

Effective Date: February 26, 2015

Permit No. IDD980976831

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INTRODUCTION AND SIGNATURE PAGE

Permittee: Wabtec Corporation - MotivePower Facility
Facility Identification/Permit Number: IDD980976831

Pursuant to the Idaho Hazardous Waste Management Act of 1983 (HWMA), Idaho Code § 39-4401 et seq., and the “*Rules and Standards for Hazardous Waste*”, as amended, IDAPA 58.01.05.000 et seq., specifically IDAPA 58.01.05.012 [40 CFR § 270.1(c)], the Hazardous Waste Facility Corrective Action and Post-Closure Care Permit is hereby re-issued to Wabtec Corporation MotivePower Facility (Permittee), at 4600 Apple Street, Ada County, Boise, Idaho.

The Permittee shall comply with all terms and conditions of this Permit, including Attachments 1 through 10. The Permittee shall comply with all applicable state and federal regulations, including IDAPA 58.01.05.004 through 58.01.05.008 and 58.01.05.010 through 58.01.05.013 [40 Code of Federal Regulations (CFR), Parts 260 through 264, 266, 268, 270, and 124], and as specified in this Permit.

Applicable state regulations are those which are in effect on the date of final administrative disposition of this Permit and any self-implementing statutory provisions and related regulations which, according to the requirements of the Hazardous and Solid Waste Amendments of 1984 (HSWA), as amended, are automatically applicable to the Permittee's hazardous waste management activities, notwithstanding the conditions of this Permit.

This Permit is based upon the administrative record, as required by IDAPA 58.01.05.013 [40 CFR § 124.9]. The Permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the Permittee's misrepresentation of any relevant facts, at any time, shall be grounds for the termination or modification of this Permit and/or initiation of an enforcement action, including criminal proceedings. To the extent there are inconsistencies between the Permit and the Attachments, the language of the Permit shall prevail. The Permittee must inform the Director of the Idaho Department of Environmental Quality (hereinafter referred to as Director) of any deviation from the permit conditions or changes in the information on which the application is based that would affect the Permittee's ability to comply, or actual compliance with the applicable regulations or permit conditions, or which alters any permit condition in any way. The Director shall enforce all conditions of this Permit, which are designated in this Permit as state requirements. Any challenges of any permit condition that concern requirements shall be appealed to the Director, in accordance with IDAPA 58.01.05.996 and the Idaho Department of Environmental Quality Rules and Regulations 58.01.23.000 et seq., “*Rules of Administrative Procedure Before the Board of Environmental Quality*.”

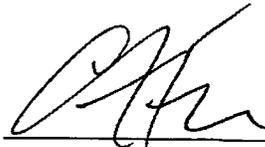
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The United States Environmental Protection Agency (EPA) shall maintain an oversight role of the state-authorized program, and in such capacity, shall enforce any permit condition based on state requirements if, in the EPA's judgment, the Director should fail to enforce that permit condition. Any challenges to the EPA-enforced conditions shall be appealed to the EPA, in accordance with 40 CFR §124.19.

This Permit will be reviewed five (5) years after the date of issuance in accordance with IDAPA 58.01.05.012 [40 CFR § 270.50 (d)] and modified, as necessary, to assure that the Facility continues to comply with the applicable requirements of HWMA. Upon the Director's issuance of this Permit, it shall remain in effect until September 25, 2023 unless, in accordance with IDAPA 58.01.05.012, the Permit is revoked and reissued [40 CFR § 270.41], modified [40 CFR § 270.42, Appendix I.A.6], terminated [40 CFR § 270.43], or continued [40 CFR § 270.51].

September 25, 2013

Date



Curt Fransen, Director

Idaho Department of Environmental Quality

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LIST OF ATTACHMENTS

The following documents are excerpts from the Permittee's RCRA Permit Application submitted on February 2, 2012 and December 5, 2012 and updated on February 26, 2015. The attached documents are hereby incorporated, in their entirety, by reference into this Permit. The Department has modified documents provided in the Permittee's Application, as deemed necessary to complete this Permit. All references in these attachments to the Agency or to designated representatives of the Agency shall also refer to the Department or to designated representatives of the Department.

Attachment 1 Facility Legal Description and Maps of Facility Location, consisting of:

- Table of Contents and Section B, Pages B-i through B-10 of Permit Application, as last revised February 26, 2015.
- Figures B-1, B-2, B-3, B-4, B-5, and B-6 of Permit Application, as last revised February 26, 2015.
- Appendix B-1 of Permit Application, as last revised February 2, 2012.
- Appendix B-3, as last revised February 2, 2012.
- Appendix B-4 of Permit Application, as last revised February 2, 2012.
- Appendix B-5 of Permit Application, as last revised February 2, 2012.

Attachment 2 RCRA Part A Permit Application, consisting of:

- RCRA Part A Permit Application, Appendix A-2, Figures A-1 and A2 as last revised February 2, 2012.

Attachment 3 Post-Closure Operation, Inspection, Security, and Maintenance Plans, consisting of:

- Section I-2a, Pages I-1 through I-3 of Permit Application, as last revised February 26, 2015.
- Section I-2c, Pages I-4 and I-5, of Permit Application, as last revised February 26, 2015.
- Sections I-2f and I-2g, Page I-5 of Permit Application, as last revised December 5, 2012.
- Table I-1 of Permit Application, as last revised February 26, 2015.
- Appendix I-1 of Permit Application, as last revised December 5, 2012.

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- Appendix I-2 of Permit Application, as last revised December 5, 2012.
- Appendix I-3 of Permit Application, as last revised December 5, 2012.

Attachment 4 Personnel Training Programs, consisting of:

- Appendix E-13 of Permit Application, Pages 1 and 2 of Permit Application, as last revised December 5, 2012.

Attachment 5 Procedures to Prevent Hazards and Contingency Plan, consisting of:

- Appendix B-2 of Permit Application, Contingency and Emergency Response Plan, as last revised August 2015.
- Comprehensive Crisis Management Plan, as last revised December 2014.

Attachment 6 Post-Closure Cost Estimate and Financial Assurance , consisting of:

- Section I-2, Sections I-3c and I-3d, Page I-6, as last revised February 26, 2015.
- Sections I-6 and I-7, Page I-7, as last revised December 5, 2012.
- Table I-2, as last revised March 8, 2012.
- Table I-3, as last revised December 5, 2012.
- Appendix I-4, as last revised March 25, 2012.

Attachment 7 Groundwater Monitoring and Sampling and Analysis Plan, consisting of:

- Section E-0 through E-10 of Permit Application, Pages E-1 through E-49, as last revised December 5, 2012 including:
- Tables E-1 through E-9, as last revised December 5, 2012.
- Figures E-1 through E-10, as last revised December 5, 2012.
- Appendices E-7 through E-10, as last revised February 2, 2012.
- Appendix E-12, Sampling and Analysis Plan, as last revised December 5, 2012.

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Attachment 8 Corrective Measures Implementation Plan, consisting of:

- Appendix E-3 of Permit Application, Page 1 through 17, as last revised December 5, 2012.
- Figures 1 through 5, as last revised December 5, 2012.

Attachment 9 Risk Assessment, consisting of:

- Appendix E-1 of Permit Application, including December 2011 addendum, Pages i through 4-1, Tables 1-28, Appendix A, and Appendix B

Attachment 10 Permit Modification Log

- Attachment 10 shall be used to track the current revision of the Permit, Attachments, and the application. The permit modification log shall record every permit modification, the portion of the permit affected, and the date the modification was posted to the permit.

DEFINITIONS

All definitions contained in IDAPA 58.01.05.004, .008 and .010 through .013 [40 CFR Parts 260, 264, 266, 268, 270, and 124] are hereby incorporated, in their entirety, by reference into this Permit, except that any of the definitions used below shall supersede any definition of the same term given in IDAPA 58.01.05.000 *et seq.* Where terms are not defined in the regulations or the Permit, the meaning associated with such terms shall be defined by a standard dictionary reference of the generally accepted scientific or industrial meaning of the term.

- a. **"Area"** shall mean the physical boundaries, as depicted in Figure 1 of this Permit, in which remedial measures and/or groundwater monitoring activities are grouped together by similar risk, geology and hydrological characteristics (Areas 1-4).
- b. **"Days"** shall mean calendar day(s) unless otherwise specified. Any requirement of submittal, under the terms of this Permit, that would be due on a Saturday, Sunday, or a federal or state holiday shall be due on the following business day.
- c. **"Department"** shall mean the Idaho Department of Environmental Quality.
- d. **"Director"** shall mean the Director of the Idaho Department of Environmental Quality or his designee.
- e. **"Facility or Site"** shall mean: (1) All contiguous land and structures, other appurtenances, and improvements on the land used for treating, storing, or disposing of hazardous waste. A facility may consist of several treatment, storage or disposal operational units (e.g., one or more landfills, surface impoundments, or combinations of them). (2) For the purpose of implementing corrective action under § 264.101, all contiguous property under the control of the owner or operator seeking a permit under subtitle C of RCRA. This definition also applies to facilities implementing corrective action under RCRA Section 3008(h). Notwithstanding paragraph (2) of this definition, a remediation waste management site is not a facility that is subject to 40 CFR § 264.101, but is subject to corrective action requirements if the site is located within such a facility.
- f. **"Hazardous Waste Constituent"** means a constituent that could cause or has caused the EPA to list a waste as hazardous per Part 261, Subpart D, of this chapter or a constituent listed in Table 1 of 40 CFR § 261.24.
- g. **"Hazardous Waste"** shall mean a solid waste, or combination of solid wastes, that because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed [See Public Law 98-616 Section 1004(5)].

- h. **"Hazardous Waste Management Unit (HWMU)"** shall mean a contiguous area of land on or in which hazardous waste is placed, or the largest area in which there is significant likelihood of mixing hazardous constituents in the same area.
- i. The term **"IDAPA"** shall mean the Idaho Administrative Procedures Act, Title 67, Chapter 52, Idaho Code.
- j. The term **"MCL(s)"** shall mean Maximum Contaminant Levels promulgated under the Safe Drinking Water Act.
- k. The term **"MNA"** shall mean Monitored Natural Attenuation and refers to the reliance on natural attenuation processes to achieve site-specific remediation objectives within a timeframe that is reasonable compared to that offered by other more active methods.
- l. **"Owner"** shall mean Wabtec Corporation - MotivePower Facility.
- m. **"Permit"** shall mean this Permit issued by the Idaho Department of Environmental Quality.
- n. **"Permittee"** shall mean Wabtec Corporation - MotivePower Facility.
- o. The term **"RBTL"** shall mean Risk Based Threshold Level, and is defined as that concentration of specified contaminant(s) listed in Table IV-2 of this Permit which will trigger contingency measures in accordance with Permit Condition IV.J.
- p. The term **"RCRA"** shall mean the Resource Conservation and Recovery Act of 1976, as amended.
- q. **"Release"** shall mean any spilling, leaking, pouring, emitting, emptying, discharging, injecting, pumping, escaping, leaching, dumping, or disposing of hazardous wastes (including hazardous waste constituents) into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing hazardous wastes or hazardous waste constituents).
- r. **"Remedial Action"** shall mean actions required to reduce contaminant concentrations to achieve corrective action goals.
- s. **"Remedial Action Criteria,"** (RAC) as defined in Permit Condition IV.D.1., are concentration limits for determining when active remedial actions may be terminated, and are established for each area as follows: Area 1-five times the MCL for all constituents with an established MCL, and for any constituent without a MCL, the maximum allowable concentration shall be five times the GPS (as defined in Table III-2); Area 3-five times the MCL for all constituents with an established MCL, and for any constituent without a MCL, the maximum allowable concentration shall be five times the GPS; Areas 2 and 4-the RAC shall be identified in a Corrective Measures Implementation Workplan in the event active remedial measures are necessary.

- t. **"Schedule of Compliance"** shall mean a schedule of remedial and/or closure measures included in a permit, including an enforceable sequence of interim requirements (i.e., actions, operations, or milestone events) leading to compliance with the HWMA and regulations.
- u. **"Solid Waste Management Unit (SWMU)"** shall mean any discernable unit at which solid wastes have been placed at any time, despite whether the unit was intended for the management of solid or hazardous wastes. Such units include any area at a facility at which solid wastes have been routinely and systematically released. (55 FR 30808)
- v. The term **"SW 846"** shall mean test Method for Evaluation Solid Waste (latest edition).
- w. The term **"UHC"** shall mean Underlying Hazardous Constituent. UHC means any constituent listed in § 268.48, Table UTS – Universal Treatment Standards, except fluoride, selenium, sulfides, vanadium, and zinc, which can reasonably be expected to be present at the point of generation of the hazardous waste at a concentration above the constituent – specific UTS Treatment Standard

ACRONYMS AND ABBREVIATIONS

ASTM	American Society for Testing and Materials
bgs	below ground surface
CAMP	corrective action monitoring program
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CFR	Code of Federal Regulations
CMP	compliance monitoring program
DMP	detection monitoring program
DNAPL	dense non-aqueous phase liquid
DOT	Department of Transportation
NPDES	National Pollutant Discharge Elimination System
EPA	U.S. Environmental Protection Agency
EQL	Estimated Quantitation Limit
FR	Federal Register
GAC	granular activated carbon
GPM	gallons per minute
GPS	Ground Water Protection Standards
HWMA	Hazardous Waste Management Act of 1983, as amended
HWMF	Hazardous Waste Management Facility
IDAPA	Idaho Administrative Procedures Act
IDEQ	Idaho Department of Environmental Quality
IDWR	Idaho Division of Water Resources
ISB	In-Situ Bioremediation
LDU	Land Disposal Unit
MCL	Maximum Contaminant Levels
MDL	method detection limit
mg/l	milligrams/liter
MSDS	Material Safety Data Sheet
NFPA	National Fire Protection Association
OSHA	Occupational Safety and Health Administration
PAH	polynuclear aromatic hydrocarbons
POC	Point of Compliance
POTW	Publicly Owned Treatment Works
PQL	practical quantitation limit
QAQC	Quality Assurance/Quality Control
RCRA	Resource Conservation and Recovery Act
RFA	RCRA Facility Assessment
RfD	reference dose
RFI	RCRA Facility Investigation
SARA	Superfund Amendments and Reauthorization Act
SPR	Spill Prevention and Response
SW-846	Test Methods for Evaluating Solid Waste: Physical/Chemical Methods
TSDF	Treatment, Storage, and Disposal Facility
ug/l	microgram/liter
VOC	volatile organic compound

MODULE I - STANDARD CONDITIONS

I.A. EFFECT OF PERMIT

- I.A.1. The Permittee is required to: maintain the closed hazardous waste management units, remove, treat and monitor contaminated groundwater; and perform corrective action as expressly described in this Permit. Any storage, treatment, or disposal of hazardous waste by the Permittee at this Facility that is not authorized by this Permit, or by IDAPA 58.01.05.006 [40 CFR § 262.34], and for which a permit is required under Idaho Code § 39.4409 or Section § 3005 of RCRA is prohibited.
- I.A.2. Pursuant to IDAPA 58.01.05.012 [40 CFR § 270.4], compliance with this Permit generally constitutes compliance, for purposes of enforcement, with the Idaho Hazardous Waste Management Act (HWMA), as amended, except for the requirements not included in this Permit which become effective by future statute or regulatory changes, including, but not limited to those requirements promulgated under IDAPA 58.01.05.011 [40 CFR Part 268] restricting the placement of hazardous waste in or on the land.

I.B. ENFORCEABILITY

- I.B.1. The terms and conditions of this Permit are enforceable pursuant to the HWMA or any other applicable federal, state, or local law. Violations of this Permit may result in civil penalties in accordance with HWMA [Idaho Code § 39-4414] and the HWMA Civil Penalty Policy.
- I.B.2. Any person who knowingly makes any false statement or representation in any application, label, manifest, record, report, permit, or other document filed, maintained or used for the purposes of complying with the provisions of Idaho Code § 39-4415 shall be guilty of a misdemeanor and subject to a fine of not more than ten thousand dollars (\$10,000) or imprisonment not to exceed one (1) year, or to both, for each separate violation or for each day of a continuing violation.

I.C. OTHER AUTHORITY

The Department expressly reserves any right of entry provided by law and any authority to order or perform emergency or other response activities as authorized by law.

I.D. PERMIT ACTIONS

- I.D.1. This Permit may be modified, revoked and reissued, or terminated for cause as specified in IDAPA 58.01.05.012 [40 CFR §§ 270.41, 270.42, and 270.43].

- I.D.2. The filing of a request for a permit modification, or revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance on the part of the Permittee shall not stay the applicability or enforceability of any permit condition.
- I.D.3. Except as provided by specific language in this Permit or except for the Director's approval of a Class 1 or 2 Permit Modification, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.42 (a) and (b)], any modification that substantially alters the Facility or its operation, as covered by this Permit, shall be administered as a Class 3 Permit Modification prior to such change taking place, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.42(c)].
- I.D.4. The Director may modify this Permit when the standards or regulations on which the Permit was based have been changed by statute, when standards or regulations have amended, or when standards or regulations have been changed by way of judicial decision after the effective date of this Permit.
- I.D.5. Within forty-five (45) calendar days of a permit modification being put into effect or approved, the Permittee shall provide clean copies of the relevant portions of the Permit and Attachments revised (if not already reflected/provided in the change pages submitted with the Permit Modification Request), reprint the documents (as necessary) and submit to the Director. The Permittee shall submit an electronic version of all permit modifications and permit applications to the Director. The Permittee shall ensure that Attachment 10, the Permit Modification Tracking Log, is kept up to date.

I.E. SEVERABILITY

- I.E.1. The provisions 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. Invalidation of any state or federal statutory or regulatory provision, that forms the basis for any condition of this Permit, does not affect the validity of any other state or federal statutory or regulatory basis for said condition.
- I.E.2. In the event that a condition of this Permit is stayed for any reason, the Permittee shall continue to comply with the related applicable and relevant permitted standards in IDAPA 58.01.05.008 [40 CFR Part 264] until resolution, unless compliance with the related applicable and relevant interim status standards in IDAPA 58.01.05.009 [40 CFR Part 265] would be incompatible with other conditions of this Permit that have not been stayed.

I.F. DUTY TO COMPLY

- I.F.1. The Permittee shall comply with all conditions of this Permit, except to the extent and for the duration such noncompliance is authorized by an emergency permit issued in accordance with IDAPA 58.01.05.012 [40 CFR § 270.61]. Any Permit noncompliance, other than noncompliance authorized by an emergency permit, constitutes a violation of HWMA and is grounds for enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a Permit renewal application.

I.F.2. Compliance with the terms of this Permit does not constitute a defense to any order issued or any action brought under §§ 3007, 3008, 3013, or 7003 of RCRA [42 U.S.C. §§ 6927, 6928, 6934 and 6973], §§ 104, 106(a), or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 [42 U.S.C. §§ 9604, 9606(a), or 9607, commonly known as CERCLA], as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), or any other state or federal law providing for protection of public health or the environment from any imminent and substantial endangerment to human health or the environment.

I.G. DUTY TO REAPPLY

If the Permittee wishes to or is required to continue an activity allowed by this Permit after the expiration date of this Permit, the Permittee shall reapply to obtain a new Permit at a minimum of 180 calendar days prior to the expiration date of this Permit, in accordance with IDAPA 58.01.05.012 [40 CFR §§ 270.10(h) and 270.30(b)]. Failure to submit a timely permit application prior to completion of corrective action and post-closure care may result in enforcement action, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.51(c)].

I.H. PERMIT DURATION

I.H.1. Except as renewed, modified, revoked, reissued, or terminated by the Director, this Permit shall be effective for a fixed term of ten (10) years from the effective date of this Permit.

I.H.2. In accordance with IDAPA 58.01.05.012 [40 CFR § 270.50(d)], this Permit shall be reviewed five (5) years after the effective date and modified, as necessary, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.41].

I.I. CONTINUATION OF EXPIRING PERMIT

This Permit and all conditions herein shall continue in force and be enforceable until the effective date of a new permit, if the Permittee has submitted a timely, complete application (in accordance with IDAPA 58.01.05.012 [40 CFR Part 270, Subpart B]), and through no fault of the Permittee, the Director has neither issued or denied a new permit under IDAPA 58.01.05.013 [40 CFR § 124.15] on or before the expiration date of the previous permit. In the event the Permittee fails to submit a timely and complete application, this Permit will remain enforceable until the effective date of a new permit.

I.J. 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, as specified in IDAPA 58.01.05.012 [40 CFR § 270.30(c)].

I.K. DUTY TO MITIGATE

In the event of noncompliance with this Permit, the Permittee shall take all reasonable steps to minimize releases to the environment resulting from the noncompliance, and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment, as specified in IDAPA 58.01.05.012 [40 CFR § 270.30(d)].

I.L. PROPER OPERATION AND MAINTENANCE

The Permittee shall, at all times, operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Permittee so as to achieve compliance with the conditions of this Permit, as specified in IDAPA 58.01.05.012 [40 CFR § 270.30(e)]. 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 this Permit.

I.M. DUTY TO PROVIDE INFORMATION

The Permittee shall furnish to the Director, within a reasonable time, any relevant information that the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit, or to determine compliance with this Permit, specified in IDAPA 58.01.05.012 [40 CFR § 270.30(h)]. The Permittee shall also furnish to the Director, upon request, copies of records required to be kept by this Permit.

I.N. INSPECTION AND ENTRY

In accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(i)], the Permittee shall allow the Department, the Director, and/or their authorized officers, employees, or representatives, upon the presentation of identification and other documents as may be required by law, to:

- I.N.1. Enter at reasonable times upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Permit;
- I.N.2. Have access to and copy, within three (3) days, any records that must be kept under the conditions of this Permit;
- I.N.3. Inspect at reasonable times any portion of the Facility or off-site activities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and
- I.N.4. Sample or monitor, at reasonable times, for the purposes of assuring Permit compliance or as otherwise authorized by RCRA or state law, any substances or parameters at any location.

I.O. MONITORING AND RECORDS

- I.O.1. The Permittee shall retain records of all monitoring information (including all calibration and maintenance records), copies of all reports required by this Permit, the certification required by IDAPA 58.01.05.008 [40 CFR § 264.73(b)(9)], and records of all data used to complete the application for this Permit, for a period of at least three (3) years from the date of the sample, measurement, report, certification, or recording unless a longer retention period is required by other conditions of this Permit. These periods may be extended by request of the Director, at any time, upon written notification to the Permittee. The retention times are automatically extended during any unresolved enforcement action regarding this Facility to three (3) years beyond the conclusion of any enforcement action.
- I.O.2. The Permittee shall maintain at the Facility, until post-closure is completed and certification by an independent, registered professional engineer has been approved by the Director: 1) a copy of this Permit and its Attachments and all modifications to this Permit, and 2) records from all groundwater monitoring well installations and sampling events, and associated groundwater surface elevations, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(j)].
- I.O.3. Copies of all records maintained at the Wabtec Corporation-MotivePower Facility shall be made available to the Department, the Director, and/or their authorized officers, employees, or representatives, within three (3) business days of the receipt of a hand-delivered or certified mail request for such. The Wabtec Corporation-MotivePower Facility contact for access to the records is:
- MotivePower Facility
Controller
4600 Apple Street
Boise, Idaho 83716
Telephone: 208-389-4910
- I.O.4. In accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(j)(3)], records of monitoring information shall include:
- I.O.4.a. The date, exact place, and time of sampling or measurements;
- I.O.4.b. The name, title, and affiliation of the individual(s) who performed the sampling or measurements;
- I.O.4.c. The date(s) analyses were performed;
- I.O.4.d. The name, title, and affiliation of the individual(s) who performed the analyses;
- I.O.4.e. The analytical techniques or methods used; and
- I.O.4.f. The results of such analyses, including the Quality Assurance/Quality Control summary.

- I.O.5. Samples and measurements taken for monitoring purposes shall be representative of the monitored activity. The method used to obtain a representative sample of the waste to be analyzed shall be in accordance with EPA's most recent edition of *Technical Enforcement Guidance Document* (hereinafter referred to as TEGD), or an equivalent method approved by the Director. Laboratory methods shall be those specified in the most recent edition of *Test Methods for Evaluating Solid Waste: Physical/Chemical Methods SW-846* (herein referred to as SW-846), the most recent edition of *Standard Methods for the Examination of Wastewater*, another alternate method approved in this Permit, or an equivalent method in accordance with this Permit.
- I.O.6. The Permittee may substitute analytical method(s) that are equivalent or superior to those specifically approved for use in this Permit, in accordance with the following:
- I.O.6.a. The Permittee submits to the Director a request for substitution of analytical method(s) specifically approved for use in this Permit. The request shall provide information demonstrating that the proposed method(s) requested to be substituted are equivalent or superior in terms of sensitivity, accuracy, and precision (i.e., reproducibility); and
- I.O.6.b. The Director notifies the Permittee, in writing, by certified mail or hand delivery, that the substitution of the analytical method(s) is approved. Such approval shall not require a permit modification under IDAPA 58.01.05.012 [40 CFR § 270.42].
- I.O.7. Results of all groundwater analyses required by this Permit shall be submitted to the Director within ninety (90) calendar days of the Permittee's receipt of all sample data from the laboratory, provided that the other reporting requirements specified in Modules III and IV are met. All sampling results must be submitted prior to the next scheduled sampling event.
- I.O.8. The Department may, during the life of this Permit, require the Permittee to revise the format(s) used to present the raw data and conclusions associated with the monitoring reports. These format changes may include, but not be limited to, requiring tabular and/or graphical presentations of the raw data or the submittal of raw data in electronic form for direct input into the Department's groundwater monitoring database.

I.P. REPORTING PLANNED CHANGES

The Permittee shall give notice to the Director as soon as possible, but not to exceed sixty (60) days prior to any planned physical alterations or additions to the permitted facility, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(1)(1)].

I.Q. REPORTING ANTICIPATED NONCOMPLIANCE

The Permittee shall give at least thirty (30) calendar days advance notice, in writing, to the Director of any planned changes in the permitted Facility or activity that might result in noncompliance with permit requirements, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(1)(2)]. Such notice does not authorize any noncompliance with or modification of this Permit.

I.R. CERTIFICATION OF CONSTRUCTION OR MODIFICATION

- I.R.1. The Permittee may not commence treatment of hazardous waste in a modified portion of an existing permitted Hazardous Waste Management Unit until the Permittee has submitted to the Director by certified mail, express mail, or hand delivery a letter signed by the Permittee and a registered professional engineer certifying that the permitted unit(s) at the facility have been constructed or modified in compliance with this Permit; in accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(I)(2)]; and
- I.R.2. The Director has reviewed and inspected (if deemed appropriate) the modified unit(s) and has notified the Permittee in writing that the unit(s) was found in compliance with the conditions of this Permit; or
- I.R.3. If within fifteen (15) calendar days of the date of submission of the letter in Permit Condition I.R.1. of this Permit, the Permittee has not received notice from the Director of the intent to inspect, prior inspection is waived and the Permittee may commence storage of hazardous waste in the permitted unit, certified in accordance with Permit Condition I.R.1. of this Permit.

I.S. TRANSFER OF PERMIT

This Permit may be transferred to a new owner or operator only if it is modified or revoked and reissued in accordance with IDAPA 58.01.05.012 [40 CFR § 270.42]. Before transferring ownership or operation of the Facility during the post-closure period, the Permittee shall notify the new owner or operator in writing of the requirements of IDAPA 58.01.05.008 and .012 [40 CFR Parts 264 and 270] and this Permit.

I.T. TWENTY-FOUR HOUR REPORTING

- I.T.1. In accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(L)(6)], the Permittee shall verbally report to the Department any noncompliance with this Permit that might endanger health or the environment. Any such information shall be reported as soon as possible, but within the twenty-four (24) hours from the time the Permittee becomes aware of the noncompliance. Potential endangerment to human health and the environment may include, but not be limited to, information concerning:
 - I.T.1.a. A release of any hazardous waste that may cause an endangerment to public drinking water supplies; or,
 - I.T.1.b. A release or discharge of hazardous waste, or of a fire or explosion at the Facility that could threaten human health or the environment outside the Facility; or
 - I.T.1.c. Noncompliance with Permit Condition II.A.1. of this Permit.
- I.T.2. The verbal description of the occurrence and its cause shall include:

- I.T.2.a. Name, title, and telephone number of the individual reporting;
 - I.T.2.b. Name, address, and telephone number of the owner or operator;
 - I.T.2.c. Name, address, and telephone number of the Facility;
 - I.T.2.d. Date, time, and type of incident;
 - I.T.2.e. Location and cause of the accident;
 - I.T.2.f. Name and quantity of material(s) involved;
 - I.T.2.g. The extent and description of injuries, if any;
 - I.T.2.h. An assessment of actual or potential hazards to the environment and human health, where this is applicable;
 - I.T.2.i. Description of any emergency action taken to minimize possible threat(s) to human health or the environment;
 - I.T.2.j. Estimated quantity and disposition of recovered material that resulted from the incident; and
 - I.T.2.k. Any other information necessary to fully evaluate the situation and to develop an appropriate course of action.
- I.T.3. Within five (5) calendar days after the Permittee is required to provide verbal notification as specified in Permit Condition I.T.1. and I.T.2. of this Permit, the Permittee shall provide to the Director a written submission. The written submission shall include, but not be limited to, the following:
- I.T.3.a. Name, address, and telephone number of the individual reporting;
 - I.T.3.b. A description including cause, location, extent of injuries, if any, and an assessment of actual or potential hazard(s) to the environment and human health outside the Facility, where this is applicable, of the incident (noncompliance and/or release);
 - I.T.3.c. The period(s) in which the incident (noncompliance and/or release) occurred including exact dates and times;
 - I.T.3.d. Whether the results of the incident remain a threat to human health and the environment (whether the noncompliance has been corrected and/or the release has been adequately remediated); and
 - I.T.3.e. If no threat remains, the anticipated time it is expected to continue; the steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance; and/or steps taken or planned to adequately remediate the release.

I.T.4. The Permittee need not comply with the five (5) calendar day, written notice requirement if the Director waives, in writing, the requirement, and the Permittee submits a written report within fifteen (15) calendar days from the time the Permittee is required to provide verbal notification, as specified in Permit Condition I.T.1. of this Permit.

I.U. OTHER NONCOMPLIANCE

The Permittee shall report to the Director all other instances of noncompliance, not otherwise required to be reported under Permit Conditions I.Q. and I.T. of this Permit, at the time the groundwater monitoring reports are submitted. The reports shall contain the information described in Permit Condition I.S. of this Permit. Reporting shall not constitute a defense for any noncompliance.

I.V. OTHER INFORMATION

Whenever the Permittee becomes aware that it failed to submit any relevant facts in the Permit Application or submitted incorrect information in a Permit Application or in any report to the Director, the Permittee shall promptly submit such facts or information to the Director in accordance with Permit Condition I.Y. of this Permit.

I.W. SIGNATURE AND CERTIFICATION

All applications, reports, or other information submitted in accordance with Permit Condition I.Y by the Permittee, shall be signed and certified in accordance with IDAPA 58.01.05.012 [40 CFR § 270.11 and § 270.30(k)].

I.X. CONFIDENTIAL INFORMATION

Pursuant to Title 9, Chapter 3, of the Idaho Code, IDAPA 58.01.05.012 [40 CFR § 270.12] or any other applicable federal, state, or local law, the Permittee may assert a claim of confidentiality regarding any information required to be submitted pursuant to this Permit on a case-by-case basis. The Department shall determine whether said information is exempt from disclosure pursuant to the applicable law.

I.Y. REPORTS, NOTIFICATIONS AND SUBMISSIONS

All reports, notifications or other submissions, which are required by this Permit and IDAPA 58.01.05.012 [40 CFR § 270.5], shall be sent or given to the Director in duplicate by certified mail, express mail, or hand delivered to:

Director
c/o Hazardous Waste Program Manager
Waste Management and Remediation Division
Idaho Department of Environmental Quality
1410 North Hilton
Boise, Idaho 83706-1255

Twenty-four (24) hour reporting telephone number (800) 632-8000, Hazard Communication Center

The addresses and telephone number listed above are current as of the effective date of this Permit and may be subject to change.

I.Z. BIENNIAL REPORT

The Permittee shall, by March 1 of each even-numbered year, submit a biennial report to the Department covering the Facility activities, in accordance with the applicable sections of IDAPA 58.01.05.008 [40 CFR §§ 264.75(a) through (j)].

I.AA. DOCUMENTS TO BE MAINTAINED BY THE PERMITTEE

- I.AA.1. The Permittee shall maintain until Post-closure and corrective action is completed and certified by an independent, registered, professional engineer (unless otherwise stated), the following documents as well as any/all amendments, revisions and/or modifications to these documents as follows:
 - I.AA.1.a. A complete copy of this Permit including attachments, tables and modifications.
 - I.AA.1.b. Operating Record, as required by IDAPA 58.01.05.008 [40 CFR § 264.73] and this Permit;
 - I.AA.1.c. Inspection Procedures, Schedules, Logs, Records and Results for each HWMU of this Permit, as required by IDAPA 58.01.05.008 [40 CFR §§ 264.15(b)(2) and 264.73(b)(5)] and this Permit, for a period of three (3) years.
 - I.AA.1.d. Personnel training requirements for each HWMU of this Permit, as required by IDAPA 58.01.05.008 [40 CFR §§ 264.16(d) and (e)] and this Permit, until post-closure is completed and certified by an independent, registered, professional engineer, or for three (3) years from the date the employee left the facility.

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MODULE II - GENERAL FACILITY CONDITIONS

II.A. DESIGN AND OPERATION OF FACILITY

- II.A.1. The Permittee shall, at all times, properly construct, maintain, and operate the Facility, as specified in this Permit, to minimize the possibility of a fire, explosion, or any unplanned sudden or nonsudden release of hazardous waste constituents to air, soil, groundwater, or surface water that could threaten human health or the environment.
- II.A.2. The Permittee shall, at all times, properly maintain and operate the Facility, including any systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this Permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staff and training, and adequate laboratory and process controls (including appropriate quality assurance procedures).

II.B. FACILITY DESCRIPTION

Wabtec Corporation-MotivePower Facility is located in Boise, Idaho. The Facility is approximately 36.4-acres in size and includes two (2) Hazardous Waste Management Units, the Small Paint Shop Basin (0.096 acres) and the Locomotive Shop Basin (0.295 acres), and a non-RCRA Waste Management Unit, the Waste Disposal Trench (0.086 acres). An asphalt cap was installed above the Small Paint Shop Basin, located near the center of the Facility. A continuous asphalt cap was installed above the Locomotive Shop Basin and the nearby Waste Disposal Trench, located along the southwest boundary of the Facility. A complete Facility description including the facility map (Figure B-2) and legal description (Appendix B-1) is presented in Attachment 1. For purposes of this Permit, the Facility and the off-site areas of impact have been divided into four (4) areas as shown on the Site Vicinity Plan (Figure E-1) in Attachment 7 of this Permit.

II.C. TRAINING PLAN

The Permittee shall ensure that all personnel who are involved in the operation, inspection, sampling, and/or maintenance of the Facility are instructed in the proper operation of the equipment and instrumentation, including: training in inspection and record keeping procedures, location of fire extinguishers, local emergency contacts for police and fire departments, and the location of the nearest telephone, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.14(b)(12)] and IDAPA 58.01.05.008 [40 CFR §§ 264.16(a)(1)(3) and 264.14(b)].

- II.C.1. The Permittee shall employ or contract with an environmental technician, meeting the minimum requirements, as described in Attachment 4 of this Permit.
- II.C.2. The Permittee shall ensure that all personnel who are involved in corrective action and post-closure activities are trained in hazardous waste management, safety, and emergency procedures, as applicable to their job description. Training and record keeping shall be in

accordance with the applicable section of IDAPA 58.01.05.008 [40 CFR § 264.16] and Attachment 4 of this Permit.

II.D. RECORD KEEPING AND REPORTING

II.D.1. In addition to record keeping and reporting requirements specified elsewhere in this Permit, the Permittee shall maintain a written Operating Record at the Facility until Post-Closure is completed, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.73], including but not limited to, the following:

II.D.1.a. A map showing the location of the closed hazardous waste management units;

II.D.1.b. A map designating the monitoring zone and location of all on-site and off-site groundwater recovery and monitoring wells;

II.D.1.c. Records and results of the Operation and Maintenance activities in accordance with Attachment 3 of this Permit;

II.D.1.d. Records and results of inspections performed in accordance with Attachment 3 of this Permit;

II.D.1.e. Records and results of groundwater sampling and analysis to include results of all monitoring, testing and QA/QC data gathered, in accordance with Module III and any other applicable sections of this Permit; and

II.D.1.f. Summary reports including the details of all incidents, as described in IDAPA 58.01.05.008 [40 CFR § 264.56(i)], that require implementing the Contingency Plan in accordance with Attachment 5 of this Permit.

II.D.2. The Permittee shall maintain at the Facility an Equipment Information Manual for groundwater monitoring and corrective action equipment. This shall list suppliers, manufacturers, and installers for all equipment purchased and left on the Facility as well as any/all monitoring and/or analytical instruments used to gather information or data during corrective action or post-closure activities at the Facility and shall include the available manufacturer's literature on operation and maintenance. This manual shall be kept up-to-date, and equipment will be operated and maintained according to the manufacturer's literature.

II.E. EQUIVALENT MATERIALS/INFORMATION

II.E.1. If certain equipment, materials, and administrative information (such as names, phone numbers, addresses) are specified in this Permit, the Permittee is hereby authorized to use equivalent or superior items. Use of such equivalent or superior items shall not be considered a modification of the Permit but the Permittee shall place the revision in the Operating Record (prior to the institution of such revision) accompanied by a narrative explanation and the date the revision became effective. The Director may judge the soundness of the revision during inspections of the Facility and act accordingly. The format

of tables, forms, and figures are subject to the requirements of Permit Condition I.O.8. of this Permit and may not be revised without prior approval of the Director.

- II.E.2. If the Department determines that the substitution was not equivalent to the original, it will notify the Permittee that the Permittee's claim of equivalency has been denied, the reasons for the denial, and that the original material or equipment must be used. If the product substitution is denied, the Permittee shall comply with the original, approved product specification, find an acceptable substitution, or apply for a permit modification, in accordance with Permit Condition I.D.3.

II.F. SECURITY

The Permittee shall comply with the security provisions of IDAPA 58.01.05.008 [40 CFR §§ 264.14(b) and (c), 264.117(b) and (d)], as described in Attachment 3 of this Permit.

II.G. GENERAL INSPECTION REQUIREMENTS

- II.G.1. The Permittee shall follow the inspection schedules, as provided in Table I-1 of Attachment 3, and Permit Condition V.B.
- II.G.2. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, as required by IDAPA 58.01.05.008 [40 CFR § 264.15(c)] and Attachment 3 of this Permit.
- II.G.3. The Permittee shall maintain a copy of the Inspection Plan, included as Attachment 3 of this Permit, at the Facility. Inspection reports that include Table I-1 shall be recorded and maintained, as required by IDAPA 58.01.05.008 [40 CFR § 264.15(d)], for at least three (3) years from the inspection date.
- II.G.4. The Permittee may add inspection requirements to an existing inspection form, without modifying the Permit, in cases where such additional requirements will result in a more comprehensive or detailed Inspection Plan. The Permittee must submit a copy of the revised inspection form, for the Director's approval, accompanied by a narrative explanation, to the Director within fifteen (15) calendar days of the date of the revision.

II.H. PREPAREDNESS AND PREVENTION

- II.H.1. At a minimum, the Permittee shall maintain, at the Facility, the equipment as set forth in the Contingency Plan (Attachment 5) and in accordance with IDAPA 58.01.05.008 [40 CFR § 264.32].
- II.H.2. The Permittee shall test and maintain the equipment specified in Permit Condition II.H.1., as necessary to assure its proper operation in time of emergency, as provided in Attachment 5 of this Permit.
- II.H.3. The Permittee shall provide and maintain immediate access to the communications and alarm systems, as required by IDAPA 58.01.05.008 [40 CFR § 264.34], whenever hazardous waste is being handled.

- II.H.4. At a minimum, the Permittee shall maintain sufficient aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of the Facility in an emergency.
- II.H.5. The Permittee shall attempt to maintain arrangements with state and local authorities as required by IDAPA 58.01.05.008 [40 CFR § 264.37]. If state or local authorities refuse to enter into preparedness and prevention arrangements with the Permittee, the Permittee must document this refusal in the Operating Record. Such refusal shall not relieve the Permittee of any obligation under Attachment 5 of this Permit.
- II.H.6. The Permittee shall comply with the requirements of IDAPA 58.01.05.008 [40 CFR § 264.17(a)] and the requirements of Attachment 5 of this Permit.

II.I. CONTINGENCY PLAN

- II.I.1. The Permittee shall immediately carry out the provisions of the Contingency Plan, as provided in Attachment 5 of this Permit, whenever a fire, explosion, or release of hazardous waste or hazardous waste constituents occurs that could threaten human health or the environment, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.56].
- II.I.2. The Permittee shall maintain a copy of the Contingency Plan at the Facility and shall submit a copy to all local police departments, fire departments, hospitals, and state and local emergency response teams that may be called upon to provide emergency services, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.53].
- II.I.3. The Permittee shall review and amend the Contingency Plan, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.54 and, if necessary, in accordance with § 264.118(d)].
- II.I.4. The Permittee shall comply with the requirements of IDAPA 58.01.05.008 [40 CFR § 264.55] concerning the Emergency Coordinator, as provided in Attachment 5 of this Permit.

II.J. RECEIPT OF HAZARDOUS WASTE GENERATED OFF-SITE

The Permittee shall not receive hazardous waste generated off-site from the Facility, except purge water generated from all WABTEC off-site monitoring wells may be received at the Facility for processing through the Groundwater Pump & Treat System or POTW.

To facilitate the treatment of the off-site purge water and decontamination water from equipment rinse activities, the Facility shall maintain the Pump & Treat System until it is closed and certified.

II.K. GENERAL WASTE ANALYSIS

The Permittee shall follow the procedures described in the Sampling and Analysis Plan, included in Attachment 7 of this Permit. The Permittee shall maintain a copy of the Sampling and Analysis Plan and any approved modifications to the Plan at the facility until the Facility is fully closed and certified, as approved by the Director.

MODULE III - GROUNDWATER MONITORING PROGRAM

III.A. GROUNDWATER MONITORING PROGRAMS

The groundwater monitoring programs, applicable under the terms of this Permit, shall be undertaken in accordance with IDAPA 58.01.05.008 [40 CFR §§ 264.97, 264.98, 264.99, and 264.100]. The groundwater monitoring programs shall consist of and be implemented as follows:

- III.A.1. A Corrective Action Monitoring Program (CAMP) shall be implemented as of the effective date of this Permit, in the A-Zone in Areas 1, 2, 3 and 4. Unless authorized by the Director, the CAMP shall remain in effect whenever analytical results from a corrective action monitoring event exceeds the corrective action monitoring criteria in Table III-1, in any corrective action monitoring well designated in Permit Condition III.E.1.
 - III.A.1.a The CAMP shall remain in effect until analytical results from the corrective action monitoring events show contaminant concentrations below the Groundwater Protection Standards (GPS) in Table III-2 in a respective Area's corrective action monitoring wells for a period of four (4) consecutive sampling events, or as authorized by the Director (for purposes of this permit, these sampling events are defined as the spring and fall semi-annual sampling events) at which time, a compliance monitoring program shall be appropriate in accordance with Permit Condition III.A.2.
- III.A.2. A Compliance Monitoring Program (CMP) shall be implemented as of the effective date of this Permit in the B-Zone in Area 1. Unless authorized by the Director, the CMP shall be in effect after the CAMP (Permit Condition III.A.1) has been terminated, or whenever analytical results from the detection monitoring sampling events are greater than the detection monitoring criteria in Table III-1 of this Permit. The CMP shall remain in effect until:
 - III.A.2.a. Analytical results from the CMP events are less than the detection monitoring criteria in Table III-1 for four (4) consecutive compliance monitoring sampling events for all monitoring wells in a designated Area, specified in Permit Condition III.F.1. At that time, the Permittee shall initiate the Detection Monitoring Program specified in Permit Condition III.G.; or
 - III.A.2.b. If analytical results from any CMP event exceeds the compliance monitoring criteria in Table III-1 for any monitoring well designated in Permit Condition III.F.1, the Permittee shall comply with Permit Condition III.A.1. for all wells within the same Area as the affected well.
- III.A.3. Unless authorized by the Director, the Detection Monitoring Program (DMP) shall be implemented after the compliance monitoring program in Permit Condition III.A.2.a. has been terminated. The DMP shall remain in effect until:
 - III.A.3.a. Analytical results from the detection monitoring events exceed the detection monitoring criteria in Table III-1 for any well in Permit Condition III.C.1. At that time, the

Permittee shall comply with Permit Condition III.F (the CMP) or Permit Condition III.E (the CAMP) in accordance with Table III-1:

- III.A.4. For purposes of this Permit, groundwater on-site shall be identified as follows:
 - III.A.4.a. A-Zone shall be defined as 0-100 feet beneath the ground surface;
 - III.A.4.b. B-Zone shall be defined as 100-170 feet beneath the ground surface; and
 - III.A.4.c. C-Zone shall be defined as 240-280 feet beneath the ground surface.
 - III.A.4.d. Areas 1, 2, 3 and 4 shall be those Areas designated on Figure 1 of this Permit and Figure E-1 in Attachment 7 of this Permit. Groundwater monitoring wells within each Area shall remain grouped together (i.e., Areas 1, 2, 3, and 4) for monitoring and remedial purposes.
- III.A.5. Point of Compliance (POC) wells include those on-site monitoring wells, which have been determined to best intercept contaminants from all the regulated units, and will yield representative samples. These wells are located in the northern portion of the facility and along the facility boundary and are designated in Table III-3.

**TABLE III-1
 GROUNDWATER MONITORING CRITERIA FOR THE GROUNDWATER
 MONITORING PROGRAMS**

MONITORING PROGRAM	BEGIN	MONITORING CRITERIA
Corrective Action Monitoring Program (CAMP)	At Permit Issuance within the A-Zone in Areas 1, 2, 3 and 4 or in accordance with Permit Conditions III.A.2.b. and III.A.3.a.	Exceedance of Groundwater Protection Standards for one or more of the constituents listed in Table III-2.
Compliance Monitoring Program (CMP)	At Permit Issuance within the B-Zone in Area 1 or when Permit Condition III.A.1.a. has been satisfied, or when the detection monitoring criteria is exceeded.	Analytical results indicate contamination equal to or below the Groundwater Protection Standards in Table III-2, but are greater than the Estimated Quantitation Limit (EQL) of 1 microgram per liter (1 µg/l) for any constituent.
Detection Monitoring Program (DMP)	At Permit Issuance or when Permit Condition III.A.2.a. has been satisfied.	Analytical results indicate contamination below the EQL. EQLs for all constituents shall be 1 µg/l.

III.A.6. The Permittee shall monitor the groundwater monitoring wells specified in Permit Condition III.C.1 throughout the post-closure care period. If any of the Groundwater Protection Standards (GPS) are still exceeded after 30 years, the Permittee shall continue corrective action as specified in Module IV.

III.B. GROUNDWATER SAMPLING AND ANALYSIS

III.B.1. The Permittee shall use the techniques and procedures specified in this Permit and Attachment 7 (Appendix E-12) of this Permit when collecting, preserving, shipping, tracking, controlling, and analyzing groundwater samples.

III.B.2. The Permittee shall collect and have analyzed a minimum of one duplicate sample for every twenty (20) samples collected for analysis. The results of the analysis of these samples shall be presented in the reports required by Permit Conditions III.E.4., III.F.5, and III.G.8.

III.B.3. The Permittee shall collect a minimum of one (1) equipment rinsate sample for every twenty (20) samples collected.

III.B.4. The Permittee shall collect all water elevation measurements for the entire Groundwater Monitoring Network within a forty-eight (48) hour period, provided that there is not a significant change (>0.5 inch-Hg) in barometric pressure within the period, when calculating semi-annual flow direction and velocities.

III.B.5. The Permittee shall measure monitoring well depths annually and report results in the fall semi-annual report.

III.B.6. If problems are identified with either the field sampling procedures or the laboratory QA/QC, the need to resample shall be at the discretion of the Director.

**TABLE III-2
 CONSTITUENT ANALYTE LIST AND ASSOCIATED
 GROUNDWATER PROTECTION STANDARDS (GPS)**

CONSTITUENT	GPS (µg/l)
1,1,1 – Trichloroethane	200
1,1,2 – Trichloroethane	5
1,2, - Dichloroethane	5
1,1 – Dichloroethane	24
1,2- Dichloropropane	5
Cis-1,2- Dichloroethene	70
Trans-1,2- Dichloroethene	100
Chloroethane	21,000
Chloroform	80
Tetrachloroethylene	5
1,1,2,2 – Tetrachloroethane	0.66
Trichloroethylene	5
1,1 – Dichloroethylene	7
Vinyl Chloride	2

Benzene	5
Xylenes	10,000

III.C. GROUNDWATER MONITORING WELLS

III.C.1. The Groundwater Monitoring Network shall be comprised of the wells listed in Table III-3 and as shown on Figures 2 and 3 of this Permit.

**TABLE III-3
 GROUNDWATER MONITORING NETWORK**

AREA	GROUNDWATER MONITORING WELLS	FREQUENCY
Area 1 A-Zone	RW-1, RW-3, RW-4, RW-6, RW-7, MW-5, MW-16A, MW-20A	Semi-Annually (October and April)
	OW-SS3A, MW-6, MW-7, MW-11*, OW-SS4A*, RW-5	Semi-Annually
Area 1 B-Zone	MW-1B, MW-2, MW-3, MW-8, MW-10, MW-12, MW-16B, MW-17B, MW-18B	Semi-Annually
Area 2 A-Zone	MW-21A, MW-22A	Semi-Annually
	MW-25A, OW-SS5A	Semi-Annually
Area 3 A-Zone	MW-28A, MW-30AA, MW-34A, MW-35A	Semi-Annually
	MW-31A, MW-32A	Semi-Annually
	MW-24A, MW-29A	Semi-Annually
Area 4 A-Zone	MW-37A, MW-38A, MW-39A	Semi-Annually
	MW-40A, MW-42A, MW-44A, MW-41A	Semi-Annually

Bold typeface denotes point of compliance wells
 CAMP wells = all A-zone monitoring wells

* MW-11 will be monitored on an annual basis in October and OW-SS4A will be monitored on an annual basis in April.

III.C.2. The Permittee may at any time petition the Director to modify the Groundwater Monitoring Network and/or monitoring frequency. All changes (except as noted above) to the Groundwater Monitoring Network shall be made through permit modification, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.42] and Permit Condition I.D.3.

III.C.3. The Permittee shall calculate the groundwater elevations, flow directions and velocity for the entire monitoring well network on a semi-annual basis during the Spring and Fall monitoring events. The Permittee shall calculate groundwater elevations, flow directions and velocity until the end of the post-closure period. The method, calculations, and parameters used shall be provided in the groundwater monitoring reports required under Permit Conditions III.E.4., III.F.5., III.G.8., and used continually thereafter.

III.C.4. The Permittee shall notify the Director of all planned, annual and semi-annual sampling events at least five (5) working days in advance of the date of the planned sampling. The

Director shall be notified of all other sampling events, as far in advance as possible, before the event.

III.D. WELL MAINTENANCE AND CONSTRUCTION

- III.D.1. The Permittee shall construct all new monitoring wells in accordance with the EPA's *Technical Enforcement Guidance Document* (latest edition), and Attachment 7 of this Permit.
- III.D.2. The Permittee shall inspect and maintain all monitoring wells throughout the post-closure period, in accordance with Attachment 7 of this Permit.
- III.D.3. The Permittee shall inspect and maintain all extraction wells in the compliance monitoring and corrective action programs throughout the required duration of these programs, in accordance with Attachment 7 of this Permit.
- III.D.4. The need for maintenance shall not constitute grounds for omitting any well from a sampling event.
- III.D.5. The discovery of a destroyed well justifies omitting that well from one scheduled sampling event. Destroyed wells must be handled in accordance with Permit Condition III.D.6.
- III.D.6. Replacement of Destroyed Wells
 - III.D.6.a. The Director shall be notified within seven (7) calendar days of the discovery of a destroyed well.
 - III.D.6.b. The Facility shall immediately propose a new location for the destroyed well that is neither less than fifteen (15) nor more than fifty (50) feet from the destroyed well unless justification is provided and approved for an alternate location.
 - III.D.6.c. The Facility must plug and abandon the destroyed well in accordance with Idaho Department of Water Resources abandonment criteria.
 - III.D.6.d. The Director shall be notified at least five (5) days before installation of any replacement wells. Replacement wells shall be constructed in accordance with IDAPA 58.01.05.008 [40 CFR § 264.97], Attachment 7 of this Permit, and the TEGD.
 - III.D.6.e. Under no circumstances, shall a monitoring well remain out of commission for two (2) consecutive sampling events.

III.E. CORRECTIVE ACTION MONITORING PROGRAM (CAMP)

III.E.1. Corrective Action Monitoring Wells

As of the effective date of this Permit, the Area 1, 2, 3 and 4, A-Zone monitoring wells listed in Table III-3 of this Permit, shall be included in the CAMP. Additional corrective

action monitoring wells shall be through permit modification in accordance with IDAPA 58.01.05.012 [40 CFR §270.42] and Permit Condition I.D.3.

III.E.2. Corrective Action Sampling Parameters and Frequency

III.E.2.a. As of the effective date of this Permit, the Permittee shall sample all CAMP wells in accordance with Permit Condition III.C.1. The Permittee shall collect and analyze samples for the VOCs listed in Table III-2 of this Permit, in accordance with Permit Conditions III.B.1-III.B.6.

III.E.2.b. At any time, the Permittee may petition the Director to request changes to the number of corrective action monitoring wells, sampling frequency, or sampling parameters through a permit modification, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.42] and Permit Condition I.D.3.

III.E.3. Corrective Action Monitoring Criteria and Data Evaluation

The criteria for evaluating data from each corrective action monitoring sampling event shall be to compare the sample analytical results with the corrective action monitoring criteria in Table III-1 of this Permit, as follows:

III.E.3.a. If the analytical results equal or exceed the corrective action monitoring criteria (GPSs) in Table III-1, the Permittee shall continue the CAMP; or

III.E.3.b. If the analytical results are below the corrective action monitoring criteria in Table III-1, the Permittee shall continue the CAMP until Permit Condition III.A.1. has been satisfied, or the Director approves modification of the corrective action monitoring criteria.

III.E.4. Data Reporting for Corrective Action Monitoring

For the first scheduled sampling event following the effective date of this Permit and semi-annually thereafter, the Permittee shall submit to the Director a report of the results of the CAMP for all CAMP wells in Permit Condition III.C. This report shall be due by July 1st for the spring report (sampled in April), and January 1st for the fall report (sampled in October). The report shall include at a minimum the following:

III.E.4.a. A narrative summary of groundwater monitoring data which has been collected to-date, and a detailed listing of the monitoring and analytical data obtained since submitting the previous report, including laboratory QA/QC information;

III.E.4.b. A discussion of the effectiveness of the corrective action program in meeting the Remedial Action Criteria and Groundwater Protection Standards, including an estimate for the expected duration of the corrective action program;

III.E.4.c. A summary of maintenance work done on groundwater monitoring and corrective action equipment;

- III.E.4.d A table summary of the groundwater elevations collected in accordance with Permit Condition III.C.3.;
- III.E.4.e Equations, calculations and parameters used to calculate groundwater velocities and direction for all Areas and Zones collected in accordance with Permit Condition III.C.3; and
- III.E.4.f Potentiometric maps based on groundwater elevations collected in accordance with Permit Condition III.C.3 of this Permit.
- III.E.4.g Annual well depth data shall be provided in the fall semi-annual report.

III.F. COMPLIANCE MONITORING PROGRAM

III.F.1. Compliance Monitoring Wells

As of the effective date of this Permit, the Area 1, B-Zone monitoring wells listed in Table III-3 of this Permit shall be included in the compliance monitoring program. All other compliance monitoring wells shall be determined through permit modification, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.42] and Permit Condition I.D.3.

III.F.2. Compliance Monitoring Sampling Parameters and Frequency

- III.F.2.a. During the Compliance Monitoring Program (CMP), the Permittee shall sample all wells in accordance with Permit Condition III.C.1. The Permittee shall collect and analyze the samples for the VOCs listed in Table III-2 of this Permit, in accordance with Permit Conditions III.B.1 through III.B.6.
- III.F.2.b. On an annual basis, a minimum of one (1) monitoring well in each CMP designated Area shall be analyzed for all constituents listed in IDAPA 58.01.05.008 [40 CFR Part 264, Appendix IX], unless otherwise specified by the Director. As a result of this sampling, any newly identified compounds shall be added to the existing list of analytes in Table III-2, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.99(g)] and through permit modification, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.42].

III.F.3. Compliance Monitoring Criteria and Data Evaluation

The criteria for evaluating data from each compliance monitoring sampling event shall be to compare the sample analytical results with the compliance monitoring criteria in Table III-1 of this Permit, as follows:

- III.F.3.a. If the analytical results for all wells listed in Table III-3 of this Permit are less than or equal to the compliance monitoring criteria in Table III-1, the Permittee shall continue the CMP until Permit Condition III.A.2 has been satisfied; or

III.F.3.b. If the analytical results from any well listed in Table III-3 of this Permit exceed the compliance monitoring criteria in Table III-1, the Permittee shall comply with Permit Condition III.F.4.

III.F.4. Response to Exceedence of Compliance Monitoring Criteria

III.F.4.a. If the analytical results of samples taken from any well listed in Table III-3 exceed the compliance monitoring criteria in Table III-1, the Permittee shall institute the Corrective Action Monitoring Program for all wells in that Area, in accordance with Permit Condition III.A.1; and

III.F.4.b. Notify the Director of this finding, in writing, within seven (7) calendar days; and

III.F.4.c. Resume the established CAMP in Permit Condition III.A.1 of this Permit, or if necessary, submit to the Director a request for a permit modification or meet the requirements of IDAPA 58.01.05.008 [40 CFR § 264.100]. The corrective action program shall address, as applicable, all zones of saturation.

III.F.5. Data Reporting for Compliance Monitoring

During compliance monitoring, the Permittee shall submit a semi-annual report, in accordance with Permit Condition I.O.7, to the Director that shall include at a minimum:

III.F.5.a A narrative summary of groundwater monitoring data which has been collected to-date, and a detailed listing of the monitoring and analytical data obtained since submitting the previous report, including laboratory QA/QC information and all newly identified compounds from the Appendix IX testing;

III.F.5.b A table summary of the groundwater elevations collected in accordance with Permit Condition III.C.3;

III.F.5.c Equations, calculations, and parameters used to calculate groundwater velocities and direction for all Areas and Zones collected in accordance with Permit Condition III.C; and

III.F.5.d A summary of maintenance work done on groundwater monitoring equipment.

III.G. DETECTION MONITORING PROGRAM (DMP)

III.G.1. Addition of detection monitoring wells shall be determined through a permit modification, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.42] and Permit Condition I.D.3.

III.G.2. Detection Monitoring Sampling Parameters and Frequency

As of the effective date of this Permit, the Permittee shall sample the detection monitoring wells in accordance with Permit Condition III.C. The Permittee shall collect and analyze

samples for the VOCs listed in Table III-2 of this Permit, in accordance with Permit Condition III.B.

III.G.3. Detection Monitoring Criteria and Data Evaluation

The criteria for evaluating data from each detection monitoring sampling event shall be to compare the sample analytical results with the detection monitoring criteria in Table III-1 of this Permit, as follows:

III.G.3.a. If the analytical results are less than or equal to the detection monitoring criteria in Table III-1, the Permittee shall continue the DMP until Permit Condition III.A.3 has been satisfied; or

III.G.3.b. If the analytical results exceed the detection monitoring criteria listed in Table III-1, the Permittee shall comply with Permit Condition III.G.4.

III.G.4. Response to Exceedence of Detection Monitoring Criteria

III.G.4.a. Upon detection of any parameter(s) that exceeds the Detection Monitoring Criteria specified in Table III-1, the Permittee shall perform the following:

III.G.4.a.1. Notify the Director of this finding, in writing, within seven (7) calendar days; and

III.G.4.a.2. At the Permittee's discretion, immediately collect two verification samples from all affected well(s), purging the well(s) between samples, and reanalyze both samples for all parameters listed in Table III-2.

III.G.4.b. If analytical results from either one of the verification samples confirm the detection of parameters in concentrations that exceed the detection monitoring criteria given in Table III-1, the affected well(s) shall be sampled within fifteen (15) calendar days and analyzed for the constituents identified in IDAPA 58.01.05.008 [40 CFR Part 264, Appendix IX]. The Permittee shall notify the Director in writing within seven (7) days of making this finding. Within ninety (90) calendar days of sampling, the Permittee shall perform the requirements of either paragraph III.G.4.c. or III.G.4.d.

III.G.4.c. The Permittee shall submit to the Director a report that includes the following:

III.G.4.c.1. The results of the Appendix IX analysis required by Permit Condition III.G.4.b.

III.G.4.c.2. A determination as to the monitoring program that will be initiated based upon a comparison of analytical results to the Compliance Monitoring Criteria and Corrective Action Monitoring Criteria presented in Table III-1 of this Permit.

III.G.4.d. The Permittee may choose to demonstrate, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.98(g)], that an off-site source caused the increase, or that the increase resulted from an error in sampling, analysis, or evaluation. When required by IDAPA 58.01.05.008

[40 CFR § 264.98(g)(6)(iii)], the Permittee shall submit an application for a permit modification to make any appropriate changes to the current monitoring programs at the Facility, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.42].

III.G.5. If the Permittee successfully demonstrates to the Director that a source from off-site caused the exceedance or that the exceedance resulted from an error in sampling, analysis or evaluation, the Director shall notify the Permittee to remain in the appropriate Detection Monitoring Program(s). Otherwise, the Director shall inform the Permittee that he shall comply with Permit Condition III.G.4.c. within the time frame to be established by the Director. This period will not be less than forty-five (45) calendar days.

III.G.6. If analytical results from both verification samples, described in Permit Condition III.G.4.a.2., fail to confirm the detection of parameter(s) from Table III-2 in concentrations that exceed the Detection Monitoring Criteria, the Permittee shall resume detection monitoring and notify the Director that the Detection Monitoring Program has been resumed.

III.G.7. If the Permittee determines that verification samples are not warranted, the Permittee may forgo verification sampling and comply with the requirements of either Permit Condition III.G.4.c. or III.G.4.d.

III.G.8. Data Reporting for Detection Monitoring

While in the Detection Monitoring Program(s), the Permittee shall submit a semi-annual detection monitoring report, in accordance with Permit Condition I.O.7, to the Director. This report shall contain a narrative summary of groundwater monitoring data which has been collected to-date, and a detailed listing of the monitoring and analytical data obtained since submitting the previous report, including laboratory QA/QC information and at a minimum:

III.G.8.a A summary of sampling data;

III.G.8.b A table summary of the groundwater elevations collected in accordance with Permit Condition III.C.;

III.G.8.c Equations, calculations, and parameters used to calculate groundwater velocities and direction for all sampled Areas and Zones collected in accordance with Permit Condition III.C.; and

III.G.8.d A summary of maintenance work done on groundwater monitoring equipment.

III.G.9. Schedule of Compliance

Within thirty (30) calendar days of the Permittee satisfying the Compliance Monitoring Criteria in Permit Condition III.A.2, the Permittee shall request a permit modification in

accordance with IDAPA 58.01.05.012 [40 CFR §270.42] to identify the Detection Monitoring Wells, sampling frequency, and sampling parameters.

- III.G.10. Risk-Based Threshold Limits (RBTL) shall be determined for each newly identified constituent, when the constituent concentration meets or exceeds the Remedial Action Criteria in accordance with Permit Conditions IV.D.1.b and IV.D.1.c. Any newly identified RBTL shall be approved by the Director and incorporated into this permit by modification in accordance with Permit Condition I.D.3.
- III.G.11. Groundwater Protection Standards (GPS) for any newly identified chemical constituent shall be the MCL. In lieu of an established MCL, the GPS shall be calculated using the EPA Regional Screening Level risk equations (previously known as the EPA Region IX Preliminary Remediation Goals risk equations). The GPS shall be established at a 1×10^{-5} (1 in 100,000) risk, considering ingestion of groundwater in a residential scenario. Other equivalent risk equations may be substituted with prior Director approval.

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MODULE IV - CORRECTIVE ACTION PROGRAM

IV.A. CORRECTIVE ACTION PROGRAMS

As of the effective date of this Permit, monitoring wells as defined in Permit Condition III.A.1 and in Table III-3, shall be included in the Corrective Action Program (CAP). The CAP shall be performed in accordance with IDAPA 58.01.05.008 [40 CFR §264.100], and as follows:

- IV.A.1. In Area 1, the CAP shall consist of in-situ bioremediation. The pump and treat system shall remain as a contingent remedy in accordance with Permit Condition IV.B. An alternate contingent remedy may be proposed and implemented with the approval of the Director if deemed necessary.
- IV.A.2. The CAP in Area 2 shall be Monitored Natural Attenuation (MNA). The CAMP shall remain in effect, in accordance with Permit Condition III.A.1, until the Groundwater Protection Standard (GPS) listed in Table III-2 has been met for four (4) consecutive monitoring events, as defined in Permit Condition III.A.1.a and/or until the Director determines that residual contamination will not adversely impact the down-gradient groundwater resource.
- IV.A.3. The CAP in Area 3 shall be in-situ bioremediation, implemented in accordance with Permit Condition IV.I. The CAP shall remain in effect until groundwater concentrations meet the Remedial Action Criteria, in accordance with Permit Conditions IV.D.1.b. and IV.D.1.c. The CAMP shall remain in effect, in accordance with Permit Condition III.A.1, until the GPS listed in Table III-2 has been met for four (4) consecutive monitoring events, and/or until the Director determines that residual contamination will not adversely impact the down-gradient groundwater resource.
- IV.A.4. The CAP in Area 4 shall be MNA. The groundwater monitoring program in Area 4 shall be the CAMP, in accordance with Permit Condition III.E. The CAMP shall remain in effect until the GPS's are met throughout Area 4 for four (4) consecutive monitoring events. MNA shall remain the corrective action for Areas 2 and 4 until GPS standards are met, or the Director determines a different remedial action is appropriate.
- IV.A.5. The CAP shall be resumed within sixty (60) calendar days of a confirmed exceedance of the Remedial Action Criteria listed in Permit Conditions IV.D.1.b and IV.D.1.c. for Area 1 and Area 3.
- IV.A.6. If a RBTL is exceeded in Areas 2 or 4, a work plan for corrective measures shall be submitted to the Director within 45 days of notification.
- IV.A.7. Once the CAP is resumed, it shall remain in effect until the criteria established in Permit Condition IV.D.1.b and IV.D.1.c have been satisfied.

IV.B. PUMP & TREAT SYSTEM

The current pump and treat system is in place to prevent the migration of hazardous constituents off-site. As a result, if it becomes necessary to utilize the system to address off-site migration of contaminants, the pump and treat system may be upgraded as necessary and restarted. Appropriate testing will then be conducted to verify that an inward hydraulic gradient, satisfactory to the Director, is created and maintained at the facility boundary to prevent the further migration of contaminants.

- IV.B.1. Should the current pump and treat network fail to produce an acceptable inward hydraulic gradient as approved by the Director, or the Permittee elects to not utilize pump and treat as the contingency, the Permittee shall be required to submit a work plan within 45 days to the Director for approval which details how the pump and treat system will be modified to create an acceptable inward hydraulic gradient or outline the steps that will be taken to implement an alternate technology to contain the off-site migration of contamination. Additionally, the work plan will specify protocol for verifying that the system operates as approved by the Director and applicable reporting requirements to document that the system is properly operating.
- IV.B.2. If the Permittee elects to retain the current treatment system and it is demonstrated to be effective at creating an inward hydraulic gradient, the Permittee shall maintain and operate, at a minimum, the following recovery wells to support the CAP in Area 1:

**TABLE IV-1
RECOVERY WELLS IN THE A-ZONE**

AQUIFER ZONE	RECOVERY WELLS
A-Zone	RW-1, RW-3, RW-4, RW-5, RW-7

- IV.B.3. The Permittee shall verify that the selected technology prevents or significantly reduces the migration of contaminants off-site through the collection of groundwater elevation and/or concentration data. These data shall be documented through the submission of appropriate maps and data tables to the Director semi-annually.
- IV.B.4. Additional wells shall be included in the Corrective Action Program (CAP) if deemed necessary by the Director, through permit modification, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.42] and Permit Condition I.D.3 if the pump and treat system is the selected technology to address the off-site contamination migration.
- IV.B.5. The Permittee shall maintain all groundwater recovery facilities as described in Attachment 8 if the pump and treat system is the selected technology.

IV.C. CORRECTIVE ACTION SAMPLING FREQUENCY AND PARAMETERS

During the Corrective Action Program, the Permittee shall sample all the wells specified in Table III-3, in accordance with Permit Condition III.C.1.

IV.D. DURATION OF REMEDIAL ACTIVITIES

- IV.D.1. Active corrective action measures are in progress and are being evaluated for different areas within the contaminant plume. These measures are designed to decrease contaminant concentrations within the plume to levels where Monitored Natural Attenuation (MNA) will subsequently meet the GPS. The remedial goals for those Areas with current active remediation or remedial activities are:
- IV.D.1.a. If the Permittee can demonstrate that constituent concentrations for all constituents in all wells within an area do not exceed the Remedial Action Criteria (RAC), presented in Permit Conditions IV.D.1.b and IV.D.1.c, for four (4) consecutive monitoring events, as defined in Permit Condition III.A.1.a, then the applicable active remediation activities can be terminated in each respective Area.
- IV.D.1.b. The Remedial Action Criteria (RAC) for Area 1 shall be five (5) times the Maximum Contaminant Level (5 x MCL) for any/all constituent(s) with an established MCL. For any constituent without a MCL, the maximum allowable concentration shall be five times the GPS. Once the RAC has been met, the selected active remedial activities may be terminated.
- IV.D.1.c. The RAC for Area 3 shall be five (5) times the MCL (5 x MCL) for any/all constituent(s) with an established MCL. For any constituent without a MCL, the allowable concentration shall be five times the GPS. Once the RAC has been met the selected active remedial activities may be terminated.
- IV.D.2. In the event active remedial measures are necessary in Areas 2 or 4, the Permittee shall identify the RAC's within a Corrective Measures Implementation Workplan. This workplan shall be submitted within sixty (60) days of notification that remedial measures are required in these Areas. The workplan shall be implemented within 120 days of the Director's approval.
- IV.D.3. Upon termination of active corrective measures, all corrective measures equipment, such as the pump and treat system, shall be maintained in readiness for restarting unless otherwise determined by the Director.
- IV.D.4. Exceedance of a RAC in any well shall restart active corrective measures until Permit Conditions IV.D.1.b and IV.D.1.c are satisfied.

IV.E. EFFECTIVENESS OF CORRECTIVE ACTION PROGRAM AND DATA REPORTING

- IV.E.1 The Permittee must submit to the Director, on a semi-annual basis, a report for the CAP summarizing the progress made toward achieving the RAC, the requirements of Permit Condition III.A.1, and the requirements of this Permit Condition. This report shall contain at a minimum the following information:
- IV.E.1.a. A discussion of the effectiveness of the corrective action program(s) in meeting the Remedial Action Criteria and GPS(s), including an estimate of the expected duration of the corrective action program and whether the current remedial measures will meet the RACs based on the most current groundwater data and historical concentration trends within the 30-year post-closure period; and
- IV.E.1.b. A summary of any/all maintenance work done on groundwater monitoring and corrective action equipment.
- IV.E.2. The effectiveness of the bioremediation treatment measures will be evaluated to determine if and when additional substrate injection(s) may be necessary. This determination will be based on a review of VOC concentrations and bioremediation indicator parameters including at a minimum: dissolved oxygen, nitrate, sulfate and ethane/ethene and total organic carbon. Increasing VOC trends may indicate additional substrate injections are necessary to meet remedial time frames, but will also be compared to historical VOC concentration trends to evaluate whether remedial measures are progressing in a manner which will meet RACs in a timely manner.
- IV.E.2.a. The Director will evaluate the VOC and bioremediation parameters annually (after receipt of the fall semi-annual monitoring data report) to determine whether additional injections are necessary.
- IV.E.3. If the Director determines appropriate corrective measures are not being implemented or the selected corrective measure is failing to remediate the Area(s) in a timely manner or as intended, a modification to the corrective action program and a schedule for implementation may be required by the Director.

IV.F. MANAGEMENT OF PUMPED GROUNDWATER

If groundwater containing any constituent(s) in concentrations above the GPS's, listed in Table III-2, is to be stored on-site for more than ninety (90) days, the Permittee shall submit and obtain approval for a permit modification providing for the storage of the groundwater. The permit modification request shall contain all information required under 40 CFR Part 264 for the permitting of storage unit(s) or tank(s). Temporary arrangements (<90 days) shall be made for handling the groundwater to prevent delay of implementation of corrective action programs. Purge water, equipment rinsate, well construction, and development water from the contaminant plume may be treated in the current treatment system and/or managed in accordance with

applicable regulatory requirements to be discharged appropriately. In addition, a No Longer Contained In Determination may be submitted for approval by the Director, if applicable.

IV.G. COMPLETION OF CORRECTIVE ACTION PROGRAMS

The Permittee shall notify the Director in writing within thirty (30) calendar days of determining that the requirements of Permit Condition III.A.1. have been met.

IV.H. DECOMMISSIONING CORRECTIVE ACTION SYSTEMS

When the post-closure period is complete, all materials from the corrective action systems will be disposed as hazardous waste or decontaminated. Decontamination will be verified by wipe testing or sampling of the material, as appropriate.

IV.I. COMPLIANCE SCHEDULE: IN SITU BIOREMEDIATION

- IV.I.1. The Permittee shall submit to the Director, in the next semi-annual report following the effective date of this Permit, an evaluation of the effectiveness of the in-situ bioremediation (ISB). The submittal shall contain at a minimum the following:
- IV.I.1.a. A projected time frame for achieving remedial action goals, for each of the four designated Areas.
- IV.I.1.b. A summary of the groundwater monitoring data throughout the project and an evaluation of the effectiveness of this project based upon the analytical results including a determination of the adequacy of the ISB program as it has been implemented at the facility.
- IV.I.2. A recommendation or establishment of criteria which will determine conditions when and where additional injections of amendments will be required in order to meet remedial objectives.
- IV.I.3. In the event it is determined that ISB will not achieve or meet reasonable time frames for achieving remedial objectives, additional remedial actions may be necessary as determined by the Director.

IV.J. CONTINGENCY MEASURES

- IV.J.1. Contingency measures shall be identified and implemented in the event a groundwater Risk-Based Threshold Limit (RBTL) is exceeded. In the event a RBTL is exceeded for any monitoring well during any sampling event, the Permittee shall perform the following:
- IV.J.1.a. The Permittee shall compare the groundwater monitoring data from each event with the RBTL's in Table IV-2. If the analytical results are equal to or exceed any RBTL level for any Area, the Permittee shall:

- IV.J.1.a.1 Notify the Director of this finding, in writing, within seven (7) calendar days; and
- IV.J.1.a.2. At the Permittee's discretion, within fifteen (15) calendar days collect two (2) verification samples from all affected well(s), purging the well(s) between samples, and reanalyze both samples for all parameters listed in Table III-2.
- IV.J.1.b. If analytical results from either verification sample confirms the detection of parameters in concentrations that exceed the RBTL Monitoring Criteria in Table IV-2, the Permittee shall notify the Director in writing within seven (7) days of making this finding. Within sixty (60) calendar days of re-sampling, the Permittee shall submit to the Director a workplan for additional characterization and to implement additional corrective measures for that specific Area. The contingent remediation shall be implemented within ninety (90) days of the Director's approval.
- IV.J.2. If the Permittee successfully demonstrates to the Director that an off-site source caused the exceedance or that the exceedance resulted from an error in sampling, analysis or evaluation, the Director shall notify the Permittee to remain in the appropriate monitoring program(s) and maintain the current corrective action remedy. Otherwise, the Permittee must comply with Permit Condition IV.J.1.b. within the timeframe to be established by the Director.
- IV.J.3. If the Permittee determines that verification samples are not warranted, the Permittee may forgo verification sampling and comply with a contingent remedy, as specified by the Director.
- IV.J.4. Upon determination that a RBTL has been exceeded, the Permittee shall (within sixty (60) days) of receipt of the analytical results submit to the Director for approval a workplan describing the methods and procedures which will be used to implement the contingency measure, as specified by the Director. The contingency measure shall be implemented within ninety (90) days of the Director's approval.
- IV.J.5. If constituent concentrations in any monitoring well in Area 4 exceed the RBTL for any constituent with an established MCL, the Permittee shall:
 - IV.J.5.a. Within sixty (60) days, of receipt of analytical results submit to the Director a workplan for additional characterization to determine the lateral extent of constituent concentrations exceeding the RBTL. At a minimum, two (2) additional monitoring wells in the vicinity of the exceedance shall be required unless determined otherwise by the Director;
 - IV.J.5.b. In the event an MCL is exceeded in any additional monitoring wells in Area 4 additional investigation or remedial measures may be required; and
 - IV.J.5.c. The Permittee shall evaluate the monitoring data to identify the source of the increased contamination. If the source is not identified, as determined by the Director, additional

monitoring wells may be necessary. Any/all workplans and sampling results shall be reviewed and must be approved by the Director.

IV.J.6 The results of the investigations required in Permit Condition IV.J.5 shall be submitted within 180 days of implementation. The submittal shall include all data defining the lateral and vertical extent of the contaminant plume exceeding MCLs. The Director will use this data to determine if additional active remedial measures are warranted in Area 4 in accordance with Permit Condition I.M.

IV.K. TERMINATION OF CORRECTIVE ACTION PROGRAM

If the Permittee determines the corrective measures have been successful in reducing contaminant concentrations to below the RAC, the Permittee may petition the Director at any time to cease remedial action(s) in any/all specific Area(s). The termination of corrective action activities shall be contingent upon Director approval.

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**Table IV-2
Constituent Remedial Action Criteria and Risk-Based Threshold Levels
(units in mg/l)**

Constituent ⁽¹⁾	A & B Zone GPS (2)	A-Zone Corrective Action Monitoring Program					
		Area 1		Area 2	Area 3		Area 4
		RAC (3)	RBTL (4)	RBTL (4)	RAC (3)	RBTL (4)	RBTL
1,1,1-Trichloroethane	0.200	1.00	707.0	684.0	1.00	94.80	0.600 ⁽⁶⁾
1,1,2,2-Tetrachloroethane	0.00066 ⁽⁵⁾	0.0033	12.60	12.30	0.0033	2.460	0.013 ⁽⁴⁾
1,1,2-Trichloroethane	0.005	0.025	0.606	0.894	0.025	0.081	0.015 ⁽⁶⁾
1,1-Dichloroethane	0.024 ⁽⁵⁾	0.120	21.20	20.80	0.120	4.240	0.310 ⁽⁴⁾
1,1-Dichloroethylene	0.007	0.035	14.30	14.10	0.035	1.970	0.021 ⁽⁶⁾
1,2-Dichloroethane	0.005	0.025	5.91	5.80	0.025	1.240	0.015 ⁽⁶⁾
1,2-Dichloropropane	0.005	0.025	3.670	3.60	0.025	0.493	0.015 ⁽⁶⁾
Benzene	0.005	0.025	3.960	3.890	0.025	0.812	0.015 ⁽⁶⁾
Chloroethane	21.0 ⁽⁵⁾	105.0	744.0	732.0	105.0	132.0	1.500 ⁽⁴⁾
Chloroform	0.080	0.400	1.65	1.62	0.400	0.349	0.240 ⁽⁶⁾
Cis-1,2-Dichloroethylene	0.070	0.350	0.070 ⁽²⁾	0.070 ⁽²⁾	0.350	0.070 ⁽²⁾	0.210 ⁽⁶⁾
Tetrachloroethylene	0.005	0.025	2.160	2.160	0.025	0.430	0.015 ⁽⁶⁾
Trans-1,2-Dichloroethylene	0.100	0.500	16.0	15.70	0.500	2.120	0.300 ⁽⁶⁾
Trichloroethylene	0.005	0.025	0.492	0.481	0.025	0.066	0.015 ⁽⁶⁾
Vinyl chloride	0.002	0.010	0.935	0.921	0.010	0.198	0.006 ⁽⁶⁾
Xylenes	10.0	50.0	53.70	52.60	50.0	7.280	2.0 ⁽⁵⁾

Footnotes:

- (1) The Estimated Quantitation Limit (EQL) for the constituent analyte list is 1.0 ug/l
- (2) GPS = Groundwater Protection Standard
- (3) RAC = Remedial Action Criteria (i.e. 5 X GPS)
- (4) RBTL = Risk-Based Threshold Limit (determined through Feb 2012 risk assessment, see Attachment 9)
- (5) Risk based on EPA Regional Screening Levels at 1E-5
- (6) RBTL for Area 4 based on 3 X GPS

MODULE V - POST-CLOSURE CARE

V.A. POST-CLOSURE

The period of Post-Closure care for the Facility shall be thirty (30) years, which commenced on July 13, 1988. Post-Closure care shall be performed in accordance with IDAPA 58.01.05.008 [40 CFR §§ 264.117, 264.118, 264.119 and 264.120]. At any time during the Post-Closure period, the Director may, in accordance with the Permit Modification procedures in IDAPA 58.01.05.013, and .012 [40 CFR Parts 124 and 270]:

- V.A.1. Extend the Post-Closure period, if necessary, to protect human health or the environment (e.g., groundwater monitoring results indicate migration of hazardous constituents or levels of hazardous constituents remaining which may be harmful to human health and the environment), or:
- V.A.2 Shorten the Post-Closure care period if determined that the reduced period is sufficient to protect human health and the environment.

V.B. POST-CLOSURE CARE INSPECTION PLAN

The Permittee shall comply with the inspection provisions of IDAPA 58.01.05.008 [40 CFR § 264.15] and as follows:

- V.B.1. The Permittee shall follow the inspection and maintenance schedules and procedures provided in Table I-1 and Attachment 3 of this Permit.
- V.B.2. The Permittee shall remedy, as required by IDAPA 58.01.05.008 [40 CFR § 264.15(c)], any deterioration or malfunction discovered by an inspection immediately, as specified in Attachment 3 of this Permit, as modified by the following conditions:
 - V.B.2.a. In addition, the Permittee shall inspect each asphalt cap and fifteen feet (15) beyond the perimeter of each cap for effects of settling, subsidence, erosion or other events (i.e., vegetation). Cap locations and dimensions are included in the Legal Description (Appendix B-1) in Attachment 1 of this Permit.
 - V.B.2.b. The Permittee shall repair each asphalt cap according to the specifications listed in Section I-2c(1) of Attachment 3 of this Permit.
- V.B.3. The Permittee shall record inspections as specified in IDAPA 58.01.05.008 [40 CFR § 264.15(d)]. At a minimum, the following information shall be recorded:
 - The date and time of the inspection;
 - The name of the inspector;
 - A notation of the observations made including any/all deficiencies identified; and
 - The date and nature of any repairs or other remedial actions.

- V.B.4. The Permittee shall retain documentation of the inspections and maintenance activities at the Facility, as required by IDAPA 58.01.05.008 [40 CFR § 264.73(b)(5)], for at least three (3) years from inspection date.
- V.B.5. The Permittee may add inspection requirements to an existing inspection form in cases where such additional requirements will result in a more comprehensive or detailed Inspection Plan, without receiving a permit modification. These changes shall be noted in the Facility Operating Record at the time the changes are made.

V.C. POST-CLOSURE MAINTENANCE ACTIVITIES

The Permittee shall maintain the Facility, as described, in accordance with IDAPA 58.01.05.008 [40 CFR §§ 264.117(a), (b) and(c)] during the Post-Closure period. The Permittee shall be responsible for conducting the following:

- V.C.1. Maintenance activities to:
 - V.C.1.a. Maintain the integrity and effectiveness of the final cover, including making repairs to the asphaltic caps as necessary to correct the effects of settling, subsidence, erosion, or other events;
 - V.C.1.b. Maintain and monitor the Groundwater Pump and Treat System as applicable. Maintain the groundwater monitoring network to comply with all other applicable requirements of IDAPA 58.01.05.008 [40 CFR Part 264, Subpart F].
 - V.C.1.c. Prevent run-on and runoff from eroding or otherwise damaging the final cover;
 - V.C.1.d. Protect and maintain surveyed benchmarks used in complying with IDAPA 58.01.05.008 [40 CFR § 264.309]; and
 - V.C.1.e. Maintain the security of the Facility in accordance with IDAPA 58.01.05.008 [40 CFR § 264.14].
- V.C.2. Post-Closure care shall be performed in accordance with Permit Module V and Attachment 3 of this Permit.

V.D. POST-CLOSURE PROPERTY USE

- V.D.1. Post-Closure use of property must not be allowed to disturb the integrity of the final cover or the function of the Facility's Corrective Action or Groundwater Monitoring Systems, unless the Director finds the disturbance necessary to the proposed use of the property and the disturbance will not increase the hazard to human health or the environment, or the disturbance is necessary to reduce a threat to human health or the environment.

V.D.2. If the Permittee, or any subsequent owner or operator of the land upon which the hazardous waste management units (Small Paint Shop Basin and Locomotive Shop Basin), are located, elects to remove hazardous waste and hazardous waste residues, the liner (if any), or the contaminated soils prior to the expiration of this Permit, a request for a modification to this Permit shall be submitted in accordance with the applicable requirements of IDAPA 58.01.05.0012 and .0013 [40 CFR Parts 270 and 124]. The Permittee or subsequent owner or operator of the land shall demonstrate that the removal of hazardous waste or hazardous waste residues shall satisfy the criteria of IDAPA 58.01.05.008 [40 CFR § 264.117(c)].

V.E. POST-CLOSURE CARE OF GROUNDWATER EQUIPMENT

When the Post-Closure period is completed, all monitoring equipment and recovery wells, including piping and pumps, shall be decommissioned, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.114].

V.F. CERTIFICATION

No later than sixty (60) days after completion of the established Post-Closure period, the Permittee shall submit, to the Director by registered mail, a certification that the Post-Closure care was performed in accordance with this Permit. The Permittee and an independent, registered professional engineer must sign the certification. Documentation supporting an independent, registered professional engineer's certification must be furnished to the Director, upon request, until the Director releases the Permittee from the Post-Closure care monitoring requirements, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.145(i)].

V.G. POST-CLOSURE COST ESTIMATE

The Permittee shall maintain a current Post-Closure cost estimate, as presented in Attachment 6 of this Permit. The Post-Closure cost estimate and financial assurance mechanism for Post-Closure care shall include corrective action costs, prepared in accordance with IDAPA 58.01.05.008 [40 CFR § 264.144(a)].

V.G.1. The Permittee shall comply with the requirements of IDAPA 58.01.05.008 [40 CFR § 264.144(a)].

V.G.2. The Permittee shall adjust the post-closure cost estimate for inflation within thirty (30) calendar days after the close of the Permittee's fiscal year and before submission of updated information to the Director, as specified in IDAPA 58.01.05.008 [40 CFR § 264.144(b)]. The updated post-closure cost estimates shall be maintained by the Department as part of the facility's administrative record.

V.G.3. The Permittee must revise the post-closure cost estimate whenever a change in the Facility's Post-Closure operation occurs. The Permittee shall submit a revised post-closure cost estimate, within thirty (30) calendar days after the Director has approved a

modification to the Post-Closure Permit if such modification results in an increase in the post-closure cost estimate from the latest post-closure cost estimate in accordance with IDAPA 58.01.05.008 [40 CFR § 264.144(c)].

V.G.4. The Permittee must keep the latest post-closure cost estimate and financial assurance at the Facility, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.144(d)].

V.G.5. All revised Post-Closure cost estimates, as approved by the Director, shall be incorporated into this Permit and amended into Attachment 6 of this Permit.

V.H. POST-CLOSURE CARE FINANCIAL ASSURANCE

V.H.1. The Permittee shall demonstrate continuous compliance with IDAPA 58.01.05.008 [40 CFR § 264.145] by maintaining, at the Facility, documentation for financial assurance, as required by IDAPA 58.01.05.008 [40 CFR § 264.151]) in at least the amount of the cost estimate required by Permit Condition V.G. Changes in financial assurance mechanisms must be approved by the Director. Financial Assurance shall be submitted within ninety (90) days of the closing of the Permittee's fiscal year.

The Permittee shall comply with IDAPA 58.01.05.008 [40 CFR § 264.145] by providing documentation of financial assurance, as required by IDAPA 58.01.05.008 [40 CFR § 264.151], in the amount of the cost estimates required by Permit Condition V.G. of this Permit.

V.H.2. Changes in financial assurance mechanisms must be approved by the Director pursuant to IDAPA 58.01.05.008 [40 CFR § 264.145].

V.I. INCAPACITY OF OWNERS OR OPERATORS, GUARANTORS, OR FINANCIAL INSTITUTIONS

The Permittee shall comply with IDAPA 58.01.05.008 [40 CFR §264.148] whenever necessary. In the event, the financial assurance mechanism is to be canceled through failure of the financial institution, bankruptcy by the Permittee or moved to another institution, the Permittee shall notify the Department and the Director, by certified mail, within 10 days after commencement of the proceedings and must establish other financial assurance or liability coverage within sixty (60) days after such an event.