

RESPONSIVENESS SUMMARY



RESPONSIVENESS SUMMARY

CLEAN HARBORS BATON ROUGE, LLC HAZARDOUS WASTE OPERATING RENEWAL PERMIT LAD 010 395 127 AGENCY INTEREST NO. 1516

ITEM: 1

REFERENCE: Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Part A, Page 1 of 6.

COMMENT: The Facility actually has two additional permits that are not captured on the PART A form, LAD 981 059 017 (Permit type = E, 10-Day Transfer Facility) and 3007 (Permit type = P; Air Permit; small source for Batch Treatment in the WWT system). The Facility respectfully requests the inclusion of the above mentioned permits on the PART A.

LDEQ RESPONSE: The LDEQ acknowledges the above comment. The Facility must submit a revised Part A to the LDEQ as a Class 1 permit modification, in accordance with LAC 33:V.321.C.1 and LAC 33:V.322.A.1 to include the two additional permits.

ACTION: No action to the permit is necessary. The permit has not been revised.

RESPONSIVENESS SUMMARY**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 2

REFERENCE: Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Permit Condition II.E.25.d, Page 16.

COMMENT: The schedule of completion of repairs to the Thermal Oxidizer and the performance requirements of the unit should be addressed independently from Tank 7002. The S&E Building and associated Thermal Oxidizer unit are used for the repackaging of Subpart CC materials that do not necessitate the use of Tank 7002. The Facility proposes that the language of this section be modified to state: "Within sixty-days (60) days of completion of repairs to the Thermal Oxidizer unit enclosure (S&E Building), the Permittee shall perform a demonstration that the Thermal Oxidizer meets the performance requirements for a control device under LAC 33:V.1761.C.5. The results of this demonstration shall be submitted to the Administrative Authority for approval no later than 150 days after completion of repairs to the Thermal Oxidizer unit."

LDEQ RESPONSE: The LDEQ acknowledges the above comment but does not concur. The alternative language proposed describes the S&E Building as the "Thermal Oxidizer unit enclosure (S&E Building)." This is incorrect, since the building does not enclose the thermal oxidizer unit. The term "Tank 7002 tank system enclosure (S&E Building)" used in the draft permit is a more accurate statement/description. The main purpose of this permit condition is to assure that the Thermal Oxidizer will have a performance test done.

ACTION: No action to the permit is necessary. The permit has not been revised.

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 3

REFERENCE: Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Permit Condition II.E.26, Page 16.

COMMENT: It is the facility's understanding from the phone discussions with the Department that the language, "Within thirty (30) days of the effective date of this permit, the Permittee shall submit a Waste Analysis Plan with additional analytical methods" is boiler plate language. From discussions, this statement is aimed at any new processes that might require an alteration or additional analytical method not previously specified in the current Waste Analysis Plan. The facility respectfully requests that the language be adjusted to reflect that the facility will within (30) days submit to the Department an updated Waste Analysis Plan with additional analytical methods when any new process that requires additional analytical methods are needed or required.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and concurs. Permit Condition II.E.26 has been "RESERVED."

ACTION: Permit Condition II.E.26 was revised from "Within thirty (30) days of the effective date of this permit, the Permittee shall submit a Waste Analysis Plan with additional analytical methods" to "RESERVED."

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 4

REFERENCE: Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Permit Condition III.A.2, Page 19.

COMMENT: This permit language does not allow for the facility to lawfully accept for treatment, storage, or disposal any hazardous waste generated outside of the United States' or its territories. The facility respectfully requests that this language be modified to state that the facility must comply with LAC 33:V.1123 to accept for treatment, storage, or disposal of any hazardous waste generated outside of the United States' or its territories.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and concurs. The Permit Condition has been revised.

ACTION: Permit Condition III.A.2 was revised to "If treating, storing, or disposing of hazardous waste generated outside the United States or its territories, the Permittee shall comply with all applicable regulatory requirements, specifically LAC 33:V.1101.C, 1123 and 1125."

RESPONSIVENESS SUMMARY

CLEAN HARBORS BATON ROUGE, LLC HAZARDOUS WASTE OPERATING RENEWAL PERMIT LAD 010 395 127 AGENCY INTEREST NO. 1516

ITEM: 5

REFERENCE: Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Permit Condition III.O.7, Table 1, Page 25.

COMMENT: The Table describes the containment capacities, volumes of largest containers allowed, and the total permitted capacities. The volume of the largest container allowed in PAD E should reflect 5,000 gallons. As the Department is aware, the facility is allowed to perform gulping activities in this area. Gulping includes pumping of smaller containers into larger containers to include tankers or the reverse of this process. The change in the language or gallons does not impact the total containment capacity or total permitted storage capacity. Secondary containment of PAD E has enough secondary containment capacity to contain at least ten percent (10%) of the total volume of containers or the volume of the largest container (5,000 gallons). The Facility recommends changing Table 1 to reflect 5,000 gallons as the volume of the largest container allowed in PAD E.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and concurs. The permit application shows that Pad E has enough capacity to accommodate a 5,000 gallon container while maintaining compliance with the secondary containment requirements of LAC 33:V.1907. Permit Condition III.O.7, Table 1 has been revised.

ACTION: Permit Condition III.O.7, Table 1 was revised from "350 gallons to 5,000 gallons."

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

- ITEM:** 6
- REFERENCE:** Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.
- ISSUE:** Permit Condition IV.B. Table 5, Page 31.
- COMMENT:** The Table describes the containment capacities, volumes of largest containers allowed, and the total permitted capacities. The volume of the largest container allowed in PAD E should reflect 5,000 gallons. As the Department is aware, the facility is allowed to perform gulping activities in this area. Gulping includes pumping of smaller containers into larger containers to include tankers or the reverse of this process. The change in the language or gallons does not impact the total containment capacity or total permitted storage capacity. Secondary containment of PAD E has enough secondary containment capacity to contain at least ten percent (10%) of the total volume of containers or the volume of the largest container (5,000 gallons). The Facility recommends changing Table 5 to reflect 5,000 gallons as the volume of the largest container allowed in PAD E.
- LDEQ RESPONSE:** The LDEQ acknowledges the above comment and concurs. The permit application shows that Pad E has enough capacity to accommodate a 5,000 gallon container while maintaining compliance with the secondary containment requirements of LAC 33:V.1907. Permit Condition IV.B, Table 5 has been revised.
- ACTION:** Permit Condition IV.B, Table 5 was revised from "350 gallons to 5,000 gallons."

RESPONSIVENESS SUMMARY**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

- ITEM:** 7
- REFERENCE:** Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.
- ISSUE:** Permit Condition V.C.3.e, Page 54.
- COMMENT:** This permit language (reference LAC 33:V.2521.C) requires notification during post-closure within 7 days of liquid leaks into the detection system of the Landfill Cell 904. This landfill cell is constructed with composite liner systems consisting of recompacted clays and geosynthetic liners. Liquids from rainfall during construction and consolidation of the clays are typically detected in the leak detection, collection, and removal systems of these type landfill cells during construction, operation, closure and post-closure. LAC 33:V.2504.A-D (Leakage Rate), LAC 33:V.2507.A-D (Monitoring and Inspection), LAC 33:V.2508.A-C (Response Action) and acceptable design guidelines recognize the potential for liquids in the landfill leak detection systems from other sources within the liner systems. The Clean Harbors Baton Rouge, LLC Facility (Facility) renewal application included recommendations regarding detection and notification of leaks in responses to these Chapter 25 regulations. The Facility requests that the permit language be modified to include the following or similar language: "The guidelines outlined in LAC 33:V.2504.A-B (Leakage Rate), LAC 33:V.2507.A-D (Monitoring and Inspection), and LAC 33:V.2508.A-C (Response Action) shall be used to determine if a leak into the leachate detection systems has occurred, the Facility will notify the LDEQ, Office of Environmental Services in writing within seven days."
- LDEQ RESPONSE:** The LDEQ acknowledges the above comment and concurs. The permit condition has been revised.
- ACTION:** Permit Condition V.C.3.e was revised to "In accordance with LAC 33:V.2504.A-B, LAC 33:V.2507.A-D and LAC 33:V.2508.A-C, if during the post-closure care period a leak into the leachate detection systems occurs, the Permittee must notify the Office of Environmental Services of the leak in writing within seven (7) days after detecting the leak."

RESPONSIVENESS SUMMARY**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

- ITEM:** 8
- REFERENCE:** Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.
- ISSUE:** Permit Condition VI.A.APPLICABILITY, Page 55.
- COMMENT:** As indicated in the subject permit renewal application and subsequent responses to Technical NODs, the Facility has a site wide groundwater monitoring and corrective action program. The current sampling requirements for all of the Facility wells is in accordance with Post-Closure Permit LAD 010 395 127-PC-3 (Landfill Cell 717). Section VI.A. Applicability, on Page 24 of this post-closure permit reads as follows: "The Groundwater Protection requirements of this post-closure permit supersede requirements set forth in the Final Modified Operating Permit and the Post-Closure Permits for Cells 901 and 902 for the facilities at the North Baton Rouge complex and additionally are applicable to the following unit as identified on Figure VI-1, Condition VI.A..." The wells listed in this subject draft permit for Landfill Cell 904 are also used in the Facility wide program for the other closed units (Cells 717, 901 and 902) at the Facility. The sampling requirements proposed in this draft operating permit for these common wells is different from that in the other post-closure permits. In order to clarify and avoid conflicting requirements with these other permits, we recommend the following or similar language be added to section VI.A of this operating permit renewal:
- "The Groundwater Protection requirements for the point of compliance, compliance upgradient and downgradient, and corrective action wells of this Hazardous Waste Operating Permit Renewal will supersede requirements set forth for these same wells in Post-Closure Permits LAD 010 395 127-PC-1, PC-2, PC-3 (Cells 901, 902, and 717)."
- LDEQ RESPONSE:** The LDEQ acknowledges the above comment. Permit Condition VI.A will not be revised but Permit Condition VI.B has been revised to include clarification of the groundwater protection requirements for Landfill Cells 717, 901 and 902.

ACTION:

No action taken for Permit Condition VI.A.
Permit Condition VI.B was revised to "The Permittee must continue to conduct compliance monitoring and corrective actions using all existing systems necessary to comply with monitoring programs for Landfill Cells 901, 902 and 717, as per the regulatory requirements of their respective post-closure permit(s) and for Landfill Cell 904 as specified herein. The Permittee shall include in the annual report a revised table showing all point of compliance, compliance, and corrective action wells, and all piezometers. On-going corrective actions must continue as approved by the Administrative Authority under this operating permit and current post-closure permits until groundwater protection standards have been achieved at facility. All wells and piezometers associated with Landfill Cell 904 must be maintained, protected from moving equipment and cannot be abandoned unless approved at a later date by the Administrative Authority."

RESPONSIVENESS SUMMARY

CLEAN HARBORS BATON ROUGE, LLC HAZARDOUS WASTE OPERATING RENEWAL PERMIT LAD 010 395 127 AGENCY INTEREST NO. 1516

- ITEM:** 9
- REFERENCE:** Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.
- ISSUE:** Permit Condition VI.G.6, Page 62.
- COMMENT:** Due to the number of wells (100+), sampling frequencies and extensive analyte list, the detailed laboratory analytical test reports, field forms and chain of custodies have not been included in the Annual and Semi-Annual Groundwater Reports submitted to LDEQ in fulfillment of the current operating and post-closure permits. The analytical data is summarized in tables for each well (see requirements listed for semi-annual reports in Section VI.J.4., on page 67 of the subject draft permit renewal). Copies of the detail reports, field forms, and chain of custodies are kept onsite at the Facility site and can be provided to the LDEQ on request. We recommend that this requirement not be a specific permit condition but rather handled on a case by case request.
- LDEQ RESPONSE:** The LDEQ acknowledges the above comment and concurs. The permit has been revised to address the above comments.
- ACTION:** Permit Condition VI.G.6 was revised to "Standard groundwater monitoring events will be conducted on a semi-annual frequency. Copies of the detail reports, field forms, and chain of custodies are kept onsite at the Facility and shall be provided to the LDEQ upon request. The semi-annual report shall, at a minimum, contain:
- Groundwater surface potentiometric maps;
 - Statistical analysis results for point of compliance (POC) and/or other required wells. Statistical analyses will be performed in accordance with GWSAP, and the applicable monitoring program requirements for each well of interest;
 - Determination if measured concentrations in point of compliance (POC) and/or other required wells exceed concentration limits for constituents listed in Condition VI.Table 1;"

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

- ITEM: 10
- REFERENCE: Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.
- ISSUE: Permit Condition VI.G.6.a, Page 62.
- COMMENT:

The current Operating and Post-Closure Permits' submittal dates for Semi-Annual and Annual Groundwater Reports are September 1 and March 1, respectively of each calendar year. The annual report also includes the semi-annual reporting requirements. The current semi-annual report covers the first two quarters (ex: first and second quarters) not just one quarter as the referenced section of the subject draft permit. The annual report covers the last two quarters (ex: third and fourth) as well as the entire calendar year. As stated above, the Facility has a site-wide groundwater monitoring and corrective action program not one specific area. It appears based on the current draft language that separate reports maybe required. It is our opinion that this requirement is redundant, cumbersome, and could be conflicting. We recommend that the subject permit language be changed to the current reporting frequency and due dates of September 1 and March 1 in order to avoid conflict with our other permits.

Also reference comment to permit section VI.J.4. below. Semi-annual reporting requirements similar to what we are currently doing are described in this section also. Another alternative recommendation would be to drop the language in Section VI.G.6.a., on page 62 and utilize the requirements of this section.
- LDEQ RESPONSE: The LDEQ acknowledges the above comment and concurs. Permit Condition VI.G.6.a has been revised to address the above comments concerning the submittal of groundwater reports. No Change to Permit Condition VI.J.4 is required.
- ACTION: Permit Condition VI.G.6.a was revised to "Semi-annual groundwater monitoring reports containing the information requirements of GWSAP and LAC 33:V.3317 and 3319 shall be submitted to the Administrative Authority as follows:

- Semi-annual groundwater monitoring reports containing data and information (i.e. statistical results, maps, etc.) shall be submitted to the Administrative Authority on or before the end of the month following the end of the semi-annual sampling event, in accordance with LAC 33:V.3317 and 3319. Submittal timeframes for groundwater monitoring data and reports related to groundwater monitoring are provided below:

SEMI-ANNUAL EVENT	MONITORING REPORT DUE DATE
FIRST QUARTER	SEPTEMBER 1
THIRD QUARTER	MARCH 1

- The transmittal letter accompanying the semi-annual groundwater monitoring report shall identify the date that the Permittee received the completed analytical data (including electronic deliverables) from the laboratory as well as the determination date.”

RESPONSIVENESS SUMMARY

CLEAN HARBORS BATON ROUGE, LLC HAZARDOUS WASTE OPERATING RENEWAL PERMIT LAD 010 395 127 AGENCY INTEREST NO. 1516

ITEM: 11

REFERENCE: Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Permit Condition VI.G.6.b, Page 63.

COMMENT: Currently the facility does the semi-annual groundwater sampling during the first and third quarters of each calendar year. Also Section VI.Tables 2 and 3 also reflect this sampling event timing. We recommend that the language be changed to the first and third quarters to correct this discrepancy. We also assume that the current language implies that the timing can be changed in the future with prior approval from the Administrative Authority and will not require the submittal of a permit modification.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and concurs. Permit Condition VI.G.6.b has been revised to indicate the semi-annual groundwater sampling events.

ACTION: Permit Condition VI.G.6.b was revised to "It is anticipated that semi-annual groundwater monitoring events will occur during the first and third quarters of each year. The sampling quarters are subject to change as conditions dictate, with prior approval from the Administrative Authority."

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 12

REFERENCE: Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Permit Condition VI.J.4, Page 67.

COMMENT: This section outlines the requirements for the semi-annual groundwater report. These are consistent with what is currently required by the Facility's operating and post-closure permits. There are also requirements outlined under Section VI.G.6.a (see above) that are different. We recommend changes to Section VI.G.6.a, above to be consistent with VI.J.4. and/or dropping Section VI.G.6.a in its entirety.

LDEQ RESPONSE: The LDEQ acknowledges the above comment but does not concur. Permit Condition VI.G.6.a and VI.G.6.b have been revised. Permit Condition VI.J.4 is consistent with all revisions.

ACTION: No action to the permit is necessary. The permit has not been revised.

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 13

REFERENCE: Clean Harbors's October 13, 2008 comments on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Permit Condition VIII, Page 95 and Appendix 1, Page 127.

COMMENT: Section VIII of the draft permit describes the steps in the Corrective Action Strategy as an alternate corrective action approach that can be implemented at any phase of corrective action for a release area. Appendix 1 attached to this section gives an overview of the ongoing Corrective Action at the Facility. As discussed in this Appendix, the LDEQ has approved the Final Remedy(s) for the Facility and the Facility has submitted a Corrective Measures Implementation Workplan for implementing the Final Remedy(s). Section titled CAS Process in Appendix 1 states the following "Clean Harbors Baton Rouge, LLC will enter the CAS process at the following stages:

Submit Notice of Intent to request use of the CAS...through the listed sequenced phases of CAS."

As described in Appendix 1 Sections above this one, the Facility is beyond these steps. These sequenced steps should only be required if new areas are identified or releases occur that are unrelated to those currently identified. If the intent is to incorporate the current corrective action program into the CAS then we recommend that language be added that will clarify which step/phase we will enter the CAS program. It appears based on the phases listed that we are beyond the Remedial Alternatives Study and Risk Management Plan and are not petitioning for No Further Action at this time. Rather we are awaiting on the review and approval of the Corrective Measures Implementation Workplan so that the Final Remedy(s) can be implemented. We request that language be added to this section of the permit to clarify where we are in the CAS program.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and concurs. Clarification on the CAS program equivalency has been added to Appendix 1.

ACTION: Permit Condition VIII, Appendix 1 was revised to "The LDEQ issued an

Administrative Order to Clean Harbors Baton Rouge, LLC, dated December 3, 2003, and an Addendum to the Administrative Order, dated January 1, 2004, for the Corrective Measures Implementation (CMI) Work Plan that would also provide details on implementing the Final Remedy Selection discussed above.

Clean Harbors Baton Rouge Facility will begin the implementation of the Corrective Action Strategy (CAS) with the implementation of the CMI Work Plan, once approved by the Administrative Authority. The CMI Work Plan is equivalent to the submittal of a "Remedial Alternative Study (RAS) under the CAS."

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 14

REFERENCE: Ms. Juanita Stewart's comments voiced during the October 9, 2008 Public Hearing on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Concerns about the operations (specifically the incinerator and the landfill) at the Clean Harbors Baton Rouge Facility.

COMMENT: My question is how are they going to operate this landfill?
Some people see white powder dust on their cars and houses. Are you burning anything over there?

LDEQ RESPONSE: The LDEQ acknowledges the above comment and provides the following information:

The incinerator, operated by Rollins Environmental Services, Inc. was closed in 1999. The incinerator has been dismantled and removed.

Clean Harbors Baton Rouge Facility operates landfill 904. This landfill has limited space available. The life expectancy of the landfill is approximately 500 cubic yards. Clean Harbors will use the remaining capacity for onsite generated waste only. After final closure, the Permittee must comply with all post-closure requirements contained in LAC 33:V.3519-3527, including maintenance and monitoring throughout the post-closure care period (specified in the permit under LAC 33:V.3521.A.1).

The Permittee shall comply with air emission control requirements under LAC 33:V.Chapter 17.Subchapter C for the Tank 7002 (South Mix Pit) system. These air emission controls shall consist of: a permanent total enclosure; a closed-vent system; a Thermal Oxidizer (TO).

The commenter has not referenced documentation to support the allegation that the particles and odors in the air are associated with activities at the Clean Harbors Baton Rouge Facility. In addition, the commenter has not referenced any specific documentation containing date, time, or location regarding such events. The LDEQ has reviewed the

administrative record for the Clean Harbors Baton Rouge Facility (AI#1516) for the period of January 1, 2006 to the present. During the review, no documentation of any such complaint was found; therefore, the LDEQ is unable to respond further with respect to this particular allegation.

In the future, the LDEQ encourages all citizens to report such observed occurrences in a timely manner to the proper authorities for investigation and follow-up. Citizens should first contact their local authorities (police, sheriff, fire department, etc...) in the event of an environmental emergency. Otherwise, environmental concerns (e.g., spills, releases, odors, fish kills, open burning, waste tires, etc.) can also be reported to the LDEQ's Single Point of Contact (SPOC) during business hours, 8 a.m. - 4:30 p.m., Monday through Friday, by calling 225-219-3640 or Toll Free 1-888-763-5424, or at the LDEQ's website at www.deq.louisiana.gov/portal/tabid/82/Default.aspx. To report a concern outside of business hours call 225-342-1234 or the toll free number.

ACTION: No action to the permit is necessary. The permit has not been revised.

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 15

REFERENCE: Mr. Ahmand Ali Furquan's comments voiced during the October 9, 2008 Public Hearing on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Concerns about the landfill and the air around the Clean Harbors Baton Rouge Facility.

COMMENT: We have too many landfills in our neighborhood today. We do not want this type landfill operations going on.

The air there is not clean. At nighttime, we have particles that float in the air.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and provides the following information:

Clean Harbors Baton Rouge Facility operates landfill 904. This landfill has limited space available. The life expectancy of the landfill is approximately 500 cubic yards. Clean Harbors will use the remaining capacity for onsite generated waste only. After final closure, the Permittee must comply with all post-closure requirements contained in LAC 33:V.3519-3527, including maintenance and monitoring throughout the post-closure care period (specified in the permit under LAC 33:V.3521.A.1).

The Permittee shall monitor 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.

The Permittee shall comply with air emission control requirements under LAC 33:V.Chapter 17.Subchapter C for the Tank 7002 (South Mix Pit) system. These air emission controls shall consist of: a permanent total enclosure; a closed-vent system; a Thermal Oxidizer (TO).

The commenter has not referenced documentation to support the allegation that the "particles that float in the air" are associated with activities at the Clean Harbors Baton Rouge Facility. In addition, the commenter has not referenced any specific documentation containing date, time, or location regarding such events. The LDEQ has reviewed the administrative record for the Clean Harbors Baton Rouge Facility (AI#1516) for the period of January 1, 2006 to the present. During the review, no documentation of any such complaint was found; therefore, the LDEQ is unable to respond further with respect to this particular allegation.

In the future, the LDEQ encourages all citizens to report such observed occurrences in a timely manner to the proper authorities for investigation and follow-up. Citizens should first contact their local authorities (police, sheriff, fire department, etc...) in the event of an environmental emergency. Otherwise, environmental concerns (e.g., spills, releases, odors, fish kills, open burning, waste tires, etc.) can also be reported to the LDEQ's Single Point of Contact (SPOC) during business hours, 8 a.m. - 4:30 p.m., Monday through Friday, by calling 225-219-3640 or Toll Free 1-888-763-5424, or at the LDEQ's website at www.deq.louisiana.gov/portal/tabid/82/Default.aspx. To report a concern outside of business hours call 225-342-1234 or the toll free number.

ACTION: No action to the permit is necessary. The permit has not been revised.

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 16

REFERENCE: Mr. Willie Ferguson's comments voiced during the October 9, 2008 Public Hearing on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Concerns about the landfill and the air around the Clean Harbors Baton Rouge Facility.

COMMENT: We are always contending with a lot of stuff in the air and the smell. We're just against the landfill.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and provides the following information:

Clean Harbors Baton Rouge Facility operates landfill 904. This landfill has limited space available. The life expectancy of the landfill is approximately 500 cubic yards. Clean Harbors will use the remaining capacity for onsite generated waste only. After final closure, the Permittee must comply with all post-closure requirements contained in LAC 33:V.3519-3527, including maintenance and monitoring throughout the post-closure care period (specified in the permit under LAC 33:V.3521.A.1).

The Permittee shall monitor 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.

The Permittee shall comply with air emission control requirements under LAC 33:V.Chapter 17.Subchapter C for the Tank 7002 (South Mix Pit) system. These air emission controls shall consist of: a permanent total enclosure; a closed-vent system; a Thermal Oxidizer (TO).

The commenter has not referenced documentation to support the allegation that the particles in the air and odors are associated with activities at the Clean Harbors Baton Rouge Facility. In addition, the commenter has not referenced any specific documentation containing date, time, or location regarding such events. The LDEQ has reviewed the administrative record for the Clean Harbors Baton Rouge Facility (AI#1516) for the period of January 1, 2006 to the present. During the review, no documentation of any such complaint was found; therefore, the LDEQ is unable to respond further with respect to this particular allegation.

In the future, the LDEQ encourages all citizens to report such observed occurrences in a timely manner to the proper authorities for investigation and follow-up. Citizens should first contact their local authorities (police, sheriff, fire department, etc...) in the event of an environmental emergency. Otherwise, environmental concerns (e.g., spills, releases, odors, fish kills, open burning, waste tires, etc.) can also be reported to the LDEQ's Single Point of Contact (SPOC) during business hours, 8 a.m. - 4:30 p.m., Monday through Friday, by calling 225-219-3640 or Toll Free 1-888-763-5424, or at the LDEQ's website at www.deq.louisiana.gov/portal/tabid/82/Default.aspx. To report a concern outside of business hours call 225-342-1234 or the toll free number.

ACTION:

No action to the permit is necessary. The permit has not been revised.

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 17

REFERENCE: Ms. Ernestine J. Washington's comments voiced during the October 9, 2008 Public Hearing on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Concerns about the operations (specifically the incinerator and the landfill) at the Clean Harbors Baton Rouge Facility.

COMMENT: A concern for this landfill being in that particular area. I do share concerns of the effects that the operation could and would have on the residents.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and provides the following information:

The incinerator, operated by Rollins Environmental Services, Inc. was closed in 1999. The incinerator has been dismantled and removed.

Clean Harbors Baton Rouge Facility operates landfill 904. This landfill has limited space available. The life expectancy of the landfill is approximately 500 cubic yards. Clean Harbors will use the remaining capacity for onsite generated waste only. After final closure, the Permittee must comply with all post-closure requirements contained in LAC 33:V.3519-3527, including maintenance and monitoring throughout the post-closure care period (specified in the permit under LAC 33:V.3521.A.1).

ACTION: No action to the permit is necessary. The permit has not been revised.

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 18

REFERENCE: Ms. Alice Cage's comments voiced during the October 9, 2008 Public Hearing on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Concerns about the landfill at the Clean Harbors Baton Rouge Facility.

COMMENT: We got the landfill when it was Rollins – the site became a dump.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and provides the following information:

Clean Harbors Baton Rouge Facility operates landfill 904. This landfill has limited space available. The life expectancy of the landfill is approximately 500 cubic yards. Clean Harbors will use the remaining capacity for onsite generated waste only. After final closure, the Permittee must comply with all post-closure requirements contained in LAC 33:V.3519-3527, including maintenance and monitoring throughout the post-closure care period (specified in the permit under LAC 33:V.3521.A.1).

ACTION: No action to the permit is necessary. The permit has not been revised.

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 19

REFERENCE: Ms. Maudie Patton's comments voiced during the October 9, 2008 Public Hearing on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Concerns about the landfill and the smells/air around the Clean Harbors Baton Rouge Facility.

COMMENT: I smell a smell 24 hours a day, seven days a week.

LDEQ RESPONSE: The LDEQ acknowledges the above comment and provides the following information:

Clean Harbors Baton Rouge Facility operates landfill 904. This landfill has limited space available. The life expectancy of the landfill is approximately 500 cubic yards. Clean Harbors will use the remaining capacity for onsite generated waste only. After final closure, the Permittee must comply with all post-closure requirements contained in LAC 33:V.3519-3527, including maintenance and monitoring throughout the post-closure care period (specified in the permit under LAC 33:V.3521.A.1).

The Permittee shall monitor 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.

The Permittee shall comply with air emission control requirements under LAC 33:V.Chapter 17.Subchapter C for the Tank 7002 (South Mix Pit) system. These air emission controls shall consist of: a permanent total enclosure; a closed-vent system; a Thermal Oxidizer (TO).

The commenter has not referenced documentation to support the allegation that the particles and odors in the air are associated with activities at the Clean Harbors Baton Rouge Facility. In addition, the commenter has not referenced any specific documentation containing date, time, or location regarding such events. The LDEQ has reviewed the administrative record for the Clean Harbors Baton Rouge Facility (AI#1516) for the period of January 1, 2006 to the present. During the review, no documentation of any such complaint was found; therefore, the LDEQ is unable to respond further with respect to this particular allegation.

In the future, the LDEQ encourages all citizens to report such observed occurrences in a timely manner to the proper authorities for investigation and follow-up. Citizens should first contact their local authorities (police, sheriff, fire department, etc...) in the event of an environmental emergency. Otherwise, environmental concerns (e.g., spills, releases, odors, fish kills, open burning, waste tires, etc.) can also be reported to the LDEQ's Single Point of Contact (SPOC) during business hours, 8 a.m. - 4:30 p.m., Monday through Friday, by calling 225-219-3640 or Toll Free 1-888-763-5424, or at the LDEQ's website at www.deq.louisiana.gov/portal/tabid/82/Default.aspx. To report a concern outside of business hours call 225-342-1234 or the toll free number.

ACTION: No action to the permit is necessary. The permit has not been revised.

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 20

REFERENCE: Ms. Ernestine Washington's comments voiced during the October 9, 2008 Public Hearing on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Concerns about the landfill at the Clean Harbors Baton Rouge Facility.

COMMENT: What I would like to know is, is the proposal available to me, or anyone at this meeting, of the intent of the operation of this landfill so that it could be better understood what is being proposed and what it consists of? Is that available to us here?

LDEQ RESPONSE: The LDEQ acknowledges the above comment and provides the following information:

Clean Harbors Baton Rouge Facility operates landfill 904. This landfill has limited space available. The life expectancy of the landfill is approximately 500 cubic yards. Clean Harbors will use the remaining capacity for onsite generated waste only. After final closure, the Permittee must comply with all post-closure requirements contained in LAC 33:V.3519-3527, including maintenance and monitoring throughout the post-closure care period (specified in the permit under LAC 33:V.3521.A.1).

The Clean Harbors Baton Rouge, LLC Revised Operating Permit Renewal Application and all pertinent information related to the facility and this permit renewal is available for public 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.

An additional copy may be reviewed at the East Baton Rouge Parish Library, Scotlandville Branch, 7373 Scenic Highway, Baton Rouge, Louisiana 70807.

ACTION: No action to the permit is necessary. The permit has not been revised.

RESPONSIVENESS SUMMARY

**CLEAN HARBORS BATON ROUGE, LLC
HAZARDOUS WASTE OPERATING RENEWAL PERMIT
LAD 010 395 127
AGENCY INTEREST NO. 1516**

ITEM: 21

REFERENCE: The LDEQ's comment on the Draft Hazardous Waste Operating Renewal Permit dated July 30, 2008.

ISSUE: Clarification on the re-characterization of waste.

COMMENT: The LDEQ should clarify the language in III.C.3 pertaining to requirements for annual re-characterization of waste.

LDEQ RESPONSE: The LDEQ acknowledges the need to revise the language in Permit Condition III.C.3. Specifically, the requirement for re-characterization of all groundwater samples has been removed.

ACTION: Permit Condition III.C.3 has been revised to state "The Permittee shall, at a minimum, annually re-characterize all hazardous waste streams shipped off-site or treated on-site."