record pursuant to Condition III.C.1 and 2.

VII.A.8. Information Submittal for the Corrective Action Strategy

Failure to comply with any condition of the Permit, including information submittals, constitutes a violation of the Permit and is grounds for enforcement action, permit amendment, termination, revocation, suspension, or denial of permit renewal application. Falsification of any submitted information is grounds for termination of this Permit (LAC 33:V.323.B.3).

The Permittee shall ensure that all plans, reports, notifications, and other submissions to the Administrative Authority required by this Permit using the Corrective Action Strategy are signed and certified in accordance with LAC 33:V.Chapter 5, Subchapter B. All submittals required under the Corrective Action Strategy must conform to those requirements outlined in the RECAP (see Condition VIII of this permit). Variance from content and/or formatting guidelines provided under the RECAP shall be requested by the Permittee prior to submittal to the Administrative Authority, as deemed necessary. Approval or disapproval of such a request with further guidance on content and formatting will be provided by the Administrative Authority, as deemed necessary. Five (5) copies each of these plans, reports, notifications or other submissions and one (1) electronic copy (3.5" IBM compatible disk or CD-ROM) of all portions thereof which are in word processing format shall be submitted to the Administrative Authority by Certified Mail or hand delivered to:

Louisiana Department of Environmental Quality
Office of Environmental Assessment
Environmental Technology Division
P.O. Box 4314
Baton Rouge, LA 70821-4314

A summary of the planned reporting milestones pursuant to the corrective action requirements of this Permit is found in Condition VIII, Table 1.

VII.A.9. Data Retention

All raw data, such as laboratory reports, drilling logs, bench-scale or pilot-scale data, and other supporting information gathered or generated during activities undertaken

pursuant to this Permit shall be maintained at the facility during the term of this Permit, including any reissued Permits.

VII.A.10. Management of Wastes

All solid wastes which are managed pursuant to a remedial measure taken under the corrective action process or as an interim measure addressing a release or the threat of a release from a solid waste management unit shall be managed in a manner protective of human health and the environment and in compliance with all applicable Federal, State and local requirements. As a response to the Louisiana Legislature mandate La. R.S. 30:2272 (Act 1092 of the 1995 Regular Session) to develop minimum remediation standards, the LDEQ promulgated the Risk Evaluation Corrective Action Program (RECAP). RECAP's tiered approach to risk evaluation and corrective action establishes not only across the board numerical standards for most media, but also allows for the development of more site-specific numerical standards, as warranted. The Permittee is required to comply with all applicable requirements of RECAP. Approval of units for managing wastes and conditions for operating the units shall be granted through the permitting process.

VII.B EMISSION STANDARDS - PROCESS VENTS, EQUIPMENT LEAKS, TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS (AA-BB AIR REGULATIONS)

VII.B.1. PERFORMANCE STANDARDS FOR EQUIPMENT LEAKS

VII.B.1.a. Operating Requirements

The Permittee shall comply with the applicable requirements under LAC 33:V. Chapter 17 Subchapter B – Equipment Leaks – for all equipment associated with operations that treat, store, or dispose of hazardous waste with organic concentrations equal to or greater than 10 percent by weight.

VII.B.1.b. Monitoring Requirements

The Permittee shall monitor the following equipment for proper operation: pumps in light service, LAC 33:V.1719.A; compressors, LAC 33:V.1721; pressure relief devices in gas/vapor service, LAC 33:V.1723; open-ended valves or lines, LAC 33:1727; valves in gas/vapor service or in light liquid service, LAC 33:V.1737; and pumps and valves in heavy liquid service, pressure relief devices in light liquid or heavy liquid service, and flanges and other connectors, LAC 33:V.1731.

VII.B.1.c. Recordkeeping Requirements

The Permittee shall maintain an up-to-date list identifying each piece of equipment to which LAC 33:V.Chapter 17.Subchapter B applies, and record all information required by LAC 33:V.1743.

VII.B.1.d. Reporting Requirements

A semiannual report shall be submitted to the Administrative Authority in accordance with the requirements of LAC 33:V.1745, based on the date of submittal of the annual report for the facility. A report is not required for a 6-month period during which all pumps in light service, compressors, pressure relief devices in gas/vapor service, open-ended valves or lines, valves in gas/vapor service or in light liquid service, pumps and valves in heavy liquid service, pressure relief devices in light liquid or heavy liquid service, and flanges and other connectors are operated such that during no period of twenty four (24) hours or longer did the devices operate continuously in noncompliance with the applicable operating conditions defined in LAC 33:V.Chapter 17.Subchapter B.

VII.B.2. STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS

The Permittee is exempt from the requirements per Condition V.A.8 of this permit.

VII.B.2.a. Operating Requirements

VII.B.2.a(1) The Permittee shall comply with the applicable requirements of LAC 33:V. Chapter 17, Subchapter C.

VII.B.2.a(2) The Permittee shall install and maintain all regulated units and associated emission control technology in accordance with the detailed plans, schedules, information, and reports as contained in the Part B Permit Application.

VII.B.2.a(3) The Permittee shall, upon request, identify all less than 90-day accumulation tanks or containers, which contain or contact hazardous wastes with organic concentrations equal to or greater than 10 percent by weight and identify the emission control system requirements under LAC 33:V.1703 to 1715.

VII.B.2.b. Monitoring Requirements

VII.B.2.b(1) The pollution control methods used for tanks shall be inspected on a periodic basis.

VII.B.2.b(2) Tanks meeting Level 1 controls shall be inspected at least once every year, LAC 33:V.1755.C.4.

VII.B.2.b(3) Tanks meeting Level 2 controls shall be inspected in accordance with LAC 1755.E.3 for internal floating roofs, LAC 33:V.1755.F.3 for external floating roofs, LAC 33:V.1755.G.3 for air emission control equipment, and LAC 33.V.1755.I.4 for closed vent control systems.

VII.B.2.b(4) The pollution control methods used for containers shall be inspected on a periodic basis.

VII.B.2.b(5) Level 1 controls shall be inspected in accordance with LAC 33:V.1759.C.4.

VII.B.2.b(6) Level 2 controls shall be inspected in accordance with LAC 33:V.1759.D.4.

VII.B.2.b(7) Level 3 controls shall be inspected in accordance with LAC 33:V.1759.E.4.

VII.B.2.c. Recordkeeping Requirements

Air emission control design documentation shall be maintained in the facility operating record until the equipment is no longer in service. Records must be prepared and maintained for the various equipment and systems used at the facility.

VII.B.2.c(1) Tanks using air emission control records must meet LAC 33:V.1765.B requirements.

VII.B.2.c(2) Container storage areas using Level 3 controls must meet LAC 33:V.1765.D requirements.

VII.B.2.c(3) Closed-vent system and control device systems meeting LAC 33:V.1761 must meet LAC 33:V.1765.E requirements.

VII.B.2.c(4) Facilities exempted by LAC 33:V.1751.C must meet LAC 33:V.1765.F requirements.

VII.B.2.c(5) Components identified as "unsafe to inspect and monitor" in accordance with LAC 33:V.1755.L and 1757.G must meet LAC 33:V.1765.G requirements.

VII.B.2.c(6) Facilities that are governed by this Chapter and use alternate control systems meeting the emission control standards of 40 CFR 60, Subpart VV or 40 CFR 61, Subpart V must meet LAC 33:V.1765.H requirements.

VII.B.2.c(7) All tanks or containers not using air emission controls in accordance with LAC 33:V.1747.D must meet LAC 33:V.1765.I requirements.

VII.B.2.d. Reporting Requirements

VII.B.2.d(1) For each tank, surface impoundment, or container which manages hazardous waste that is exempted from using air emission controls, a written report shall be submitted to the Administrative Authority within fifteen (15) days of each occurrence when hazardous waste is placed in the waste management unit in noncompliance with the conditions of LAC 33:V.1751.C, as applicable. The written report shall contain the EPA identification number, facility name and address, a description of the noncompliance event and the cause, the dates of the noncompliance, and the actions taken to correct the noncompliance and prevent reoccurrence of the noncompliance.

VII.B.2.d(2) For control devices used in accordance with the requirements of LAC 33:V.1735, a semiannual written report shall be submitted to the Administrative Authority, based on the date of submittal of the annual report, except as provided for in noncompliance situations. The report shall describe each occurrence during the previous six (6)-month period when a control device is operated continuously for twenty-four (24) hours or longer in noncompliance with the applicable operating values defined in LAC 33:V.1713.C.4 or when a flare is operated with visible emissions as defined in LAC 33:V.1707.D. The written report shall include the EPA identification number, facility name and address, an explanation why the control device could not be returned to compliance within 24 hours, and actions taken to correct the noncompliance.

VII.B.2.d(3) The report to the Administrative Authority in accordance with the requirements of VII.B.2.d.1. above is not required for a six (6)-month period during which all control devices subject to LAC 33:V, Subchapter C are operated such that during no period of twenty-four (24) hour or longer did control devices operate continuously in noncompliance with the applicable operating values defined in LAC 33:V.1713.C.4 or a flare operate with visible emissions as defined in LAC 33:V.1707.D.

VII.B.2.d(4) All reports shall be signed and dated by an authorized representative of the Permittee as per LAC 33:V.507.

TABLE VII.B.1
EMISSION CONTROLS FOR TANKS

(RESERVED)
(Permittee exempt as per Condition V.A.8 of this permit)

TABLE VII.B.2
EMISSION CONTROLS FOR CONTAINERS/CONTAINER STORAGE AREAS

(RESERVED)

VII.C. SPECIFIC CONDITION - CLOSURE

Pursuant to Section 3005(j)(1) of the Hazardous and Solid Waste Amendments of 1984, the Permittee shall close any closing units in accordance with the following provisions:

VII.C.1. Other than consolidation of any wastes from the sites in conformance with LAC 33:V.Chapter 22, Land Disposal Restrictions, the Permittee shall not place waste prohibited by LAC 33:V.Chapter 22 into any closing units;

VII.C.2. The Permittee shall perform unit closures in accordance with the Closure Plan(s) as approved at the time of closure, and which meet(s) all relevant State and Federal closure requirements at the time of closure; and

VII.C.3. The Permittee shall notify the Administrative Authority in writing at least sixty (60) days prior to commencement of closure.

VIII. SPECIAL CONDITIONS PURSUANT TO HAZARDOUS AND SOLID WASTE AMENDMENTS—CORRECTIVE ACTION STRATEGY

Corrective Action for Releases: Section 3004(u) of RCRA, as amended by the Hazardous and Solid Waste Amendments (HSWA), and LAC 33:V.3322 require that permits issued after November 8, 1984, address corrective action for releases of hazardous waste or hazardous constituents from any solid waste management unit at the facility, regardless of when the waste was placed in the unit.

EPA's traditional RCRA corrective action approach is structured around several elements common to most activities. In the first phase, RCRA facility assessment (RFA), EPA or the authorized state assesses the facility to identify releases and determine the need for corrective action. In the second phase, RCRA facility investigation (RFI), the facility conducts a more detailed investigation to determine the nature and extent of contaminants released to ground water, surface water, air, and soil. If remedial action is needed, a third phase, corrective measures study (CMS), is started. During this phase, the facility conducts a study, which

when completed, describes the advantages, disadvantages, and costs of various cleanup options. After selection of a final remedy, the fourth phase, corrective measures implementation (CMI), is initiated. The facility is required to design, construct, operate, maintain, and monitor the final remedy(s).

The Corrective Action Strategy (CAS) is an alternate corrective action approach that can be implemented during any phase of corrective action for a release area. The Permittee shall use the CAS approach as the framework for corrective action to clarify, facilitate and expedite the process, and shall use the **Louisiana Department of Environmental Quality Risk Evaluation/Corrective Action Program (RECAP)** for screening and media-specific cleanup standards. EPA has interpreted the term "release" to mean, "any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment." (50 FR 2873, July 15, 1985). The CAS refers to "release areas" as solid waste management units (SWMUs) and areas of concern (AOCs) while the RECAP refers to release areas as areas of investigation (AOIs). SWMUs and AOCs may also be referred to as "AOIs" when investigated and managed under the RECAP.

VIII.A. ALTERNATE CORRECTIVE ACTION

VIII.A.1. *Introduction to the CAS*

This Permit will utilize the CAS Guidance Document (www.epa.gov/Arkansas/6pd/rcra_c/pd-o/riskman.htm) developed by the U.S. Environmental Protection Agency (EPA) Region 6 whenever the Administrative Authority determines that it will serve to facilitate the corrective action. The CAS Guidance Document shall be utilized to the fullest extent practicable for planning and implementation of the corrective action. The CAS in this Permit shall not supersede existing Federal, State, and local regulations. The two primary objectives are to prioritize corrective action at the facility, and streamline corrective action administrative procedures, resulting in the protection of human health and the environment.

The CAS is a performance-based approach; using data quality objectives, investigations begin with the endpoint in mind. The CAS is a risk management strategy that can be implemented during any phase of corrective action. However, the CAS need not be applied to work that has already been completed to the satisfaction of the Administrative Authority. Performance standards are established at the beginning of the corrective action process, allowing earlier and more focused implementation. Releases are screened using RECAP screening numbers to determine the priority of corrective action, and remedial alternatives are selected on the basis of their ability to achieve and maintain the established performance standards.

There is no one specific path through the CAS process. The CAS is a facility-wide approach, focusing corrective action on releases that pose the greatest risk first. Screening releases will also enable some areas of interest to qualify for no further action at this time (Condition VIII.A.3.a.), thus resources can be used to best benefit the protection of human health and the environment. The CAS process also considers

activities previously conducted under the traditional corrective action process. Appendix 1 of this permit contains a summary of corrective action activities completed to date and also describes where the Permittee is in the CAS process at the time of issuance of this permit. The applicability of various provisions of the CAS will depend on where the Permittee is in the CAS process as detailed in Appendix 1.

The traditional RCRA corrective action process and reports (i.e., RFIs, CMSs, CMIs, etc.) are not elements of the CAS. However, the use of information and reports from the traditional corrective action process, if available, is encouraged, in addition to new site-specific information.

The Administrative Authority, through an agency-initiated permit modification, may remove the CAS as the means of facility-wide corrective action in the case of the failure of the Permittee to disclose information, abide by the terms and conditions of this permit, adhere to agreed schedules, or show adequate progress; or should an impasse occur between the Permittee and the Administrative Authority. The Administrative Authority will institute other means of corrective action (such as traditional corrective action) at the facility through modification of this permit.

VIII.A. 2. Performance Standards

Expectations for the outcome of corrective action at a facility are established in the CAS by three performance standards as defined in Conditions VIII.A.2.a through c. The Permittee's proposed performance standards shall be presented during the scoping meeting. The Permittee must justify the proposed performance standards through evaluation and documentation of land use, ground water designation (current and reasonably expected future use), types of receptors present, exposure pathways, etc.; as described in RECAP, Chapter 2. Through the application of the performance standards and RECAP, the Permittee and Administrative Authority shall determine whether a release must be addressed through corrective action, and whether implemented corrective actions are protective of human health and the environment.

The Permittee shall submit the performance standards in writing along with the Conceptual Site Model (Condition VIII.D) within one-hundred and twenty (120) days after the scoping meeting. The Administrative Authority may either approve the performance standards proposed by the Permittee or establish performance standards that the Administrative Authority deems necessary to protect human health and the environment.

The three CAS performance standards are defined below. The order in which the performance standards are listed does not indicate that one performance standard takes priority over another. All applicable performance standards must be achieved by the Permittee.

VIII.A.2.a. Source Control Performance Standard

Source control refers to the control of materials that include or contain hazardous wastes or hazardous constituents that act as a reservoir for migration of contamination to soil, sediment, ground water, surface water, or air, or as a source for direct exposure.

The facility must determine if source material is present. Removal, containment, treatment, or a combination of the three, must be evaluated on a case-by-case basis. Controlling source material is a predominating issue in the CAS, and must be addressed to ensure protectiveness over time. Prioritization of the SWMUs and AOCs does not mean avoidance of controlling source materials.

VIII.A.2.b. Statutory and Regulatory Performance Standard

Applicable statutory and regulatory requirements (Federal, State, and local) must be identified. These requirements may dictate media-specific contaminant levels (e.g., maximum contaminant levels (MCLs) in drinking water) that must be achieved and may become a performance standard for the Permittee.

VIII.A.2.c. Final Risk Goal Performance Standard

The final risk goal is the level of protection to be achieved and maintained by the Permittee. The final risk goal shall be based on site-specific issues including land use, special subpopulations, contaminant concentrations based on acceptable risk, location at which the levels are measured, and the remediation time frame, as specified by RECAP.

One final risk goal may apply to the entire facility, but it is more likely that different releases will require different final risk goals due to variations in location of releases, land use, proximity of receptors, etc. The final risk goal will be based on sound risk assessment methodologies (Condition VIII.A.3).

VIII.A.3. Use of RECAP

The latest edition of the RECAP document shall be used by the Permittee to determine the need for further corrective actions under this permit. The RECAP consists of a tiered framework comprised of a Screening Option (SO), and three Management Options (MO). The tiered management options allow site evaluation and corrective action efforts to be tailored to site conditions and risks. As the MO level increases, the approach becomes more site-specific and hence, the level of effort required to meet the objectives of the Option increases.

RECAP shall be used by the Permittee to evaluate data quality and data usability (RECAP Section 2.4 and 2.5), to determine the identity of an AOI as described in

RECAP Section 2.6, and for estimations of Area of Investigation Concentrations and Groundwater Compliance Concentrations for each media as defined in RECAP Section 2.8.

RECAP shall be used by the Permittee to evaluate land use as described in RECAP Section 2.9, and groundwater/aquifer use as described in RECAP Section 2.10.

RECAP shall be used by the Permittee to prioritize AOCs, SWMUs, and AOIs that require remediation so site investigations are focused on the release areas that pose the greatest risk. As the CSM is compiled, the Permittee shall assess historical data (RECAP Section 2.5) and use the following management options, as appropriate, to address each release site.

VIII.A.3.a. Use of the Screening Option - The Permittee shall use the Screening Standards (SS) which are LDEQ-derived screening numbers for soil and groundwater for non-industrial and industrial land use scenarios. The SS shall be used to demonstrate that an AOI does not pose a threat to human health and the environment and, hence does not require further action at this time (NFA-ATT) or that further evaluation is warranted under a higher Management Option.

VIII.A.3.b. Use of Management Option 1 – The Permittee shall use Management Option 1 (MO-1) which provides a RECAP standard (RS) derived for non-industrial and industrial exposure scenarios using currently recommended default exposure parameters and toxicity values. Under MO-1, an AOI may warrant a NFA-ATT determination, or if an exposure, source, or compliance concentration detected at the AOI exceeds a MO-1 limiting RS, then the Permittee may; (1) remediate to the MO-1 limiting RS (and comply with closure/post closure requirements for MO-1), or (2) proceed with a MO-2 or MO-3 evaluation.

VIII.A.3.c. Use of Management Option 2 – The Permittee shall use Management Option 2 (MO-2) which provides for the development of soil and groundwater RS using site-specific data with.specified analytical models to evaluate constituent fate and transport at the AOI. The results of this evaluation shall be used in conjunction with standard reasonable maximum exposure (RME) assumptions to identify site-specific MO-2 RS. Under MO-2, an AOI may warrant a NFA-ATT determination, or if an exposure, source, or compliance concentration detected at the AOI exceeds a MO-2 limiting RS, then the Permittee may; (1) remediate to the MO-2 limiting RS (and comply with closure/post closure requirements for MO-2), or (2) proceed with a MO-3 evaluation.

VIII.A.3.d. Use of Management Option 3 – The Permittee shall use Management Option 3 (MO-3) which provides the option of using site-specific data for the evaluation of exposure and the evaluation of environmental fate and transport at the AOI. The results of the site-specific

evaluation may be to develop site-specific MO-3 RS. Under MO-3, an AOI may warrant a NFA-ATT determination, or if an exposure, source, or compliance concentration detected at the AOI exceeds a MO-3 limiting RS, then the Permittee shall; (1) remediate to the MO-3 RS, (2) conduct confirmatory sampling, and (3) comply with closure/post closure requirements for MO-3.

VIII.A.4. Corrective Action for Releases Beyond Facility Boundary: Section 3004(v) of RCRA as amended by HSWA, and State regulations promulgated as LAC 33:V.3322.C require corrective actions beyond the facility property boundary, where necessary to protect human health and the environment, unless the Permittee demonstrates that, despite the Permittee's best efforts, the Permittee was unable to obtain the necessary permission to undertake such actions. The Permittee is not relieved of all responsibility to clean up a release that has migrated beyond the facility boundary where offsite access is denied.

VIII.A.5. Financial Responsibility: Assurances of financial responsibility for corrective action shall be provided by the Permittee as specified in the Permit following major modification for remedy selection. The Administrative Authority reserves the right to require financial assurance prior to remedy selection based upon facility compliance history, the extent and degree of contamination, financial health of the Permittee, and input from the public.

VIII.A.6. Summary of Corrective Action Activities: A summary of the corrective action activities associated with the facility is provided in Condition VIII, Appendix 1 of this permit. AOCs and SWMUs that are currently being managed or proposed for management under a prescribed corrective action program (e.g., groundwater order, corrective action order, CERCLA) are identified in Condition VIII, Appendix 1, Table 1 of this permit.

VIII.A.7 Approval of Alternate Schedule: The Permittee may submit a written request for an alternate schedule for a submittal deadline as presented in Condition VIII, Table 1. The request should propose a specific alternate schedule and include an explanation as to why the alternate schedule is necessary. The Administrative Authority will consider site-specific criteria in either approving or disapproving the request for an alternate schedule.

VIII.B. PROJECT DEVELOPMENT AND SCOPING MEETING

VIII.B.1. Notice of Intent

The Permittee must submit to the Administrative Authority a Notice of Intent to conduct corrective action using the CAS within sixty (60) days of the effective date of this permit. The notice of intent should state the following in a concise manner:

VIII.B.1.a. General information regarding facility location;

VIII.B.1.b. General information regarding the facility's operational history;

VIII.B.1.c. General discussion on how the Permittee will proceed through the CAS;

VIII.B.1.d. Brief description of proposed performance standards for corrective action; and

VIII.B.1.e. Propose a date for a scoping meeting between the Permittee and the Administrative Authority to be held within sixty (60) days of the date of the Notice of Intent.

VIII.B.2. Scoping Meeting

The scoping meeting will serve as the first CAS milestone where the Permittee and the Administrative Authority identify expectations concerning CAS implementation. The length and extent of the meeting will depend on the complexity of the site. Agreements on land use, groundwater classification, the level of detail required in the conceptual site model (see Condition VIII.D) and expectations for remediation goals will be discussed during the scoping meeting(s). During the scoping meeting the Permittee will present the following information to the Administrative Authority:

VIII.B.2.a. A conceptual site model (if one already has been developed);

VIII.B.2.b. Discussions on history of corrective action at the facility, lincluding facility investigations, risk evaluations or risk assessments, interim measure/stabilizations and final remedies implemented;

VIII.B.2.c. Proposed performance standards for the facility with justification, and potential risk management approaches;

VIII.B.2.d. Discussions on how the Permittee plans to use the CAS to meet its corrective action obligations, including permitting and compliance issues;

VIII.B.2.e. A Communication Strategy Plan that specifies where in the CAS process the Permittee is currently and how the Permittee will provide information about future progress at the facility to the Administrative Authority (i.e., progress reports, conference calls, routine meetings, etc.);

VIII.B.2.f. Site-specific concerns (i.e., sensitive environments or special subpopulations);

VIII.B.2.g. Need for interim measures or stabilization activities, if necessary; and

VIII.B.2.h. Schedule for submittal of the CAS Investigation Workplan and proposed schedule for conducting and completing CAS requirements, including public participation.

Information plans and reports that have already been developed by the Permittee during the corrective action process can be referenced during the scoping meeting. The Permittee must coordinate with the Administrative Authority in order to determine the date, time, and location of the scoping meeting.

VIII.C. REPORTING REQUIREMENTS

VIII.C.1. The Permittee shall submit, in accordance with Condition VII.A.8, signed reports of all activities conducted pursuant to the provisions of this Permit as required by the Administrative Authority. The reporting schedule shall be determined on a case-by-case basis by the Administrative Authority. These reports shall contain, as applicable to the stage of corrective action, the information required by CAS, as well as the following:

VIII.C.1.a. A description of the work completed and an estimate of the percentage of work completed;

VIII.C.1.b. Summaries of all findings, including summaries of laboratory data;

VIII.C.1.c. Summaries of all problems or potential problems encountered during the reporting period and actions taken to rectify problems;

VIII.C.1.d. Projected work for the next reporting period;

VIII.C.1.e. Summaries of contacts pertaining to corrective action or environmental matters with representatives of the local community, public interest groups or State government during the reporting period;

VIII.C.1.f. Changes in key project personnel during the reporting period; and

VIII.C.1.g. Summaries of all changes made in implementation during the reporting period.

VIII.C.2. Copies of other reports relating to or having bearing upon the corrective action work (e.g., inspection reports, drilling logs and laboratory data) shall be made available to the Administrative Authority upon request.

VIII.C.3. In addition to the written reports as required in Condition VIII.C.1 and VIII.C.2 above, at the request of the Administrative Authority, the Permittee shall provide status review through briefings with the Administrative Authority.

VIII.C.4. The determination and approval of remedy selections, schedules of submittals and minor changes to any corrective action workplans may be made by the Administrative Authority during the scoping meeting or status review briefings as described in Condition VIII.C.3.

VIII.D. SPECIFIC CONDITION – CONCEPTUAL SITE MODEL (CSM)

No later than 120 days after the scoping meeting, the Permittee shall submit to the Administrative Authority a CSM (along with the Performance Standards detailed in Condition VIII.A.2) or an update of any CSM submitted at the scoping meeting providing background information and the current conditions at the facility. The level of detail required for the CSM will be discussed during the scoping meeting. At a minimum, the CSM must address current site conditions, land use, known and/or potential constituent source(s), routes of constituent migration, exposure media (i.e., soil, surface waters, groundwater), exposure points, points of compliance and pathways, receptors and source media to be evaluated under the RECAP. The CSM must include a completed Figure 8 (LAC 33:I.Chapter 13). The Permittee may include completed investigations, existing data, or previously submitted documents in the CSM by reference. References must include the names, dates, and brief summaries of the documents.

If a CSM has been previously developed, the scoping meeting will also provide the opportunity for the Permittee and Administrative Authority to consider and identify all data gaps in the CSM. The initial CSM shall be considered the "base document" to be prepared and updated by the facility as new information is gathered during investigations. The CSM shall be used by the facility to make decisions regarding risk management options, ecological risk, and monitored natural attenuation determinations (RECAP Section 2.16), or technical impracticability (TI) waiver determinations, when appropriate.

The Administrative Authority reserves the right to require revisions to the CSM based upon data resulting from ongoing investigations and activities. Revisions to the CSM may also be required for newly identified SWMUs or AOCs according to Condition VIII.L of this permit (See Appendix 1, Ongoing Corrective Action) and based on new information and information not previously considered by the Administrative Authority.

The CSM shall be divided into Profiles as detailed in Conditions VIII.D.1 through 6. If the Permittee chooses to use existing data and documents in the CSM, it may not be necessary to prepare the Profiles as detailed in Conditions VIII.D.1 through 6. However, the existing documents and data must provide sufficient information and detail which corresponds to the information required by the Facility, Land Use and Exposure, Physical, Release, Ecological, and Risk Management Profiles.

VIII.D.1. Facility Profile

The Permittee shall include in the CSM a Facility Profile which shall summarize the regional location, pertinent boundary features, general facility structures, process areas, and locations of solid waste management units or other potential sources of contaminant migration from the routine and systematic releases of hazardous

constituents to the environment (e.g., truck or railcar loading/unloading areas). The Permittee shall also include historical features that may be potential release areas because of past management practices. The Facility Profile shall include:

VIII.D.1.a. Map(s) and other documents depicting the following information (all maps shall be consistent with the requirements set forth in LAC 33:V Chapter 5 and be of sufficient detail and accuracy to locate and report all current site conditions):

VIII.D.1.a(1) General geographic location;

VIII.D.1.a(2) Property lines with the owners of all adjacent property clearly indicated;

VIII.D.1.a(3) Facility structures, process areas and maintenance areas;

VIII.D.1.a(4) Any other potential release areas shall be delineated, such as railcar loading/unloading areas or any other AOI as described in RECAP Section 2.6; and

VIII.D.1.a(5) Locations of historical features that may be potential release areas or any areas of past solid and hazardous waste generation, treatment, storage or disposal activities.

VIII.D.1.b. The Facility Profile shall also include a description of ownership and operation of the facility.

VIII.D.1.c. The Permittee shall provide pertinent information for those spills that have not been assessed and reported to the Administrative Authority during facility investigations, addressed by facility spill contingency plans, or previously remediated or deemed for no further action. The information must include at minimum, approximate dates or periods of past waste spills, identification of the materials spilled, the amount spilled, the location where spilled, and a description of the response actions conducted (local, state, federal, or private party response units), including any inspection reports or technical reports generated as a result of the response.

VIII.D.2. Land Use and Exposure Profile

The Permittee shall include in the CSM a Land Use and Exposure Profile which includes surrounding land uses (industrial and non-industrial, as described in RECAP Sections 2.9.1 and 2.9.2), resource use locations (water supply wells, surface water intakes, etc.), beneficial resource determinations (groundwater classifications as described in RECAP Section 2.10), natural resources (wetlands, etc.), sensitive subpopulation types and locations (schools, hospitals, nursing homes, day care centers, etc.), applicable exposure scenarios, and applicable exposure pathways

identifying the specific sources, releases, migration mechanisms, exposure media, exposure routes and receptors. The Land Use and Exposure Profile shall include:

VIII.D.2.a. Map(s) and other documents depicting the following information (all maps shall be consistent with the requirements set forth in LAC 33:V Chapter 5 and be of sufficient detail and accuracy to locate and report all current site conditions):

VIII.D.2.a(1) Surrounding land uses, resource use locations, and natural resources/wetlands;

VIII.D.2.a(2) Locations of sensitive subpopulations; and

VIII.D.2.a(3) An exposure pathway flowchart which outlines sources, migration pathways, exposure media and potential receptors as depicted in Figure 8 (CMS example) of RECAP.

VIII.D.3. Physical Profile

The Permittee shall include in the CSM a Physical Profile which shall describe the factors that may affect releases, fate and transport, and receptors, including; topography, surface water features, geology, and hydrogeology. The Physical Profile shall include:

VIII.D.3.a. Map(s) and other documents depicting the following information (all maps shall be consistent with the requirements set forth in LAC 33:V.Chapter 5 and be of sufficient detail and accuracy to locate and report all current site conditions):

VIII.D.3.a(1) Topographic maps with a contour interval of five (5) or ten (10) feet, a scale of one inch to 100 feet (1:100), including hills, gradients, and surface vegetation or pavement;

VIII.D.3.a(2) Surface water features including routes of all drainage ditches, waterways, direction of flow, and how they migrate to other surface water bodies such as canals and lakes;

VIII.D.3.a(3) Regional geology including faulting and recharge areas, as well as local geology depicting surface features such as soil types, outcrops, faulting, and other surface features;

VIII.D.3.a (4) Subsurface geology including stratigraphy, continuity (locations of facies changes, if known), faulting and other characteristics;

VIII.D.3.a(5) Maps with hydrogeologic information identifying water-bearing zones; hydrologic parameters such as transmissivity;

and conductivity. Also locations and thicknesses of aquitards or impermeable strata; and

VIII.D.3.a(6) Locations of soil borings and production and groundwater monitoring wells, including well log information, and construction of cross-sections which correlate substrata. Wells shall be clearly labeled with ground and top of casing elevations (can be applied as an attachment).

VIII.D.4. Release Profile

The Permittee shall include in the CSM a Release Profile which shall describe the known extent of contaminants in the environment, including sources, contaminants of concern (COC), areas of investigations, distribution and magnitude of known COCs with corresponding sampling locations, and results of fate and transport modeling depicting potential future extent/magnitude of COCs. The Release Profile shall include:

VIII.D.4.a. Map(s) and other documents depicting the following information (all maps shall be consistent with the requirements set forth in LAC 33:V. Chapter 5 and be of sufficient detail and accuracy to locate and report all current site conditions):

VIII.D.4.a(1) Estimations of source concentrations, exposure concentrations and compliance concentrations for each affected media as defined in Section 2.8 of RECAP;

VIII.D.4.a(2) Isopleth maps depicting lateral extent and concentrations of COCs;

VIII.D.4.a(3) Results of fate and transport modeling showing potential exposure concentrations and locations; and

VIII.D.4.a(4) Locations of potential sources including past or present waste units or disposal areas and all SWMUs/AOCs.

VIII.D.4.b. Table(s) depicting the following information for each SWMU/AOC, including but not limited to: location; type of unit/disposal/release area; design features; operating practices (past and present); period of operation; age of unit/disposal/release area; general physical condition; and method of closure.

VIII.D.4.c. Table(s) depicting the following waste/contaminant characteristics for those areas referenced in Condition VIII.D.4.b, including but not limited to: type of waste placed in the unit (hazardous classification, quantity, chemical composition), physical and chemical characteristics (physical form, description, temperature, pH, general chemical class, molecular weight,

density, boiling point, viscosity, solubility in water, solubility in solvents, cohesiveness, vapor pressure); and migration and dispersal characteristics of the waste (sorption coefficients, biodegradability, photodegradation rates, hydrolysis rates, chemical transformations).

VIII.D.5. Ecological Profile

The Permittee shall include in the CSM an Ecological Profile that shall describe the physical relationship between the developed and undeveloped portions of the facility, the use and level of disturbance of the undeveloped property, and the type of ecological receptors present in relation to completed exposure pathways. When compiling data for the Ecological Profile, current, as well as, future impacts to receptors and/or their habitats shall be considered. The Ecological Profile shall include:

VIII.D.5.a. A history and description of the developed property on the facility, including structures, process areas, waste management units, and property boundaries;

VIII.D.5.b. A history and description of the undeveloped property, including habitat type (wetland, grassy area, forest, ponds, etc.). Include a description of the primary use, degree and nature of any disturbance, along with proximity to drainage ditches, waterways and landfill areas;

VIII.D.5.c. A description of the site receptors in relation to habitat type, including endangered or protected species, mammals, birds, fish, etc.;

VIII.D.5.d. A description of the relationship between release areas and habitat areas, specifically relating chemicals of potential ecological concern (COEC) to ecological receptors;

VIII.D.5.e. An ecological checklist as described in Section 7.0 of RECAP. An ecological checklist (presented in Appendix C, Form 18 of RECAP) shall be used to determine if a tier 1 (screening level) Ecological Risk Assessment (ERA) is warranted.

VIII.D.6. Risk Management Profile

The Permittee shall include in the CSM a Risk Management Profile that shall describe how each AOI at the facility will be managed for the protection of human health and the environment. The Risk Management Profile will serve as documentation of the results of the site ranking system (described in Section 2.2 of RECAP). The Risk Management Profile will also document the criteria and verify that the SO, MO-1, MO-2 or MO-3 is appropriate for application at each AOI. The Risk Management Profile shall include:

VIII.D.6.a. A table for tracking the management options for each AOI, and the determination made, whether an AOI is deemed for no further action at this time (NFA-ATT) or is going to use either the SO, MO-1, MO-2 or MO-3 management option.

VIII.D.6.b. A list of identified site-wide data gaps for further investigation.

VIII.D.6.c. Documentation of all interim measures which have been or are being undertaken at the facility, including under State or Federal compliance orders, other than those specified in the Permit. This documentation shall include the objectives of the interim measures and how the measure is mitigating a potential threat to human health or the environment and/or is consistent with and integrated into requirements for a long term remedial solution.

VIII.E. INTERIM MEASURES

VIII.E.1. If at any time during the term of this Permit, the Administrative Authority determines that a release or potential release of hazardous constituents from a SWMU/AOC poses a threat to human health and the environment, the Administrative Authority may require interim measures. The Administrative Authority shall determine the specific measure(s) or require the Permittee to propose a measure(s). The interim measure(s) may include a permit modification, a schedule for implementation, and an Interim Measures Workplan. The Administrative Authority may modify this Permit according to LAC 33:V.321 to incorporate interim measures into the Permit. However, depending upon the nature of the interim measures, a permit modification may not be required.

VIII.E.2. The Permittee may propose interim measures at any time by submittal of an Interim Measures Workplan subject to the approval of the Administrative Authority.

VIII.E.3. The Administrative Authority shall notify the Permittee in writing of the requirement to perform interim measures and may require the submittal of an Interim Measures Workplan. The following factors will be considered by the Administrative Authority in determining the need for interim measures and the need for permit modification:

VIII.E.3.a. Time required to develop and implement a final remedy;

VIII.E.3.b. Actual and potential exposure to human and environmental receptors;

VIII.E.3.c. Actual and potential contamination of drinking water supplies and sensitive ecosystems;

VIII.E.3.d. The potential for further degradation of the medium in the absence of interim measures;

VIII.E.3.e. Presence of hazardous wastes in containers that may pose a threat of release;

VIII.E.3.f. Presence and concentration of hazardous waste including hazardous constituents in soil that has the potential to migrate to ground water or surface water;

VIII.E.3.g. Weather conditions that may affect the current levels of contamination;

VIII.E.3.h. Risks of fire, explosion, or accident; and

VIII.E.3.i. Other situations that may pose threats to human health and the environment.

VIII.E.5. Upon approval of the Interim Measures Workplan and completion of the interim measure(s) implementation, the Permittee will submit a report to the Administrative Authority describing the completed work.

VIII.E.6. At anytime during or after the interim measure(s), including the issuance of an NFA-ATT, the Administrative Authority may require the Permittee to submit the SWMUs/AOCs for further corrective action.

VIII.F. CAS (CORRECTIVE ACTION STRATEGY) INVESTIGATION WORKPLAN

VIII.F.1. The CAS Investigation Workplan that describes site investigation activities for corrective action shall be submitted to the Administrative Authority within 180 days after the scoping meeting between the Permittee and the Administrative Authority. The CAS Investigation Workplan must address releases of hazardous waste or hazardous constituents to all media, unless otherwise indicated, for those SWMUs/AOCs listed in Appendix 1, Table 1. The focus of the site investigation phase for corrective action is to collect data to fill in data gaps identified in the CSM. The corrective action investigations may be conducted in phases if warranted by site conditions, contingent upon approval by the Administrative Authority.

VIII.F.1.a. The CAS Investigation Workplan shall describe the management options (MO) for each AOI/release area, data quality objectives for achieving each management option, and proposals for release characterizations (sampling and analysis/quality assurance plans) to support the data quality objectives (DQOs). (DQOs are determined based on the end use of the data to be collected, and the DQO development process should be integrated into project planning and refined throughout the CAS implementation. DQOs shall be used to 1) ensure that environmental data are scientifically valid, defensible, and of an appropriate level of quality given the intended use, and 2) expedite site investigations. The CAS Investigation Workplan is required

to have DQOs that are developed to support the performance standard for each release.) The CAS Investigation Workplan shall detail all proposed activities and procedures to be conducted at the facility, the schedule for implementing and completing such investigations, the qualifications of personnel performing or directing the investigations, including contractor personnel, and the overall management of the site investigations. The scope of work for the site investigation can be found in RECAP Appendix B.

VIII.F.1.b. The CAS Investigation Workplan shall describe sampling, data collection quality assurance, data management procedures (including formats for documenting and tracking data and other results of investigations) and health and safety procedures.

VIII.F.1.c. Development of the CAS Investigation Workplan and reporting of data shall be consistent with the latest version of the following EPA and State guidance documents or the equivalent thereof:

VIII.F.1.c(1) Guidance for the Data Quality Assessment, Practical Methods for Data Analysis. QA97 Version EPA QA/G-9. January 1998;

VIII.F.1.c(2) Guidance for the Data Quality Objectives Process. EPA QA/G-4. September 1994;

VIII.F.1.c(3) Data Quality Objectives Remedial Response Activities. EPA/540/G87-003. March 1987;

VIII.F.1.c(4) Guidance on Quality Assurance Project Plans. EPA QA/G-5. February 1998;

VIII.F.1.c(5) Interim EPA Data Requirements for Quality Assurance Project Plans. EPA Region 6, Office of Quality Assurance. May 1994;

VIII.F.1.c(6) 29 CFR 1910.120 (b) for the elements to Health and Safety plans;

VIII.F.1.c(7) RCRA Groundwater Monitoring: Draft Technical Guidance EPA/530-R-93-001 November 1992;

VIII.F.1.c(8) Test Methods for Evaluating Solid Waste, Physical/Chemical Methods; SW-846, 3rd Edition. November 1992, with revisions;

VIII.F.1.c(9) The LDEQ Handbook - **Construction of Geotechnical Boreholes and Groundwater Monitoring Systems," prepared by the LDEQ and the Louisiana Department of Transportation and Development.** This document is printed by and available from the

Louisiana Department of Transportation and Development, Water Resources Section, P. O. Box 94245, Baton Rouge, Louisiana 70804-9245; and

VIII.F.1.c(10) The LAC 33:I.Chapter 13 and Louisiana Department of Environmental Quality Risk Evaluation/Corrective Action Program (RECAP).

VIII.F.2. After the Permittee submits the CAS Investigation Workplan; the Administrative Authority will approve, disapprove, or otherwise modify the CAS Investigation Workplan in writing. All approved workplans become enforceable components of this Permit.

In event of disapproval (in whole or in part) of the workplan, the Administrative Authority shall specify deficiencies in writing. The Permittee shall modify the CAS Investigation Workplan to correct these within the time frame specified in the notification of disapproval by the Administrative Authority. The modified workplan shall be submitted in writing to the Administrative Authority for review. Should the Permittee take exception to all or part of the disapproval, the Permittee shall submit a written statement of the ground for the exception within fourteen (14) days of receipt of the disapproval.

VIII.F.3. The Administrative Authority shall review for approval, as part of the CAS Investigation Workplan or as a new workplan, any plans developed pursuant to Condition VIII.L addressing further investigations of newly-identified SWMUs/AOCs, or Condition VIII.M addressing new releases from previously-identified SWMUs/AOCs.

VIII.G. IMPLEMENTATION OF SITE INVESTIGATION ACTIVITIES UNDER CAS

No later than fourteen (14) days after the Permittee has received written approval from the Administrative Authority for the CAS Investigation Workplan, the Permittee shall implement the site investigation activities according to the schedules and in accordance with the approved CAS Investigation Workplan and the following:

VIII.G.1. The Permittee shall notify the Administrative Authority at least 10 working days prior to any field sampling, field-testing, or field monitoring activity required by this Permit to give LDEQ personnel the opportunity to observe investigation procedures and/or split samples.

VIII.G.2. Deviations from the approved CAS Investigation Workplan, which are necessary during implementation, must be approved by the Administrative Authority and fully documented and described in the progress reports (Condition VIII.C), RECAP Report (Condition VIII.H) and the final Risk Management Plan (Condition VIII.J).

VIII.H. RECAP REPORT

Within ninety (90) days after completion of the site investigation the Permittee shall submit a RECAP Report to the Administrative Authority for approval. The RECAP Report shall document the results of the site investigation activities, and the evaluation of the impacts from releases. The Administrative Authority will review and evaluate the report and provide the Permittee with written notification of the report's approval or a notice of deficiency. If the Administrative Authority determines the RECAP Report does not fully meet the objectives stated in the CAS Investigation Workplan (Permit Condition VIII.F), the Administrative Authority shall notify the Permittee in writing of the report's deficiencies, and specify a due date for submittal of a revised Final Report to the Administrative Authority.

VIII.H.1. The Permittee shall screen site-specific data using the appropriate RECAP standard (RS) for each AOI (depending on the MO), evaluate impacts from releases with exposure scenario evaluations, and update the Risk Management Profile of the CSM.

VIII.H.2. The report shall include, but not be limited to, the following:

VIII.H.2.a. Documentation of site investigation activities and results;

VIII.H.2.b. Evaluation of exposure scenarios to document impacts from releases;

VIII.H.2.c. Deviations from the CAS Investigation Workplan;

VIII.H.2.d. Results of screening activities using RECAP standards (RS), including SO, MO-1, MO-2, or MO-3 RS for each media;

VIII.H.2.e. The revised CSM with updated profiles which incorporate investigation and screening results; and

VIII.H.2.f. Proposed revisions to performance standards based on new information (e.g., change in land use, difference in expected receptors and/or exposure, or other differences in site conditions), if warranted.

VIII.I. REMEDIAL ALTERNATIVES STUDY

Upon completion and approval of the RECAP Report, the Permittee shall proceed with the evaluation of remedial alternatives to complete corrective action for each AOI according to the performance standards described in Condition VIII.A.2. The remedial alternatives shall be submitted to the Administrative Authority in the Remedial Alternatives Study (RAS) within ninety (90) days of the Administrative Authority's approval of the RECAP Report. In the Remedial Alternatives Study, the Permittee shall identify and evaluate various potential remedies that would meet the performance-based corrective action objectives and propose one or more specific remedies based on an evaluation of applicable data and available

corrective action technologies. The RAS shall be prepared in a manner that addresses the extent and nature of the contamination at the facility.

VIII.I.1. The Permittee shall evaluate remedies for each AOI that shall:

VIII.I.1.a. attain compliance with corrective action objectives for releases of hazardous waste and/or hazardous constituents, as established in the Conceptual Site Model or in later investigations approved by the Administrative Authority;

VIII.I.1.b. control sources of releases;

VIII.I.1.c. meet acceptable waste management requirements;

VIII.I.1.d. protect human health and the environment; and

VIII.I.1.e. meet applicable statutory and regulatory requirements (as noted in Condition VIII.A.2.b).

VIII.I.2. The Permittee shall evaluate the use of presumptive remedies and innovative technologies to achieve the appropriate remedial performance standards for each AOI.

VIII.I.3. The Permittee shall review the current interim measures/ stabilization activities to evaluate if these measures meet all the criteria for final remedy.

VIII.I.4. If under certain site-specific conditions, or when it is not technically or economically feasible to attain the corrective action objectives, the Permittee may propose to use institutional controls to supplement treatment or containment-based remedial actions upon approval of the Administrative Authority (Section 2.15 of RECAP).

VIII.I.5. The RAS shall at a minimum include:

VIII.I.5.a. An evaluation of the performance reliability, ease of implementation, and the potential impacts of the potential remedies;

VIII.I.5.b. An assessment of the effectiveness of potential remedies in achieving adequate control of sources and meeting remedial performance standards;

VIII.I.5.d. An assessment of the costs of implementation for potential remedies;

VIII.I.5.e. An assessment of the time required to begin and complete the remedy;

VIII.I.5.f. An explanation of the rationale for the remedy proposed for each AOI or group of AOIs; and

VIII.I.5.g. An assessment of institutional requirements (e.g., state permit requirements that may impact remedy implementation).

VIII.I.6. The Administrative Authority will review and evaluate the RAS and provide the Permittee with written notification of the study's approval or a notice of deficiency. If the Administrative Authority determines the RAS does not fully meet the requirements detailed in Conditions VIII.I.1 through VIII.I.5, the Administrative Authority shall notify the Permittee in writing of the RAS's deficiencies, and specify a due date for submittal of a revised RAS to the Administrative Authority. In addition, the Administrative Authority may require the Permittee to evaluate additional remedies or particular elements of one or more proposed remedies.

VIII.J. RISK MANAGEMENT PLAN

Within ninety (90) days of the Administrative Authority's approval of the RAS, the remedy/remedies proposed for selection shall be documented and submitted in the Risk Management Plan. The Permittee shall propose corrective action remedies in accordance with Chapter IV of the RCRA Corrective Action Plan (Final), May 1994, OSWER Directive 9902.3-2A or as directed by the Administrative Authority.

VIII.J.1. The Risk Management Plan shall at a minimum include:

VIII.J.1.a. A summary of the remedial alternatives for each AOI and the rationale used for remedy selection;

VIII.J.1.b. The final CSM with proposed remedies, including locations of AOIs addressed by a risk management activity, COC concentrations that represent the long-term fate and transport of residual COCs and the exposure pathways affected by the risk management activity;

VIII.J.1.c. Cost estimates and implementation schedules for proposed final remedies;

VIII.J.1.d. Proposed remedy design and implementation precautions, including special technical problems, additional engineering data required, permits and regulatory requirements, property access, easements and right-of-way requirements, special health and safety requirements, and community relations activities;

VIII.J.1.e. Remedy performance criteria and monitoring:

The Permittee shall identify specific criteria (such as land use changes, fate and transport model verification and constructed remedy performance) that will be evaluated to demonstrate that the risk management activity

implemented will remain protective. A schedule for periodic performance review (such as monitoring data summaries, including graphical and statistical analyses) shall be established to demonstrate that the implemented activities are consistently achieving and maintaining desired results. Further, a mechanism shall be established to re-evaluate risk management activities in the event the implemented action does not achieve and maintain the performance standards;

VIII.J.1.f. Contingency plans; and

VIII.J.1.g. Description and schedules for performance reviews.

VIII.J.2. After the Permittee submits the Risk Management Plan, the Administrative Authority will review and evaluate the plan and subsequently either inform the Permittee in writing that the plan is acceptable for public review or issue a notice of deficiency.

VIII.J.3. If the Administrative Authority determines the Risk Management Plan does not fully meet the remedial objectives, the Administrative Authority shall notify the Permittee in writing of the plan's deficiencies and specify a due date for submittal of a revised Final Risk Management Plan. In addition, the Administrative Authority may require the Permittee to evaluate additional remedies or particular elements of one or more proposed remedies.

VIII.J.4. After the Administrative Authority has determined the Risk Management Plan is acceptable for public review, the Administrative Authority shall inform the Permittee in writing and instruct the Permittee to submit the plan as a Class 3 permit modification request in accordance with the requirements of LAC 33:V.321.C.3.

VIII.J.5. After conclusion of a 60-day comment period, the Administrative Authority will either grant or deny the Class 3 permit modification request. In addition the Administrative Authority must consider and respond to all significant comments received during the 60-day comment period.

VIII.J.6. If the Class 3 Modification request is granted, the Administrative Authority shall prepare a draft permit incorporating the proposed changes in accordance with LAC 33:V.703.C and solicit public comment on the draft permit modification according to Condition VIII.N.3 of this permit.

VIII.J.7. If, after considering all public comments, the Administrative Authority determines that the Risk Management Plan is adequate and complete, the Administrative Authority will issue a public notice for final approval the Class 3 permit modification. The resultant modified permit will include schedules for remedy implementation as well as financial assurance provisions as required by Condition VIII.A.5 of this permit.

VIII.K. DETERMINATION OF NO FURTHER ACTION

VIII.K.1. NFA-ATT DETERMINATIONS FOR SPECIFIC SWMUs/AOCs

VIII.K.1.a. Based on the results of the site investigations, screening, risk evaluations and risk management activities, the Permittee may request a NFA-ATT determination for a specific SWMU/AOC by submittal of a Class 1[1] permit modification ([1] requiring Administrative Authority approval) request under LAC 33:V.321.C.1. The NFA-ATT request must contain information demonstrating that there are no releases of hazardous constituents from a particular SWMU/AOC that pose a threat to human health and/or the environment.

The basis for the determination of NFA-ATT shall follow the guidelines as described in the RECAP (Section 1.2.1 of RECAP) for each AOI, depending on the MO used.

VIII.K.1.b. If, based upon review of the Permittee's request for a permit modification, the results of the site investigations, and other information the Administrative Authority determines that releases or suspected releases from an individual SWMU/AOC which were investigated either are non-existent or do not pose a threat to human health and/or the environment, the Administrative Authority may grant the requested modification.

VIII.K.1.c. In accordance with LAC 33:V.321.C.1.a.ii, the Permittee must notify the facility mailing list within ninety (90) days of the Administrative Authority's approval of the Class 1[1] permit modification ([1] requiring Administrative Authority approval) request.

VIII.K.2. FACILITY-WIDE NFA-ATT DETERMINATION

VIII.K.2.a. Upon the completion of all activities specified in the Risk Management Plan and after all SWMUs and AOCs at the facility have been remediated according to the standards dictated by the selected RECAP MO, the Permittee shall submit a summary report supporting a determination of NFA-ATT on a facility-wide basis.

VIII.K.2.b. The summary report must include a historical narrative for each SWMU/AOC at the site that includes a summary of the investigation, sampling & analysis, remedial, and confirmatory sampling activities leading to the NFA-ATT request. The basis for the determination of NFA-ATT shall follow the guidelines as described in the RECAP (Section 1.2.1 of RECAP) for each AOI, depending on the MO used. The facility-wide NFA-ATT determination must consider any newly-identified SWMUs/AOCs discovered after submittal of the Risk Management Plan.

VIII.K.2.c. The Administrative Authority will review and evaluate the summary report and subsequently either inform the Permittee in writing that the report is acceptable for public review or issue a notice of deficiency.

VIII.K.2.d. If the Administrative Authority determines the summary report does not fully demonstrate that all remedial objectives have been satisfied, the Administrative Authority shall notify the Permittee in writing of the summary report's deficiencies and specify a due date for submittal of a revised summary report.

VIII.K.2.e. After the Administrative Authority has determined the facility-wide NFA-ATT summary report is acceptable for public review, the Administrative Authority shall inform the Permittee in writing and instruct the Permittee to submit the summary report as a Class 3 permit modification request in accordance with the requirements of LAC 33:V.321.C.3.

VIII.K.2.f. After conclusion of a sixty (60)-day comment period, the Administrative Authority will either grant or deny the Class 3 permit modification request. In addition the Administrative Authority must consider and respond to all significant comments received during the sixty (60)-day comment period.

VIII.K.2.g. If, based upon review of the Permittee's Class 3 permit modification request, the results of the site investigations, confirmatory sampling, and other pertinent information, the Administrative Authority determines that all SWMUs and AOCs have been remediated to the selected MO and no further action at the facility is warranted, the Administrative Authority will grant the modification request.

VIII.K.2.h. If the Class 3 Modification request is granted, the Administrative Authority shall prepare a draft permit incorporating the proposed changes in accordance with LAC 33:V.703.C and solicit public comment on the draft permit modification according to Condition VIII.N.4 of this permit.

VIII.K.2.i. If, after considering all public comments, the Administrative Authority determines that all activities specified in the Risk Management Plan have been completed and that all SWMUs and AOCs have been remediated to the selected MO, the Class 3 permit modification for facility-wide NFA-ATT will receive final approval. The CAS permit conditions will remain a part of the modified permit in the event that the remedial actions taken fail to maintain the established performance standard and to address any SWMUs/AOCs discovered at a later date.

VIII.K.3. CONTINUED MONITORING

If necessary to protect human health and/or the environment, a determination of NFA-ATT shall not preclude the Administrative Authority from requiring continued

monitoring of air, soil, groundwater, or surface water, when site-specific circumstances indicate that releases of hazardous waste or hazardous constituents are likely to occur.

VIII.K.4. ADDITIONAL INVESTIGATIONS

A determination of NFA-ATT shall not preclude the Administrative Authority from requiring further investigations, studies, or remediation at a later date, if new information or subsequent analysis indicates a release or likelihood of a release from a SWMU/AOC at the facility that is likely to pose a threat to human health and/or the environment. In such a case, the Administrative Authority shall initiate a modification to the Permit according to LAC 33:V.321.

VIII.L. NOTIFICATION REQUIREMENTS FOR AND ASSESSMENT OF NEWLY-IDENTIFIED SWMUs AND POTENTIAL AOCs

VIII.L.1. The Permittee shall notify the Administrative Authority, in writing, of any newly-identified SWMUs and potential AOCs (i.e., a unit or area not specifically identified during previous corrective action assessments, RFA, etc.), discovered in the course of ground water monitoring, field investigations, environmental audits, or other means, no later than thirty (30) days after discovery. The Permittee shall also notify the Administrative Authority of any newly-constructed land-based SWMUs (including but not limited to, surface impoundments, waste piles, landfills, land treatment units) and newly-constructed SWMUs where any release of hazardous constituents may be difficult to identify (e.g., underground storage tanks) no later than thirty (30) days after construction. The notification shall include the following items, to the extent available:

VIII.L.1.a. The location of the newly-identified SWMU or potential AOC on the topographic map required under LAC 33:V.517.B. Indicate all existing units (in relation to other SWMUs/AOCs);

VIII.L.1.b. The type and function of the unit;

VIII.L.1.c. The general dimensions, capacities, and structural description of the unit (supply any available drawings);

VIII.L.1.d. The period during which the unit was operated;

VIII.L.1.e. The specifics, to the extent available, on all wastes that have been or are being managed at the SWMU or potential AOC; and

VIII.L.1.f. Results of any sampling and analysis required for the purpose of determining whether releases of hazardous waste including hazardous constituents have occurred, are occurring, or are likely to occur from the SWMU/AOC.

VIII.L.2. Based on the information provided in the notification, the Administrative Authority will determine whether or not the area is a newly-identified SWMU or AOC. If the area is determined to be a newly-identified SWMU or AOC, the Administrative Authority will inform the Permittee in writing and request that the Permittee submit a Class 1[1] permit modification request under LAC 33:V.321.C.1 to add the newly-identified SWMU/AOC to Appendix 1, Table 1 of this permit.

Further, the Administrative Authority will determine the need for further investigations or corrective measures at any newly identified SWMU or AOC. If the Administrative Authority determines that such investigations are needed, the Administrative Authority may require the Permittee to prepare a plan for such

investigations. The plan for investigation of SWMU or AOC will be reviewed for approval as part of the current CAS Investigation Workplan or a new CAS Investigation Workplan. The results of the investigation of any newly-discovered SWMU/AOC shall be incorporated into the CSM.

VIII.M. NOTIFICATION REQUIREMENTS FOR NEWLY-DISCOVERED RELEASES AT A SWMU OR AOC

The Permittee shall notify the Administrative Authority of any release(s) from a SWMU or AOC of hazardous waste or hazardous constituents discovered during the course of ground water monitoring, field investigation, environmental auditing, or other means. The notification must be in accordance with the procedures specified in Conditions II.E.16 through II.E.20 of this permit and based upon the nature, extent, and severity of the release. Such newly-discovered releases may be from newly-identified SWMUs or AOCs, newly-constructed SWMUs, or from SWMUs or AOCs for which, based on the findings of the CSM, completed RECAP Report, or investigation of an AOC, the Administrative Authority had previously determined no further investigation was necessary. The notification shall include information concerning actual and/or potential impacts beyond the facility boundary and on human health and the environment, if available at the time of the notification.

The Administrative Authority may require further investigation and/or interim measures for the newly-identified release(s), and may require the Permittee to prepare a plan for the investigation and/or interim measure. The plan will be reviewed for approval as part of the CAS Investigation Workplan or a new CAS Investigation Workplan. The Permit will be modified to incorporate the investigation, according to the Class 1[1] permit modification procedures under LAC 33:V.321. The results of the investigation of any newly-identified release(s) shall be incorporated into the CSM.

VIII.N. PUBLIC PARTICIPATION REQUIREMENTS

Public participation is an essential element in the implementation of any corrective action program at the facility. The CAS promotes the early and continued involvement of stakeholders in site remediation activity during permit issuance, renewal, or modification. The public is invited to review and comment on the corrective action requirements contained in any draft permitting decisions or draft permit modification documents and the associated

plans and reports submitted by the Permittee. The Administrative Authority reserves the right to require more extensive public participation requirements based upon site-specific conditions and other relevant factors (e.g., compliance history, potential offsite impact, community interest, etc.). At a minimum, the public participation requirements shall include the following.

VIII.N.1. NFA-ATT Determinations for Specific SWMUs/AOCs

Based on the results of the site investigations, screening, risk evaluations and risk management activities, the Permittee may request a NFA-ATT determination for a specific SWMU/AOC by submittal of a Class 1[1] permit modification request under LAC 33:V.321.C.1. The Permittee must notify the facility mailing list within ninety (90) days of the Administrative Authority's approval of the Class 1[1] permit modification request, in accordance with LAC 33:V.321.C.1.a.ii and Condition VIII.K.1.c of this permit.

VIII.N.2. Draft Permitting Decision

The public may review and comment on the terms and conditions of the CAS during the public notice and comment period of the draft permitting decision. The Administrative Authority shall issue public notice upon preparation of the draft permitting decision in accordance with LAC 33:V.715. During the forty-five (45) day public comment period, the Administrative Authority will accept public comments on the draft permitting decision. At the end of the public comment period, the Administrative Authority will consider and address all public comments and make any necessary revisions to the draft permitting decision. After addressing all public comments, the Administrative Authority will issue a public notice for issuance of the final permitting decision. The final permitting decision will include a "Responsiveness Summary" detailing all comments received on the draft permitting decision and the actions taken (if necessary) to correct the draft before issuance of the final permitting decision.

VIII.N.3. Final Remedy Selection

The public may review and comment on the terms and conditions of the Risk Management Plan as described in Conditions VIII.J.4 through VIII.J.7 of this permit. If after addressing all public comments the Administrative Authority determines that the Risk Management Plan is satisfactory, the Administrative Authority will prepare a draft permit modification document in accordance with LAC 33:V.703.C.

The draft permit modification document will include a "Basis of Decision". The "Basis of Decision" will identify the proposed remedy for corrective action at the site and the reasons for its selection, describe all other remedies that were considered, and solicit for public review and comments on the Risk Management Plan included in the draft permit modification document.

After addressing all public comments, the Administrative Authority will issue a public notice for issuance of the final permit modification. The final permit modification will include a "Responsiveness Summary" detailing all comments received on the draft permit modification and the actions taken (if necessary) to correct the draft before issuance of the final permit modification.

VIII.N.4. Facility-Wide NFA-ATT

Upon the completion of all activities specified in the Risk Management Plan and after all facility remedial objectives have been met, the Permittee may submit a summary report for a determination of NFA-ATT on a facility-wide basis in accordance with Condition VIII.K.2 of this permit. The public may review and comment on the summary report as described in Condition VIII.K.2.b. If after addressing all public comments the Administrative Authority determines that all SWMUs and AOCs have been remediated to the selected MO and no further action at the facility is warranted, the Administrative Authority will prepare a draft permit modification document in accordance with LAC 33:V.703.C.

The draft permit modification document will include a "Basis of Decision". The "Basis of Decision" will provide a summary detailing contamination sources, site investigations, the MO selected for the facility, facility remedial standards, remedial actions, and sampling results demonstrating that the facility remedial standards have been achieved.

After addressing all public comments, the Administrative Authority will issue a public notice for issuance of the final permit modification. The final permit modification will include a "Responsiveness Summary" detailing all comments received on the draft permit modification and the actions taken (if necessary) to correct the draft before issuance of the final permit modification.

Table 1: Corrective Action Strategy Notification and Reporting Requirements

Below is a summary of the major notifications and reports that may be required by the Administrative Authority under the Corrective Action Strategy of this Permit in the event of releases requiring RCRA corrective action. The Administrative Authority will notify the Permittee of the notification and reporting requirements during the scoping meeting or another applicable stage of the corrective action process.

Actions	Due Date
Submit Notice of Intent to request use of the CAS to the Administrative Authority for review and comment (Condition VIII.B.1)	Within sixty (60) days of the effective date of this permit (if facility corrective action is required)
CAS Scoping Meeting held between facility and Administrative Authority (Condition VIII.B.2)	Within sixty (60) days of submittal of the Notice of Intent
Submit Progress Reports on all activities to the Administrative Authority (Condition VIII.C.1)	Schedule to be determined by the Administrative Authority on a case-by-case basis
Make available other reports relating to corrective action to the Administrative Authority (Condition VIII.C.2)	Upon request of the Administrative Authority
Provide briefings to the Administrative Authority (Condition VIII.C.3)	As necessary and upon request by the Administrative Authority
Submit Conceptual Site Model (CSM) (Condition VIII.D) and facility Performance Standards (Condition VIII.A.2) to the Administrative Authority	Within one-hundred and twenty (120) days after the scoping meeting
Perform Interim Measures (Condition VIII.E)	As determined by the Administrative Authority on a case by case basis
Submit Corrective Action Strategy (CAS) Workplan for the facility investigation to the Administrative Authority (Condition VIII.F)	Within one-hundred and eighty (180) days after the CAS Scoping Meeting

Implement site investigation activities under CAS Investigation Workplan according to approved schedule (Condition VIII.G)	Within fourteen (14) days of receipt of approval by the Administrative Authority
Submit RECAP Report to the Administrative Authority (Condition VIII.H)	Within ninety (90) days of completion of the site investigation
Submittal of Remedial Alternatives Study (RAS) to the Administrative Authority (Condition VIII.I)	Within ninety (90) days of completion of approval of the RECAP Report by the Administrative Authority
Submit Risk Management Plan to the Administrative Authority (Condition VIII.J)	Within sixty (90) days of approval of the RAS by the Administrative Authority
Submit NFA (and Permit Modification) request to the Administrative Authority (Condition VIII.K)	As necessary
Notification of newly-identified SWMUs and potential AOCs (Condition VIII.L)	Thirty (30) days after discovery
Notification of newly-discovered releases (Condition VIII.M)	Fifteen (15) days after discovery

APPENDIX 1

SUMMARY OF CORRECTIVE ACTION ACTIVITIES

Hexion Specialty Chemicals is currently not responsible for the corrective action of any AOCs or SWMUs at its Norco facility. The responsibility for the remediation of the existing SWMUs remains with Shell Oil Company. However, in the event any new AOCs or SWMUs are discovered, Appendix 1 will be modified in accordance with Condition VIII.M.

TABLE 2. SUMMARY OF CORRECTIVE ACTION ACTIVITIES*

AOC/SWMU Group or Area	*AOC or SWMU Number/Area Name*	*AOC/SWMU Description*	*Status of CA Activity*	*Corrective Action*	*EDMS[2] Document ID #/ Approval Date*

* Hexion Specialty Chemicals currently does not have any AOCs or SWMUs requiring corrective action at its Norco facility. However, in the event any new AOCs or SWMUs are discovered, this table will be modified in accordance with Condition VIII.M.

ATTACHMENT 1

ATTACHMENT 1
LIST OF FACILITY DOCUMENTS INCORPORATED
IN THE PERMIT BY REFERENCE
LAD980622104
AI#87883

DOCUMENT TYPE	APPLICATION/DOCUMENT DATE	ELECTRONIC DATABASE MANAGEMENT SYSTEM (EDMS) DOCUMENT ID	COMMENTS
Arrangements with the local Authorities	06/02/2006	34283432	Response to NODs; Attachment 14
Closure Cost Estimates	01/23/2007	35656269	Response to NODs 2, Attachment E
Closure Plan	01/23/2007; 03/06/2007	35656269; 35782680	Response to NODs 2 Attachment E. EDMS Doc ID 35782680 includes replacement pages 7, 8, and Table A-1.
Contingency Plan	06/02/2006	34285902	Response to NODs Attachment 1
Inspection Plan	01/23/2007; 03/06/2007	35656269; 35782680	Response to NODs 2 Attachment D. EDMS Doc ID 35782680 includes replacement pages 4 and 5.
Security Plan	NA	NA	Security provided by Shell Oil Company. Hexion must have a copy of the Security Plan on site.
Personal Training Plan	3/11/2005	32792499	Appendix A, Attachment 2
Waste Analysis Plan	06/02/2006	34283432	Response to NODs Attachment 15