HWMA/RCRA STORAGE and TREATMENT PERMIT

for the

MATERIALS AND FUELS COMPLEX (MFC)

on the

IDAHO NATIONAL LABORATORY

EPA ID NO. ID4890008952

- Hot Fuel Examination Facility (HFEF) (MFC-785)
- Radioactive Scrap and Waste Facility (RSWF) (MFC-771)
- Sodium Components Maintenance Shop (SCMS) (MFC-793, 793C, 793G)
- Sodium Storage Building (SSB) (MFC-703)
- RSWF Staging/Storage Area (RSWF SSA)
- North Fenced Area (NFA)

Effective Date: October 1, 2015

Revision Date: July 29, 2019

Book 1 of 2

STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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C. L. "Butch" Otter, Governor
Jess Byrne, Interim Director

Permittee: **Department of Energy (DOE) and DOE-Designated Contractors, Idaho National Laboratory**

Partial Permit Number: **EPA ID No. ID4890008952**

INTRODUCTION AND SIGNATURE PAGE

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 by the Hazardous and Solid Waste Amendments of 1984 (HSWA), and the regulations promulgated under the Idaho Administrative Procedures Act (IDAPA) 58.01.05.000 et seq., specifically IDAPA 58.01.05.012 [Title 40 of the Code of Federal Regulations (CFR) Part 270.1(c)(4)], a Partial Permit (for less than the entire facility) is hereby issued to the United States Department of Energy (DOE) and the DOE-designated contractor (see Permit Definitions), hereinafter called the Permittee, at the Idaho National Laboratory (INL), to operate a hazardous waste treatment and storage facility at the Materials and Fuels Complex, located in Bingham County, Idaho.

The Permittee shall comply with all of the terms and conditions of this Partial Permit (Permit) and Attachments 1 through 10 of this Permit. The Permittee shall comply with all applicable state regulations, including IDAPA 58.01.05.004 through 58.01.05.013 [40 CFR Parts 124, 260-266, 268, and 270], 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 HSWA, 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 fully disclose 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 (Director) of any deviation from the permit conditions or changes in the information on which the application is based, which 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. Any challenges of any permit condition shall be appealed to the Idaho Board of Environmental Quality, in accordance with IDAPA 58.01.05.013 [40 CFR § 124.19], and in accordance with the "Rules Governing Contested Cases and Declaratory Rulings," IDAPA 58.01.23.043.

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 is effective as of **October 1, 2015** and shall remain in effect until **October 1, 2025** 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].

8/31/15
Date

John W. Tippets
John Tippets, Director
Department of Environmental Quality

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LIST OF ATTACHMENTS

The following attachment list includes excerpts from documents that are part of the Permittee's Administrative Record; i.e., HWMA RCRA Storage and Treatment Permit Application for the Material and Fuels Complex, Books 1 and 2: Hot Fuel Examination Facility (HFEF), Radioactive Scrap and Waste Facility (RSWF), Sodium Components Maintenance Shop (SCMS), Sodium Storage Building (SSB), RSWF Staging/Storage Area and North Fenced Area; supplemental reports; and other documents contained in the Department's supporting file for the draft Permit. The Director, as deemed necessary, modified specific language in the Attachments. These modifications are described below or in the permit conditions (Modules I through VI) and, thereby, supersede the language of the original attachment. If the language of the Permit conflicts with either the attachments or the original application, the language in the Permit shall prevail. These incorporated attachments are enforceable conditions of this Permit, as modified by the specific permit condition(s).

ATTACHMENT 1 **FACILITY DESCRIPTION,** consisting of:

INL PART A PERMIT APPLICATION for HFEF, RSWF, SCMS, SSB; and RSWF Staging/Storage Area and North Fenced Area RCRA Subtitle C Site Identification Form, pages 1 through 4; and Hazardous Waste Permit Information, pages 1 through 6

MFC FACILITY DESCRIPTION, Section B, HWMA RCRA Storage and Treatment Permit Application for the Material and Fuels Complex: HFEF, RSWF, SCMS, SSB, and RSWF Staging/Storage Area and North Fenced Area pages B-1 through B-23.

Attachments B-1 through B-19

PROCESS DESCRIPTION, Section D, HWMA RCRA Storage and Treatment Permit Application for the Material and Fuels Complex: HFEF, RSWF, SCMS, SSB, and RSWF Staging/Storage Area and North Fenced Area pages D-1 through D-90.

Attachments D-1 through D-40

ATTACHMENT 2 WASTE ANALYSIS PLAN

Section C, HWMA RCRA Storage and Treatment Permit Application for the Material and Fuels Complex: HFEF, RSWF, SCMS, SSB and RSWF Staging/Storage Area and North Fenced Area pages C-1 through C-19,

Attachments C-1 through C-6

ATTACHMENT 3 SECURITY

Section F, HWMA RCRA Storage and Treatment Permit Application for the Material and Fuels Complex: HFEF, RSWF, SCMS, SSB, and RSWF Staging/Storage Area and North Fenced Area Subsection F-1, pages F-1 through F-3;

Attachments F-1 and F-2

ATTACHMENT 4 INSPECTIONS

Section F, HWMA RCRA Storage and Treatment Permit Application for the Material and Fuels Complex: HFEF, RSWF, SCMS, SSB, and RSWF Staging/Storage Area and North Fenced Area Subsection F-2, pages F-1 through F-11,

Attachments F-3, F-4, F-5, and F-6

ATTACHMENT 5 PERSONNEL TRAINING:

Section H, HWMA RCRA Storage and Treatment Permit Application for the Material and Fuels Complex: HFEF, RSWF, SCMS, SSB, and RSWF Staging/Storage Area and North Fenced Area pages H-1 through H-5,

Attachments H-1 and H-2

ATTACHMENT 6 PROCEDURES TO PREVENT HAZARDS

Section F, HWMA RCRA Storage and Treatment Permit Application for the Material and Fuels Complex: HFEF, RSWF, SCMS, SSB, and RSWF Staging/Storage Area and North Fenced Area Subsections F-3 through F-5, pages F-1 through F-12

ATTACHMENT 7 CONTINGENCY PLAN

Section G, HWMA RCRA Storage and Treatment Permit Application for the Material and Fuels Complex: HFEF, RSWF, SCMS, SSB, and RSWF Staging/Storage Area and North Fenced Area Pages G-1 through G-24,

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ATTACHMENT 8 CLOSURE PLAN

Section I, HWMA RCRA Storage and Treatment Permit Application for the Material and Fuels Complex: HFEF, RSWF, SCMS, SSB, and RSWF Staging/Storage Area and North Fenced Area pages I-1 through I-14

ATTACHMENT 9 FEDERAL FACILITY ACT AND CONSENT ORDER

Idaho Department of Health and Welfare, United States Environmental Protection Agency, Region 10, and the United States, Department of Energy, Idaho Field Office, *"Federal Facility Act and Consent Order for the Idaho National Engineering Laboratory,"* December 9, 1991

ATTACHMENT 10 PERMIT REVISION LOG

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DEFINITIONS

For purposes of this Permit, the following definitions shall apply:

a. *Applicable or Relevant and Appropriate Requirements (ARARs). Applicable requirements* are those cleanup standards, standards of control, and other substantive requirements, criteria, or limitations promulgated under Federal or State environmental or facility siting laws that specifically address a hazardous substance, pollutant, contaminant, remedial action, location, or other circumstance found at a Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) site. *Relevant and appropriate requirements* are those cleanup standards, standards of control, and other substantive requirements, criteria, or limitations promulgated under Federal environmental or State environmental or facility siting laws that, while not "applicable" to a hazardous substance, pollutant, contaminant, remedial action, location, or other circumstance at a CERCLA site, address problems or situations sufficiently similar to those encountered at the CERCLA site that their use is well suited to the particular site.

b. *Application* shall mean Books 1 and 2 of the April 2015 Hazardous Waste Management Act (HWMA)/Resource Conservation and Recovery Act (RCRA) Storage and Treatment Permit Application for the Materials and Fuels Complex (MFC): Hot Fuel Examination Facility, Radioactive Scrap and Waste Facility, Sodium Components Maintenance Shop, and the Sodium Storage Building.

c. *Area of Concern (AOC*) shall mean any area having a probable release of a hazardous waste or hazardous constituent, which is not from a Solid Waste Management Unit (SWMU) and is determined by the Department to pose a current or potential threat to human health or the environment. Such AOCs may require investigation and remedial action as required under Section 3005(c)(3) of the Resource Conservation and Recovery Act (RCRA) and Idaho Administrative Procedures Act (IDAPA) 58.01.05.012 [Title 40 of the Code of Federal Regulations (CFR) Part 270.32(b)(2)] in order to ensure adequate protection of human health and the environment.

d. *As Low As Is Reasonably Achievable* (*ALARA*) as defined in 10 CFR § 20.1003; means making every reasonable effort to maintain exposures to radiation as far below the dose limits in this part as is practical consistent with the purpose for which the licensed activity is undertaken, taking into account the state of technology, the economics of improvements in relation to state of technology, the economics of improvements in relation to benefits to the public health and safety, and other societal and socioeconomic considerations, and in relation to utilization of nuclear energy and licensed materials in the public interest.

e. *Co-Operator* shall mean both Department of Energy (DOE) and the DOE-designated contractor (as found on the signature page of each partial permit application).

f. *Container* shall mean any portable device in which a material is stored, transported, treated, disposed of, or otherwise handled. Miscellaneous carbon or stainless-steel process components such as nuclide traps, cold traps, and shipping vessels that are well suited for storage because they are compatible with the hazardous or mixed waste and

designed to withstand processing may be used as containers. Piping and pumps may also be used as containers for waste that does not contain liquids as long as they are securely closed (e.g., welded flange). Engineered soft-sided containers and bags may be used as long as the waste does not contain liquid and are compatible with the waste to be stored, and the storage conditions, including potential length of time to be stored. However, waste shall not be stored in a bag if, without treatment, it is amenable for storage in the other approved containers (e.g., drum or box) identified in Attachment 1

g. *Containment enclosure* shall mean a moveable, non-permanent structure used to provide contamination control during container management.

h. *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 state or federal holiday shall be due on the following business day."

i. *Department* shall mean the Idaho Department of Environmental Quality (IDEQ).

j. *Director* shall mean either the Director of IDEQ, the Director's designee, or authorized representative.

k. *Discovery (discovered)* shall mean the initial identification of a Solid Waste Management Unit (SWMU) or Area of Concern (AOC), which has the potential to release hazardous waste or hazardous waste constituents to the environment.

l. *DOE* shall mean the United States Department of Energy.

m. *Facility* shall mean all contiguous land, structures, other appurtenances, and improvements under the control of the DOE at the Idaho National Laboratory (INL) for total of approximately 890 square miles or 601,260 acres.

n. *HSWA* shall mean the Hazardous and Solid Waste Amendments of 1984.

o. *HWMA* shall mean the State of Idaho, Hazardous Waste Management Act of 1983, as amended, Idaho Code § 39-4401 et seq.

p. *Hazardous Waste* shall mean a solid waste, or combination of solid wastes, which 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, disposed of, or otherwise managed [See 42 United States Code (USC) § 6903(5)]

q. *Hazardous Waste Constituent* shall mean any constituent identified in Appendix VIII of IDAPA 58.01.05.005 [40 CFR Part 261], or any constituent identified in Appendix IX of IDAPA 58.01.05.008 [40 CFR Part 264].

r. *Hazardous Waste Management Unit (HWMU)* shall mean those operable units subject to the requirements of IDAPA 58.01.05.012 [40 CFR § 270.14 through .25].

s. *Mixed Waste* shall mean waste that is both hazardous and radioactive.

t. *Off-Site HW/MW* shall mean hazardous or mixed wastes generated or owned by non MFC or INL generators/owners. This is HW/MW non-INL facilities have generated or will generate.

u. *MFC HW/MW* shall mean hazardous or mixed wastes generated or owned by MFC. This is HW/MW MFC facilities have or will generate as a result of ongoing MFC operations and cleanup, or HW/MW for which MFC has assumed ownership, such as legacy waste.

v. *INL HW/MW* shall mean hazardous or mixed wastes generated or owned by INL. This is HW/MW INL facilities have or will generate as a result of on-going INL operations not at MFC, and cleanup or HW/MW for which INL has assumed ownership, such as legacy waste.

w. *Operator* shall mean the DOE-designated contractor that has responsibilities and control of the HWMUs at the Materials and Fuels Complex and surrounding area.

x. *Owner* shall mean the United States Department of Energy (DOE).

y. *Partial Permit* shall mean the MFC portion of the INL HWMA/RCRA Permit. Wherever the term Permit is used, it shall mean the Partial Permit, unless referred to as the INL Permit.

z. *Permittee* shall mean both DOE and the DOE-designated contractor.

aa. *Process knowledge* shall mean including data developed under IDAPA 58.01.02.005 [40 CFR Part 261], and existing published or documented data on the hazardous waste as part of the detailed chemical and physical analysis of a representative sample of the waste required by IDAPA 58.01.02.008 [40 CFR § 264.13(a)(1)].

bb. *RCRA* shall mean the Resource Conservation and Recovery Act of 1976, as amended by HWSA in 1984.

cc. *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).

dd. *Significant increase in radiation* shall mean a five (5) millirem or larger increase in the amount of radiation emanating from a source.

ee. *Solid Waste Management Unit (SWMU)* shall mean any discernable unit at which solid wastes have been placed at any time, irrespective of whether the unit was intended for

the management of solid or hazardous wastes. Such units include any area at a facility at which solid wastes have been routinely and systematically released.

All definitions contained in IDAPA 58.01.05.004, .005, .008, and .010-.013 [40 CFR Parts 260, 261, 264, 266, 268, 270, and 124] are hereby incorporated, in their entirety, by reference into this Permit, except that any of the definitions used above 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 or the generally accepted scientific or industrial meaning of the term.

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ACRONYMS AND ABBREVIATIONS

"	inch(es) or second
‘	feet or minutes
AL NMCM	Analytical Laboratory Nuclear Material Characterization Manager
AL	Analytical Laboratory
ALARA	As Low As Reasonably Achievable
ALESC	Analytical Laboratory Environmental Sample Custodian
AMWTF	Advanced Mixed Waste Treatment Facility
ANL-E	Argonne National Laboratory - East
ASTM	American Society for Testing and Materials
ATR	Advanced Test Reactor Complex
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CFA	Central Facilities Area
CFR	Code of Federal Regulations
CH-TRU	Contact Handled Transuranic (elements)
CME	Corrective Measures Evaluation
CMI	Corrective Measures Implementation
CMS	Corrective Measures Study
COCA	Consent Order Compliance Agreement
CPA	Carbonate Process Area
DC	Decontamination Cell/Spray Chamber
DOE	Department of Energy
DOE-ID	Department of Energy - Idaho Operations Office
DOT	Department of Transportation
EBR	Experimental Breeder Reactor
ECC	Emergency Command Center
EOC	Emergency Operations Center
EPA	U.S. Environmental Protection Agency
EQL	Estimated Quantitation Limit
ER	Equipment Repair Glovebox
ERO	Emergency Response Organization
ES&H	Environment, Safety, and Health
EWM	Environment and Waste Management
FCF	Fuel Conditioning Facility
FFA/CO	Federal Facilities Agreement/Consent Order
FR	Federal Register
ft	feet or foot
gal	gallon or gallons
HBA	High Bay Area
HEPA	High-Efficiency Particulate Air
HFEF	Hot Fuel Examination Facility
HP	Health Physics (or health physicist)
HPT	Health Physics Technician
HRA	Hot Repair Area
HSWA	Hazardous and Solid Waste Amendments of 1984
HW/MW	Hazardous Waste/Mixed Waste
HWC	Hazardous Waste Code

HWMA	Hazardous Waste Management Act of 1983, as amended
HWN	Hazardous Waste Number
I&C	Instrument and Control
IDEQ	Idaho Department of Environmental Quality
in.	inch or inches
INL	Idaho National Laboratory [used after 2/2005]
INTEC	Idaho Nuclear Technology and Engineering Center
IRT	Incident Response Team
IWTS	Integrated Waste Tracking System
LDR	Land Disposal Restrictions
MDL	Method Detection Limit
MESA	Miscellaneous Equipment and Storage Area
MFC	Materials and Fuels Complex [new name used after February 2005]
mR	millirem [one-thousandth of a Roentgen Equivalent Man (REM)]
MSDS	Material Safety Data Sheet
Na	sodium
NaK	sodium and potassium alloy
NFA	North Fenced Area
NFPA	National Fire Protection Association
No.	number
NRC	Nuclear Regulatory Commission
NRF	Navel Reactors Facility
OJT	On-the-Job Training
OSC	On-Scene Commander
OSHA	Occupational Safety and Health Administration
OSWER	Office of Solid Waste and Emergency Response
P&ID	Piping and Instrumentation Diagram
PCB	polychlorinated biphenyl
PPE	Personal Protective Equipment
PR	Preparation Room
PR/VSI	Preliminary Review/Visual Site Inspection
QAPjP	Quality Assurance Project Plan
QC	Quality Control
RA	Radiological Assay
RCRA	Resource Conservation and Recovery Act
RFA	RCRA Facility Assessment
RFI	RCRA Facility Investigation
RH	remote handled (applies to radioactive waste or materials)
RHMW	Remote Handled Mixed Waste
RLWTF	Radioactive Liquid Waste Treatment Facility
RPD	Relative Percent Difference
RSSF	Radioactive Sodium Storage Facility
RSWF	Radioactive Scrap and Waste Facility
RWMC	Radioactive Waste Management Complex
RWP	Radiation Work Permit
SAA	Satellite Accumulation Area
SAE	Society of Automotive Engineers, International
SAP	Sampling and Analysis Plan

SARA	Superfund Amendments and Reauthorization Act of 1986
SCMS	Sodium Components Maintenance Shop
SHADE	Shielded Hot Air Drum Evaporator
SLSF	Sodium Loop Safety Facility
SNF	Spent Nuclear Fuel
SP	Sample Preparation Glovebox
SSB	Sodium Storage Building
STP	Site Treatment Plan
SW-846	Test Methods for Evaluating Solid Waste: Physical/Chemical Methods
SWB	Standard Waste Box
SWMU	Solid Waste Management Unit
TAN	Test Area North
TCLP	Toxicity Characteristic Leaching Procedure
TFF	Tank Farm Facility
TID	Tamper-Indicating Device
TR	Transfer Room
TSDF	Treatment, Storage, and Disposal Facility
UBC	Uniform Building Code
USGS	United States Geological Survey
UTS	Universal Treatment Standards
WAC	Waste Acceptance Criteria
WAP	Waste Analysis Plan
WCC	Warning Communications Center
WCC	Waste Characterization Chamber

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MODULE I – STANDARD PERMIT CONDITIONS

I.A. EFFECT OF PERMIT

I.A.1. The Permittee is required to store and/or treat hazardous waste and/or mixed waste (HW/MW), and/or HW/MW debris in accordance with the conditions of this Partial Permit and its Attachments. Any storage or treatment of hazardous/mixed waste/debris in the Hazardous Waste Management Units (HWMU), described herein, not authorized in this Permit, or by the Idaho Administrative Procedures Act (IDAPA) 58.01.05.006 [Title 40 of the Code of Federal Regulations (CFR) Part 262.34], and for which a permit is required under Idaho Code § 39-4409, or Section 3005 of the Resource Conservation and Recovery Act (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 those requirements not included in this Permit, which become effective by statute or future regulatory changes, to include 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.A.3. The Department of Energy (DOE) is the owner and is responsible for activities which include, but are not limited to, the overall management and operation of the facility.

I.A.4. The designated DOE Contractor is identified as the Permittee for any and all activities where their agents, employees, or subcontractors have operational responsibilities and control.

I.A.5. Issuance of this Permit does not convey any property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local law or regulations, as specified in IDAPA 58.01.05.012 [40 CFR §§ 270.4(b) and (c), and § 270.30(g)].

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 the HWMA [Idaho Code § 39-4414] and/or criminal penalties in accordance with HWMA [Idaho Code § 39-4415].

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 to 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. Pursuant to IDAPA 58.01.05.012 [40 CFR 270.4(a)(2)], 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, or 270.43], or modified upon the request of the Permittee as specified in IDAPA 58.01.05.012 [40 CFR § 270.42].

I.D.2. Permit Revocation and Re-issuance, and Termination:

The filing of a request for a permit modification, revocation and reissuance, or termination, or the notification of planned changes or anticipated noncompliance on the part of the Permittee, does not stay the applicability or enforceability of any permit condition.

I.D.3. Permit Modification:

I.D.3.a. 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 which 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.3.b. The Director may modify this Permit when the standards or regulations on which the Permit was based have been changed by statute, amended standards or regulations, or by judicial decision after the effective date of this Permit, as specified in IDAPA 58.01.05.012 [40 CFR § 270.41(a)-(c)].

I.D.3.c. Within 45 days of a permit modification being put into effect or approved, the Permittee shall provide two (2) clean copies of the relevant portions of the Permit and Attachments to incorporate the change (if not already reflected and provided in the change pages submitted with the Permit Modification Request), and submit them to the Director. The Permittee shall also submit an electronic version of all modified sections of the Permit and Attachments to the Director and to the EPA Region 10.

I.D.4. The Permittee shall ensure Permit Attachment 10, the "Modification Tracking Log" is current consistent with Permit Condition I.D.3.c.

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, in accordance with IDAPA 58.01.05.013 [40 CFR § 124.16(a)]. Invalidation of any state or federal statutory or regulatory provision, which 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 provision.

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 final resolution of the stayed condition, unless compliance with the related applicable and relevant interim status standards would be technologically incompatible with compliance with other conditions of this Permit that have not been stayed, as specified in IDAPA 58.01.05.013 [40 CFR § 124.16(c)].

I.F. DUTIES 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 of the Permit, or denial of a permit renewal application, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(a)].

I.F.2. Compliance with the terms of this Permit does not constitute a defense to any order issued or any action brought under Sections 3007, 3008, 3013, or 7003 of RCRA [42 U.S.C. §§ 6927, 6928, 6934, and 6973], Sections 104, 106(a), or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) [42 U.S.C. §§ 9604, 9606(a), or 9607], 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. However, compliance with the terms of this Permit does constitute a defense to any action alleging failure to comply with the applicable standards upon which this Permit is based.

I.G. DUTY TO REAPPLY

A minimum of one hundred eight y(180) calendar days prior to the expiration date of this Permit, if the Permittee wishes to continue an activity allowed by this Permit after the expiration date of this permit, the Permittee shall submit a new application in accordance with IDAPA 58.01.05.012 [40 CFR § 270.10(h)].

I.H. PARTIAL PERMIT EXPIRATION

Except as renewed, modified, revoked, reissued, or terminated by the Department, this Permit shall automatically expire ten (10) years from the effective date of this Permit. Failure to submit a timely permit renewal application may result in enforcement action, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.51(c)].

I.I. CONTINUATION OF EXPIRING PERMIT

This Permit and all conditions herein shall continue in force until the effective date of a new permit, if the Permittee has submitted a timely and complete application in accordance with IDAPA 58.01.05.012 [40 CFR §§ 270.10, 270.13-270.29], 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 § 124.5] on or before the expiration date of this 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, properly operate and maintain all facilities and systems of treatment and of control (and related appurtenances), which are installed or used by the Permittee, 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/quality control procedures. This provision requires the operation of back-up or auxiliary equipment 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 Department, within a reasonable time, any relevant information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit, or to determine compliance with this Permit, as specified in IDAPA 58.01.05.012 [40 CFR § 270.30(h)]. The Permittee shall also furnish to the Department and/or the Director, upon request, copies of records required to be kept by this Permit, in accordance with IDAPA 58.01.05.008 and 58.01.05.012 [40 CFR §§ 264.74(a) and 270.30(h)].

I.N. INSPECTION AND ENTRY

Pursuant to 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 credentials and other documents as may be required by law, to:

I.N.1. Enter, at reasonable times, the Permittee's premises where a regulated facility or activity is located or conducted, or where records are kept as required by the conditions of this Permit;

I.N.2. Have access to and copy, at reasonable times, any records that are kept as required by the conditions of this Permit;

I.N.3. Inspect, at reasonable times, any portion of the facility, 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 the HWMA or RCRA, any substances or parameters at any location.

I.O. MONITORING AND RECORDS

I.O.1. The Permittee shall retain copies of all reports required by this Permit, the certification required by IDAPA 58.01.05.008 [40 CFR § 264.73(b)(9)], and all 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 report, record, or certification, unless a longer retention period for certain information is required by other conditions of the Permit.

I.O.2. In accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(j)(1)], samples and measurements taken by the Permittee for the purpose of monitoring shall be representative of the monitored activity. The method used to obtain a representative sample of the waste to be analyzed must be the most recent appropriate method from IDAPA 58.01.05.005 [Appendix I of 40 CFR Part 261], or an equivalent method approved by the Director. The Permittee shall use techniques and procedures specified in IDAPA 58.01.05.005 [Appendix III of 40 CFR Part 261], or in Permit Attachment 2, when collecting, preserving, shipping, analyzing, tracking and controlling samples.

I.O.3. Except as specifically required by regulations or elsewhere in this permit, and in accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(j)(2)], the Permittee shall retain, at the facility, all monitoring records including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, from all surface water sampling, seep sampling, soil sampling, sediment sampling, ground water monitoring wells, and associated ground water surface elevations until three (3) years past the end of the corrective action instituted to address releases of hazardous waste or hazardous waste constituents from any solid waste management unit. These periods may be extended by request of the Director, at any time, by written notification to the Permittee, and the retention times are automatically extended during the course of any

unresolved enforcement action regarding this facility to three (3) years beyond the conclusion of the enforcement action.

I.O.4. Pursuant to IDAPA 58.01.05.012 [40 CFR § 270.30(j)(3)], records of monitoring information shall specify the following:

I.O.4.a. The dates, exact place, and times of sampling or measurements;
I.O.4.b. The names, titles, and affiliation of individuals who performed the sampling or measurements;
I.O.4.c. The dates analyses were performed;
I.O.4.d. The names, titles, and affiliation of individuals 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 Control/Quality Assurance summary.

I.O.5. Laboratory methods shall be those specified in *Test Methods for Evaluating Solid Waste: Physical/Chemical Methods SW-846* (prevailing edition - hereinafter, referred to as SW-846), *Standard Methods of Wastewater Analysis* (prevailing edition), or other alternate methods approved in this Permit, or an equivalent method in accordance with Permit Condition I.O.6 of this Permit.

I.O.6. The Permittee may substitute analytical methods, which 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 Permittee receives a written approval from the Director for the substitution of analytical method(s). Such approval shall not require a permit modification under IDAPA 58.01.05.012 [40 CFR § 270.42].

I.P. REPORTING PLANNED CHANGES

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

I.Q. REPORTING ANTICIPATED NONCOMPLIANCE

The Permittee shall give advance notice, in writing, to the Director of any planned changes in the permitted facility or any activity, which may result in noncompliance with requirements of this Permit, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(l)(2)]. If advance notice is not possible, then the Permittee shall give notice within twenty-four (24) hours of the time the Permittee becomes aware of the anticipated

noncompliance. Advance notice does not authorize any noncompliance with this permit or modification of this permit, and shall not constitute a defense for any noncompliance.

I.R. CERTIFICATION OF CONSTRUCTION OR MODIFICATION

I.R.1. The Permittee may not commence storage or treatment of HW/MW in a new permitted Hazardous Waste Management Unit (HWMU) or in a modified portion of an existing permitted HWMU, except as provided in IDAPA 58.01.05.012 [40 CFR § 270.42], until the Permittee has submitted to the Director (by certified mail, express mail, or hand delivery) a letter, along with the attachments required under Permit Condition II.A.2, signed by the Permittee and a registered Professional Engineer certifying that the permitted unit(s) at the facility have been constructed or modified in accordance with the approved plans and specifications in compliance with this Permit, IDAPA 58.01.05.012 [40 CFR § 270.30(l)]; and

I.R.2. The Director has reviewed and inspected (if deemed appropriate) the modified or newly constructed unit(s), and has notified the Permittee in writing that the unit(s) were found in compliance with the conditions of this Permit; or

I.R.3. If within fifteen (15) calendar days after 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(s) certified, in accordance with Permit Condition I.R.1 of this Permit.

I.S. TRANSFER OF PERMIT

This Permit shall be transferred to a new owner or operator only if it is modified or revoked and reissued, pursuant to IDAPA 58.01.05.012 [40 CFR §§ 270.40(b), 270.41(b)(2) and 270.42]. Prior to transferring ownership or operation of the facility during its operating life, the Permittee shall notify the new owner or operator, in writing, of the requirements of IDAPA 58.01.05.008 and 58.01.05.012 [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 Director any noncompliance with this Permit that may endanger human health or the environment within twenty-four (24) hours from the time the Permittee becomes aware of such noncompliance, including:

I.T.1.a. Noncompliance with Permit Condition II.A.1; or

I.T.1.b. Information concerning a release of any hazardous waste that may endanger public drinking water supplies; or

I.T.1.c. A fire, explosion, or any unplanned sudden or non-sudden release of mixed or hazardous waste, or mixed or hazardous waste constituents to air, soil, or surface

water at the HWMU or Facility that could threaten human health or the environment outside the Facility.

I.T.2. The verbal description of the occurrence and its cause shall, at a minimum, include:

- Name, title, and telephone number of individual reporting;
- Name, address, and telephone number of the owner or operator;
- Name, address, and telephone number of the facility;
- Date, time, and type of incident;
- Location and cause of the accident;
- Name and quantity of materials involved;
- The extent of injuries, if any;
- An assessment of actual or potential hazards to the environment and human health, where this is applicable;
- Description of any emergency action taken to minimize possible threat(s) to human health and the environment;
- Estimated quantity and disposition of recovered material that resulted from the incident;
- A qualitative review of actions taken, intended responses, and remedial actions; and
- Any other information necessary to 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 Conditions I.T.1and I.T.2, the Permittee shall provide to the Director a written submission. The written submission shall include, but not be limited to, the following:

- Name, address, and telephone number of individual reporting;
- A description of the incident (noncompliance and/or release); including cause, location, extent of injuries (if any), and an assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable.
- The period(s) in which the incident occurred (including exact dates and times);
- 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
- If not, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance, and/or the 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 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.

I.T.5. Reporting shall not constitute a defense for any noncompliance. Reporting requirements specified in this Permit do not supersede or replace any of the facility's other emergency reporting obligations.

I.U. OTHER NONCOMPLIANCE

In accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(l)(10)], the Permittee shall report all other instances of noncompliance, not otherwise required to be reported in accordance with Permit Condition I.T, on a semi-annual basis. Reports shall be due on March 1 and September 1 of each year. The reports shall contain the information listed in Permit Condition I.T. Reporting shall not constitute a defense for any noncompliance.

I.V. OTHER INFORMATION

In accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(l)(11)], whenever the Permittee becomes aware that any relevant information was omitted in the permit application or incorrectly submitted in the 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.W.

I.W. SIGNATORY AND CERTIFICATION REQUIREMENT

The Permittee shall ensure all applications, reports, or information requested by or submitted to the Director are 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. The Department shall determine whether said information is exempt from disclosure, pursuant to applicable law.

I.Y. REPORTS, NOTIFICATIONS, AND SUBMISSIONS

The Permittee shall submit the specified number of copies of each report, notification, or other submission, which are required by this Permit and IDAPA 58.01.05.012 [40 CFR § 270.5], to the Director by certified mail, express mail, or hand delivered at:

Please submit two (2) copies and one (1) electronic copy to:

Director
c/o Hazardous Waste Program Manager
Idaho Department of Environmental Quality
1410 North Hilton Street
Boise, Idaho 83706-1255
Telephone No.: (208) 373-0502
24-Hour Telephone No.: 1-800-632-8000

Please submit one (1) electronic copy to:

Regional Administrator
c/o State of Idaho Coordinator
Office of Air, Waste and Toxics, RCRA Program Unit
U.S. Environmental Protection Agency – Region 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101

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

I.Z. DOCUMENTS TO BE MAINTAINED BY THE PERMITTEE(S)

I.Z.1. The Permittee shall maintain, at the Facility (Materials and Fuels Complex), or maintained at an alternate location in a readily retrievable manner. until the facility has been fully closed, and certified by an qualified Professional Engineer, and the closure certification has been approved by the Director, the following documents, as well as any/all amendments, revisions and/or modifications to these documents:

I.Z.1.a. A complete copy of this Permit including all Attachments, Appendices, and Tables, and all modifications

I.Z.1.b. A complete copy of the final RCRA Part B Permit Application, including all attachments.

I.Z.1.c. Operating Record, as required by IDAPA 58.01.05.008 [40 CFR § 264.73] and this Permit. The Permittee is exempt from 40 CFR § 264.73(b)(8) for closure cost estimates, in accordance with 40 CFR § 264.140(c).

I.Z.1.d. Inspection Procedures, Schedules, Logs, Records and Results for each HWMU, as required by IDAPA 58.01.05.008 [40 CFR §§ 264.15(b)(2), 264.73(b)(5)] and this Permit, for a period of three (3) years.

I.Z.1.e. Personnel training requirements for each HWMU, as required by IDAPA 58.01.05.008 [40 CFR § 264.16(d)] and this Permit, until closure is completed and certified by a qualified Professional Engineer, or for three (3) years from the date the employee left the facility.

I.AA. FUNDING

I.AA.1. No provision of this permit shall be interpreted to require the Permittee to obligate or expend funds in violation of the Anti-Deficiency Act, 31 U.S.C. Section 1341; the Non-Appropriated Fund Anti-Deficiency Act, 10, U.S.C. Section 2783; or any other provision of law.

I.BB. BIENNIAL REPORT

I.BB.1. In accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(l)(9)], the Permittee shall comply with Biennial Report requirements of IDAPA 58.01.05.008 [40 CFR § 264.75].

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MODULE II – GENERAL FACILITY CONDITIONS

II.A. DESIGN AND OPERATION OF FACILITY

II.A.1. The Permittee shall maintain and operate all HWMUs and the Facility to minimize the possibility of a fire, explosion, or any unplanned, sudden or non-sudden release of HW/MW or hazardous constituents to the air, soil, ground water, or surface water which could threaten human health and/or the environment, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.31].

II.A.2. The Permittee shall construct and/or maintain all existing HWMUs and the Facility in accordance with the approved designs, specifications, and maintenance schedules that are included in Permit Attachments 1 through 8. Minor deviations from the approved designs or specifications, necessary to accommodate proper construction and the substitution of equivalent or superior materials or equipment, shall be noted on the as-built drawings, and the rationale for those deviations shall be provided in narrative form. After completion of construction of each future HWMU, the Permittee shall submit final as-built drawings and the narrative report to the Director, as part of the construction certification documentation specified in Permit Condition I.R.1.

II.A.3. The Permittee shall comply with all applicable requirements of the Land Disposal Restrictions of IDAPA 58.01.05.011 [40 CFR § 268], or the most current revision of the Idaho National Laboratory (INL) Site Treatment Plan (STP), as applicable.

II.B. RECEIPT OF HAZARDOUS WASTE

II.B.1. The Permittee shall not receive hazardous waste from a foreign source.

II.B.2. The Permittee shall not receive off-site hazardous waste.

II.B.3. The Permittee may accept INL-generated or owned HW/MW in accordance with Permit Attachment 1, and the waste acceptance criteria in Permit Attachment 2.

II.B.4. The Permittee may reject, and return to the generator, entire shipments or single containers of waste that are not in accordance with the waste characterization, the manifest, or the specific container requirements specified in Permit Attachment 2.

II.C. GENERAL WASTE ANALYSIS

The Permittee shall comply with the procedures and requirements of the Waste Analysis Plan, in accordance with IDAPA 58.01.05.008 and 58.01.05.011 [40 CFR §§ 264.13 and 268.7], Permit Attachment 2, and as follows:

II.C.1. The Permittee shall collect and analyze representative samples of waste, in accordance with IDAPA 58.01.05.005, 58.01.05.008, and 58.01.05.011 [40 CFR Part 261, Appendix I and 40 CFR §§ 264.13(a) and 268.7], and Permit Conditions I.O.2 and I.O.4, as specified in Permit Attachment 2.

II.C.2. The method used to obtain a representative sample of the waste to be analyzed shall be the appropriate method from IDAPA 58.01.05.005 [40 CFR Part 261, Appendix I]; the sampling guidance found in Chapter 9 of the EPA's most recent edition of *SW-846*; EPA's most recent edition of the *RCRA Groundwater Monitoring Technical Enforcement Guidance Document (TEGD)*(EC-G-2002-130 or OSWER-9950.1); or an equivalent method approved by the Director.

II.C.3. The Permittee shall perform the analysis of each waste stream in accordance EPA's most recent edition of the *Test Methods for Evaluating Solid Waste: Physical/Chemical Methods SW-846*, EPA's most recent edition of *Standard Methods of Wastewater Analysis*, or equivalent methods approved by the Director in accordance with Permit Condition I.O.6. At a minimum, the Permittee shall maintain proper functional instruments, use approved sampling and analytical methods, verify the validity of sampling and analytical procedures, and perform correct calculations. If the Permittee uses a contract laboratory to perform analyses, the Permittee shall notify the laboratory in writing of the waste analysis conditions it is to meet in order that waste analysis conditions of the Permit are met.

II.C.4. In accordance with the sampling and analysis procedures presented in Permit Attachment 2, all non-HW/MW resulting from MFC HWMU or Facility operations will be tested to determine whether potential toxic contaminants are below levels established at IDAPA 58.01.05.011 [40 CFR § 268.48]. In the event contaminant levels are exceeded and further treatment at a MFC HWMU is not appropriate, the HW/MW waste shall be sent to an appropriate facility.

II.C.5. The Permittee shall document the results of all waste analyses in the Facility Operating Record, in accordance with Permit Conditions I.Z.1.c and II.J.

II.C.6. The Permittee shall maintain a copy of the latest approved Waste Analysis Plan, included as Permit Attachment 2, at the facility until the facility is fully closed and certified per IDAPA 58.01.05.008 [40 CFR § 264 Subpart G].

II.C.7. The Permittee shall comply with the requirements of IDAPA 58.01.05.008 [40 CFR § 264.17(a)] and follow the procedures for handling ignitable, reactive and incompatible wastes set forth in Permit Attachment 2.

II.C.8. The Permittee shall comply with the 40 CFR § 264 Subpart BB waste determination procedures, as required by IDAPA 58.01.05.008 [40 CFR § 264.1063(d) and (e)].

II.C.9. The Permittee shall comply with the 40 CFR § 264 Subpart CC waste determination procedures, as required by IDAPA 58.01.05.008 [40 CFR § 264.1083].

II.D. SECURITY PROCEDURES

The Permittee shall comply with the Security Provisions of IDAPA 58.01.05.008 [40 CFR § 264.14] and the MFC site-specific, security measures, described in Permit Attachment 3.

II.E. INSPECTION PLAN

The Permittee shall comply with Inspection Schedules and Logs included in the Inspection Plan, Permit Attachment 4. The Permittee shall comply with the inspection provisions of IDAPA 58.01.05.008 [40 CFR § 264.15], and as follows:

II.E.1. The Permittee shall maintain the inspection records and results, in accordance with Permit Condition I.Z.1.d. The Permittee shall record inspections on the Inspection Log Sheet (included in Permit Attachment 4) or an equivalent, approved log sheet, 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 (not just initials);
- A notation of the observations made; and
- The date and nature of any repairs or other remedial actions.

II.E.2. The Permittee shall perform a weekly inspection once each calendar week and a monthly inspection once each calendar month. Weekly inspections will have a minimum of 2 days between consecutive inspections, and monthly inspections will have a minimum of one week between consecutive inspections.

II.E.3. The Permittee shall open a remedial action in the remedial action log, and expeditiously remedy, as required by IDAPA 58.01.05.008 [40 CFR § 264.15(c)], or on a schedule approved by the Director, or as specified elsewhere in this permit, any deterioration or malfunction discovered by an inspection. Where a hazard is imminent, or has already occurred, remedial action must be taken immediately.

II.E.4. The Permittee shall retain the Inspection Logs and Inspection Log Sheets required by Permit Condition II.E.1 for at least three (3) years from the date of the inspection, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.73(b)(5)] and Permit Condition I.Z.1.d.

II.F. TRAINING PLAN

II.F.1. The Permittee shall comply with the Personnel Training Plan, included in Permit Attachment 5, and in accordance with IDAPA 58.01.05.008 [40 CFR § 264.16], until each HWMU is closed and certified.

II.F.2. The Permittee shall conduct personnel training, and ensure that all personnel who handle HW/MW are trained in HW/MW management, safety, and emergency procedures, as applicable to their job description, in accordance with IDAPA

58.01.05.008 [40 CFR § 264.16], and the Personnel Training Plan included as Permit Attachment 5.

II.F.3. The Permittee shall maintain the Personnel Training Plan in Permit Attachment 5, and documentation of personnel training received, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.16(e)] and Permit Condition I.Z.1.e.

II.F.4. The Permittee shall maintain at the Facility a copy of the Personnel Training Plan included as Permit Attachment 5, in accordance with Permit Condition I.Z.1.a as specified in IDAPA 58.01.05.008 [40 CFR § 264.16], until the facility is fully closed and certified.

II.G. PREPAREDNESS AND PREVENTION

The Permittee shall comply with the preparedness and prevention procedures included as Permit Attachment 6, in accordance with IDAPA 58.01.05.008 [40 CFR 264 Subpart C] and as follows:

II.G.1. The Permittee shall operate each HWMU so as to minimize the possibility of a fire, explosion, or sudden or non-sudden releases to the air, soil, groundwater or surface water that could threaten human health or the environment, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.31] and Permit Attachment 6.

II.G.2. The Permittee, at a minimum, shall test and perform preventative maintenance and repair of the facility emergency equipment, safety devices, and miscellaneous equipment included in the Permit Attachments, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.33] and the manufacturer's specifications. The Permittee shall maintain records of these preventative maintenance and repair activities on this equipment, and schedules reflecting minimum and planned performance of these preventative maintenance activities in the Facility Operating Record, in accordance with Permit Condition I.Z.1.c and II.J.

II.G.3. Radioactive Scrap and Waste Facility-Specific Requirements:

II.G.3.a. The integrity of the Radioactive Scrap and Waste Facility (RSWF) Cathodic Protection System shall be protected during all waste placement/removal operations.

II.G.3.b. In the event that the RSWF Cathodic Protection System is damaged or discovered to be damaged during waste placement operations, or any other facility operations, the Permittee shall:

- Provide an oral report to the Director at the time the damage is discovered.
- Initiate repairs within twenty-four (24) hours, and
- Submit a report to the Director summarizing the date, cause, and nature of damage to the Cathodic Protection System and the measures taken to both correct the damage and prevent a reoccurrence of same, within seven (7) days of the completion of repairs.

II.G.4. Required Equipment:

At a minimum, the Permittee shall maintain at the facility the equipment set forth in the Contingency Plan, Permit Attachment 7, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.32].

II.G.4.a. Firefighting equipment shall include, but not be limited to, sodium chloride, soda ash, or suitable dry firefighting formulations (e.g., Met-L-X) for when water-reactive metallic wastes are stored in a HWMU.

II.G.5. The requirement for water for firefighting, as specified in IDAPA 58.01.05.008 [40 CFR § 264.32(d)], is waived at the RSWF, RSWF SSA, NFA, SCMS, and SSB, if and only if a portion of the waste in storage is water-reactive.

II.G.6. Access to Communication and Alarm Systems:

The Permittee shall maintain access to the communications and alarm systems, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.34], and Permit Attachment 6.

II.G.7. Required Aisle Space:

The Permittee shall maintain the aisle width and space as necessary to:

- Allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in case of an emergency, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.35], National Fire Protection Association (NFPA) 101 Life Safety Code, and as described in Permit Attachment 6;
- Facilitate proper inspection of equipment and waste containers plus adequate spacing for visual inspection between containers as described in Permit Attachment 1 ;
- For ingress and egress into and out of the HWMU (a minimum of 3 ft aisle space shall be maintained);.

II.G.8. Arrangements with Local Authorities:

The Permittee shall maintain arrangements with state and local authorities, as required by IDAPA 58.01.05.008 [40 CFR § 264.37] and Permit Attachment 7. If state or local officials refuse to enter into preparedness and prevention arrangements with the Permittee for a given HWMU, the Permittee must document this refusal in the Operating Record for the excluded unit.

II.H. CONTINGENCY PLAN

The Permittee shall comply with the Contingency Plan provisions of IDAPA 58.01.05.008 [40 CFR 264 Subpart D, Contingency Plan and Emergency Procedures] and as follows:

II.H.1. The Permittee shall comply with the Contingency Plan included in Permit Attachment 7.

II.H.2. The Permittee shall immediately carry out the provisions of the contingency plan whenever there is a fire, explosion, or release of HW/MW or HW/MW constituents which could threaten human health or the environment.

II.H.3. The Permittee shall notify the Department by calling the Idaho Emergency Communication Center's 24-hour phone number (1-800-632-8000), as soon as practical, but in no event more than twenty-four (24) hours after the discovery of any release of hazardous waste or hazardous waste constituents that may pose an immediate threat to the personnel or the environment, or that requires the Permittee to take corrective action to mitigate the effects of the release, including implementing the Contingency Plan included in Permit Attachment 7.

II.H.3.a. Releases requiring such notification shall include, but are not limited to, incidents such as personnel exposure or contamination for which outside medical attention is sought; storm events that result in run off leaving the active areas of the site; or any fire or explosion at the site that requires use of emergency equipment to extinguish or control the fire.

II.H.4. The Permittee shall review and immediately amend, as necessary, the Contingency Plan, upon occurrence of the following events:

II.H.4.a. This Permit is revised;
II.H.4.b. The Contingency Plan fails in an emergency;
II.H.4.c. The Permittee changes the facility design, construction, operation, maintenance, or other circumstances in a way that materially increases the potential for fires, explosions, or releases of HW/MW or HW/MW constituents, or changes the response necessary in an emergency;
II.H.4.d. The list of emergency coordinators changes; or
II.H.4.e. The list of emergency equipment changes.

II.H.5. Any amendment to the Contingency Plan shall be subject to the requirements of IDAPA 58.01.05.012 [40 CFR §§ 270.41 and 270.42].

II.H.6. The Permittee shall assure that a trained Emergency Coordinator is available at all times in case of an emergency, as required by IDAPA 58.01.05.008 [40 CFR 264.55].

II.H.7. The Permittee shall submit a copy of the Contingency Plan, and all revisions to the plan, 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(b)].

II.H.8. The Permittee shall document in the Facility Operating Record the time, date, and details of any incident that requires implementing the Contingency Plan. Within 15 days after the incident, the Permittee shall submit a written report on the incident to the Director, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.56(i)] and Permit Attachment 7. The report shall include, at a minimum, the items in Permit Condition I.T.3.

II.I. MANIFEST SYSTEM

II.I.1. The Permittee shall follow the procedures for using the manifest system and identifying and resolving manifest discrepancies, in accordance with IDAPA 58.01.05.008 and 58.01.05.012 [40 CFR §§ 264.71, 264.72, 264.76, and § 270.30(l)(7)] and the Waste Analysis Plan, included as Permit Attachment 2.

II.I.2. Manifest Discrepancy Report:

If a significant discrepancy in a manifest is discovered, the Permittee must attempt to reconcile the discrepancy. If not resolved within 15 days, the Permittee must submit a letter report, including a copy of the manifest, to the Director, in accordance with IDAPA 58.01.05.008 and 58.01.05.012 [40 CFR §§ 264.72 and 270.30(l)(7)].

II.I.3. Unmanifested Waste Report:

The Permittee shall submit an unmanifested waste report to the Director, in accordance with IDAPA 58.01.05.008 and 58.01.05.012 [40 CFR §§ 264.76 and 270.30(l)(8)], within 15 calendar days of receipt of unmanifested waste.

II.J. RECORDKEEPING AND REPORTING

In addition to the recordkeeping and reporting requirements specified elsewhere in this Permit, the Permittee shall comply with the following:

II.J.1. Operating Record:

The Permittee shall maintain a written Operating Record at the facility, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.73(a)], for all records identified in IDAPA 58.01.05.008 [40 CFR §§ 264.73(b)(1)-(b)(16)], as modified by Permit Condition I.Z.

II.J.2. Waste Minimization Certification:

The Permittee shall, by March 1 of each year, document in the Operating Record a Waste Minimization Certification by the Permittee, pursuant to IDAPA 58.01.05.008 [40 CFR § 264.73(b)(9)], that the Permittee has a program in place to reduce the volume and toxicity of hazardous waste generated by the Permittee, to the degree determined by the Permittee to be economically practicable; and the proposed method of treatment, storage, or disposal is the most practicable method or combination of methods currently available to the Permittee, which minimizes the present and future threat to human health and the environment.

II.J.3. Biennial Report:

The Permittee shall, by March 1 of each even numbered year, submit to the Director a biennial report covering the facility activities pursuant to IDAPA 58.01.05.008 [40 CFR § 264.75(a) through (j)].

II.J.4. Land Disposal Restriction Notices:

The Permittee shall comply with the Land Disposal Restriction notification requirements in IDAPA 58.01.05.011 (40 CFR §§ 268.7 and 268.9).

II.J.5. The Permittee shall retain all hazardous waste management records, and make such records available to the Director (at reasonable times) for inspection, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.74(a)].

II.J.6. The Permittee shall maintain the certification required by IDAPA 58.01.05.008 [40 CFR § 264.196(f), until closure is complete and certified and approved by the Director.

II.J.7. The retention period for all records required by this Permit is extended automatically during the course of any unresolved enforcement action regarding the Permittee or as directed by the Director, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.74(b)].

II.J.8. All reports, notifications, applications, or other materials required to be submitted to the Director shall be submitted in accordance with Permit Condition I.Y.

II.K. COMPLIANCE SCHEDULE

II.K.1. In the event that the Federal Facilities Agreement/Consent Order (FFA/CO) is vacated, the Permittee shall submit to the Director the following Tables within thirty (30) calendar days:

II.K.1.a. Table 3 shall identify all Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs) with potential or suspected releases of hazardous constituents. Table 3 shall, at a minimum, identify those SWMUs and AOCs which are currently being investigated, or will be the subject of future investigations under the FFA/CO.

II.K.1.b. Table 4 shall identify those SWMUs and AOCs with known releases of hazardous waste or hazardous constituents to the environment.

II.K.1.c. Table 5 shall identify those SWMUs and AOCs for which a “No Further Action” determination has been accepted by all the parties to the FFA/CO.

II.K.1.d. Any/all SWMUs and AOCs identified under the FFA/CO, or any facility operating documents shall be included in Table 3, Table 4, or Table 5.

II.K.2. The Permittee shall submit updated Table 3, Table 4, and Table 5, to the Director, on or before the anniversary of the date identified in Permit Condition II.K.1. A narrative shall accompany the updated tables which explains the revisions, i.e.:

II.K.2.a. Any newly identified SWMUs and AOCs;

II.K.2.b. Additional “No Further Action Determinations” for SWMUs and AOCs previously identified in Table 3 or Table 4.

II.K.2.c. Confirmation of releases of hazardous constituents which shift a SWMU or AOC from Table 3 to Table 4.

II.L. CLOSURE

The previously closed HWMUs at MFC are listed in Table 2. Closed HWMA/RCRA Units at MFC.

II.L.1. Closure Performance Standard:

The Permittee shall meet the general closure performance standard, as specified in IDAPA 58.01.05.008 [40 CFR § 264.111] and Permit Attachment 8, during closure of any HWMUs at MFC.

II.L.2. For all HWMUs, minor deviations from the permitted closure procedures necessary to accommodate proper closure shall be described in a narrative form with the closure certification statements. The Permittee shall describe the rationale for implementing minor changes as part of this narrative report. Within 60 calendar days after completion of closure of each HWMU, the Permittee shall submit the closure certification statements and narrative report to the Director.

II.L.3. The Permittee shall perform a hazardous waste determination on all solid waste generated during closure including, but not limited to, contaminated process equipment, building components, tanks and ancillary equipment, scrap metal, etc., in accordance with IDAPA 58.01.05.006 [40 CFR § 262.11] and Permit Attachment 2.

II.L.4. Amendment of Plan:

The Permittee shall amend the Closure Plan, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.112(c)], and Permit Attachment 8, whenever necessary, by submitting a written request for a permit modification to the Director, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.42].

II.L.5. Notification of Partial or Final Closure:

The Permittee shall notify the Director in writing at least forty-five (45) calendar days prior to the date the Permittee expects to begin closure of any HWMU (partial closure), in accordance with IDAPA 58.01.05.008 [40 CFR §§ 264.178, 264.228 and 264.310]. The Permittee shall expect to begin closure no later than 30 days after the date on which the HWMU receives the known final volume of HW/MW, or no later than one year after the date on which the HWMU received the most recent volume of HW/MW.

II.L.6. Removal of Wastes and Decontamination or Dismantling of Equipment.

The Permittee may remove hazardous wastes and decontaminate or dismantle equipment in accordance with the this closure plan at any time before or after notification of partial or final closure, in accordance with IDAPA 58.01.05.008 [40 CFR §

264.112(e)]; however, the Permittee shall have the burden of proof to demonstrate that the closure performance standard was met.

II.L.7. Time Allowed for Closure:

The Permittee shall treat or remove from the HWMU all HW/MW and complete closure within 90 days after receiving the final volume of HW/MW at a HWMU, or within the time limits specified in the Closure Plan and in accordance with the Closure Plan, included as Permit Attachment 8.

II.L.8. Disposal or Decontamination of Equipment, Structures, and Soils:

The Permittee shall decontaminate or dispose of all facility equipment, structures, and soils, as specified in the Closure Plan, included as Permit Attachment 8.

II.L.9. Extension for Closure Time

All requests for extension of the closure time, justification for the extension, and the revised schedule shall be submitted to the Director for approval.

II.L.10. Certification of Closure:

The Permittee shall provide narrative reports and certification statements attesting that each HWMU at the facility has been closed in accordance with the applicable specifications in the Closure Plan, included as Permit Attachment 8, as required by IDAPA 58.01.05.008 [40 CFR § 264.115].

II.L.11. In the event that any HWMU cannot be closed by removing hazardous waste, hazardous constituents, contaminated subsoil, and any contaminated ground water (i.e., clean-closed) as specified in Permit Condition II.L.1, the Permittee shall revise the facility Closure Plan to include a Post-Closure Plan for that HWMU. The Permittee shall submit to the Director the Post-Closure Plan for that HWMU, as a permit modification request, within 90 calendar days of the date that the Director notifies the Permittee in writing that the unit must be closed as a landfill, in accordance with IDAPA 58.01.05.008 and 58.01.05.012 [40 CFR §§ 264.118(a) and 270.42, Appendix I].

II.M. EQUIVALENT MATERIALS/INFORMATION

II.M.1. If administrative information (such as names, phone numbers, addresses) are specified in this Permit, the Permittee is hereby authorized to revise said lists provided the substitute has completed all requisite training prior to assuming responsibility. Such administrative changes shall not be considered a modification of this Permit and the change shall be documented in the administrative record. The format of tables, forms, and figures are not subject to the requirements of this Permit and may be revised at the Permittee's discretion.

Equipment replacement/maintenance or upgrade with functionally equivalent components (e.g., valves, pumps, controls, etc.), which do not require a change to the

permit conditions, permit attachments, or drawings, will be completed and documented under the work control process as maintenance activities under Permit Condition II.A.1., and do not require a modification of the Permit.

II.M.2. If the Department determines that the substitution was not equivalent or superior 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.N. CLOSURE COST ESTIMATE AND FINANCIAL ASSURANCE

The Permittee, as a federal facility, is exempt from the closure cost estimate and financial assurance requirements, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.140(c)].

II.O. LIABILITY REQUIREMENTS

The Permittee, as a federal facility, is exempt from the liability coverage for sudden and accidental occurrence requirements, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.140(c)].

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MODULE III – CONTAINER STORAGE AND TREATMENT

III.A. PERMITTED CONTAINER STORAGE and/or TREATMENT AREAS

Subject to the terms of this Permit, the Permittee may store and/or treat HW/MW, including debris waste, specified in Permit Condition III.B, in the following hazardous waste container storage and/or treatment areas:

III.A.1. Hot Fuel Examination Facility (HFEF)

Unit Name	**Hot Fuel Examination Facility (HFEF)**	**Building No.**	**MFC-785**
Unit Type	**Container Storage, Container Treatment**		
Process Codes	**S01, T04**		
Description	**HFEF:** The HFEF is a 62,000 square foot, three-story building with five designated HWMUs, one transfer area, and one staging area. The HW/MW management areas in the HFEF are described below. **High Bay Area (HBA):** The HBA is 68 ft wide by 154 ft long and extends over the main cell, the decontamination cell, and truck lock. In addition, located in the HBA is a mezzanine on the roof of the HRA that is approximately 45 ft wide by 63 ft long. A portion of these areas are used for HW/MW container storage [5,500 gal maximum]. **Hot Repair Area (HRA):** The HRA is located on top of the main and decon cells within the HBA. The HRA is an enclosed single-story area with approximate dimensions of 65-ft long by 44-ft wide by 21-ft high. This area is used for HW/MW container/debris storage, verification, repackaging, and treatment [880 gal maximum]. **Decontamination Cell/Spray Chamber (DC):** The DC is a heavily shielded cell, 20 ft long by 30 ft wide by 25 ft high on the inside, located directly below the HRA, and is an extension of the main cell (not used for HW/MW) separated by a concrete shield wall. The floor is lined with stainless steel, and walls are lined with carbon steel coated with epoxy paint to 13.5 ft. One of the work stations is equipped with a spray chamber consisting of a 7.75 ft by 9.5 ft by 12 ft high, sealed stainless steel enclosure. The water spray system is not used in the spray chamber when HW/MW is inside. The DC is used for HW/MW container/debris storage, verification, repackaging, and treatment. **Miscellaneous Equipment and Storage Area (MESA)** **Waste Characterization Chamber (WCC) /Transfer Room (TR) including Sample Preparation (SP) Glovebox and Equipment Repair (ER) Glovebox:** The WCC is a metal-framed enclosure, 16 ft long by 8.5 ft wide by 8 ft high, inside the Operations Room. The TR is directly below the WCC to provide WCC access to waste containers. The WCC/TR is used for HW/MW container storage, verification, repackaging, and treatment.		

Unit Name	Hot Fuel Examination Facility (HFEF)	Building No.	MFC-785
	The SP glovebox is located on the east mezzanine of the Operations Room and is connected to a port on the east end of the WCC. It is an L-shaped structure that is approximately 6.7-ft high. The north-south leg of the 6.25-ft long by 2.8-ft wide, and the east-west leg is approximately 12.2-ft long by 2.8- to 4-ft wide. The ER glovebox, connected to a port on the top of the WCC, is located in the Equipment Room on the HRA/Operations Room roof. It is approximately 16-ft long by 3.8-ft wide by 9-ft high. **Preparation Room (PR):** The PR is located in the northeastern portion of the HBA and is 56 ft long by 14 ft wide by 17 ft high. This area is used for HW/MW container storage.		
Capacity	**Container Storage:** 10,725 gal total **HFEF HBA:** 5,500 gal **HFEF HRA:** 880 gal **HFEF DC/Spray Chamber:** 385 gal **HFEF WCC/TR:** 440 gal **HFEF PR:** 3,520 gal **Container Treatment:** 440 gal/day		
Other	The HFEF has a non-HWMA permitted staging area and a non-HWMA permitted transfer area used for short-term receiving and transferring of HW/MW**.**		
Notes	The HFEF has been permitted for storage and treatment since December 1999.		

III.A.2. Sodium Components Maintenance Shop (SCMS)

Unit Name	Sodium Components Maintenance Shop (SCMS)	Building No.	MFC-793, 793C, & 793G
Unit Type	**Container Storage, Container Treatment**		
Process Codes	**S01, T04**		
Description	**SCMS:** The SCMS consists of a total of four (4) designated areas used for permitted HW/MW container storage, verification, repackaging and/or treatment as described below. **MFC-793 High Bay:** The High Bay is an insulated, prefabricated, steel-frame building, 66 ft long by 39 ft wide with a 38 ft ceiling. The epoxy-coated floor is curbed and sloped for drainage. The High Bay is used for HW/MW container storage, repackaging, and/or treatment. **MFC-793 Low Bay:** The Low Bay is a self-supporting, prefabricated, insulated, steel-frame building, 48 ft long by 24 ft wide with a 14 ft ceiling on the low side of the low bay, and an epoxy-coated floor, adjacent to the MFC-793 High Bay. The Low Bay Area consists of an annex and a Low Bay Pit		

Unit Name	Sodium Components Maintenance Shop (SCMS)	Building No.	MFC-793, 793C, & 793G
	area. The Low Bay Pit contains the scrubber water tank. The Low Bay is used for HW/MW container storage, repackaging, and/or treatment. **MFC-793C:** MFC-793C is a prefabricated, metal building, 40 ft long by 30 ft wide, with a 16 ft eave, and a concrete floor that slopes to two (2) concrete sumps in the center. The building also has an 8 ft by 10 ft by 20 ft deep storage pit constructed of reinforced concrete. The building is used for HW/MW container storage, verification, repackaging and/or container treatment. A soft-sided containment enclosure tent constructed of National Fire Protection Association (NFPA)-701 compliant fire-retardant or noncombustible materials may be located inside the building. The tent provides additional contamination control and containment when opening mixed waste containers during verification, repackaging, examination, and/or treatment activities. To provide for operational flexibility the containment enclosure may be installed inside the building or may be removed altogether. **MFC-793G:** MFC-793G is an insulated, metal storage shed, 25.5 ft long by 13 ft wide, with 15 ft walls, concrete floors, and an overhead roll-up door. It is used for HW/MW container storage.		
Capacity	**SCMS Container Storage:** 24,640 gal, **MFC-793 Container Storage:** 7,040 gal **MFC-793C Container Storage:** 14,080 gal **MFC-793G Container Storage:** 3,520 gal **SCMS Container Treatment:** 880 gal/day **MFC-793 Container Treatment:** 440 gal/day **MFC 793C Container Treatment:** 440 gal/day		
Notes	The SCMS has been permitted for treatment and storage since January 2001.		

III.A.3. Sodium Storage Building (SSB)

Unit Name	Sodium Storage Building (SSB)	Building No.	MFC-703
Unit Type	**Container Storage**		
Process Code	**S01**		
Description	**SSB:** The SSB is a prefabricated steel frame building with uninsulated metal wall and roof panels, 100 ft long by 50 ft wide with a nominal 12 ft eave height. The building is on a reinforced-concrete slab. The SSB is used for HW/MW container storage.		
Capacity	**Container Storage:** 48,000 gal		
Notes	The SSB has been permitted for storage since December 1999.		

III.A.4. RSWF Staging/Storage Area

Unit Name	**RSWF Staging/Storage Area**	**Building No.**	**NA**
Unit Type	**Container Storage**		
Process Code	**S01**		
Description	**RSWF Staging/Storage Area:** The RSWF staging/storage area is an asphalt pad area, 200 ft long by 100 ft wide. The area is enclosed entirely by a 9-ft chain link fence. A gate off the main access road allows vehicles to enter or exit from the southeast side, and with its double gates vehicles may also enter or exit onto the main access road at the northeast side. The RSWF staging/storage area is used for RHMW and HW/MW container storage of solid debris only, no free liquids.		
Capacity	**Container Storage:** RSWF Staging/Storage Area: 333 m^3 (88,000 gal)		
Notes	The RSWF Staging/Storage Area has been permitted for storage since October 2017.		

III.A.5. North Fenced Area

Unit Name	**North Fenced Area**	**Building No.**	**NA**
Unit Type	**Container Storage**		
Process Code	**S01**		
Description	**NFA:** The NFA is an asphalt pad area, 200 ft long by 100 ft wide. The area is enclosed entirely by a 9-ft chain link fence. Two gates off the main access road allow vehicles to enter or exit from the southwest side. The NFA is used for RHMW and HW/MW container storage of solid debris only, no free liquids.		
Capacity	**Container Storage:** NFA: 333 m^3 (88,000 gal)		
Notes	The NFA has been permitted for storage since October 2017.		

III.B. PERMITTED AND PROHIBITED WASTES

The Permittee may only store or treat HW/MW that is identified in Permit Conditions III.B.1 through III.B.5. The Permittee may store and/or treat HW/MW subject to Permit Attachments 1 and 2, and as follows:

III.B.1. Hot Fuel Examination Facility (HFEF)

Unit Name	**Hot Fuel Examination Facility (HFEF)**	**Building No.**	**MFC-785**
Allowed Waste Types	Ignitable, corrosive, toxic metal, toxic organic, and listed waste. Solids, liquids, and debris are allowed.		
Hazardous Waste Codes	D001, D002, D003, D004-D011, D012-D043, F001-F009, F039, P005, P012, P022, P024, P027, P028,P030, P031, P056, P073, P077, P098, P104-P106, P113, P116, P119, P120, U003, U004, U007, U009, U012, U014, U019, U020, U032, U037, U044, U048, U052, U069, U079-U081, U083, U084, U102, U103, U108, U116, U118, U120, U122, U123, U127, U128, U131, U133-U135, U138, U140, U144, U145, U147, U151, U159, U162, U165, U169, U170, U171, U182, U188, U190, U191, U196, U201, U204, U207, U208, U210, U211, U215, U217-U220, U225-U228, U239, U328		
Process Codes:	S01, T04		
Maximum Volume	The maximum HW/MW volume for all the HFEF HWMA units combined is 10,725 gal, with the maximum mixed waste volume not to be exceeded for each storage unit, and set as follows: **HFEF HBA:** 5,500 gal **HFEF HRA:** 880 gal **HFEF DC/Spray Chamber:** 385 gal **HFEF WCC/TR Room:** 440 gal **HFEF PR:** 3,520 gal		
Activities Allowed	Storage, waste verification, repackaging, absorption of free liquids, neutralization, and solidification		
Types of Containers	Drums, cans and pails: 5 to 71-gal drums; 1 pint to 8-gal pails and cans; and 83 to 100-gal overpack drums. Securely closed (e.g., welded flanges) bubble pots, piping, pumps, heat exchangers, cold traps, nuclide traps, shipping vessels, transfer vessels, and process equipment may be used as containers. Bags may be used as containers subject to Permit Condition Permit Condition III.B.8.		
Secondary Containment Description	**HBA:** The HBA is not lined. Secondary containment is accomplished by storing the containers in or on secondary containment devices [i.e., spill pallets, fabricated spill pans, fabricated overpacks, or SWBs]. **HRA:** The HRA is not lined. Secondary containment is accomplished by storing the containers in or on secondary containment devices (i.e., spill pallets, fabricated spill pans, fabricated overpacks, or SWBs).		

Unit Name	Hot Fuel Examination Facility (HFEF)	Building No.	MFC-785
	DC: The cell floor is lined with stainless steel and the walls are lined with carbon steel, which is coated with epoxy paint to a height of 13.5 ft above the cell floor. **WCC:** It has an inner surface constructed of 304 stainless steel that is 0.135-in. thick on the top and sides, and 0.375-in. thick on the bottom. The WCC has four handling stations on the front surface, each with two glove ports and a window (0.5-in. thick) constructed of Lexan™. Additional windows and glove ports are located on all sides of the HFEF WCC. Portal openings on the bottom surface of the enclosure provide access for waste containers. **Transfer Room:** A 42-in. high stainless-steel wainscot is installed on the walls of the TR. The floor is steel beam and covered with 0.375-in. thick sheets of carbon steel. A 2-in. high carbon-steel curb is maintained at the exterior walls. The floor and curb are seal-welded at the seams and edges to form a secondary containment. Secondary containment is also accomplished by storing the containers in or on secondary containment devices (i.e., spill pallets, fabricated spill pans, fabricated overpacks, or SWBs). **HFEF Preparation Room:** The floor is steel beam and covered with 0.375-in. thick sheets of carbon steel. A 2-in. high carbon-steel curb surrounds the room at the walls and two exterior doorways. The floor and curb are seal-welded at the seams and edges to form a secondary containment. A 42-in. high stainless-steel wainscot is installed on the walls. Secondary containment is also accomplished by storing the containers in or on secondary containment devices (i.e., spill pallets, fabricated spill pans, fabricated overpacks, or SWBs).		
Notes	Containers (drums or boxes) may only be stacked two high. Bagged waste shall not be stacked. No stacking of containers with free liquids is allowed.		

III.B.2. Sodium Components Maintenance Shop (SCMS) including MFC-793C and G

Unit Name	Sodium Components Maintenance Shop (SCMS)	Building No.	MFC-793, MFC-793C and MFC-793G
Allowed Waste Types	Ignitable, reactive, corrosive waste, toxic metal waste, toxic organic, listed waste, reactive Na metal waste, and reactive NaK metal waste. Solids, liquids, and debris are allowed.		
Hazardous Waste Codes	D001, D002, D003, D004-D011, D018, D019, D021, D022, D026-D030, D032-D040, D042, D043, F001 –F007, F009, U134.		
Process Codes	S01, T04		

Unit Name	**Sodium Components Maintenance Shop (SCMS)**	**Building No.**	**MFC-793, MFC-793C and MFC-793G**
Maximum Volume	The maximum HW/MW volume for all the SCMS HWMUs combined is 24,640 gal, with the maximum mixed waste volume not to be exceeded for each storage unit, and set as follows: **High Bay Area:** 5,280 gal **Low Bay Area:** 1,760 gal **Building 793 C:** 14,080 gal **Buildings 793 G:** 3,520 gal		
Activities Allowed	Storage, waste verification, repackaging, absorption of free liquids, deactivation of ignitables and reactives, melt and drain, neutralization, solidification, and water washing/spraying		
Types of Containers	Drums, cans and pails: 5 to 71-gal drums, 1 pint to 8-gal pails and cans, and 83 to 100-gal overpack drums. Securely closed (e.g., welded flange) bubble pots, piping, pumps, heat exchangers, cold traps, nuclide traps, shipping vessels, transfer vessels, and process equipment may be used as containers. Bags may be used as containers subject to Permit Condition Permit Condition III.B.8.		
Secondary Containment Description	**High Bay Area:** The concrete floor has a 2-in. high curb, is sealed with corrosion–resistant epoxy paint, and is sloped toward two floor drains that are routed, through secondarily contained piping, to the Low Bay Pit (in the Low Bay). A valve installed the floor drain line directs waste to the Low Bay Pit or a collection container located in the Low Bay Pit. Secondary containment is also accomplished by storing the containers in or on secondary containment devices (i.e., spill pallets, fabricated spill pans, fabricated overpacks, or SWBs). **Low Bay Area/Low Bay Pit:** The low bay area concrete floor is painted with an epoxy coating; however, the epoxy floor is not maintained as the secondary containment. Secondary containment is accomplished by storing the containers in or on secondary containment devices (i.e., spill pallets, fabricated spill pans, fabricated overpacks, or SWBs). The Low Bay contains the Low Bay Pit, which serves as the secondary containment for SCMS tanks used for HW/MW treatment and storage (water wash vessel, carbonation vessel, and the scrubber water tank) (see Permit Condition IV.B), or for using a collection container. The floor inside the pit is sealed with a waste-compatible epoxy coating and it is sealed with a waste-compatible epoxy coating and it is sloped toward a sump in the NE corner of the pit floor. The pit can be pumped into containers or to the carbonate retention vessel as appropriate. The exterior pit walls are coated with waterproofing. The Low Bay Pit can contain approximately 438 gal. **Building 793 C:** The floor is epoxy-coated reinforced concrete. The epoxy floor is not maintained as the secondary containment. The		

Unit Name	Sodium Components Maintenance Shop (SCMS)	Building No.	MFC-793, MFC-793C and MFC-793G
	secondary containment is accomplished by storing the containers in or on secondary containment devices (i.e., spill pallets, fabricated spill pans, fabricated overpacks, or SWBs). **Buildings 793 G:** The floor is reinforced concrete that is not maintained as secondary containment. The secondary containment is accomplished by storing the containers in or on secondary containment devices (i.e., spill pallets, fabricated spill pans, fabricated overpacks, or SWBs).		
Notes	Containers (drums or boxes) may only be stacked two high. Bagged waste shall not be stacked. No stacking of containers with free liquids is allowed.		

III.B.3. Sodium Storage Building (SSB)

Unit Name	Sodium Storage Building (SSB)	Building No.	MFC-703
Allowed Waste Types	Ignitable, reactive, toxic metal, toxic organic, listed waste, Na, NaK, radioactive and non-radioactive waste. Solids, liquids, and debris are allowed.		
Hazardous Waste Codes	D001, D003, D004-D011, D018, D019, D021, D022, D026-D030, D032-D040, D042, D043, F001 –F007, F009, U134.		
Process Codes	S01		
Maximum Volume	48,000 gal		
Activities Allowed	Storage only		
Types of Containers	Drums, pails, and cans. Securely closed (e.g., welded flange) operational components, bubble pots, piping, pumps, heat exchangers, cold traps, nuclide traps, shipping vessels, transfer vessels, process equipment, and process vessels may be used as containers. Bags may be used as containers subject to Permit Condition III.B.8.		
Secondary Containment Description	The floor is reinforced concrete that is not maintained as secondary containment. The secondary containment is accomplished by storing the containers in or on secondary containment devices [i.e., spill pallets, fabricated spill pans, fabricated overpacks, or SWBs].		
Notes	Containers (drums or boxes) may only be stacked two high. Bagged waste or waste in soft-sided containers shall not be stacked. No stacking of containers with free liquids is allowed.		

III.B.4. RSWF Staging/Storage Area

Unit Name	**RSWF Staging/Storage Area**	**Building No.**	**NA**
Allowed Waste Types	Ignitable, reactive, toxic metal, toxic organic, listed waste, Na, radioactive and non-radioactive waste. Solids and debris are allowed.		
Hazardous Waste Codes	D001, D003, D004-D012, D018, D019, D021, D022, D026-D030, D032-D040, D042, D043, F001–F007, F009, P030, P098, P099, P106, U003, U103, U108, U134, U151.		
Process Codes	S01		
Maximum Volume	333 m^3 (88,000 gal)		
Activities Allowed	Storage only		
Types of Containers	Cargo containers, interim storage containers (ISCs), and DOT type containers.		
Secondary Containment Description	Containers contain only waste with no free liquids. Containers will be elevated (except for ISCs) to prevent direct contact with possible accumulated liquids and the waste containers within ISCs are elevated approximately 9-in above the floor of the ISC. The storage area is sloped or otherwise designed to drain and remove liquid resulting from precipitation.		
Notes	No stacking of containers is allowed.		

III.B.5. North Fenced Area

Unit Name	**North Fenced Area**	**Building No.**	**NA**
Allowed Waste Types	Ignitable, reactive, toxic metal, toxic organic, listed waste, Na, radioactive and non-radioactive waste. Solids and debris are allowed.		
Hazardous Waste Codes	D001, D003, D004-D012, D018, D019, D021, D022, D026-D030, D032-D040, D042, D043, F001 –F007, F009, P030, P098, P099, P106, U003, U103, U108, U134, U151.		
Process Codes	S01		
Maximum Volume	333 m^3 (88,000 gal)		
Activities Allowed	Storage only		
Types of Containers	Cargo containers, interim storage containers (ISCs), and DOT type containers.		
Secondary Containment Description	Containers contain only waste with no free liquids. Containers will be elevated (except for ISCs) to prevent direct contact with possible accumulated liquids and the waste containers within ISCs are elevated approximately 9-in above the floor of the ISC. The storage area is sloped or otherwise designed to drain and remove liquid resulting from precipitation.		
Notes	No stacking of containers is allowed.		

III.B.6. The Permittee shall store all debris in containers, tank systems or miscellaneous units. Debris is not a hazardous waste management unit type; it is a waste type.

III.B.7. Bags may be used to store hazardous waste, subject to Permit Condition III.B.8

III.B.8. The Permittee shall not store waste in a bag that, without treatment, is amenable for storage in the other approved containers (e.g., drum or box) identified in Attachment 1.

III.B.8.a. Bags shall be made of durable material, compatible with the waste being stored, secure and leak tight (i.e., taped, j-sealed, or heat sealed).

III.B.8.b. Bags shall only be used to store rigid waste (e.g., plywood, pallets, etc.) or non-rigid waste (e.g., personal protective equipment [PPE], radiological swipes, etc.) that do not contain Na, NaK, or liquids.

III.B.9. Plastic wrapping may only be used in conjunction with a component (for example) containing hazardous waste for contamination control, not as the primary container."

III.C. CONDITION OF CONTAINERS

III.C.1. If a container holding hazardous waste is not in good condition (e.g., cracked, torn, severe rusting, or apparent structural defects) or if it begins to leak, the Permittee shall transfer the hazardous waste from such container to a container that is in good condition, or otherwise manage the waste in compliance with the conditions of this Permit and IDAPA 58.01.05.008 [40 CFR § 264.171].

III.C.2. Wastes containing liquids must be stored in securely closed, rigid containers constructed of compatible materials.

III.C.3. Other types of containers shall be considered closed when they are sealed to the extent necessary to keep the hazardous waste and associated air emissions inside the container, even if the container is repositioned or tipped.

III.C.4. Containers shall have sufficient structural integrity to allow the Permittee to safely manage the container without ripping, denting or otherwise deforming.

III.C.5. Bags, may be used to store hazardous waste, subject to Permit Condition III.B.5.

III.C.6. Plastic wrapping may only be used in conjunction with a component (for example) containing hazardous waste for contamination control, not as the primary container.

III.C.7. The Permittee shall store wastes in containers at the MFC HWMUs in accordance with Permit Attachment 1.

III.D. COMPATIBILITY OF WASTE WITH CONTAINERS

III.D.1. The Permittee shall use a container made of or lined with materials which will not react with and are otherwise compatible with the HW/MW to be stored so that the ability of the container to contain the waste is not impaired, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.172].

III.D.2. In a case where an overpack container might be used to secure Na or NaK, the Permittee shall (through purging with argon or some other means) assure the annular space is void of potentially incompatible gasses, including, but not limited to, ambient air.

III.E. MANAGEMENT OF CONTAINERS

The Permittee shall keep all containers closed during storage and shall not open, handle, or store containers in a manner which may rupture the containers or cause them to leak, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.173].

III.F. SECONDARY CONTAINMENT SYSTEMS

The Permittee shall maintain all MFC HWMU secondary containment systems in accordance with IDAPA 58.01.05.008 [40 CFR § 264.175], and the attached plans and specifications, as contained in Permit Attachment 1.

III.F.1. The secondary containment at the MFC HWMUs may consist of spill pallets or pans, standard waste boxes, sumps, and/or lined rooms, as described in Permit Attachment 1, which are capable of containing 10% of the total volume of containers or 100% of the volume of the largest container stored within, whichever is greater.

III.F.2. Storage areas holding containers with no free liquids are not required to have secondary containment systems provided that (1) the storage area is sloped or otherwise designed and operated to remove precipitation; or (2) the containers are elevated or otherwise protected from contact with accumulated liquid, in accordance with IDAPA 58.01.05.008 [40 CFR §264.175(c)].

III.G. INSPECTION SCHEDULES AND PROCEDURES

The Permittee shall inspect the MFC HWMUs, in accordance with the Inspection Schedules contained in Permit Attachment 4, to detect leaking containers and deterioration of containers and/or the containment system caused by corrosion and other factors.

III.H. RECORDKEEPING

The Permittee shall document the results of all inspections and waste analyses performed in the Operating Record, in accordance with Permit Conditions I.Z.1 and II.J.

III.I. CLOSURE

The Permittee shall close the MFC HWMUs, in accordance with the procedures set forth in the respective plans in Attachment 8 and by Permit Condition II.L.

III.J. IGNITABLE OR REACTIVE WASTES

The Permittee shall take precautions to prevent accidental ignition or reaction of ignitable or reactive wastes by following the procedures specified in Permit Attachment 6.

III.K. INCOMPATIBLE WASTE

III.K.1. The Permittee shall not place incompatible wastes, or wastes and materials which are incompatible in the same container, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.177].

III.K.2. The Permittee shall not place hazardous waste or materials in an unwashed container that previously held an incompatible waste or material.

III.K.3. The Permittee shall not store a container holding HW/MW waste that is incompatible with any waste, or any materials stored nearby in containers, without separating these incompatible wastes or materials by protecting the wastes from commingling by means of a dike, berm, wall, or other device.

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MODULE IV – TANK SYSTEMS

IV.A. PERMITTED TANK SYSTEMS

Subject to the terms of this Permit, the Permittee may treat and/or store HW/MW, including debris, specified in Permit Condition IV.D, in the following hazardous waste treatment and/or storage tank systems, located and operated as described in Permit Attachment 1.

IV.A.1. Sodium Components Maintenance Shop (SCMS)

Unit Name	**Sodium Components Maintenance Shop (SCMS)**	**Building No.**	**MFC-793**
Unit Type:	**Tank Storage, Tank Treatment**		
Process Codes:	**SO2, TO1**		
Description:	**SCMS:** The SCMS has two (2) designated areas permitted for HW/MW tank storage and treatment: the High Bay and the Low Bay/Low Bay Pit. **High Bay:** The High Bay is a prefabricated, steel-frame building with insulated metal siding 66 ft long by 39 ft wide and 38 ft ceiling. The floor is curbed and sealed with epoxy coating, and is sloped for drainage to the Low Bay Pit. Tank systems located in the High Bay are the Water Wash Vessel and the Carbonation Vessel **6,112-gal Water Wash Vessel:** Vertical cylindrical tank, 12 ft high by 10 ft diameter (operational capacity 90 gal), Type-304 stainless steel **30-gal Carbonation Vessel:** Vertical cylindrical tank, 3 ft-3 in. high by 1 ft-6 in. diameter, stainless steel **Low Bay/Low Bay Pit:** The Low Bay is an insulated prefabricated, steel-frame, self-supporting building, 48 ft long by 24 ft wide. The tank system located in the Low Bay is the Scrubber Water Tank. The Low Bay Pit is located in the southwest corner of the Low Bay and has an epoxy coated floor slopping toward a 1.5 ft by 1.5 ft by 0.5 ft deep sump in the northeast corner of the pit floor. **350-gal Scrubber Water Tank:** Vertical cylindrical tank, 10.5 ft high by 3.6 ft diameter (operational capacity 300 gal); Type-304 stainless steel		
Capacity:	**Tank Storage:** 390 gal **Tank Treatment:** 1,188 gal/day **Water Wash Vessel:** 156 gal/day **Carbonation Vessel:** 1032 gal/day		
Notes:	These units have been permitted since January 2001.		

IV.B. PERMITTED AND PROHIBITED WASTE

The Permittee shall not treat or store HW/MW that is not identified in Permit Condition IV.B.1. The Permittee may store and/or treat HW/MW in tanks, subject to the terms of this Permit and as follows:

IV.B.1. Sodium Components Maintenance Shop (SCMS)

Unit Name	**Sodium Components Maintenance Shop (SCMS)**	**Building No.**	**MFC-793**
Allowed Waste Types:	**Water Wash Vessel:** Ignitable, reactive, corrosive and toxic metal waste/debris **30-gal Carbonation Vessel:** Corrosive and toxic metal wastes **350-gal Scrubber Water Tank:** Ignitable, reactive, corrosive, and toxic metal wastes		
Hazardous Waste Codes:	**Water Wash Vessel:** D001, D002, D003, D004-D011 **30-gal Carbonation Vessel:** D002, D004-D011 **350-gal Scrubber Water Tank:** D002, D004-D011		
Process Codes:	**Water Wash Vessel:** S02; T01 **30-gal Carbonation Vessel:** S02; T01 **350-gal Scrubber Water Tank:** S02; T01		
Maximum Volume:	**Water Wash Vessel:** 6,112 gal with a 90-gal operational capacity **30-gal Carbonation Vessel:** 30 gal **350-gal Scrubber Water Tank:** 300 gal		
Tank Construction Material:	**Water Wash Vessel:** Type SAE-304 stainless steel (10-gauge) **30-gal Carbonation Vessel:** Type SAE-304 stainless steel (10-gauge) **350-gal Scrubber Water Tank:** Type SAE-304 stainless steel (10-gauge)		
Activities Allowed:	Storage, deactivation of ignitables and/or reactives), melt and drain, neutralization, and water washing and spraying		
Secondary Containment System Description:	The concrete floor of the High Bay has a 2-in. high curb, is sealed with corrosion-resistant epoxy paint, and is sloped toward two floor drains that are routed, through secondarily-contained piping, to the Low Bay Pit (in the Low Bay). A valve is installed in the floor drain line that directs waste to the Low Bay Pit or a collection container located in the Low Bay Pit. The Low Bay Pit, located in the Low Bay is 17 ft by 13 ft and serves as the secondary containment for SCMS tanks used for HW/MW treatment and storage (water wash vessel, carbonation vessel, and the scrubber water tank). The floor is sloped and sealed with a corrosion-resistant epoxy paint to 0.5 ft above the floor of the Low Bay Pit. The floor of the pit is sloped to drain liquids to the 1.5 × 1.5 × 0.5-ft deep sump. The Low Bay Pit has a capacity of 438 gal.		

Unit Name	Sodium Components Maintenance Shop (SCMS)	Building No.	MFC-793
Notes:			

IV.C. SECONDARY CONTAINMENT

Prior to being put into service, any new secondary containment for HWMA/RCRA-regulated tanks shall be designed, constructed, and prepared for operation, in accordance with IDAPA 58.01.05.008 [40 CFR §§ 264.193 (b) through (f)], as specified in approved, detailed design, and this Permit.

IV.D. TANKS AND TANK SYSTEM INSTALLATION

IV.D.1. The Permittee shall install new tank systems and components (including secondary containment) and all associated ancillary equipment, as specified in approved, detailed design, and certified design assessment by a qualified Professional Engineer, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.191].

IV.D.2. In accordance with IDAPA 58.01.05.008 [40 CFR §§ 264.192(b)and(g)], the Permittee shall obtain, and keep on file at the Facility, written statements from an independent, qualified, installation inspector, or qualified Professional Engineer attesting that proper installation procedures, for all tanks systems and components, were used.

IV.D.3. The independent tank system installation inspection(s) required by Permit Condition IV.D.2 shall include, but not be limited to, inspection of the system for the presence of any of the following items:

- Weld breaks;
- Punctures;
- Scrapes and protective coatings;
- Cracks;
- Corrosion;
- Other structural damage or inadequate construction/installation.

IV.E. TANK SYSTEM OPERATING CONDITIONS

IV.E.1. The Permittee shall prevent spills and overflows from the SCMS Tank System using the procedures and equipment described in Permit Attachment 4 and this Permit.

IV.E.2. The Permittee shall not place hazardous wastes or treatment reagents in the SCMS Tank System if they could cause any tank, its ancillary equipment, or a containment system to rupture, leak, corrode, or otherwise fail.

IV.F. RESPONSE TO LEAKS OR SPILLS

IV.F.1. In the event of a leak or a spill from a tank system, or if a tank system becomes unfit for continued use, the Permittee shall remove the tank system from service immediately and complete the following actions:

IV.F.1.a. Stop the flow of hazardous waste into the tank system or secondary containment and inspect the system to determine the cause of the release.

IV.F.1.b. Remove waste and accumulated precipitation from the tank system or secondary containment within twenty-four (24) hours of detection of the leak, to prevent further release and to allow inspection and repair of the system. If the Permittee finds that meeting this time period will be impossible, the Permittee shall notify the Director and demonstrate that more time is required.

IV.F.1.c. If the collected material is a HWMA hazardous waste, it shall be managed in accordance with all applicable requirements of IDAPA 58.01.05.006 through .008 [40 CFR Parts 262 through 264]. The Permittee shall note that if the collected material is discharged through a point source to U.S. waters or to a POTW, it is subject to requirements of the Clean Water Act. If the collected material is released to the environment, it may be subject to reporting under 40 CFR Part 302.

IV.F.1.d. Contain visible releases to the environment. The Permittee shall immediately conduct a visual inspection of all releases to the environment and based on that inspection, complete the following:

- Prevent further migration of the leak or spill to soils or surface water, and
- Remove and properly dispose of any visible contamination of the soil or surface water.

IV.F.1.e. Close the system in accordance with the Closure Plan specified in Permit Attachment 8, unless the following actions are taken:

- For a release caused by a spill that has not damaged the integrity of the system, the Permittee shall remove the released waste and make any necessary repairs before returning the tank system to service.
- For a release caused by a leak from a primary tank system to a secondary containment system, the Permittee shall repair a primary tank system prior to returning it to service.
- For a release to the environment caused by a leak from an aboveground portion of the ancillary equipment that does not have secondary containment, the Permittee shall repair the tank system prior to returning it to service.
- If the Permittee replaces a component of the tank system to eliminate the leak, that component must satisfy the requirements for new tank systems or components in IDAPA 58.01.05.008 [40 CFR §§ 264.192 and 264.193].

IV.F.2. For all major repairs to eliminate leaks or restore the integrity of the tank system, the Permittee shall obtain a certification by a qualified Professional Engineer that the repaired system is capable of handling hazardous waste without release for the intended life of the system before returning the system to service. Record of such repairs shall be maintained in accordance with Permit Condition I.Z.1.c.

IV.G. INSPECTION SCHEDULES AND PROCEDURES

IV.G.1. The Permittee shall inspect the tank systems, in accordance with the Inspection Schedule specified in Permit Attachment 4, and shall comply with Permit Conditions IV.G.2 and IV.G.3, as part of those inspections.

IV.G.2. The Permittee shall inspect the overfill controls, in accordance with the timetable in the Inspection Schedule specified in Permit Attachment 4.

IV.G.3. The Permittee shall inspect the following (at a minimum) once each operating day, in accordance with Permit Attachment 4 [Section F-2(b)(2) and Permit Attachment F-3].

IV.G.3.a. Aboveground portions of the tank system(s) and ancillary equipment, to detect corrosion or releases of waste.

IV.G.3.b. Construction materials and the area immediately surrounding the externally accessible portion of the tank system, including the secondary containment system, piping, valves, and pumps, to detect erosion or signs of releases of hazardous waste.

IV.G.3.c. Data gathered from monitoring and leak detection input to ensure tank systems are being operated according to design.

IV.G.4. The Permittee shall document compliance with Permit Conditions IV.G.2 and IV.G.3 and place this documentation in the Operating Record for the MFC HWMU, as required by Permit Conditions I.Z and II.J.

IV.H. RECORDKEEPING AND REPORTING

IV.H.1. Releases from tanks totally contained within a secondary containment system need not be reported. However, said releases shall be recorded in the Operating Record required by Permit Conditions I.Z and II.J and shall include the date and time of the release, tank identification, the name and title of the employee documenting the release, the size and amount of the release, and all actions taken.

IV.H.2. The Permittee shall verbally report to the Director, within twenty-four (24) hours of detection, when a leak or spill from a tank system is released to the environment, in accordance with Permit Condition I.T.

IV.H.3. In addition to complying with the requirements of Permit Condition I.T, within thirty (30) calendar days of detecting a release to the environment from a tank system, the Permittee shall report the following to the Director:

IV.H.3.a. Likely route of migration of the release;

IV.H.3.b. Characteristics of the surrounding soil, including soil composition, geology, and hydrogeology, taking into account possible climatic effects on the soil characteristics.

IV.H.3.c. Results of any monitoring, sampling, or air dispersion modeling conducted in connection with the release;

IV.H.3.d. Proximity of downgradient drinking water, surface water, and populated areas; and

IV.H.3.e. Description of response actions taken or planned.

IV.H.4. The Permittee shall obtain, and keep on file in the Operating Records as specified in Permit Conditions I.Z and II.J, the written statements by those persons required to certify the design and installation of the tank system(s), as specified in Permit Condition IV.D.2, until the tank system is certified closed in accordance with Permit Condition II.L.

IV.H.5. In the event that a tank exceeds the maximum allowable capacity designated for that tank as specified in Permit Conditions IV.A and IV.B, the Permittee shall document in the Operating Record, required by Permit Condition II.J.1, the following information:

IV.H.5.a. The date and time of occurrence;

IV.H.5.b. The tank identification as specified in Permit Condition IV.B;

IV.H.5.c. Indicate whether the affected system was equipped with an automatic cutoff, and whether it was activated;

IV.H.5.d. Indicate if the tank(s) has a high-level alarm system, and whether it was activated; and

IV.H.5.e. Describe the operating control procedures that allowed the tank system to exceed the maximum capacity.

IV.H.6. The Permittee shall document compliance with Permit Conditions IV.H.2 and IV.H.3 by placing the documentation in the Operating Records for the HWMU, required by Permit Condition II.J.

IV.H.7. The Permittee shall submit, to the Director, all certifications of major repairs to correct leaks within seven (7) calendar days after returning the tank system to use.

IV.I. CLOSURE

The Permittee shall close the tank systems in accordance with the Closure Plan, included as Permit Attachment 8 and this Permit and all applicable requirements in IDAPA 58.01.05.008 and 58.01.05.012 [40 CFR §§ 264.111-264.115, and 270.14].

IV.J. SPECIAL TANK PROVISIONS FOR IGNITABLE/REACTIVE WASTES

The Permittee shall not place ignitable or reactive waste in the tank systems, unless the procedures specified in Permit Attachment 6 are followed.

MODULE V – MISCELLANEOUS UNIT STORAGE

V.A. PERMITTED MISCELLANEOUS UNIT STORAGE AREA

Subject to the terms of this Permit, the Permittee may store HW/MW, including debris waste, specified in Permit Condition V.B in the Radioactive Scrap and Waste Facility (RSWF). The RSWF is located north of the MFC compound perimeter and consists of approximately a four-acre fenced compound. Within the RSWF are approximately 1,320 carbon steel storage liners engineered for the storage of highly radioactive and characteristic hazardous mixed waste.

V.A.1. Radioactive Scrap And Waste Facility (RSWF)

Unit Name	**Radioactive Scrap and Waste Facility (RSWF)**	**Building No.**	**MFC-771**
Unit Type:	**Miscellaneous Unit Storage**		
Process Codes:	**S99**		
Description:	**RSWF:** The RSWF is 448 ft long by 388 ft wide, and consists of a fenced area used for the underground storage of remote-handled mixed waste with surface dose readings of 200 millirem (mR) or greater. The containment system in RSWF consists of rows of sealed carbon steel pipes, referred to as liners, buried vertically in the ground. The top of the liners protrude approximately 4 in. above ground. The waste is in containers placed inside these liners. Liners are placed in a grid of approximately 27 rows spaced approximately12 ft apart, and with about 50 liners in each row. There are three (3) primary sizes of liners with approximate dimensions as follows: • 16 in. diameter, 12.33 ft long and 10 ft long with a 19 in. baseplate welded to the liner bottom (generally used with the HFEF-5 inner containers); • 24 in. diameter, 13.67 ft long with a 26 in. baseplate welded to the liner bottom (generally used with the overpacked 16 in. liners containing "paint can" inner containers, that may be shielded with gravel between the can and the 16-in. liner); • 26 in. diameter, 13 ft long with a 28 in. baseplate welded to the liner bottom, and shielded with lead plugs [generally used with the Sodium Loop Safety Facility (SLSF) inner containers]; Nonstandard liners with approximate dimensions as follows: • 30 in. diameter liners, 15 ft long (used to repack the 24 in. liners) • One (1) liner that is 60 in. diameter, 10.8 ft long [used to store the Experimental Breeder Reactor-II (EBR-II) cold trap]		

Unit Name	Radioactive Scrap and Waste Facility (RSWF)	Building No.	MFC-771
	• Two (2) liners 48 in. diameter, 3.81 ft long (used to store the EBR-II nuclide traps)		
Capacity:	53,000 gal		
Notes:	The RSWF has been permitted since January 1994.		

V.B. PERMITTED AND PROHIBITED WASTE

The Permittee shall only store wastes which are mixed radioactive/hazardous wastes that are hazardous because of the characteristic waste codes at the RSWF.

V.B.1. RADIOACTIVE SCRAP AND WASTE FACILITY (RSWF)

Unit Name:	Radioactive Scrap and Waste Facility (RSWF)	Building No.	MFC-771
Allowed Waste Types:	Ignitable, reactive, and toxic metals		
Hazardous Waste Codes:	D001, D003, D004, D005, D006, D007, D008, D009, D010, D011		
Process Codes:	S99		
Maximum Volume:	53,000 gal (7,085 cubic feet)		
Liner Construction Material:	• 16 in. diameter: Schedule-10 and schedule-40 carbon steel • 24 in. diameter: Schedule-10 carbon steel • 26 in. diameter: 0.25 in.-thick carbon steel		
Inner Container Types Allowed:	Paint cans, HFEF-5 cans, SLSF cans. Some nonstandard containers are also used to store waste. They are the EBR-II primary cold trap and the EBR-II nuclide traps, which serve as containers for the waste; and a special container used to store the SLSF warm vapor trap. There are no details about the inner containers used in two (2) 16-in liners holding thermocouple rods and other rods from the decommissioning of the EBR-I reactor.		
Activities Allowed:	Storage only		
Corrosion Protection:	All the liners are protected by an impressed current cathodic protection system.		

V.B.2. Only mixed waste generated at the INL may be stored in the RSWF. The use of “process knowledge” (see definition) for waste characterization at the RSWF is authorized because of the extensive controls used in the generator processes, and the high gamma radiation fields associated with the waste materials.

V.B.3. The Permittee shall only store the wastes referenced in Permit Condition V.B.1 to a maximum volume of 53,000 gallons and as follows:

V.B.3.a. The storage of sodium-potassium alloy (NaK) is restricted to the existing waste in storage, which consists of approximately 1.5 pounds (0.5 kg) of NaK.

V.B.3.b. Storage of wastes containing free liquids, other than the NaK described at Permit Condition V.B.3.a, is prohibited in the RSWF.

V.C. MANAGEMENT OF CONTAINERS AND LINERS

V.C.1. All waste shall be packaged in containers prior to placement in a liner so that:

V.C.1.a. Containers shall be retrievable; and

V.C.1.b. Containers shall be constructed according to Permit Attachment 1.

V.C.2. If a waste container is dropped during handling, the waste container shall be returned to the generator or inspected for integrity prior to being sealed in a liner.

V.C.2.a. If the container is undamaged and the container contents have not shifted, as evidenced by contamination surveys, remote visual evaluation, and/or smear results, the container may be sealed in a liner.

V.C.2.b. If the container is damaged or the contents have shifted, the waste shall be repackaged and/or placed in a container in good condition, prior to the waste being returned to the RSWF and placed in a liner.

V.C.3. The Permittee shall store wastes, containerized in accordance with V.C.1, in liners constructed in accordance with Permit Attachment 1.

V.C.4. The Permittee shall initiate remedial measures within 24 hours of the detection of a significant increase in surface radiation levels (see definition) from any individual liner containing mixed waste. The remedial measures shall include, at a minimum:

V.C.4.a. The liner's contents shall be evaluated to determine if a cause for the radiation increase can be established.

V.C.4.b. If the cause of the increased radiation cannot be determined, then the liner shall be pulled for further evaluation.

V.C.4.c. The integrity of the liners shall be evaluated, remotely as appropriate, given "As Low as Reasonable Achievable" (ALARA) (see definition) concerns.

V.C.4.d. If the liner and container are intact, the container shall be overpacked by placing it in an appropriate liner.

V.C.4.e. If the liner integrity has been breached, the Contingency Plan shall be activated, as described in Permit Attachment 7.

V.C.4.f. In the event of a breached liner, the Permittee shall:

- Immediately notify the Director, in accordance with Permit Conditions I.T and II.H.3, and the Contingency Plan, as described in Permit Attachment 7.
- Test for contamination of soil around the breached liner;
- Evaluate the condition of all the liners in the RSWF through visual and radiation surveys; and
- Based on the test results, submit a revised Inspection Schedule to prevent additional liner failures, to the Director, for approval, within 45 calendar days of the discovery of the breached liner.

V.D. COMPATIBILITY OF WASTE WITH THE CONTAINERS AND LINERS

V.D.1. The Permittee shall assure that the ability of the inner container to contain the waste is not impaired, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.172].

V.D.2. The Permittee shall assure that the liner is compatible with the surrounding soils, the inner waste container, and the waste.

V.E. SECONDARY CONTAINMENT SYSTEMS

The Permittee shall fabricate, install, and maintain the liner systems in accordance with Permit Attachment 1 and as follows:

V.E.1. Liners shall be inspected internally for damage prior to waste placement operations.

V.E.2. Empty liners, which are found to contain liquids, shall not be utilized for waste storage until liquid is removed and the integrity of liner is inspected and confirmed.

V.F. INSPECTION SCHEDULES AND PROCEDURES

The Permittee shall inspect the RSWF storage area in accordance with the Inspection Protocols and Schedules, in Permit Attachment 4, to detect damage to the cathodic protection system, leaking liners and deterioration of containers, and the containment system caused by corrosion and other factors.

V.F.1. Facility electricians/engineers shall perform monthly preventative maintenance checks to determine if the rectifier efficiency is sufficiently protective.

V.F.2. The facility shall perform weekly inspections to check that the rectifiers have power (i.e., lights are on).

V.G. RECORDKEEPING

V.G.1. The Operating Record shall list the location and contents of each liner containing HW/MW at the RSWF. In addition, the Operating Record shall include the total quantity of HW/MW and the number of each liner type containing HW/MW at the RSWF.

V.G.2. The Permittee shall document the RSWF upgrades, results of all inspections, and waste characterizations performed in the Facility Operating Record, in accordance with Permit Condition II.J.

V.H. CLOSURE

V.H.1. At closure of the RSWF area, the Permittee shall remove all HW/MW and hazardous waste constituents from the liner system, and all contaminated soil and groundwater, in accordance with the procedures in the Closure Plan in Permit Attachment 8.

V.H.2. If necessary to comply with federal ALARA requirements, extension to the time allowed for closure shall be requested at least 30 days prior to the expiration of the 180-day time limit.

V.H.2.a. The Permittee shall submit quarterly closure status reports. These reports shall summarize the work completed in the past quarter; summarize the latest analytical data; update, as necessary, the closure schedule; describe any detected releases and associated corrective measures; and summarize the work planned in the next quarter.

V.H.3. All contaminated equipment and soils must be decontaminated or properly disposed, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.114].

V.H.4. Closure shall be certified in accordance with IDAPA 58.01.05.008 [40 CFR § 264.115] and Permit Attachment 8.

V.I. IGNITABLE OR REACTIVE WASTE

The Permittee shall take precautions to prevent accidental ignition or reaction of ignitable or reactive wastes by following the procedures specified in Permit Attachment 6.

V.J. INCOMPATIBLE WASTE

V.J.1. The Permittee shall not place incompatible wastes or wastes and materials which are incompatible in the same liner.

V.J.2. The Permittee shall not place hazardous waste or materials in an unwashed container that previously held an incompatible waste or material.

V.K. CATHODIC PROTECTION

V.K.1. The Cathodic Protection System shall be maintained in accordance with the design documents and Permit Attachment 1.

V.K.2. Newly installed liners shall be equipped with impressed current cathodic protection within 30 calendar days.

V.K.3. Liners installed after the effective date of this Permit shall be certified and approved, in accordance with Permit Condition I.R.

V.K.4. The Permittee shall annually assess the liner-to-soil potentials of all liners and rectifier wiring integrity in accordance with Permit Attachment 4.

V.K.5. The rectifier system shall be operated inspected and maintained as described in Permit Attachments 1 and 4.

V.L. RADIATION MONITORING TUBES

V.L.1. The 12 radiation monitoring tubes shall be surveyed and monitored in accordance with Permit Attachment 4.

V.L.2. If there is a significant increase in radiation, the Permittee shall implement the remedial measures in Permit Condition V.C.4.

V.L.3. The results of all radiation monitoring inspections and all corrective measures shall be documented in the Operating Record.

V.M. CORROSION SURVEILLANCE LINERS

V.M.1. One of the liners installed to monitor the effectiveness of the impressed current Cathodic Protection System shall be pulled every six (6) years, and inspected in accordance with Permit Attachment 4.

V.M.2. The inspection shall be performed by a corrosion expert, and shall be the basis of a report evaluating the effectiveness of the Cathodic Protection System.

V.M.3. The Permittee shall submit the inspection report to the Director, for approval, within 45 days of receipt of the report from the corrosion expert.

V.N. SEISMIC STANDARDS

V.N.1. The RSWF has demonstrated compliance with the seismic standard, and this is documented in the Safety Analysis Report (SAR-407) for the Radioactive Scrap and Waste Facility.

V.N.2. In the event an earthquake of a magnitude 4.5 or greater (Richter Scale), as measured at the facility, the Cathodic Protection System and liners shall be inspected within 24

hours and any necessary remedial measures implemented, in accordance with Permit Conditions V.C.4 and V.K.

V.O. RUN-OFF

V.O.1. The Permittee shall maintain and operate the RSWF so as to ensure proper site drainage and minimize infiltration, as described in Permit Attachment 6.

V.O.2. The Permittee shall perform surface inspections and maintenance in accordance with Permit Attachment 4 and Permit Attachment 6.

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MODULE VI – CORRECTIVE ACTION PROGRAM

VI.A. APPLICABILITY

Sections 3004 (u) and 3004 (v) of RCRA [42 U.S.C. §§ 6924 (u) and (v)]; HWMA [Idaho Code § 39-4409 (5)]; and IDAPA 58.01.05.008 [40 CFR § 264.101] require corrective action, as necessary, to protect human health and the environment for all releases of hazardous waste or hazardous waste constituents from any Solid Waste Management Unit (SWMU) and Area of Concern (AOC) at the facility, for all permits issued after November 8, 1984. The objective of the Corrective Action Program (CAP) at a hazardous waste management facility is to evaluate the nature and extent of releases of hazardous waste and/or constituents, and if necessary, implement corrective measures to protect human health and the environment. The Permittee shall follow applicable guidance, including but not limited to the *RCRA Corrective Action Plan*, EPA 520-R-94-004, OSWER Directive No. 9902.3-2A, May 1994.

The corrective action requirements for the Idaho National Laboratory (INL) facilities (as applicable) are addressed under the following HWMA/RCRA Final Partial Permits (as applicable): HWMA/RCRA Storage and Treatment Permit for the Materials and Fuel Complex – Module VI; HWMA Storage and Treatment Permit for the Idaho Nuclear Technology and Engineering Center, the Accelerated Retrieval Project, and the Materials and Fuels Complex (Volume 18) – Module VIII; and the Advanced Mixed Waste Treatment Project HWMA/RCRA Permit – Module VI.

VI.A.1. Federal Facility Agreement and Consent Order:

A Federal Facility Agreement (FFA) under Section 120(e)(2) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, 42 U.S.C. § 9620) is a mechanism to be used to investigate and clean up releases of hazardous wastes and hazardous waste constituents, as necessary, to protect human health and the environment. On December 4, 1991, the U.S. Environmental Protection Agency (EPA), the State of Idaho, and the United States Department of Energy (Parties) executed a Federal Facilities Agreement and Consent Order (FFA/CO) to integrate and satisfy the CERCLA requirements and the RCRA/HWMA corrective action requirements.

The FFA/CO, including all terms and conditions, action plans, revisions, schedules, and provisions for the extension of such schedules, is fully incorporated into this Permit, as Permit Attachment 9, and enforceable through this Permit as corrective action requirements. The FFA/CO and all amendments and interpretations are maintained in the Idaho Cleanup Project CERCLA Administrative Record and Information Repository. All investigations and cleanups included in the FFA/CO will meet or exceed all applicable or relevant and appropriate state and federal requirements including RCRA, HWSA, and HWMA to the extent required by CERCLA Section 121, 42 U.S.C. § 9621.

The corrective action requirements for the facility will be satisfied by the FFA/CO, except for those releases or threats of release not covered by the FFA/CO, as set out in Permit Conditions VI.A.2 through VI.A.5.

VI.A.2. Module VI of this Permit applies to those releases or threats of releases not included in the Statement of Work by the Parties to the FFA/CO, not included in amendments or revisions to the FFA/CO, not added to the FFA/CA through the New Site Identification Process, not incorporated into units or sites in the FFA/CO, nor determined to be "No Further Action" (NFA) in a Record of Decision (ROD) or Explanation of Significant Differences to Revise an ROD.

VI.A.3. Module VI of this Permit applies to those releases or threats of releases which are discovered after the termination of the FFA/CO.

VI.A.4. A determination of "No Further Action" (NFA) or "For Unlimited Use, Unrestricted Exposure" (UU/UE) shall not preclude the Director from requiring further investigations, studies, or remediation at a later date, if new information or subsequent analysis indicates that a release or the likelihood of a release from a solid waste management unit (SWMU) or an Area of Concern (AOC) at the facility is likely to pose a threat to human health or the environment.

VI.A.5. In the event that the FFA/CO is vacated or terminated, Module VI applies to those releases or threats of releases for which final remedial action has not been completed (with or without controls), and to those units for which a Record of Decision (ROD) has not been signed.

VI.A.6. Within 120 calendar days after the discovery of previously unidentified additional SWMUs or AOCs, which have not or do not become incorporated into the FFA/CO, the requirements of Module VI of this Permit shall become applicable to those units.

VI.A.6.a. As used in this part of the Permit, the terms "discover," "discovery," or "discovered" refer to the date on which the Permittee or a Department representative either, (1) visually observes evidence of a new SWMU or AOC, (2) visually observes evidence of a previously unidentified release of hazardous constituents to the environment, or (3) receives information which suggests the presence of a new release of hazardous waste or hazardous constituents to the environment.

VI.B. STANDARD CONDITIONS

VI.B.1. The Permittee shall take corrective action, as necessary, to protect human health and the environment for each SWMU and each AOC listed in either Table 3 or Table 4 of this Permit, and for newly identified SWMUs and AOCs described in Condition VI.C. The Corrective Action Program (CAP) may include (1) Initial Notification of Previously Unidentified SWMUs or AOCs, (2) SWMU or AOC Release Assessment; (3) RCRA Facility Investigation (RFI), (4) Interim Measures/Site Stabilization, (5) Corrective Measures Study (CMS), (6) Corrective Measures Implementation (CMI), and (7) Long-term site tracking, inspection and monitoring. Not all parts may be necessary, depending on the circumstances.

VI.B.1.a. Table 3. SWMUs and AOCs under Investigation for Releases. These sites require an initial site assessment to determine if further action, if any, is required.

VI.B.1.b. Table 4. SWMUs and AOCs with Known Releases. These are SWMUs and AOCs that have a known release for which further action or controls are required.

VI.B.1.c. Table 5. SWMUs and AOCs with No Further Action Determinations. These are SWMUs and AOCs for which no further action is required and that have been released for UU/UE.

VI.B.2. The Director may append additional SWMUs or AOCs to those listed in Table 3 and Table 4 as described in Condition VI.C.

VI.B.3. Failure to submit the information required by Module VI of this Permit or falsification of any submitted information is grounds for termination of part or all of this Permit, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.43], and/or grounds for an enforcement action, pursuant to Permit Condition I.B.

VI.B.4. The Permittee shall sign and certify all plans, reports, notifications, and other submissions to the Director, required by Module VI of this Permit, in accordance with Permit Condition I.W of this Permit.

VI.B.5. The Permittee shall submit the specified number of copies of each report, notification, or other submission, which are required by this Permit and IDAPA 58.01.05.012 [40 CFR § 270.5], to the Director, by certified mail, express mail, or hand delivered at::

Please submit two (2) copies and one (1) electronic copy to:

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

Please submit one (1) electronic copy to:

Regional Administrator
c/o State of Idaho Coordinator
Office of Air, Waste and Toxics, RCRA Program Unit
U.S. Environmental Protection Agency – Region 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101

VI.B.6. Upon written approval from the Director, all final plans, schedules, and reports required by Module VI of this Permit, are incorporated by reference into Module VI of this Permit in accordance with Permit Condition VI.J. Any noncompliance with such approved plans and schedules shall be deemed noncompliance with this Permit and may be subject to enforcement action. Final RCRA Facility Investigation (RFI) reports and final Corrective Measure Study (CMS) work plans shall be incorporated into this Permit as outlined in Permit Condition VI.J. Incorporation of RFI reports into the Permit constitutes a Class II permit modification.

VI.B.7. The Permittee shall submit all draft final plans and reports, final plans and reports, and schedules as specified in the Compliance Schedules in Table 6 and Table 7. The

Permittee shall revise draft final plans, reports and schedules described in Module VI in the time frames specified in Table 6 or Table 7, or as specified otherwise by the Director. The Permittee may request extensions to these schedules for approval by the Director.

VI.B.8. The Permittee shall only notify the Director of planned field work once the plan for the specific field work has been approved by the Director. The Permittee shall provide the Director seven (7) days notification before any sampling or other activities specified in the approved plans and reports described in Module VI or the Compliance Schedules in Table 6 and Table 7.

VI.B.9. The Permittee shall only receive an extension of a specified Compliance Schedule due date for a submittal, required by Module VI of this Permit, upon written approval from the Director, in accordance with Permit Condition VI.J.

VI.B.10. If the Director determines that further actions beyond those provided within Module VI of this Permit are warranted, the Director shall modify Module VI in accordance with Permit Condition VI.J. .

VI.B.11. All raw data, such as laboratory reports, drilling logs, geological and hydrogeological investigations, bench-scale or pilot-scale data, and other supporting information gathered or generated during activities undertaken, pursuant to Module VI of this Permit, shall be maintained at the facility during the effective term of this Permit, including any reissued permit, and be readily available for inspection.

VI.B.12. Should the FFA/CO be vacated, investigations completed under the FFA/CO CERCLA remedial process may be utilized in complying with Module VI of this Permit insomuch as the terms “Preliminary Assessment,” “Site Investigation,” “Remedial Investigation,” “Feasibility Study,” “Remedial Design,” “Remedial Action” and “Complete and Final Action” may be utilized in lieu of the terms “RCRA Facility Investigation,” “Corrective Measures Study,” “Remedy Selection,” “Corrective Measures Implementation,” “Corrective Action Complete without Controls,” and “Corrective Action Complete with Controls,” where appropriate.

VI.B.13. At such time as the FFA/CO is vacated, the Permittee shall submit, to the Director, the updates to Table 3, Table 4, and Table 5 within thirty (30) calendar days.

VI.B.14. At such time as the FFA/CO is vacated , the Permittee shall submit updates to Table 3, Table 4, and Table 5, to the Director, as required by Permit Condition VI.C (for newly-identified SWMUs and AOCs) or update at least annually, in accordance with IDAPA 58.01.05.012 [40 CFR 270.42, Appendix I, A.1] (Class 1 requiring prior approval). If there are no changes to the tables, a letter to that effect shall suffice, with no permit modification necessary.

VI.B.14.a. A narrative shall accompany the updated Tables, which explains the revisions, i.e.:

(i) Any newly identified SWMUs or AOCs, which initially adds the SWMU or AOC to Table 3 (Suspected Releases);

(ii) Additional "No Further Action Determinations" for SWMUs or AOCs previously identified in Table 4 (Known Releases), which shifts an SWMU or AOC from Table 4, to Table 5 (NFA);

(iii) Confirmation of releases of hazardous constituents which shifts an SWMU or AOC from Table 3 (Suspected Releases) to Table 4 (Known Releases).

VI.B.15. To the extent that work required by Module VI of this Permit must be done under permit(s) or approval(s) pursuant to other federal, state, or local regulatory authorities, the Permittee shall use its best efforts to obtain such permits. For the purposes of this Permit Condition the term "best efforts" shall, at a minimum, mean submittal of a complete application for the permit(s) and/or approval(s) no later than sixty (60) calendar days after the information necessary to prepare the application is available to the Permittee.

VI.B.16. To the extent that work required by Module VI of this Permit must be done on property not owned or controlled by the Permittee, the Permittee shall use its best efforts to obtain site access agreements from the present owner(s) of such property no later than two (2) weeks prior to the scheduled commencement of work. Best efforts shall mean, at a minimum, a certified letter from the Permittee to the current property owner(s) requesting access to such property and if a reply is received from the property owner, follow-up letters from the Permittee, as appropriate, to clarify the work contemplated and address the owner's reasonable concerns. In the event that the Permittee cannot obtain the necessary access agreements, the Permittee shall notify the Director in writing. The Director shall, consistent with their legal authority, assist the Permittee in obtaining such agreements.

VI.C. INITIAL NOTIFICATION AND ASSESSMENT OF PREVIOUSLY UNIDENTIFIED OR NEWLY-CREATED SWMUs OR AOCs

VI.C.1. New SWMU or AOC Notification:

If the Permittee discovers a previously unidentified or newly-created SWMU or AOC, the Permittee shall notify the Director in writing within fifteen (15) calendar days of discovering a SWMU or AOC. The notification shall include the location of the new SWMU or AOC and all available information on the suspected or known wastes and/or waste constituents at the site as required by IDAPA 58.01.05.012 [40 CFR § 270.14(d)]. The written notification may be provided as a copy of Form 435.36, Federal Facility Agreement and Consent Order New Site Identification Form, described in the *INL Operable Unit 10-08 Remedial Design/Remedial Action Work Plan*, DOE-ID-11418, current version, or contain the same information.

VI.C.2. In addition, the notification shall include updates to Table 3 and Table 4, as necessary, in accordance with VI.B.14.

VI.C.3. After such notification, the Department may request, in writing, that the Permittee prepare a SWMU/AOC Release Assessment Plan, and a proposed schedule of implementation and completion of the Release Assessment Plan for the new SWMU or AOC.

VI.C.4. The Director may require further investigation of the new releases. Further investigation, if required, shall be performed in accordance with the requirements of Permit Condition VI.C.13, RCRA Facility Investigation (RFI).

VI.C.5. SWMU/AOC Release Assessment Plan:

As deemed necessary by the Director, within ninety (90) calendar days after discovery of a previously unidentified SWMU or AOC, the Permittee shall submit a Release Assessment Plan to the Director by certified mail, express mail, or hand delivery, and in accordance with Permit Conditions I.W and I.Y.

VI.C.6. The Release Assessment Plan shall include the following information, or the means by which the following information shall be obtained:

VI.C.6.a. All information concerning past and present operations at the unit(s).

VI.C.6.b. Groundwater, surface water, soil (surface or subsurface strata), or air sampling and analysis data needed to determine whether a release of hazardous waste and/or hazardous constituents from such unit is likely to occur.

VI.C.6.c. A demonstration that the sampling and analysis program (if applicable) is capable of yielding representative samples, and includes parameters sufficient to identify migration of hazardous waste and/or hazardous constituents from the unit to the environment.

VI.C.6.d. Site-specific methods and procedures to be followed during the unit site assessment, including pre-mobilization activities, sampling rationale, sample collection, sample handling and preservation, sample analysis, quality assurance/quality control (QA/QC) requirements for sampling, site restoration, and reporting.

VI.C.7. After the Permittee submits the Release Assessment Plan, the Director shall:

VI.C.7.a. Approve the plan in writing, or

VI.C.7.b. Notify the Permittee in writing of the Release Assessment Plan deficiencies and specify a due date for submittal of a revised Release Assessment Plan, or

VI.C.7.c. Revise the Release Assessment Plan and notify the Permittee of the revisions. The Director-revised Release Assessment Plan becomes the approved Release Assessment Plan.

VI.C.8. The Release Assessment Plan, approved by the Director, as specified in Permit Condition VI.C.7, shall be incorporated within Module VI of this Permit and in accordance with Permit Condition VI.J. The Permittee shall be notified in writing of the approval of the permit modification.

VI.C.9. The Permittee shall commence implementation the approved Release Assessment Plan within thirty (30) calendar days, after receipt of written notice of the permit modification approval specified in Permit Condition VI.C.8.

VI.C.10. The Release Assessment Plan shall contain a schedule, which includes the submission date for a Release Assessment Report, not to exceed thirty calendar days after the completion of the requirements identified in the approved SWMU/AOC Assessment Plan, referenced in Permit Condition VI.C.9.

VI.C.11. SWMU/AOC Release Assessment Report:

The Release Assessment Report shall describe all results obtained from the implementation of the approved Release Assessment Plan. An example outline for a Release Assessment Report is provided as Table 8 of this Permit. At a minimum, and as required by IDAPA 58.01.05.012 [40 CFR 270.14(d)], the report shall provide the following information for each new SWMU or AOC:

VI.C.11.a. The location of each new SWMU or AOC in relation to any and/or all previously identified HWMUs, SWMUs or AOCs; building numbers, or other descriptive landmarks;

VI.C.11.b. A description of the SWMU or AOC, including general dimensions and a structural description (supply any available drawings and photographs);

VI.C.11.c. The period during which the SWMU or AOC was operated or the release occurred; and

VI.C.11.d. All wastes that were or are being managed at the SWMU or AOC, to the extent available, including results of any sampling and analysis used to determine whether releases of hazardous wastes and/or hazardous constituent(s) have occurred, are occurring, or are likely to occur from the SWMU or AOC.

VI.C.12. RCRA Facility Investigation (RFI) Work Plan:

Based on the results of the Release Assessment Report, the Director shall determine the need for further investigations at specific units. If the Director determines that such investigations are needed, the Director may require the Permittee to prepare a RCRA Facility Investigation (RFI) Work Plan, including a schedule, for such investigations, in accordance with the requirements of Permit Condition VI.D. The Director shall review the plan and either approve it or notify the Permittee of its deficiencies.

VI.C.13. The Permittee shall notify the Director, in writing, of any release of hazardous waste and hazardous waste constituents discovered during the course of groundwater monitoring, field investigation, environmental auditing, or other activities undertaken during the RFI and Permit Condition VI.D. The written notification shall be received by the Director no later than fifteen (15) calendar days after discovery. Such releases may be from already documented or newly-identified units. The written notification may be provided as a copy of Form 435.36, Federal Facility Agreement and Consent

Order New Site Identification Form, described in the *INL Operable Unit 10-08 Remedial Design/Remedial Action Work Plan*, DOE-ID-11418, current version. Further investigation (if required) shall be performed as part of the RFI and in accordance with the requirements of Permit Condition VI.D.

VI.C.14. The Permittee shall notify the Director in writing within thirty days of making a determination that an AOC listed in Table 3 or Table 4 is inactive. This notification shall include a schedule for conducting an RFI as described in VI.C.12.

VI.D. RCRA FACILITY INVESTIGATION (RFI)

VI.D.1. The Permittee shall conduct a RCRA Facility Investigation (RFI), as deemed necessary by the Director, to determine the nature and extent of known and suspected releases of hazardous waste and/or hazardous constituents from each SWMU and inactive AOC at the facility, identified in accordance with Permit Condition VI.C, and to gather data to support a Corrective Measures Study (CMS). The Permittee shall conduct the RFI in accordance with an approved RFI Work Plan, completed in accordance with current guidance documents from EPA (*RCRA Facility Investigation Guidance, Volumes I through IV*, Interim Final, May 1989, EPA 530/SW-89-031, OSWER Directive 9502.00-6D; *RCRA Corrective Action Plan*, May 1994, OSWER Directive 9902.3–2A, or equivalent).

VI.D.2. The Permittee shall conduct the RFI for all SWMUs and AOCs identified in Table 3 and Table 4, in accordance with the schedule in Table 6.

VI.D.3. The RFI Compliance Schedule, specified in Table 6, may be modified in accordance with Permit Condition VI.J.

VI.D.4. Based on the results of the RFI Report, the Director shall determine the need for further investigations at specific unit(s) included in the RFI. If the Director determines that such investigations are needed, the Director may require the Permittee to prepare a RCRA CMS Work Plan, including a schedule, for such investigations, in accordance with the requirements of Permit Condition VI.G. The Director shall review the plan and either approve it or notify the Permittee of its deficiencies.

VI.D.5. The CMS Work Plan shall be incorporated into this Permit in accordance with Permit Condition VI.J.

VI.E. INTERIM MEASURES/SITE STABILIZATION

VI.E.1. If, during the course of any activity initiated in compliance with Module VI of this Permit, the Director determines that a release or potential release of hazardous waste and/or constituents from a SWMU or AOC poses a threat to human health and/or the environment, the Director may require the Permittee to perform specific interim measures, including site stabilization.

VI.E.2. The Director shall notify the Permittee in writing of the requirement to perform the interim measures specified in the Interim Measures Work Plan, in accordance with

Permit Condition VI.E.3. The Permittee shall comply with the specified Interim Measures Plan alternative (Permit Condition VI.E.3.a or VI.E.3.b) designated in the written notification.

VI.E.3. The Permittee shall perform the requirements of the Interim Measures Work Plan, in accordance with the alternative specified in either Permit Condition VI.E.3.a or VI.E.3.b.

VI.E.3.a. The Director shall determine specific actions to implement the interim measures. The Director shall provide an Interim Measures Work Plan with the written notification specified in Permit Condition VI.E.2; or

VI.E.3.b. Within thirty (30) calendar days after receipt of written notification requiring the Interim Measures Work Plan as specified in Permit Condition VI.E.2, the Permittee shall provide the Interim Measures Work Plan to the Director, in accordance with Permit Conditions VI.B.4 and VI.B.5, for approval.

VI.E.4. The Interim Measures Work Plan shall identify specific actions to be taken to implement the interim measures and a schedule for implementing the required measures. At a minimum, the Interim Measures Work Plan shall consider, but not be limited to, the following factors:

VI.E.4.a. Time required to develop and implement a final remedy;
VI.E.4.b. Actual and potential exposure of human and environmental receptors;
VI.E.4.c. Actual and potential contamination of drinking water supplies and sensitive ecosystems;
VI.E.4.d. The potential for further degradation of the medium absent of interim measures;
VI.E.4.e. Presence of hazardous waste that may pose a threat of release;
VI.E.4.f. Presence and concentration of hazardous waste including hazardous waste constituent(s) in solids that have the potential to migrate to ground water or surface water;
VI.E.4.g. Weather conditions that may affect the current levels of contamination;
VI.E.4.h. Risks of fire, explosion, or accident; and
VI.E.4.i. Other situations that may pose threats to human health and/or the environment.

VI.E.5. The Interim Measures Work Plan shall be incorporated into this Permit, in accordance with Permit Condition VI.J.

VI.F. DETERMINATION OF NO FURTHER ACTION (NFA)

VI.F.1. Based on the results of the RFI and other relevant information , the Permittee may petition by permit modification that a SWMU or AOC listed in Table 3 or Table 4 be excluded from further investigation ["No Further Action (NFA)"] in accordance with the Rules for Class II permit modifications in IDAPA 58.01.05.012 [40 CFR § 270.42, Appendix I, Modification B.8.b]. An NFA determination generally means that land use is completely unrestricted, long-term site management is not required, and that the requirements of this Permit are no longer applicable.

VI.F.1.a. This petition shall contain information demonstrating that there are no releases of hazardous waste, including hazardous waste constituents from the SWMU or AOC at the facility that pose a threat to human health and the environment.

VI.F.1.b. If, based upon a review of the Permittee's petition, the results of the RFI, and/or other information the Director determines that releases or suspected releases (which were investigated) either are non-existent or do not pose a threat to human health and the environment, the Director shall grant the request to terminate all or part of the Corrective Action Compliance Schedule (Table 6).

VI.F.1.c. The updated Corrective Action Compliance Schedule (Table 6), approved by the Director, shall be incorporated within Module VI of this Permit and in accordance with Permit Condition VI.J. The Permittee shall be notified in writing of the approval of the permit modification.

VI.F.2. A determination of NFA shall not preclude the Director from requiring continued or periodic monitoring of air, soil, ground water, or surface water when site-specific circumstances indicate that a release, or the likelihood of a release of hazardous waste or hazardous waste constituents from an SWMU or AOC is likely to pose a threat to human health or the environment.

VI.F.3. A determination of no further action shall not preclude the Director from requiring further investigations, studies, or remediation at a later date, if new information or subsequent analysis indicates that a release or the likelihood of a release from a SWMU or AOC at the facility is likely to pose a threat the human health or the environment. In such a case, the Director shall initiate a modification to the Corrective Action Compliance Schedules (Table 6 or Table 7), according to the procedures in Permit Condition VI.J to rescind the determination made in accordance with Permit Condition VI.F.1.

VI.G. CORRECTIVE MEASURES STUDY (CMS) AND CORRECTIVE MEASURES IMPLEMENTATION (CMI)

VI.G.1. Based on the results of the RFI, the Permittee shall identify, screen, and develop the alternative or alternatives for removal, containment, treatment, and/or other remediation of the contamination. The Permittee shall conduct the CMS in accordance with current guidance documents from EPA (*RCRA Corrective Action Interim Measures Guidance – Interim Final*; *RCRA Facility Investigation Guidance, Volumes I through IV*, or equivalent).

VI.G.2. The Permittee shall document the results of the CMS in the CMS Report and submit it to the Director for approval.

VI.G.2.a. The Director shall review the CMS Report and either approve it or notify the Permittee of its deficiencies.

VI.G.2.b. Based on the results of the final CMS Report, the Director shall select a remedy and the final media cleanup standards for corrective measures and document it in a permit modification.

VI.G.3. Upon the Director's approval of the CMS and determination of remedy, pursuant to Permit Condition VI.G.1, the Permittee shall prepare and submit the Corrective Measures Implementation (CMI) Program Plan to the Director for approval. The CMI Program Plan shall include a schedule to design construct, operate, maintain and monitor the performance of the selected corrective measure or measures.

VI.G.3.a. The Director shall review the CMI Program Plan and either approve it or notify the Permittee of its deficiencies.

VI.G.4. The Permittee shall prepare and submit (to the Director for approval) a Compliance Schedule for conducting the CMI Program Plan, as required by Permit Condition VI.G.5.

VI.G.4.a. The Permittee shall provide a justification for each compliance date in the Compliance Schedule, based on the complexity of the CMI Program Plan and reasonable contract and administrative time requirements.

VI.G.4.b. On or before the compliance date for submittal of the draft CMI Program Plan, specified in Table 7 of this Permit, the Permittee shall submit by certified mail, express mail, or hand delivery (to the Director for approval) the Compliance Schedule and subsequent justification, pursuant to Permit Condition VI.G.4.

VI.G.4.c. Upon the Director's approval of the CMI Program Plan Compliance Schedule, the Compliance Schedule shall be incorporated into this Permit concurrently with the final Corrective Measures Implementation Program Plan, in accordance with IDAPA 58.01.05.012 [40 CFR §§ 270.41 and 270.42].

VI.G.5. Upon the Director's approval of the CMI Program Plan, pursuant to Permit Condition VI.G.2.a, and the Compliance Schedule, pursuant to Permit Condition VI.G.3, the Permittee shall conduct the Corrective Measures Implementation Program Plan.

VI.G.6. The Permittee shall submit all plans and reports required in the CMI Program Plan (e.g., Conceptual Design, Operations and Maintenance Plan, Intermediate Plans and Specifications, Final Plans and Specifications, Quality Assurance Program Plan, Construction Work Plan, Construction Completion Report, Corrective Measure Completion Report, Progress Reports) in accordance with the schedule in the CMI Work Plan and Table 7 of this Permit.

VI.G.7. The Permittee shall conduct the CMI, as specified in Permit Condition VI.G.5, in accordance with Permit Condition VI.G.5.

VI.G.8. The CMS and CMI Compliance Schedules, specified in Table 6 and Table 7 of this Permit, shall be modified in accordance with Permit Condition VI.J.

VI.H. REPORTING REQUIREMENTS

VI.H.1. The Permittee shall submit, to the Director, signed quarterly progress reports of all activities (i.e., SWMU/AOC Assessments, Interim Measures, RFIs, and/or CMSs) conducted, pursuant to Module V of this Permit. The Permittee shall initially submit the quarterly progress reports no later than ninety (90) calendar days after being notified in writing that the approved SWMU/AOC Assessment Plan has been incorporated within Module VI of this Permit, through a permit modification in accordance with Permit Condition VI.J.

VI.H.2. At a minimum, the quarterly progress reports shall contain the following:

VI.H.2.a. A description of the work completed;
VI.H.2.b. Summaries of all findings and summaries of all raw data;
VI.H.2.c. Summaries of all problems or potential problems encountered during the reporting period, and actions taken or to be taken to rectify problems; and
VI.H.2.d. Projected work for the next reporting period.

VI.H.3. The Permittee shall maintain copies of other reports, drilling logs, etc. at the facility during the effective period of this Permit. The Permittee shall provide copies of the said reports, logs, etc., to the Director, upon request.

VI.H.4. As specified under Permit Condition VI.F.2, the Director may require the Permittee to conduct new or more extensive assessments, investigations, or studies, as needed, based on information provided in these progress reports or other supporting information.

VI.I. FUNDING

Failure to obtain adequate funds or appropriations to conduct the Corrective Measures Implementation (CMI) Program Plan, pursuant to Permit Condition VI.G.5, shall be considered good cause for modification of the Compliance Schedule(s), Table 7 of this Permit, as specified in Permit Condition VI.G.8, and only in accordance with the following permit conditions:

VI.I.1. The Permittee shall use its best effort to secure all funds that may be required for implementation of the requirements specified in Permit Condition VI.G.3, pursuant to the Compliance Schedules in Table 6 and Table 7 of this Permit;

VI.I.2. If necessary, the Permittee shall seek, by the most expeditious means possible, appropriations from the U.S. Congress for funding to complete the CAP and achieve the Compliance Schedules in Table 6 and Table 7 of this Permit, in accordance with Sections 1-4 and 1-5 of Executive Order No. 12088 as implemented by the Office of Management and Budget Circular A-106, as amended. Section 1-5 of Executive Order No. 12088 states: “The head of each executive agency shall ensure that sufficient funds for compliance with applicable pollution control standards are requested in the Agency budget.”

VI.I.3. For any approved modification, the Compliance Schedules, specified in Table 6 and Table 7 of this Permit, shall be modified to provide relief from the original Compliance Schedule time frames only for the subsequent fiscal year. All successive compliance dates after the end of such fiscal year shall be modified to reflect the original time frames specified prior to the modification request under Permit Condition VI.I.

VI.I.4. Within five (5) calendar days after failing to obtain adequate funding, the Permittee shall submit to the Director a written request and justification for modification of the Compliance Schedules specified in Table 6 and Table 7 of this Permit. The written justification shall demonstrate that good cause exists, pursuant to the Permit Conditions under VI.I and document efforts to obtain adequate funding. The Permittee shall also provide an alternate schedule of compliance for conducting the CAP or parts of the CAP or the Corrective Measures Implementation (CMI) for the subsequent fiscal year.

VI.I.5. Upon evaluation, if the Director determines that good cause exists in accordance with the Permit Conditions under VI.I, the Director shall modify the Compliance Schedule.

VI.I.6. Failure to obtain adequate funds or appropriations from Congress shall not, in any way, release the Permittee from the obligation to conduct a CAP or to comply with the CMI (as required by Permit Condition VI.G.5, or any other requirement of this Permit or RCRA.

VI.I.7. If adequate funds for the CAP are not available, the Director reserves the right to pursue any actions deemed necessary to protect human health and the environment, including but not limited to administrative proceedings, judicial action, or termination of this permit.

VI.J. MODIFICATION OF THE CORRECTIVE ACTION PROGRAM PLANS and SCHEDULE OF COMPLIANCE

Requests to modify the final compliance dates, pursuant to the permit conditions in Module VI of this Permit, shall be submitted to the Director for approval in accordance with IDAPA 58.01.05.012 [40 CFR §§ 270.41 and 270.42].

VI.J.1. The Corrective Action Schedule of Compliance (Module VI of this Permit) final compliance dates subject to modification include:

VI.J.1.a. The compliance date(s), as specified in Table 6 of this Permit, for submittal of the RFI Final Report;

VI.J.1.b. The compliance date(s), as specified in Table 7 of this Permit, for submittal of the CMS Report;

VI.J.1.c. The compliance date(s), as specified in Table 7 of this Permit, for submittal of the final CMI Program Plan;

VI.J.2. Once established in accordance with Permit Condition VI.G.4, the compliance date(s) for submittal of the corrective measures final (100% completion) design and construction plans, in accordance with Permit Condition VI.G.5;

VI.J.3. Compliance dates, as specified in Table 6 and Table 7 of this Permit, for implementing the approved plans and/or reports; and

VI.J.4. Compliance dates for quarterly submittal of progress reports.

VI.J.5. Pursuant to IDAPA 58.01.05.012 [40 CFR § 270.42(a)], the Compliance Schedules specified in Table 6 and Table 7 of this Permit shall be modified if the Director determines that good cause exists for which the Permittee had no control, and for which there is no reasonable available remedy.

VI.K. COMPLIANCE SCHEDULE

VI.K.1. In the event that the FFA/CO is vacated, the Permittee shall submit to the Director the following Tables within thirty (30) calendar days:

VI.K.1.a. Table 3 shall identify all SWMUs and AOCs with potential or suspected releases of hazardous constituents. Table 3 shall, at a minimum, identify those SWMUs and AOCs which are currently being investigated, or will be the subject of future investigations under the FFA/CO.

VI.K.1.b. Table 4 shall identify those SWMUs and AOCs with known releases of hazardous waste or hazardous constituents to the environment.

VI.K.1.c. Table 5 shall identify those SWMUs and AOCs for which a “No Further Action” determination has been accepted by all the parties to the FFA/CO.

VI.K.1.d. Any/all SWMUs and AOCs identified under the FFA/CO, or any facility operating documents shall be included in either Table 3, Table 4, or Table 5.

VI.K.2. The Permittee shall submit updated Table 3, Table 4, and Table 5, to the Director, on or before the anniversary of the date identified in Permit Condition VI.K.1. A narrative shall accompany the updated tables which explains the revisions, i.e.:

VI.K.2.a. Any previously unidentified SWMUs and AOCs;

VI.K.2.b. Additional “No Further Action Determinations” for SWMUs and AOCs previously identified in either Table 3 or Table 4;

VI.K.2.c. Confirmation of releases of hazardous constituents which shift a SWMU or AOC from Table 3 to Table 4.

TABLES

Table 1. Required Submittals and Dates	
Required Submittal/Document	**Due Dates**
Noncompliance Report (Permit Condition I.U)	March 1 and September 1 every year[1]
Biennial Report (Permit Condition II.J.3)	March 1 every other year (2016, 2018, etc.)
Waste Minimization Certification (Permit Condition II.J.2)	March 1 every year
Permit Application Re-application (Permit Condition I.G)	180 days prior to expiration date of this Permit
[1]The semi-annual reporting period shall be defined as from January 1 to June 30, and from July 1 to December 31 of each year, as applicable.	

Table 2. Closed HWMA/RCRA Units at MFC			
Unit or Building Number	**Facility or Unit Name or Site Description**	**Professional Engineer Closure Certification Date**	**DEQ Closure Approval Date[1]**
MFC-767	EBR-II Secondary Sodium Purification System (SSPS) - Cold Trap	01/10/2002	02/14/2002
MFC-767/795	EBR-II Primary Tank Shutdown Coolers and Primary Purification Sodium Potassium (NaK) Coolant Loop	01/10/2002	02/14/2002
MFC-797	Radioactive Sodium Storage Facility (RSSF)	07/07/2004	08/03/2004
MFC-799	Sodium Process Facility (SPF) Transfer Line	04/03/2007	05/15/2007
MFC-799	SPF Thin Film Evaporator	06/19/2001	03/07/2014
MFC-720	Transient Reactor Test (TREAT) Facility Administrative Closure	08/30/2007	9/11/2007
MFC-793E and 793F	Sodium Components Maintenance Shop (SCMS) MFC-793E and 793F Storage Buildings	10/21/2009	10/30/2009
MFC-767	EBR-II Container Storage Units (Storage Pit and the 16 Storage Holes)	06/29/2012	09/20/2012

Table 2. Closed HWMA/RCRA Units at MFC

Unit or Building Number	Facility or Unit Name or Site Description	Professional Engineer Closure Certification Date	DEQ Closure Approval Date[1]
MFC-766	EBR-II Secondary Sodium Drain Tank (SSDT)	07/09/2012	09/20/2012
MFC-767	EBR-II Primary Sodium System (PSS) [Primary Sodium Tank (PST) and the Intermediate Heat Exchanger (IHX)]	08/13/2012	09/20/2012
MFC-799	Sodium Process Facility (SPF) Tank Area	06/08/2013	09/02/2013
MFC-799/799A	Sodium Process Facility (SPF) Storage Final	11/27/2013	03/07/2014
MFC-794	Contaminated Equipment Storage Building (CESB) East Room (now EFF)	09/30/2010 01/28/2016	04/21/2016
MFC-794	Experimental Fuels Facility (EFF) West Room	10/01/2013 01/28/2016	04/21/2016

[1]The current list of closed units is maintained the HWMA/RCRA Work Plan for the INL.

Table 3. SWMUs and AOCs under Investigation for Releases

Unit or Building Number	Subunit	Facility or Unit Name or Site description	Selected Remedy
To be submitted by Permittee, in accordance with Permit Conditions VI.K.1 and VI.K.2 of this Permit.			

Table 4. SWMUs and AOCs with Known Releases

Unit or Building Number	Subunit	Facility or Unit Name or Site description	Selected Remedy
To be submitted by Permittee, in accordance with Permit Conditions VI.K.1 and VI.K.2 of this Permit.			

Table 5. SWMUs and AOCs with No Further Action Determinations			
Unit or Building Number	**Subunit**	**Facility or Unit Name or Site Description**	**Determination or DEQ Closure Approval Date**
To be submitted by Permittee, in accordance with Permit Conditions VI.K.1 and VI.K.2 of this Permit.			

Table 6. RCRA Facility Investigation (RFI) Compliance Schedule	
RFI Activity	**Due Date**
Submit SWMU/AOC Release Assessment Plan and Schedule	Within ninety (90) calendar days of the Director's notification that a SWMU/AOC Release Assessment Plan is needed, in accordance with Permit Condition VI.C.3 of this Permit.
Submit SWMU/AOC Release Assessment Report	As specified in the Director's approved SWMU/AOC Release Assessment Plan and Schedule.
Submit Draft RFI Work Plan	Within ninety (90) calendar days of the Director's notification that an RFI is needed, in accordance with Permit Condition VI.C.12 of this Permit.
Initiate RFI Work Plan Activities	Within forty-five (45) calendar days of the Director's approval of the RFI Work Plan.
Submit RFI Draft Report	As specified in the Director's-approved RFI Work Plan and Schedule.
Submit RFI Final & Summary Reports	As specified in the Director's-approved RFI Work Plan and Schedule.
Progress Reports	Quarterly (every 90 days) beginning ninety (90) calendar days after the Director's approved RFI activities.

Table 7. Corrective Measures Study (CMS) and Corrective Measures Implementation (CMI) Compliance Schedule	
CMS Submission/CMI Submission	**Due Dates**
Submit CMS Work Plan	Within sixty (60) calendar days of the RFI Final Report.
Submit Draft CMS Report	Within three hundred (300) calendar days of the Director's approval of the CMS Work Plan.

Table 7. Corrective Measures Study (CMS) and Corrective Measures Implementation (CMI) Compliance Schedule	
CMS Submission/CMI Submission	**Due Dates**
Submit Final CMS Report	Within sixty (60) calendar days of receiving the Director's comments on the Draft CMS Report.
Submit Draft CMI Program Plan	Within ninety (90) calendar days of the Director's approval of the Final CMS Report.
Submit Final CMI Program Plan	Within sixty (60) calendar days of receiving the Director's comments on the Draft CMI Program Plan.
Submit plans and reports required in the CMI Program Plan, for example: • Quality Assurance Program Plan, • Conceptual Design (15% Design Point) • Operations and Maintenance Plan • Intermediate Plans and Specifications (30, 50, 60, 90 and/or 95% Design Point) • Final Plans and Specifications (100% Design Point) • Construction Work Plan • Construction Completion Report • Corrective Measure Completion Report	As specified in the Director's approved CMI Program Plan.
CMS/CMI Progress Reports	Quarterly, every ninety (90) calendar days, beginning 90 calendar days after the Director's approval of the Final RFI Report

Table 8. SWMU/AOC Release Assessment Report
Unit Number:
Unit Name:
Notification Date:
Regulatory Status: (AOC or SWMU)
Location: (Attach a map showing the location)
Type and Function: (Include general dimensions and a structural description.)
Brief History:
Operational Status: (Operational, no longer operational, etc.)
Dates Operated:
Site/Process Description:
Waste Description:
Waste Quantity:
Summary Of Environmental Sampling Data: (Include results of any sample and analysis used to determine whether releases of hazardous wastes or hazardous waste constituents have occurred, are occurring, or are likely to occur from the SWMU.)
Description of Release and Media Affected:
Ground Water:
Surface Water:
Soil:
Ecology Affected: (i.e., Endangered/Threatened Species)
Documentation of No Release:
Impact On or By Other SWMU/AOC:
RFI Necessary:
Include updated Table 3, Table 4, and Table 5.