

143. GENERAL COMMENT:

In many of the I.J conditions, CDPHE uses a phrase like: at least “x” days prior to the planned construction and installation . . .”. PCAPP suggests that “construction and” be deleted from these statements. Many pieces of equipment are in fabrication at the vendors and “construction” could be read to mean “fabrication.”

CDPHE RESPONSE:

The Division does not concur with this comment. The language remains unchanged since the language clearly refers to construction on-site at the PCAPP facility. Therefore, the Permittee may fabricate and construct units off-site at their own risk without initiating these permit conditions in I.J.

144. DRAFT PERMIT LANGUAGE:

I.E.1. Duty to Comply

The Permittees must comply with all conditions of this Permit, except to the extent and for the duration such noncompliance is authorized by an emergency permit. Any Permit noncompliance, other than noncompliance authorized by an emergency Permit, constitutes a violation of the Act and is grounds for enforcement action; for Permit termination, revocation and reissuance, or modification; or for denial of a Permit renewal application. [6 CCR 1007-3 §100.42(a)]

PCAPP COMMENT:

PCAPP suggests a clarification that addresses the flexibility allowed by Section 5.4 of the Guidance Manual for RD&D Permits (OSWER Policy Directive #9527.00-1A, EPA/530-SW-86-008). This section states:

"Because of the experimental nature of RD&D activities, there is a high potential for permit modifications once the activity is underway. To minimize the need for modification that might interrupt the experimental activities . . . The permitting authority will use this information to develop permit conditions that are flexible enough to . . . minimize the need for permit modifications."

PCAPP'S PROPOSED LANGUAGE:

I.E.1. Duty to Comply

The Permittees ~~must comply with all conditions of this Permit, except to the extent and for the duration such noncompliance is authorized by an emergency permit~~ or Condition I.E.1.a. Any Permit noncompliance, other than noncompliance authorized by an emergency Permit, constitutes a violation of the Act and is grounds for enforcement action; for Permit termination, revocation and reissuance, or modification; or for denial of a Permit renewal application. [6 CCR 1007-3 §100.42(a)]

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I.E.1.a During pilot-testing of the PMDs, MWSs, MTUs, Agent Neutralization System, SDU, autoclave, and BTA, PCAPP may use different operating conditions, ranges, and limits than those specified in this Permit provided that prior CDPHE approval is obtained.

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CDPHE RESPONSE:

The Division does not concur with this comment because it allows operating ranges that the Division has not reviewed or approved. However, the Division may approve such operational flexibilities when the Pilot Test Plan has been submitted per Permit Condition I.J.

145. DRAFT PERMIT LANGUAGE:

I.E.6. Proper Operation and Maintenance

The Permittees shall at all times properly operate and maintain all facilities and systems of control (and related appurtenances) which are installed or used by the Permittees to achieve compliance with the conditions of this Permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance/quality control procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Permit. [6 CCR 1007-3 §100.42(e)]

PCAPP COMMENT:

Suggest clarification that this standard condition pertains to facilities and systems upon final installation, systemization, and initiation of permitted hazardous waste operation.

PCAPP'S PROPOSED LANGUAGE:

I.E.6. Proper Operation and Maintenance

The Permittees shall at all times, upon final installation, systemization, and initiation of permitted hazardous waste operations, properly operate and maintain all facilities and systems of control (and related appurtenances) which are installed or used by the Permittees to achieve compliance with the conditions of this Permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance/quality control procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Permit. [6 CCR 1007-3 §100.42(e)]

CDPHE RESPONSE:

The Division does not concur with this comment or the associated proposed language changes. This language is standard language applicable to all State RCRA permits per 6 CCR 1007-3, § 100.42. Draft Permit Condition I.E.6 is based on the language in 6 CCR 1007-3, § 100.42(e) and includes a direct reference to 6 CCR 1007-3, § 100.42(e). For clarification, the language in draft Permit Condition I.E.6 has been slightly changed in the final permit to include the phrase “treatment and” to make the language in the first sentence consistent with 6 CCR 1007-3, § 100.42(e). The phrase “treatment and” was inadvertently omitted in the language in draft Permit Condition I.E.6, but was incorporated by reference to 6 CCR 1007-3, § 100.42(e).

It is essential that all facilities and systems of treatment and control that will be used by the Permittees to achieve compliance with the Permit be properly operated and maintained from the time that they are installed until closure, regardless of when actual hazardous waste operations occur. Failure to do so could result in malfunctions and possible releases of hazardous waste or hazardous constituents to the environment when such facilities and systems are used for hazardous waste operations. This permit condition does not require PCAPP to do more than is necessary to comply with the conditions of the Permit. For example, the Permittees are not required to have the facility fully staffed with operators until hazardous waste operations are set to begin. Prior to operations, however, the Permittees are required to have adequate funding, staffing and training to properly maintain facilities and systems that are installed or will be used by the Permittees to achieve compliance with the Permit.

146. DRAFT PERMIT LANGUAGE:

I.E.9.a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. The method used to obtain a representative sample of the waste shall be the appropriate method from Appendix I of 6 CCR 1007-3 Part 261, or other method approved by the Division. [6 CCR 1007-3 §100.42(j)(1)]

PCAPP COMMENT:

Suggest clarification that the term “monitoring” applies to tests, inspections, and measurements conducted to demonstrate compliance with the conditions of this Permit during hazardous waste operations. Permit Condition II.Q addresses the construction quality data and requires it to be maintained on-site.

PCAPP’S PROPOSED LANGUAGE:

I.E.9.a. Samples and measurements taken for the purpose of monitoring to demonstrate compliance with the conditions of this Permit during hazardous waste operations shall be representative of the monitored activity. The method used to obtain a representative sample of the waste shall be the appropriate method from Appendix I of 6 CCR 1007-3 Part 261, or other method approved by the Division. [6 CCR 1007-3 §100.42(j)(1)]

CDPHE RESPONSE:

The Division does not agree that it is necessary to change the standard language in draft Permit Condition I.E.9.a which is based on the language found in 6 CCR 1007-3 §100.42(j)(1). The language as written is clearly understood to apply only to those activities which are under the jurisdiction of the Permit. The concept of “monitoring” for hazardous waste permitting purposes does not apply to construction activities. However, the term “monitoring” does apply to activities conducted for the purpose of collecting data used to support planned hazardous waste operations, such as some activities that may be conducted during systemization. If the Permittees are in doubt if an activity is regulated under this permit condition, the Permittees need to request a regulatory determination from the Division.

147. DRAFT PERMIT LANGUAGE:

I.E.9.b. The Permittees shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports and records required by this Permit and 6 CCR 1007-3 §264.74, the certifications required by 6 CCR 1007-3 §264.73(b)(9) and (11), and records of all data used to complete the application for this Permit, from the date of the sample, measurement, report, record, certification, or application for a period of three years. This period may be extended by request of the Director at any time and is automatically extended during the course of any unresolved enforcement action regarding this facility. [6 CCR 1007-3 §264.74(b) and §100.42(j)(2)]

PCAPP COMMENT:

Reference is made to “original strip chart recordings” for continuous monitoring instrumentation. PCAPP understands that this is just boilerplate language from the regulations. However, for PCAPP, “continuous monitoring instrumentation” could be read to mean MINICAMS. Information associated with the MINICAMS is not recorded on strip charts, but is maintained/ archived in the Process Data Acquisition Recording System or the Laboratory Information Management System as described in the WAP documentation in Attachment D.

PCAPP’S PROPOSED LANGUAGE:

I.E.9.b. The Permittees shall retain records of all monitoring information, including all calibration and maintenance records, for continuous monitoring instrumentation, copies of all reports and records required by this Permit and 6 CCR 1007-3 §264.74, the certifications required by 6 CCR 1007-3 §264.73(b)(9) and (11), and records of all data used to complete the application for this Permit, from the date of the sample, measurement, report, record, certification, or application for a period of three years. This period may be extended by request of the Director at any time and is automatically extended during the course of any unresolved enforcement action regarding this facility. [6 CCR 1007-3 §264.74(b) and §100.42(j)(2)]

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CDPHE RESPONSE:

The Division understands that the MINICAMS record information will be electronically stored. However, it is the Division’s intent to capture all applicable records for potential review, whether those records are on paper strip charts (realizing that this is somewhat dated but still could be used technology) or strictly analog or digital electronically

recorded. At this time, it has not been explicitly stated the exact nature of the recording medium(s). The Division requires that this information be developed by the Permittee in advance of operations. The original language has therefore modified the draft permit as follows in the final permit for clarification purposes (changed language is highlighted):

I.E.9.b. The Permittees shall retain records of all monitoring information, including all calibration and **repair/maintenance** records and all original strip chart recordings **(if used) and all analog/digital electronic recordings** for continuous monitoring instrumentation, copies of all reports and records required by this Permit and 6 CCR 1007-3 §264.74, the certifications required by 6 CCR 1007-3 §264.73(b)(9) and (11), and records of all data used to complete the application for this Permit, from the date of the sample, measurement, report, record, certification, or application for a period of three years. This period may be extended by request of the Director at any time and is automatically extended during the course of any unresolved enforcement action regarding this facility. [6 CCR 1007-3 §264.74(b) and §100.42(j)(2)]

148. DRAFT PERMIT LANGUAGE:

I.E.14. Other Noncompliance

The Permittees shall report all instances of noncompliance not otherwise required to be reported above, at the time the monthly reports on the progress of the Phase II or Phase III construction activities are submitted in accordance with Permit Condition I.J.3. After construction is complete, a report describing any such noncompliances must be submitted by the 15th day of each month beginning on the second month of plant commissioning. If noncompliances do not occur, then a report need not be submitted. The reports must contain the information listed in Permit Condition I.E.13 [6 CCR 1007-3 §100.42(1)(7)].

PCAPP COMMENT:

Permit Condition I.J.3. contains no requirement for monthly construction progress reports. Suggest requirement to submit report for noncompliances by the 15th day of the following month.

PCAPP'S PROPOSED LANGUAGE:

I.E.14. Other Noncompliance

The Permittees shall report all instances of noncompliance not otherwise required to be reported above, by the 15th day of ~~the following month~~. If noncompliances do not occur, then a report need not be submitted. The reports must contain the information listed in Permit Condition I.E.13 [6 CCR 1007-3 §100.42(1)(7)].

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Deleted: each month beginning on the second month of plant commissioning

CDPHE RESPONSE:

The Division concurs with this language and the text in the final permit has been revised accordingly.

149. DRAFT PERMIT LANGUAGE:

I.E.16 Facility Construction Certification

The Permittees may not commence treatment or storage of hazardous waste in the permitted hazardous waste management units until:

- I.E.16.a. The Permittees has submitted to the Director as-built drawings of the Phase I, Phase II and Phase III construction activities for PCAPP and letter(s) signed by the Permittees and a Colorado-registered Professional Engineer stating that the facility has been constructed in compliance with the Phase I, Phase II and Phase III design drawings and engineering specifications in this permit as required under Condition I.J. of this Permit; and**
- I.E.16.b. The Permittees has submitted to the Director and received final approval for the permit modifications required under Condition I.J. of this Permit; and**
- I.E.16.c. The Director has inspected the newly constructed facility and determines that it is in compliance with the conditions of the permit; and**
- I.E.16.d. The Permittees have received written notice from the Director prior to commencing treatment or storage of hazardous waste at the facility.**

PCAPP COMMENT:

Although not currently anticipated, PCAPP suggests that this condition be modified to allow the flexibility to perform partial certification to allow limited hazardous waste operations assuming the facility can be operated in a safe manner and fully protective of human health and the environment. Also, references to Phase I construction are removed since this phase of construction is complete and has been accepted by CDPHE. Additionally, PCAPP requests the regulatory requirement specified in 6 CCR 1007-3 Part 100.42(l)(1)(ii)(B) be included as indicated.

PCAPP'S PROPOSED LANGUAGE:

I.E.16 Facility Construction Certification

The Permittees may not commence treatment or storage of hazardous waste in the permitted hazardous waste management units until:

- I.E.16.a. The Permittees has submitted to the Director as-built drawings of the corresponding Phase II and Phase III construction activities for PCAPP and letter(s) signed by the Permittees and a Colorado-registered Professional Engineer stating that the facility or hazardous waste management unit has been constructed in compliance with the corresponding Phase II and Phase III design drawings and engineering specifications in this permit as required under Condition I.J. of this Permit; and
- Deleted: Phase I,
- I.E.16.b. The Permittees has submitted to the Director and received final approval for the permit modifications required under Condition I.J. of this Permit; and
- I.E.16.c. The Director has inspected the newly constructed facility or hazardous waste management unit(s) and determines that it is in compliance with the conditions of the permit; or if the Permittee has not received notice from the Director of his intent to inspect within 15 days of submission of the letter in Condition I.E.16.a, prior inspection is waived, and
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- I.E.16.d. The Permittees have received written notice from the Director prior to commencing treatment or storage of hazardous waste at the facility or hazardous waste management unit(s).

CDPHE RESPONSE:

The Division concurs with the above comment and proposed language changes except for the inclusion of the phrase, “. . . or hazardous waste management unit(s).” At this time, treatment and/or storage of hazardous wastes will not be allowed at the PCAPP facility until the Division has accepted the certification for the entire PCAPP facility. The language in the final Permit has been changed accordingly.

150. DRAFT PERMIT LANGUAGE:

I.F. SIGNATORY REQUIREMENT

All applications, reports, or information submitted to or requested by the Director, his designee, or authorized representative, shall be signed and certified in accordance with 6 CCR 1007-3 §100.44(a) and §100.42(k).

PCAPP COMMENT:

Suggest a minor change to clarify that this requirement applies to only official hard copy written submissions, not written electronic communications or submittals. CDPHE would still maintain the option to identify which of these electronic submittals require subsequent hardcopy submittal under Permittee signature.

PCAPP'S PROPOSED LANGUAGE:

I.F. SIGNATORY REQUIREMENT

With the exception of information and documents submitted electronically, all applications, reports, or information submitted to or requested by the Director, his designee, or authorized representative, shall be signed and certified in accordance with 6 CCR 1007-3 §100.44(a) and §100.42(k).

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CDPHE RESPONSE:

The Division does not concur with the above comment or the associated proposed language changes since draft Permit Condition I.F is standard permit language based on 6 CCR 1007-3, § 100.42(k) and § 100.44(a). Draft Permit Condition I.F should not be overly burdensome since the Division accepts signed documents electronically. No changes were made to the final Permit based on the above comment.

151. DRAFT PERMIT LANGUAGE:

I.I. DOCUMENTS TO BE MAINTAINED AT THE FACILITY

The Permittees must maintain at the facility, the following documents and all amendments, revisions and modifications to these documents:

PCAPP COMMENT:

There are some documents on this list in which the original and later versions pre-date the initial issuance of the PCAPP RCRA RD&D Permit. For example, the Bechtel Procurement Supplier Quality Manual is a Bechtel corporate document and currently in its 11th edition.

PCAPP'S PROPOSED LANGUAGE:

I.I. DOCUMENTS TO BE MAINTAINED AT THE FACILITY

The Permittees must maintain at the facility, the following documents and all amendments, revisions and modifications to these documents since the date of initial issuance of this Permit:

CDPHE RESPONSE:

The Division understands the concerns expressed by the comment and has changed the permit language in the final permit to address those concerns. Instead of adding the proposed language to the entire section, the new language has been added to Permit Condition I.I.6 with minor changes.

152. I.I. DOCUMENTS TO BE MAINTAINED AT THE FACILITY

The Permittees must maintain at the facility, the following documents and all amendments, revisions and modifications to these documents:

I.I.8 Complete construction drawings and any other supporting records of construction.

PCAPP COMMENT:

Suggest associating this documentation requirement with the as-built drawings to be submitted under Conditions I.E.16.a and I.J.3.a and the construction quality documentation collected under condition II.Q.2

PCAPP'S PROPOSED LANGUAGE:

I.I. DOCUMENTS TO BE MAINTAINED AT THE FACILITY

The Permittees must maintain at the facility, the following documents and all amendments, revisions and modifications to these documents:

I.I.8 As-built drawings submitted in accordance with Conditions I.E.16.a and I.J.3.a and construction quality assurance information collected in accordance with Condition II.Q.2,

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CDPHE RESPONSE:

The Division does not concur with deleting the language “. . . any other supporting records of construction.” These “other supporting records of construction” need only be maintained at the facility until the certification of construction has been accepted by the Division. Other proposed language changes to draft Permit Condition I.I.8 have been incorporated into the final permit accordingly.

I.I.8 As-built drawings submitted in accordance with Conditions I.E.16.a.and I.J.3.a., construction quality assurance information collected in accordance with Condition II.Q.2., and any other supporting records of construction. These “other supporting records of construction” need only be maintained at the facility until the certification of construction has been accepted by the Division.

153. DRAFT PERMIT LANGUAGE:

I.I. DOCUMENTS TO BE MAINTAINED AT THE FACILITY

The Permittees must maintain at the facility, the following documents and all amendments, revisions and modifications to these documents:

I.I.11. A copy of the current weekly construction schedule for PCAPP that outlines the planned construction activities for the facility.

PCAPP COMMENT:

Suggest clarification to definition of “current weekly construction schedule” to satisfy intent and remain practical in implementation.

PCAPP’S PROPOSED LANGUAGE:

I.I. DOCUMENTS TO BE MAINTAINED AT THE FACILITY

The Permittees must maintain at the facility, the following documents and all amendments, revisions and modifications to these documents:

I.I.11. A copy of the current weekly construction schedule for PCAPP, issued within the past 7 calendar days or most recent schedule if not issued within past 7 calendar days, that outlines the planned construction activities for the facility.

CDPHE RESPONSE:

CDPHE does not concur with the proposed change because the intent of the requirement is to maintain a current construction schedule for coordination on construction oversight. The Division acknowledges that changes to the schedule will occur but this requirement is for coordination purposes.

154. DRAFT PERMIT LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below:

PCAPP COMMENT:

To ensure adequate flexibility to support the PCAPP construction schedule while ensuring that CDPHE has adequate time to review the submitted information, PCAPP proposes the following modification.

PCAPP'S PROPOSED LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below, unless the Director approves an alternate schedule:

CDPHE RESPONSE:

CDPHE concurs with this comment and has incorporated the suggested language changes to draft Permit Condition I.J into the final Permit, with a clarification that such approval must be in writing.

155. **DRAFT PERMIT LANGUAGE:**

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.1.b. A Class 1 permit modification requiring prior written approval from the Director that describes the protective chemical coating that will be applied to the floors of the MSMs and MUC to prevent the release of hazardous waste constituents to the environment, at least ninety (90) days prior to the date for planned construction of the MSMs or MUC.**

PCAPP COMMENT:

PCAPP proposes to change the milestone that triggers submittal of this information from “the date for planned construction of the MSMs or MUC” to “the date for planned coating installation in the MSMs or MUC.” Coatings are installed toward the end of construction and concrete/structural work can proceed without selecting a coating manufacturer. This approach is consistent with the current approach to APB, ERB, AGV corridor and 30-day Tank pad construction (i.e., construction on these facilities has been allowed to proceed before coating manufacturer selection).

PCAPP’S PROPOSED LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.1.b. A Class 1 permit modification requiring prior written approval from the Director that describes the protective chemical coating that will be applied to the floors of the MSMs and MUC to prevent the release of hazardous waste constituents to the environment, at least ninety (90) days prior to the date for planned coating installation in the MSMs or MUC. If the projected dates for coating installation in the MSMs and MUC differ, the earliest date should be used for compliance with this condition.**

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CDPHE RESPONSE:

The Division concurs with this comment and has amended the language in the final permit accordingly, except that the word “should” has been replaced with “shall” to make the permit condition enforceable.

156. DRAFT PERMIT LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

I.J.1.c. Engineering calculations and supporting documentation for the ESM that demonstrates it will be able to contain the explosive blast of 5,000 lb Net Explosive Weight (NEW), at least ninety (90) days prior to the date for planned construction of the ESM.

PCAPP COMMENT:

As indicated in past conversations with CDPHE, the ESM is not designed to contain the explosive blast of 5,000 lb NEW. Based upon Department of Defense Explosive Safety Board (DDESB) requirements, the ESM must have the appropriate separation distances from other structures. The preliminary DDESB approval (previously submitted to CDPHE) approves this aspect of the PCAPP design. The only aspect of the PCAPP design that has not received DDESB approval is the ECR design. PCAPP suggests deleting this compliance item.

CDPHE RESPONSE:

The Division concurs with this comment and draft compliance schedule item I.J.1.c has been deleted from the compliance schedule in the final permit.

157. DRAFT PERMIT LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.1.e. A Class 1 permit modification requiring prior written approval from the Director that describes the final design details for the Projectile Mortar Disassembly Machines (PMDs) and all other process equipment in the ERB, including the difusing machine, at least ninety (90) days prior to the date for their planned construction and installation at PCAPP.**

PCAPP COMMENT:

PCAPP proposes to change the milestone that triggers submittal of this information from “the date for their planned construction and installation at PCAPP” to “the date for their planned installation at PCAPP.”

PCAPP’S PROPOSED LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.1.e. A Class 1 permit modification requiring prior written approval from the Director that describes the final design details for the Projectile Mortar Disassembly Machines (PMDs) and all other process equipment in the ERB, including the difusing machine, at least ninety (90) days prior to the date for their planned installation at PCAPP.**

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CDPHE RESPONSE:

The Division does not concur with this comment. The language remains unchanged since the language clearly refers to construction on-site at the PCAPP facility. Therefore, the Permittee may fabricate and construct units off-site at their own risk without initiating these permit conditions in the Compliance Schedule (Permit Condition I.J).

158. DRAFT PERMIT LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

I.J.1.f. A Class 1 permit modification requiring prior written approval from the Director that describes the final design details for the Explosive Containment Rooms (ECRs) in the ERB, including approval from the Department of Defense, Explosive Safety Board (DDESB), at least ninety (90) days prior to the date for their planned construction at PCAPP.

PCAPP COMMENT:

As part of the ERB TA review process, CDPHE performed a detailed review of the ERB structural drawings, including those associated with the ECRs. Additionally, PCAPP is not anticipating significant changes to the ECR structural drawings due to the ongoing DDESB review. Therefore, PCAPP proposes to reduce the above duration from ninety (90) to fifteen (15). This will ensure that there are no interruptions to ERB construction while ensuring CDPHE has adequate time to review.

If PCAPP submits this information before CDPHE reaches a final decision on this permit modification request, then PCAPP requests that this condition be eliminated.

PCAPP'S PROPOSED LANGUAGE:

CDPHE RESPONSE: The 15 day notification is not sufficient for Division review and comment. However, the Division has reduced the requirement to 30 days prior to construction to facilitate construction of the ERB in the final permit.

159. DRAFT PERMIT LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.1.g. A Class 1 permit modification requiring prior written approval from the Director that describes the design details for the burster detection system to be installed with the Munitions Loading Conveyors in the Munitions Washout System (MWS) at least ninety (90) days prior to the planned construction and installation of the MWS at PCAPP.**

PCAPP COMMENT:

The term “MWS” is broad/nebulous and, to facilitate compliance. PCAPP recommends a more specific milestone. PCAPP proposes to change milestone that triggers submittal of this information from “the planned construction and installation of the MWS at PCAPP” to “the planned installation of the burster detection system in the MWS at PCAPP.”

PCAPP’S PROPOSED LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.1.g. A Class 1 permit modification requiring prior written approval from the Director that describes the design details for the burster detection system to be installed with the Munitions Loading Conveyors in the Munitions Washout System (MWS) at least ninety (90) days prior to the planned installation of the burster detection system in the MWS at PCAPP.**

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CDPHE RESPONSE:

The Division does not concur with the deletion of the phrase “. . . construction and. . .” The language in draft Permit Condition I.J.1.g clearly refers to construction on-site at the PCAPP facility. Therefore, the Permittee may fabricate and construct units off-site at their own risk without initiating these permit conditions in the Compliance Schedule (Permit Condition I.J).

The Division does, however, concur with the clarification of the milestone that triggers submittal of the information required by Permit Condition I.J.1.g. The language of draft Permit Condition I.J.1.g is changed in the final Permit by adding the phrase “. . . burster detection system in the . . .” as suggested by the above comment.

160. DRAFT PERMIT LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.1.h. A Class 1 permit modification requiring prior written approval from the Director that describes the design details for the coating(s) to be used on the Cavity Access Machine (CAM) frames, including information demonstrating that the coating will perform adequately to protect the CAM frames from the anticipated waste streams and corrosive operating environment, at least one hundred twenty (120) days prior to the planned date for construction and installation of the MWS at PCAPP.**

PCAPP COMMENT:

PCAPP proposes to change the milestone that triggers submittal of this information from “the planned date for construction and installation of the MWS at PCAPP” to a more specific milestone of “the planned date for installation of the CAM frames at PCAPP.” Coatings are installed toward the end of construction and, as noted earlier, work can proceed without selecting a coating manufacturer.

Also, PCAPP suggests sixty (60) days instead of one hundred and twenty (120) days. The submittal is not anticipated to be so voluminous as to take one hundred and twenty (120) days to review.

PCAPP’S PROPOSED LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.1.h. A Class 1 permit modification requiring prior written approval from the Director that describes the design details for the coating(s) to be used on the Cavity Access Machine (CAM) frames, including information demonstrating that the coating will perform adequately to protect the CAM frames from the anticipated waste streams and corrosive operating environment, at least sixty (60) days prior to the planned date for installation of the CAM frames at PCAPP.**

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CDPHE RESPONSE:

The Division concurs with the proposed language changing the submittal date regarding coatings for the CAM frames from one hundred twenty (120) days to sixty (60) days prior to the on-site construction and installation of the CAM frames. The language in draft Permit Condition I.J.1.h is changed accordingly in the final Permit.

The Division does not concur with the deletion of the phrase “. . . construction and. . .” The language in draft Permit Condition I.J.1.h clearly refers to construction on-site at the PCAPP facility. Therefore, the Permittee may fabricate and construct units off-site at their own risk without initiating these permit conditions in the Compliance Schedule (Permit Condition I.J).

161. DRAFT PERMIT LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

I.J.1.i. A Class 1 permit modification requiring prior written approval from the Director that describes the design details for the Munitions Weigh Station to be installed in the Munitions Washout System (MWS), at least ninety (90) days prior to the planned date for construction and installation of the MWS at PCAPP.

PCAPP COMMENT:

As mentioned in comments to Part IV, because of variability in tare weights and agent fill weights, munition weight is only a gross indication of the drain status. Verification of agent cavity access and verification of washout parameters are the relevant preconditions to munition body feed to the MTU. Therefore, the weigh station is not critical from an environmental performance standpoint and PCAPP recommends elimination of this condition.

If the condition is not eliminated, PCAPP proposes to change the milestone that triggers submittal of this information from “the planned date for construction and installation of the MWS at PCAPP” to “the planned date for its installation at PCAPP.” In addition, the weigh station is now referred to as a Drained Munitions Weigh Station and it has been moved to the Munitions Treatment Unit (MTU).

PCAPP’S PROPOSED LANGUAGE:

Deletion of Condition (PCAPP’s preference)

or

I.J.1.i. A Class 1 permit modification requiring prior written approval from the Director that describes the design details for the Drained Munitions Weigh Station to be installed in the Munitions Treatment Units (MTUs), at least ninety (90) days prior to the planned date for its installation at PCAPP.

Deleted: Washout System

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Deleted: construction and

Deleted: of the MWS

CDPHE RESPONSE:

The Division is retaining draft Permit Condition I.J.1.i in the final Permit. The Division concurs with the language changes to draft Permit Condition I.J.1.i proposed by the

above comment except for the deletion of the phrase “. . . construction and” The language in draft Permit Condition I.J.1.i clearly refers to construction on-site at the PCAPP facility. Therefore, the Permittee may fabricate and construct units off-site at their own risk without initiating these permit conditions in the Compliance Schedule (Permit Condition I.J). The other language changes to draft Permit Condition I.J.1.i proposed in the above comment are incorporated as suggested in the final Permit.

162. DRAFT PERMIT LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.1.j. A Class 1 permit modification requiring prior written approval from the Director that describes the design details for the Munitions Reject Tables to be installed in the Munitions Washout System (MWS), at least ninety (90) days prior to the planned date for construction and installation of the MWS at PCAPP.**

PCAPP COMMENT:

For compliance purposes, the term MWS is broad and a little nebulous. PCAPP proposes to change milestone that triggers submittal of this information from “the planned date for construction and installation of the MWS at PCAPP” to “the planned date for MWS reject table installation at PCAPP.”

PCAPP’S PROPOSED LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.1.j. A Class 1 permit modification requiring prior written approval from the Director that describes the design details for the Munitions Reject Tables to be installed in the Munitions Washout System (MWS), at least ninety (90) days prior to the planned date for MWS reject table installation at PCAPP.

Deleted: construction and

Deleted: of the MWS

CDPHE RESPONSE:

The Division concurs with the language changes to draft Permit Condition I.J.1.j proposed by the above comment except for the deletion of the phrase “. . . construction and . . .” The language in draft Permit Condition I.J.1.j clearly refers to construction on-site at the PCAPP facility. Therefore, the Permittee may fabricate and construct units off-site at their own risk without initiating these permit conditions in the Compliance Schedule (Permit Condition I.J). The other language changes to draft Permit Condition I.J.1.j proposed in the above comment are incorporated as suggested in the final Permit.

163. I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.1.k. A Class 1 permit modification requiring prior written approval from the Director that describes the design details for the leak detection probes to be installed with secondary containment system in the APB, at least ninety (90) days prior to their planned construction and installation at PCAPP.**

PCAPP COMMENT:

PCAPP proposes a minor clarification to the language.

PCAPP'S PROPOSED LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.1.k. A Class 1 permit modification requiring prior written approval from the Director that describes the design details for the leak detection probes to be installed with in the lined sumps in the APB, at least ninety (90) days prior to their planned installation at PCAPP.

Deleted: secondary containment system

Deleted: construction and

CDPHE RESPONSE:

The Division concurs with the minor language changes to draft Permit Condition I.J.1.k proposed by the above comment except for the deletion of the phrase “. . . construction and . . .” The language in draft Permit Condition I.J.1.k clearly refers to construction on-site at the PCAPP facility. Therefore, the Permittee may fabricate and construct units off-site at their own risk without initiating these permit conditions in the Compliance Schedule (Permit Condition I.J). The other language changes to draft Permit Condition I.J.1.k proposed in the above comment are incorporated as suggested in the final Permit.

164. I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

I.J.1.1. A Class 1 permit modification requiring prior written approval from the Director that describes the design details for the coating(s) and joint sealants to be used on all areas of secondary containment systems in the APB, including information demonstrating that the coatings/sealants will perform adequately to protect the secondary containment materials of construction from the anticipated waste streams and corrosive operating environment, at least one hundred eighty (180) days prior to the planned date for their construction and installation in the APB at PCAPP.

PCAPP COMMENT:

PCAPP offers the following language clarification and suggests that a ninety (90) day duration be used instead (the design information is not expected to be so voluminous as to require 180 days to review).

PCAPP'S PROPOSED LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

I.J.1.1. A Class 1 permit modification requiring prior written approval from the Director that describes the design details for the coating(s) and joint sealants to be used on all areas of secondary containment systems in the APB, including information demonstrating that the coatings/sealants will perform adequately to protect the secondary containment materials of construction from the anticipated waste streams and corrosive operating environment, at least ninety (90) days prior to the planned date for the coating and joint sealant installation in the APB at PCAPP.

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Deleted: construction and

CDPHE RESPONSE: The Division concurs with the proposed language in the comment, except that at least 120 is necessary to review the Class 1 modification under this permit condition. The final permit has been amended accordingly.

165. DRAFT PERMIT LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.1.m. A Class 1 permit modification requiring prior written approval from the Director that describes the final design details and vendor supplied drawings for the Munitions Treatment Units (MTUs) and all its components including the water-jacketed cooling chamber zone and paint residue removal system, at least one hundred eighty (180) days prior to the planned construction and installation at PCAPP.**

PCAPP COMMENT:

PCAPP proposes to change the milestone that triggers submittal of this information from “the planned construction and installation at PCAPP” to “the planned date for its installation at PCAPP. (As is true for several of the systems at PCAPP, it could be inferred that construction has already started since shop fabrication has already begun).

Also, PCAPP proposes to change the duration from 180 days to 90 days. CDPHE has reviewed preliminary design information and attended MTU testing at the vendor’s facility and is therefore already familiar with this design and 90-days should therefore be an adequate period for review.

PCAPP’S PROPOSED LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.1.m. A Class 1 permit modification requiring prior written approval from the Director that describes the final design details and vendor supplied drawings for the Munitions Treatment Units (MTUs) and all its components including the water-jacketed cooling chamber zone and paint residue removal system, at**

least ninety (90) days prior to the planned date for its
installation at PCAPP.

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Deleted: construction and

CDPHE RESPONSE:

The Division does not concur with changing the duration from one hundred eighty (180) days to ninety (90) days for the submittal of final design details and vendor supplied drawings for the MTUs. This documentation has not been submitted to the Division thus the Division will need adequate time to review these design details. This is especially the case with regards to the water-jacketed cooling chamber zone and the paint residue removal system which were not included in the MTU testing at the vendor's facility during the Division's visit. Therefore, the language in draft Permit Condition I.J.1.m remains unchanged in the final Permit with regard to the submittal due date.

The Division concurs with the minor language change adding the phrase "... date for its . . ." to draft Permit Condition I.J.1.m proposed by the above comment. This language change to draft Permit Condition I.J.1.m proposed in the above comment is incorporated as suggested in the final Permit.

The Division does not concur with the deletion of the phrase "... construction and" The language in draft Permit Condition I.J.1.m clearly refers to construction on-site at the PCAPP facility. Therefore, the Permittee may fabricate and construct units off-site at their own risk without initiating these permit conditions in the Compliance Schedule (Permit Condition I.J).

166. I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.1.n. A Class 2 permit modification that describes the design specifications and operating details for the storage unit/area to be used for accumulation and storage of the metal munitions bodies that have undergone treatment in the MTU, in accordance with applicable sections of 6 CCR 1007-3, parts 264 and 100, at least one hundred twenty (120) days prior to the planned date for its construction and installation at PCAPP.**

PCAPP COMMENT:

PCAPP understands that CDPHE considers the munition bodies a waste until successful treatment is demonstrated during the pilot-test period and a storage area is therefore required. However, as written, the condition incorrectly presumes that a structure will need to be built for this function. The munitions that have been treated in the MTU will not have free liquids. 6 CCR 1007-3 Part 264.175(c) does not require secondary containment for storage of containerized waste that do not contain free liquids provided that the containers are elevated or are otherwise protected from contact with accumulated liquid.

In a similar vein, a Class 2 permit modification may not be necessary and may not be the most appropriate regulatory mechanism to address this kind of change. In the federal register that addressed modifying RCRA permits (FR Vol. 53, No. 188, September 28, 1988, pages 37919 through 37921), the EPA acknowledges that temporary authorizations (TAs) can be used “to address a one-time or short-term activity at a facility for which the full permit modification process is inappropriate.” The storage of munition bodies under RCRA standards is expected to be a short-term/one-time activity since the pilot-test demonstration should prove that agent has adequately been removed (if it doesn’t the necessary permit modifications can be filed during the TA period). Therefore, PCAPP may opt for a TA request instead of a Class 2 permit modification.

As indicated in 6 CCR 1007-3 Part 100.63(b)(8), the permittee is typically allowed to perform any construction/installation associated with a Class 2 permit modification beginning sixty (60) days after the submission of the request.

PCAPP’S PROPOSED LANGUAGE:

I.J.1.n. A Class 2 permit modification or temporary authorization request that describes the storage approach and operating details for the storage area to be used for accumulation and storage of the metal munitions bodies that have undergone treatment in the MTU, in accordance with applicable sections of 6 CCR 1007-3, parts 264 and 100, at least sixty (60) days prior to the planned date for its installation at PCAPP.

Deleted: design specifications

Deleted: unit/

Deleted: one hundred twenty (120)

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CDPHE RESPONSE:

The Division concurs that a temporary authorization may be an appropriate regulatory mechanism for addressing storage of waste munition bodies until successful treatment is demonstrated and the language adding this option to draft Permit Condition I.J.1.n has therefore been incorporated into the final permit.

The Division does not concur with the replacement of “design specifications” with “storage approach,” or with the deletion of “unit/” as these changes are unnecessary. It may turn out that the storage unit/area will not require much of an engineered design and the permit modification or temporary authorization request will need to demonstrate that what is proposed is adequate in accordance with the requirements of the applicable sections of 6 CCR 1007-3, Parts 264 and 100.

The Division concurs with the proposed language changing the submittal date regarding the waste munition body storage area/unit from one hundred twenty (120) days to sixty (60) days prior to its on-site construction and installation at PCAPP. The language in draft Permit Condition I.J.1.n has been changed accordingly in the final Permit.

The Division, however, does not concur with the deletion of the phrase “. . . construction and . . .” The language in draft Permit Condition I.J.1.n clearly refers to construction on-site at the PCAPP facility. Therefore, the Permittee may fabricate and construct units off-site at their own risk without initiating these permit conditions in the Compliance Schedule (Permit Condition I.J).

167. DRAFT PERMIT LANGUAGE:

I.J.1.o. The mustard agent hydrolysis tank treatment recipe demonstrating compliance with 6 CCR 1007-3, Section 264.17, at least one hundred twenty (120) days prior to the planned date for commencing treatment and storage of hazardous waste at PCAPP.

PCAPP COMMENT:

PCAPP requests that this condition be deleted. PCAPP will need to adjust any recipe to maintain a proper process throughput balance within the APB. For example, based upon Aberdeen experience, there will be situations when the quantity of spent decon accumulated is high and PCAPP will need to process just spent decon in the hydrolyzers to obtain (free up) capacity in the spent decon tanks. In addition, PCAPP may want to experiment with maximum agent concentration per batch for efficiency and waste minimization purposes. PCAPP believes this kind of flexibility is allowed in RD&D permits and is especially warranted here since PCAPP will sample and analyze every batch of hydrolysate to ensure the agent concentrations are below the limits specified in the WAP. Instead of including details regarding the recipe in the permit, PCAPP recommends that a maximum agent concentration level be identified and this concentration would be addressed in the pilot test plan requested in Condition I.J.2.a of this permit.

PCAPP'S PROPOSED LANGUAGE:

I.J.1.o. Reserved
I.J.2.a.v. A maximum agent concentration to be processed in the agent hydrolyzers.

Deleted: The mustard agent hydrolysis tank treatment recipe demonstrating compliance with 6 CCR 1007-3, Section 264.17, at least one hundred twenty (120) days prior to the planned date for commencing treatment and storage of hazardous waste at PCAPP.

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CDPHE RESPONSE:

The Division does not concur with this comment or the proposed changes to draft Permit Condition I.J.1.o. If the Permittees desire flexibility for making changes to the mustard agent hydrolysis tank treatment recipe, then the Permittees may submit more than one recipe or may submit one or more recipes with defined ranges of concentrations and/or quantities of waste streams, reagents, and/or treatment parameters (e.g., treatment time, temperature, etc.). Regardless of the number of recipes or options proposed, the submitted documentation must demonstrate compliance with the requirements of 6 CCR 1007-3, Section 264.17. Additionally, the maximum agent concentration to be processed in the agent hydrolyzers is specified at 8.6 % by weight in draft Permit Condition IV.D.4.d.iv(C) and is being retained in the final Permit (see response to comment number 118). If the Permittee desires to change the maximum agent concentration per treatment batch, then a permit modification request will need to be submitted to the Division

providing adequate justification to support such a change. Therefore, the language in draft Permit Condition I.J.1.o remains unchanged in the final Permit.

168. DRAFT PERMIT LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.1.p. A written assessment of the final tank designs, reviewed and certified by an independent, qualified registered Colorado professional engineer, attesting that each of the APB tank systems have sufficient structural integrity and is acceptable for storing the agent hydrolysate in accordance with 6 CCR 1007-3, §264.192 at least ninety (90) days prior to the date for its planned construction and installation at PCAPP.**

PCAPP COMMENT:

PCAPP submitted to CDPHE on September 6, 2007 a tank assessment report (TAR) that provides a written assessment of the final APB tank designs. This assessment included a review of the tank vendor information supplied for the APB tanks. This assessment was reviewed and certified by an independent, qualified registered Colorado professional engineer as required by 6 CCR 1007-3, §264.192. The certification letter can be found in the TAR (behind the signature page and before the table of contents).

For each of the APB tanks systems, this written assessment and the certification attest that each of the tank systems has sufficient structural integrity and is acceptable for storing and treating the hazardous wastes that will be managed in these tank systems.

In recent conversations, CDPHE has indicated that as part of their review of the TAR that they were not able to review the tank vendor drawings (PCAPP can find no record of a CDPHE request for this information (e.g., document request form, CDPHE comments, etc.)). Therefore, PCAPP believes it is more appropriate to request the tank vendor drawings in the compliance schedule than the tank assessment report.

Also, PCAPP proposes to change the duration to 60 days since it should not take very long to review the vendor drawings. Also, the reference to construction is deleted since it could be inferred to apply to shop fabrication, which is already underway.

PCAPP'S PROPOSED LANGUAGE:

- I.J.1.p. RCRA tank vendor drawings at least sixty (60) days prior to the date for installation of the corresponding RCRA tank at PCAPP.

Deleted: A written assessment of the final tank designs, reviewed and certified by an independent, qualified registered Colorado professional engineer, attesting that each of the APB tank systems have sufficient structural integrity and is acceptable for storing the agent hydrolysate in accordance with 6 CCR 1007-3, §264.192

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CDPHE RESPONSE: While the Division did receive a TAR on September 6, 2007, the TAR contained numerous strike outs and changes in the text and tables indicative of a draft document. Therefore, the Division has not accepted the TAR as final. Additionally, the TAR did not mention the tank vendor drawings, nor was the Division informed of their existence. Since the Division was unaware of the vendor drawings, the Division was unable to request copies for internal review. The Division has revised the permit text pertaining to the Tank Assessment Report accordingly as proposed, but will maintain the ninety-day review period for the vendor drawings in the final permit. Condition I.J.1.p of the final permit now states

- I.J.1.p. The Permittee will submit the RCRA tank vendor drawings for review at least ninety (90) days prior to the date for installation of the corresponding RCRA tank at PCAPP. The Division will utilize the tank vendor drawings to finalize acceptance of the P.E. certification included in the Tank Assessment Report.

169. DRAFT PERMIT LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

I.J.1.q. A written assessment reviewed and certified by an independent, qualified registered Colorado professional engineer attesting that each of the APB tanks has been installed in accordance with 6 CCR 1007-3, §264.192, within forty five (45) days of completing installation and construction of the tanks.

PCAPP COMMENT:

6 CCR 1007-3 Part 264.192(b) allows this assessment to be done by an independent qualified installation inspector.

PCAPP'S PROPOSED LANGUAGE:

I.J.1.q. A written assessment reviewed and certified by an independent, qualified registered Colorado professional engineer or by an independent qualified installation inspector attesting that each of the APB tanks has been installed in accordance with 6 CCR 1007-3, §264.192, within forty five (45) days of completing installation and construction of the tanks.

CDPHE RESPONSE: The Division concurs with the comment and has incorporated the language into the final permit accordingly as suggested.

170. DRAFT PERMIT LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.1.r. A Class 1 permit modification requiring prior written approval from the Director that describes the design specifications and operating details for the ancillary piping associated with the 30-Day Hydrolysate hold tanks, at least ninety (90) days prior to the date for its planned construction and installation at PCAPP. If the ancillary piping will not be provided with secondary containment, the modification shall include a description of the procedures for inspecting the ancillary piping on a daily basis as required by 6 CCR 1007-3, §264.193 and §264.195.**

PCAPP COMMENT:

To support the construction schedule, PCAPP requests that this duration be changed to 60 days.

PCAPP'S PROPOSED LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.1.r. A Class 1 permit modification requiring prior written approval from the Director that describes the design specifications and operating details for the ancillary piping associated with the 30-Day Hydrolysate hold tanks, at least ~~sixty (60)~~ days prior to the date for its planned construction and installation at PCAPP. If the ancillary piping will not be provided with secondary containment, the modification shall include a description of the procedures for inspecting the ancillary piping on a daily basis as required by 6 CCR 1007-3, §264.193 and §264.195.**

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CDPHE RESPONSE: The Division does not agree with the change proposed in this comment since the precise construction schedule for PCAPP has not been defined. The Division needs sufficient time to conduct a thorough review and evaluation of the

ancillary piping design details associated with the 30-Day Hydrolysate hold tanks and has therefore retained the ninety-day (90) review period in the final permit. However, per response to comment #154, the Division can approve an alternate schedule for this review if sufficient justification has been provided. No change to the final permit has been made as a result of this comment.

171. DRAFT PERMIT LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.1.s. A written assessment of the final tank designs, reviewed and certified by an independent, qualified registered Colorado professional engineer, attesting that the 30-Day Hydrolysate tank system has sufficient structural integrity and is acceptable for storing the agent hydrolysate in accordance with 6 CCR 1007-3, §264.192 at least ninety (90) days prior to the date for its planned construction and installation at PCAPP.

PCAPP COMMENT:

PCAPP submitted to CDPHE on September 6, 2007 a tank assessment report (TAR) that provides a written assessment of the final 30-Day tank designs. This assessment included a review of Bechtel design information and a review of detailed tank design information provided by a tank design firm (Hagen). This assessment was reviewed and certified by an independent, qualified registered Colorado professional engineer as required by 6 CCR 1007-3, §264.192. The certification letter can be found in the TAR (behind the signature page and before the table of contents).

This written assessment and the certification attest that the tank systems have sufficient structural integrity and are acceptable for storing and treating the hazardous wastes that will be managed in these tank systems.

In recent conversations, CDPHE has indicated that as part of their review of the TAR that they were not able to review the detailed design information for the tanks (PCAPP can find no record of a CDPHE request for this information (e.g., document request form, CDPHE comments, etc.)). Therefore, PCAPP believes it is more appropriate to request the Hagen design information in the compliance schedule than the tank assessment report.

PCAPP'S PROPOSED LANGUAGE:

- I.J.1.s. Hagen design information at least ninety (90) days prior to the date for the planned construction and installation of the 30-Day tanks at PCAPP.

CDPHE RESPONSE: While the Division did receive a TAR on September 6, 2007, the TAR contained numerous strike outs and changes in the text and tables indicative of a draft document. Therefore, the Division has not accepted the TAR as final. Additionally,

Deleted: A written assessment of the final tank designs, reviewed and certified by an independent, qualified registered Colorado professional engineer, attesting that the 30-Day Hydrolysate tank system has sufficient structural integrity and is acceptable for storing the agent hydrolysate in accordance with 6 CCR 1007-3, §264.192

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the TAR did not mention the tank vendor drawings, nor was the Division informed of their existence. Since CDPHE was unaware of the vendor drawings, the Division was unable to request copies for internal review. The Division will agree to request the tank vendor drawings as a compliance schedule item; however, the ninety day review period for these documents has been retained in the final permit. Condition I.J.1.s. in the final permit now reads as follows:

- I.J.1.s. The Permittee will submit Hagen design information at least ninety (90) days prior to the date for the planned construction and installation of the 30-Day tanks at PCAPP. The Division will utilize the tank vendor drawings to finalize acceptance of the P.E. certification included in the Tank Assessment Report.

172. DRAFT PERMIT LANGUAGE

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.1.t. A Class I permit modification requiring prior written approval from the Director that describes the design specifications and installation details for the coatings and joint sealants that will be used on for the secondary containment systems associated with the 30-Day Hydrolysate storage tank system at PCAPP, at least ninety (90) days prior to the date for its planned construction and installation at PCAPP.**

PCAPP COMMENT:

PCAPP proposes to change the milestone that triggers submittal of this information from “the date for its planned construction” to “the date for the planned coating and joint sealant installation.” Coatings are installed toward the end of construction and concrete/structural work can proceed without selecting a coating manufacturer. This approach is consistent with the current 30-day Tank pad TA (i.e., construction has been allowed to proceed before coating manufacturer selection).

PCAPP’S PROPOSED LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.1.t. A Class 1 permit modification requiring prior written approval from the Director that describes the design specifications and installation details for the coatings and joint sealants that will be used on for the secondary containment systems associated with the 30-Day Hydrolysate storage tank system at PCAPP, at least ninety (90) days prior to the date for the planned coating and joint sealant installation at the 30-Day Hydrolysate Storage Tanks at PCAPP.**

CDPHE RESPONSE: CDPHE concurs with this change and has revised the text in the final permit accordingly.

173. DRAFT PERMIT LANGUAGE

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.1.u. A written assessment reviewed and certified by an independent, qualified registered Colorado professional engineer attesting that the 30-Day hydrolysate tanks have been installed in accordance with 6 CCR 1007-3, §264.192, within forty five (45) days of completing installation and construction of the tanks.**

PCAPP'S COMMENT:

6 CCR 1007-3 Part 264.192(b) allows this assessment to be done by an independent qualified installation inspector.

PCAPP'S PROPOSED LANGUAGE:

- I.J.1.u. A written assessment reviewed and certified by an independent, qualified registered Colorado professional engineer or an independent qualified installation inspector attesting that the 30-Day hydrolysate tanks have been installed in accordance with 6 CCR 1007-3, §264.192, within forty five (45) days of completing installation and construction of the tanks.

CDPHE RESPONSE: The Division agrees with this comment and has incorporated the proposed language into the final permit accordingly as suggested.

174. DRAFT PERMIT LANGUAGE:

I.J.1.v. A Class 2 permit modification that describes the engineering design specifications and operating details for the tank systems that will be used for bio-treatment of the hydrolysate at PCAPP, in accordance with 6 CCR 1007-3, Parts 264 and 100, at least one hundred eighty (180) days prior to the date for their planned construction and installation at the facility.

If the hydrolysate will not be treated on-site, then the Permittee shall provide notification and submit appropriate permit modification to the Director within 30 days of that decision but no later than 360 days prior to the date hazardous waste will be managed at the facility. Storage by the Permittee of the hydrolysate waste on-site for any off-site treatment greater than one year is prohibited.

PCAPP COMMENT:

If the off-site management option is selected, a truck loading facility will be necessary. It will take much longer than 30 days to develop the necessary design information/permit modification request and perform the necessary internal reviews. PCAPP would prefer to schedule this design/permitting effort with a consideration of the work load and priorities existing at the time. Therefore, PCAPP recommends changing the submittal date for this modification request to at least sixty (60) days before the scheduled start of construction.

A variety of factors are involved in a decision to manage a waste stream on-site versus off-site and these factors can change in the future. Consequently, there may not be an irrevocable decision made any time soon. For instance, PCAPP could continue with the on-site treatment approach, permit and build the necessary facilities (BTA, BRS), but find that they cannot perform as expected and the overriding mission of destroying the stockpile is therefore hindered. Under this scenario, off-site shipment may be the best solution. Consequently, PCAPP recommends removal of the 360 day requirement.

PCAPP'S PROPOSED LANGUAGE:

I.J.1.v. A Class 2 permit modification . . . planned construction and installation at the facility.

If the hydrolysate will not be treated on-site, then the Permittee shall provide notification within 30 days of that decision and submit the appropriate permit modification to the Director, at least 60 days before the scheduled start of construction of the truck loading facility. Storage by the Permittee of the hydrolysate waste on-site for any off-site treatment greater than one year is prohibited.

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CDPHE RESPONSE: The Division understands the complexity of the hydrolysate decision. However, the proposed language fails to account for the public comment periods associated with the Class 2 permit modification. Condition I.J.1.v in the final

permit has therefore been amended as follows to allow for time for the public comment period:

A Class 2 permit modification . . . planned construction and installation at the facility.

If the hydrolysate will not be treated on-site, then the Permittee shall provide notification within 30 days of that decision and submit the appropriate permit modification to the Director, at least 180 days before the scheduled start of construction of the truck loading facility. Storage by the Permittee of the hydrolysate waste on-site for any off-site treatment greater than one year is prohibited.

Deleted: within 30

Deleted: of that decision but no later than 360 days prior to the date hazardous waste will be managed at the facility

175. DRAFT PERMIT LANGUAGE

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

Explosive Destruction Technology

- I.J.1.x. A Class 3 permit modification that describes the engineering design specifications and operating details for the explosive destruction technology or other hazardous waste treatment system/units that will be used to process leaking munitions or munitions that cannot be processed normally in the ERB and agent contaminated explosives at PCAPP, in accordance with the applicable sections of 6 CCR 1007-3, Parts 264 and 100 at PCAPP, at least three hundred sixty (360) days prior to the date for its planned construction and installation at the facility. The date for the planned construction and installation of the explosive destruction technology or other hazardous waste treatment system/units must be at least one hundred eighty (180) days prior to the date hazardous waste munitions will be managed at PCAPP.**

PCAPP COMMENT:

To ensure efficient EDT operation, PCAPP must accumulate sufficient quantities of leakers, rejects, and agent-contaminated energetic components to sustain continuous or near-continuous EDT operations. If such an amount is not accumulated, the EDT will experience extended shut down periods and numerous restarts and consequently retaining experienced/trained workers may become problematic. 6 CCR 1007-3 Part 268.50(c) allows for extended storage under these circumstances since it states:

“An owner/operator of a treatment, storage or disposal facility may store such wastes beyond one year; however, the owner/operator bears the burden of proving that such storage was solely for the purpose of accumulation of such quantities of hazardous waste as are necessary to facilitate proper recovery, treatment, or disposal.”

PCAPP therefore proposes to initiate EDT operations sometime during agent/munitions processing so that the projected conclusion of EDT operations coincides with projected conclusion of the final campaign, the 4.2-inch mortar campaign. In addition to satisfying the regulations, this approach offers the following advantages:

- The results of the ongoing NRC study of EDT options can be considered when making a technology selection.
- The EDT can be implemented without impacting current PCAPP permitting, construction, systemization, and operation efforts associated with the main stockpile.

Considering the above, PCAPP suggests the following modification.

PCAPP’S PROPOSED LANGUAGE:

Explosive Destruction Technology

I.J.1.x. A Class 3 permit modification that describes the engineering design specifications and operating details for the explosive destruction technology or other hazardous waste treatment system/units that will be used to process leaking munitions or munitions that cannot be processed normally in the ERB and agent contaminated explosives at PCAPP, in accordance with the applicable sections of 6 CCR 1007-3, Parts 264 and 100 at PCAPP, at least three hundred sixty (360) days prior to the date for its planned construction and installation at the facility. The date for the planned installation of the explosive destruction technology or other hazardous waste treatment system/units must be such that it supports a projected completion of leaker/reject/agent-contaminated energetic processing that coincides with a projected completion date for the 4.2-inch mortar campaign.

Deleted: construction and

Deleted: at least one hundred eighty (180) days prior to the date hazardous waste munitions will be managed at PCAPP.

CDPHE RESPONSE:

The Division does not concur with the comment because a sufficient quantity of reject munitions to facilitate treatment in the EDT unit already exists at PCD (nearly 100 over-packed waste munitions in permitted storage) to facilitate their treatment. Additionally, the entire stockpile of waste chemical weapons stored at PCD is already in violation of the storage prohibition in 6 CCR 1007-3, Part 268. At this time, the draft permit has not been amended as a result of this comment.

176. DRAFT PERMIT LANGUAGE:

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

I.J.2.d. A Class 2 permit modification to incorporate an Inspection and Monitoring Plan into the permit that meets the applicable requirements of 6 CCR 1007-3, §264.15, §264.33, §264.174, §264.195, §264.601, §264.1101 and includes the following:

I.J.2.d.i. Inspection schedules and checklists for each of the hazardous waste containment buildings and storage and treatment units within the containment buildings, including the air pollution control systems and ancillary piping and equipment associated with these units at PCAPP.

PCAPP COMMENT:

PCAPP will develop detailed inspection schedules during systemization and expects these schedules to be included in the permit. The inspection schedules will address the requirements in 6 CCR 1007-3 Part 264.15 and will identify the items to be inspected, the types of problems to look for during an inspection, and the frequency of the inspection.

The checklists are a lower level document that are consistent in content with the inspection schedules and will be used in the field to document the inspections performed. Based upon experience at Aberdeen and baseline facilities, these checklists frequently need to be changed. Typically, these changes are improvements in format or the way the information is organized and are typically made in response to operator feedback as they gain experience inspecting their systems. PCAPP proposes to provide examples of checklists via this compliance schedule condition, but prefers that the checklists not be included in the permit since flexibility is needed when making changes to the checklists. This approach will ensure that the content of the inspections is governed by the permit (inspection schedules) while allowing PCAPP flexibility in the way the inspections are documented (checklists).

PCAPP'S PROPOSED LANGUAGE:

I.J.2.d.i. Inspection schedules and **example** checklists for each of the hazardous waste containment buildings and storage and treatment units within the containment buildings, including the air pollution control systems and ancillary piping and equipment associated with these units at PCAPP.

CDPHE RESPONSE: CDPHE appreciates that PCAPP desires flexibility due to a need to make changes to evolving checklist documents. The Division believes that many documents to be developed by PCAPP related to the operation of the facility will be of an evolutionary nature. The Division holds that checklists are important indicators that

provide assurance of compliance. This concern is especially apparent when items are deleted off an inspection checklist. An example checklist is insufficiently specific for the Division's needs and a best initial effort at development will assist in minimizing but not necessarily eliminating future changes. The Division will work with PCAPP such that changes in format, additions/deletions, and other minor language changes are readily managed in accordance with 6 CCR 1007-3, § 100.63 permit modification requirements. However, no change to the draft permit has been made as a result of this comment.

177. DRAFT PERMIT LANGUAGE

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

- I.J.2.d.iv. Monitoring and/or maintenance plans to assess the overfill controls (e.g. level indicators, high level alarms) for and corrosion and/or integrity of each hazardous waste tank at PCAPP.**

PCAPP COMMENT:

Some tanks may not require corrosion monitoring surveillance. As part of this Class 2 permit modification, PCAPP will identify these tanks and explain why corrosion monitoring is not necessary.

PCAPP'S PROPOSED LANGUAGE:

- I.J.2.d.iv. Monitoring and/or maintenance plans to assess the overfill controls (e.g. level indicators, high level alarms) and when necessary, the corrosion and/or integrity of each hazardous waste tank at PCAPP.

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CDPHE RESPONSE: The Division is aware that certain tank systems are not anticipated to incur significant corrosion (i.e. titanium grades 2 and 7); however, the proposed language in the comment does not specifically state that PCAPP will identify those tanks, nor does it state that there will be an explanation detailing the reasons why corrosion monitoring is unnecessary. The Division has therefore modified the condition in the final permit language as follows:

- I.J.2.d.iv. Monitoring and/or maintenance plans to assess the overfill controls (e.g. level indicators, high level alarms) and the corrosion and/or integrity of each hazardous waste tank at PCAPP. In addition, the Permittees will provide a detailed listing of all tanks and the applicability of a Division-approved corrosion surveillance program. For those systems where surveillance is unnecessary, the Permittees will submit a justification as to why surveillance is not required.

178. DRAFT PERMIT LANGUAGE

I.J. COMPLIANCE SCHEDULE

The Permittees must submit the following to the Director as specified and in accordance with the schedule set forth below . . .

I.J.2.f. A Class 2 permit modification to incorporate an Operations Plan into the permit that describes specifically how wastes will be characterized in the ERB and managed in the various permitted units at PCAPP. The modification must also describe how the air pollution control systems at PCAPP will be routinely operated. At a minimum, the Operations Plan must include the following:

I.J.2.f.i. Standard Operating Procedures for unpacking, segregation, sorting and repackaging of wastes in the ERB

I.J.2.f.ii. Standard Operating Procedures for characterization of wastes to be managed at PCAPP, including identification of screening levels for each waste stream to be managed in the ERB. Standard Operating Procedures must describe procedures Permittees will use to determine whether wastes are contaminated with mustard agent.

I.J.2.f.iii. Standard Operating Procedures for waste decontamination activities at PCAPP, including a description of the equipment and procedures for providing decontamination solution, any other decontamination materials, and the minimum quantities of these items that shall be used and maintained at the facility and a description of the personnel protective equipment and procedures that will be completed at PCAPP to prevent the undue exposure a facility personnel to hazardous waste.

PCAPP COMMENT:

It would be inappropriate to include Standard Operating Procedures (SOPs) in the permit because, for an operating plant, frequent changes to SOPs will need to be made and this will need to be done in a timely manner to ensure efficient and safe operations.

PCAPP'S PROPOSED LANGUAGE:

I.J.2.f. A Class 2 permit modification to incorporate an Operations Plan into the permit that describes specifically how wastes will be characterized in the ERB and managed in the various permitted units at PCAPP. The modification must also describe how the air pollution control systems at PCAPP will be routinely operated. At a minimum, the Operations Plan must include the following:

- I.J.2.f.i. A description of unpacking, segregation, sorting and repackaging of waste, operations in the ERB Deleted: Standard Operating Procedures for
- I.J.2.f.ii. Descriptions regarding the characterization of wastes to be managed at PCAPP, including identification of screening levels for each waste stream to be managed in the ERB. The description must describe procedures Permittees will use to determine whether wastes are contaminated with mustard agent. Deleted: s
Deleted: Standard Operating Procedures for
- I.J.2.f.iii. Description of waste decontamination activities at PCAPP, including a description of the equipment and procedures for providing decontamination solution, any other decontamination materials, and the minimum quantities of these items that shall be used and maintained at the facility and a description of the personnel protective equipment and procedures that will be completed at PCAPP to prevent the undue exposure a facility personnel to hazardous waste. Deleted: Standard Operating Procedures
Deleted: Standard Operating Procedures for

CDPHE RESPONSE: The Division understands the concerns raised in this comment. Descriptions of the information required under permit condition I.J.2.f. may be provided in lieu of SOPs, however please note that the descriptions of the procedures will most likely be incorporated into the final permit to make them enforceable. It is the Permittees responsibility to ensure that any SOPs that may be used at PCAPP remain compliant with permit conditions. The language has been incorporated as suggested into the final permit.

179. ATTACHMENT E

PCAPP COMMENT:

BPT offers the following comments regarding Attachment E:

- The drawing list provided by CDPHE did not seem to be in order. PCAPP has reordered the drawing list according to the drawing numbers (drawing list is included on the following pages). PCAPP recommends that the drawings be placed behind the list in this order; this should facilitate compliance since finding drawings will be easier if the drawings are in order.
- As indicated in the comment associated with Table IV.A.1, PCAPP recommends deletion of the following figures: D-1-1, D-1-2, and D-1-3. These figures were submitted in the original modification request, are outdated, and were superseded by figures and drawings (included in Attachment E) that were submitted in the Supplement or via responses to CDPHE comments.
- PCAPP proposes to use the latest drawings in the final permit. The drawings that have been recently updated (versus the versions CDPHE used in the draft) are provided in the enclosed CD. PCAPP suggests that these latest versions be used in the final permit instead. This will ensure that the permit as issued aligns with the latest design information. The attached drawing list shows the latest revisions in the “Aug 2008 Revision” column.
- The list of figures presented on the last page was clarified (names corrected, etc.) with no change to the corresponding figures.
- The following drawings should be removed from the list because they address utility systems and do not address ancillary equipment to RCRA systems:

24852-RD-M6-B04-M0020	P00	Yes	Piping & Instrument Diagram, Agent Collection & Neutralization, NaOH Supply
24852-RD-M6-B04-M0021	P00	Yes	Piping & Instrument Diagram, Agent Collection & Neutralization, Hot Process Water Supply

- Condition I.J.3.a. requires that as-built construction drawings be generated for Stage III construction. For the reasons indicated below, PCAPP does not believe that the following drawings or categories of drawings need to be brought to as-built status at the end of Stage III construction and submitted in accordance with Condition I.J.3.a. The drawing list table has been modified to identify the drawings that require submittal in accordance with Condition I.J.3.a and those that do not.

Category and/or Drawing Nos	Reason for not generating as-builts and submitting in accordance with Condition I.J.3.a
24852-RD-D0-000-S0006	This is a standard detail sheet to be used by Construction; it should not change.
Agent Monitoring Location Plans	During systemization, smoke tests are used to finalize the locations of monitoring equipment. The LAMP (part of Attachment D) is then updated as necessary.

Category and/or Drawing Nos	Reason for not generating as-builts and submitting in accordance with Condition I.J.3.a
Process Flow Diagrams (Agent Neutralization, Spent Decon, Biotreatment)	The P&IDs associated with these systems will be brought up to as-built status. It would be redundant to update PFDs as well (P&IDs contain more detail).
24852-RD-MJ-B01-W0300	This is a conceptual isometric drawing that is of limited use in a certification effort. It is also export controlled.
Plot Plan	Location of key buildings/facilities is already established and there is no need to generate an as-built (i.e., it will not communicate anything of importance that is not already known).
Location Plans	Precise/as-built location of equipment is not an important consideration for protecting the environment.
Figures	These figures are high level and some of the figures address topics like typical storage arrangements, which is not a construction feature that gets certified. Also, the grade slab plans (already listed) cover much of this information (e.g., sump location) and address it in more detail.

List of Drawings in Attachment E				
Drawing Number	Aug 2008 Revision	As-Built Required per Condition I.J.3.a?	Title	Page Number
24852-RD-A1-AGV-A0021	E	Yes	AGV Material Transfer Corridor Floor Plans	E-1
24852-RD-A1-APB-A0021	001	Yes	Agent Processing Building Floor Plan, Sheet 1 of 2	E-2
24852-RD-A1-APB-A0022	002	Yes	Agent Processing Building Floor Plan, Sheet 2 of 2	E-3
24852-RD-A1-ERB-A0024	003	Yes	ERB MSM Transfer Corridor Floor Plan Sheet 1 of 3	E-4
24852-RD-A1-ERB-A0025	003	Yes	ERB MSM Transfer Corridor Floor Plan Sheet 2 of 3	E-5
24852-RD-A1-ERB-A0026	003	Yes	ERB MSM Transfer Corridor Floor Plan Sheet 2 of 3	E-6
24852-RD-A2-APB-A0031	001	Yes	Agent Processing Building, Exterior Elevations	E-7
24852-RD-A2-ERB-A0036	001	Yes	ESM Material Transfer Corridor exterior elevations	E-8
24852-RD-A2-ERB-A0037	002	Yes	MSM Material Transfer Corridor exterior elevations	E-9
24852-RD-A2-ERB-A0039	001	Yes	ESM and MSM material transfer corridor building sections	E-10
24852-RD-A4-AGV-A0055	B	Yes	AGV Material Transfer Corridor Interior Elevations	E-11
24852-RD-A5-AGV-A0081	D	Yes	AGV Material Transfer Corridor Door Schedule	E-12
24852-RD-A5-ERB-A0026	003	Yes	ERB MSM Transfer Corridor Floor Plan Sheet 3 of 3	E-13
24852-RD-A5-ERB-A0083	1	Yes	ERB Finish Schedule Design Requirements	E-14
24852-RD-D0-000-S0006	003	No	Standard Concrete Details Sheet 3	E-15
24852-RD-DB-APB-S0030-001	C	Yes	Agent Processing Building, Foundation Plan, Sheet 1 of 4	E-16
24852-RD-DB-APB-S0032	D	Yes	Agent Processing Building, Grade Slab Design	E-17
24852-RD-DB-APB-S0033-001	P02	Yes	Agent Processing Building, Grade Slab Plan, Area 2B – Sheet 1	E-18
24852-RD-DB-APB-S0033-002	P04	Yes	Agent Processing Building, Grade Slab Plan, Area 2D – Sheet 2	E-19
24852-RD-DB-APB-S0033-003	P03	Yes	Agent Processing Building, Grade Slab Plan, Area 2G – Sheet 3	E-20
24852-RD-DB-APB-S0033-004	P04	Yes	Agent Processing Building, Grade Slab Plan, Area 2H – Sheet 4	E-21
24852-RD-DB-APB-S0033-005	P04	Yes	Agent Processing Building, Grade Slab Plan, Area 2J – Sheet 5	E-22
24852-RD-DB-APB-S0033-006	P04	Yes	Agent Processing Building, Grade Slab Plan, Area 2K – Sheet 6	E-23
24852-RD-DB-APB-S0033-007	P04	Yes	Agent Processing Building, Grade Slab Plan, Area 2L – Sheet 7	E-24
24852-RD-DB-APB-S0034-001	003	Yes	Agent Processing Building, Grade Slab, Sections and Details, Sheet 1	E-25
24852-RD-DB-APB-S0034-002	003	Yes	Agent Processing Building, Grade Slab, Sections and Details, Sheet 2	E-26
24852-RD-DB-APB-S0034-004	003	Yes	Agent Processing Building, Grade Slab, Sections and Details, Sheet 3	E-27
24852-RD-DB-ERB-S0034	001	Yes	ERB Grade Slab Sections	E-28
24852-RD-DB-ERB-S0037	C	Yes	ERB Vapor Containment and Reconfiguration Rooms – Grade Slab Plan	E-29

List of Drawings in Attachment E				
Drawing Number	Aug 2008 Revision	As-Built Required per Condition I.J.3.a?	Title	Page Number
24852-RD-DB-ERB-S0041	B	Yes	ERB Vapor Containment and Reconfiguration Rooms - Sections and Details	E-30
24852-RD-DB-ERB-S0030-001	003	Yes	ERB Foundation Plan	E-31
24852-RD-DB-ERB-S0030-002	A	Yes	MSM Transfer Corridor Foundation Plan	E-32
24852-RD-DB-ERB-S0030-003	A	Yes	MSM Transfer Cor. Foundation Plan Sh 1	E-33
24852-RD-DB-ERB-S0030-004	A	Yes	MSM Transfer Cor. Foundation Plan Sh 2	E-34
24852-RD-DB-ERB-S0032-001	E	Yes	ERB PMD ECR Concrete Outlines – Sheet 1	E-35
24852-RD-DB-ERB-S0032-002	E	Yes	ERB PMD ECR Concrete Outlines – Sheet 2	E-36
24852-RD-DB-ERB-S0033-001	001	Yes	ERB Grade Slab Plan Sheet 1 of 2	E-37
24852-RD-DB-ERB-S0033-002	001	Yes	ERB Grade Slab Plan Sheet 2 of 2	E-38
24852-RD-DB-ERB-S0070-001	A	Yes	ESM Transfer Corridor Sections	E-39
24852-RD-DB-ERB-S0070-002	A	Yes	Transfer Corridor Sections	E-40
24852-RD-DB-Y-S0030-004	004	Yes	APB/ERB Transfer Corridor Foundation Plan	E-41
24852-RD-DB-Y-S0070-002	003	Yes	APB/ERB Transfer Corridor Foundation Sections	E-42
24852-RD-DB-Y-S0070-004	002	Yes	APB/ERB Transfer Corridor Foundation Sections and Detail	E-43
24852-RD-DG-APB-S0030-001	C	Yes	Agent Processing Building, CMU Sections	E-44
24852-RD-DG-ERB-S0030-010	G	Yes	ERB PMD ECR Rebar Arrangement – Sheet 10	E-45
24852-RD-DG-ERB-S0030-015	B	Yes	ERB CMU Sections and Details	E-46
24852-RD-J2-J02-J0002	F	No	ERB Agent Monitoring System Location Plan	E-47
24852-RD-J2-J02-J0012	000	No	MSM Corridor Agent Monitoring System SMLPG/ALM Location Plan	E-48
24852-RD-M5-B04-B0002	P02	No	Process Flow Diagram, Agent Collection & Neutralization System, Agent Neutralization Reactors	E-49
24852-RD-M5-B05-B0004	E	No	Flow Diagram, Spent Decon Storage, APB Spent Decon Sumps	E-50
24852-RD-M5-B05-B0005	E	No	Flow Diagram, Spent Decon Storage, APB Spent Decon Sumps	E-51
24852-RD-M5-B09-B0001	P01	No	Process Flow Diagram Biotreatment	E-52
24852-RD-M5-B11-B0001	P0K	Yes	Process Flow diagram Bioreactor Offgas Treatment	E-53
24852-RD-M5-B20-B0001	P0G	Yes	Process Flow Diagram Offgas Treatment System	E-54
24852-RD-M5-M02-M0001	F	Yes	ERB Vent. System HVAC Cascade System – Sheet 1 of 5	E-55
24852-RD-M5-M02-M0002	K	Yes	ERB Vent. System HVAC Cascade System – Sheet 2 of 5	E-56
24852-RD-M5-M02-M0003	G	Yes	ERB Vent. System HVAC Cascade System – Sheet 3 of 5	E-57
24852-RD-M5-M02-M0004	G	Yes	ERB Vent. System HVAC Cascade System – Sheet 4 of 5	E-58
24852-RD-M5-M02-M0005	F	Yes	ERB Vent. System HVAC Cascade System – Sheet 5 of 5	E-59
24852-RD-M5-M03-M0001	G	Yes	APB Vent. System HVAC Cascade System – Sheet 1 of 5	E-60
24852-RD-M5-M03-M0002	G	Yes	APB Vent. System HVAC Cascade System – Sheet 2 of 5	E-61
24852-RD-M5-M03-M0003	F	Yes	APB Vent. System HVAC Cascade System – Sheet 3 of 5	E-62
24852-RD-M5-M03-M0004	G	Yes	APB Vent. System HVAC Cascade System – Sheet 4 of 5	E-63

List of Drawings in Attachment E				
Drawing Number	Aug 2008 Revision	As-Built Required per Condition I.J.3.a?	Title	Page Number
24852-RD-M5-M03-M0005	G	Yes	APB Vent. System HVAC Cascade System – Sheet 5 of 5	E-64
24852-RD-M5-M07-M0001	G	Yes	Air Flow Diagram Filtration Systems HVAC Exhaust Sheet 1 of 5	E-65
24852-RD-M5-M07-M0002	G	Yes	Air Flow Diagram Filtration Systems HVAC Exhaust Sheet 2 of 5	E-66
24852-RD-M5-M07-M0003	G	Yes	Air Flow Diagram Filtration Systems HVAC Exhaust Sheet 3 of 5	E-67
24852-RD-M5-M07-M0004	G	Yes	Air Flow Diagram Filtration Systems HVAC Exhaust Sheet 4 of 5	E-68
24852-RD-M5-M07-M0005	F	Yes	Air Flow Diagram Filtration Systems HVAC Exhaust Sheet 5 of 5	E-69
24852-RD-M6-B02-R0011	PON	Yes	Piping & Instrument Diagram, Munitions Washout System, Line 1 – Washed Agent/Water Booster Pumps	E-70
24852-RD-M6-B02-R0023	POJ	Yes	Piping & Instrument Diagram, Munitions Washout System, Line 2 – Washed Agent/Water Booster Pumps	E-71
24852-RD-M6-B02-R0064	POL	Yes	Piping & Instrument Diagram, Munitions Washout System, Line 1 – Common CAM Drain Lines	E-72
24852-RD-M6-B02-R0071	POJ	Yes	Piping & Instrument Diagram, Munitions Washout System, Line 2 – Common CAM Drain Lines	E-73
24852-RD-M6-B04-M0001	P00	Yes	Piping & Instrument Diagram, Agent Collection & Neutralization, MWS Wash Water Collection -1	E-74
24852-RD-M6-B04-M0002	P00	Yes	Piping & Instrument Diagram, Agent Collection & Neutralization, MWS Wash Water Collection -2	E-75
24852-RD-M6-B04-M0003	P00	Yes	Piping & Instrument Diagram, Agent Collection & Neutralization, Spent Decon Feed Supply	E-76
24852-RD-M6-B04-M0004	P00	Yes	Piping & Instrument Diagram, Agent Collection & Neutralization, ANS Vents & MWS Wash Water Supply	E-77
24852-RD-M6-B04-M0005	P00	Yes	Piping & Instrument Diagram, Agent Collection & Neutralization, Agent Hydrolyzer - 1	E-78
24852-RD-M6-B04-M0007	P00	Yes	Piping & Instrument Diagram, Agent Collection & Neutralization, Agent Hydrolyzer - 2	E-79
24852-RD-M6-B04-M0009	P00	Yes	Piping & Instrument Diagram, Agent Collection & Neutralization, Agent/Water Separations	E-80
24852-RD-M6-B04-M0010	P00	Yes	Piping & Instrument Diagram, Agent Collection & Neutralization, Wash Water Pumps	E-81
24852-RD-M6-B04-M0011	P00	Yes	Piping & Instrument Diagram, Agent Collection & Neutralization, In-Line Static Mixers	E-82
24852-RD-M6-B04-M0012	P00	Yes	Piping & Instrument Diagram, Agent Collection & Neutralization, In-Line Static Mixers	E-83
24852-RD-M6-B04-M0015	P00	Yes	Piping & Instrument Diagram, Agent Collection & Neutralization, Hydrolysate Supply	E-84

List of Drawings in Attachment E				
Drawing Number	Aug 2008 Revision	As-Built Required per Condition I.J.3.a?	Title	Page Number
24852-RD-M6-B04-M0016	P00	Yes	Piping & Instrument Diagram, Agent Collection & Neutralization, 30-Day Storage Tank - 1	E-85
24852-RD-M6-B04-M0017	P00	Yes	Piping & Instrument Diagram, Agent Collection & Neutralization, 30-Day Storage Tank - 2	E-86
24852-RD-M6-B04-M0018	P00	Yes	Piping & Instrument Diagram, Agent Collection & Neutralization, 30-Day Storage Tank - 3	E-87
24852-RD-M6-B04-M0019	P00	Yes	Piping & Instrument Diagram, Agent Collection & Neutralization, Concentrate Supply	E-88
				E-89 Deleted: 24852-RD-M6-B04-M0020
				E-90 Deleted: P00
24852-RD-M6-B04-M0022	P00	Yes	Piping & Instrument Diagram, Agent Collection & Neutralization, Agent Concentrate Pumps	E-91 Deleted: Yes
24852-RD-M6-B05-B0021	P00	Yes	Piping & Instrument Diagram, Spent Decon Storage System, Category B Sump (APB)	E-92 Deleted: Piping & Instrument Diagram, Agent Collection & Neutralization, NaOH Supply
24852-RD-M6-B05-B0022	P00	Yes	Piping & Instrument Diagram, Toxic Storage and Spent Decon Category B Sump (APB)	E-93 Deleted: 24852-RD-M6-B04-M0021
24852-RD-M6-B05-B0023	P00	Yes	Piping & Instrument Diagram, Toxic Storage and Spent Decon Category A Sump (APB)	E-94 Deleted: P00
24852-RD-M6-B05-B0024	P00	Yes	Piping & Instrument Diagram, Toxic Storage and Spent Decon Category A Sump (APB)	E-95 Deleted: Yes
24852-RD-M6-B05-B0025	P00	Yes	Piping & Instrument Diagram, Toxic Storage and Spent Decon Category A Sump (APB)	E-96 Deleted: Piping & Instrument Diagram, Agent Collection & Neutralization, Hot Process Water Supply
24852-RD-M6-B05-B0026	P00	Yes	Piping & Instrument Diagram, Toxic Storage and Spent Decon Category A Sump (APB)	E-97
24852-RD-M6-B05-B0027	P00	Yes	Piping & Instrument Diagram, Toxic Storage and Spent Decon Category A Sump (APB)	E-98
24852-RD-M6-B05-B0028	000	Yes	Piping & Instrument Diagram, Toxic Storage and Spent Decon Category B Sump (APB)	E-99
24852-RD-M6-B05-B0029	P00	Yes	Piping & Instrument Diagram, Toxic Storage and Spent Decon Category C Sump (APB)	E-100
24852-RD-M6-B05-B0030	000	Yes	Piping & Instrument Diagram, Toxic Storage and Spent Decon Category C Sump (APB)	E-101
24852-RD-M6-B05-B0031	000	Yes	Piping & Instrument Diagram, Toxic Storage and Spent Decon Category C Sump (APB)	E-102
24852-RD-M6-B05-B0032	000	Yes	Piping & Instrument Diagram, Toxic Storage and Spent Decon Category C Sump (APB)	E-103
24852-RD-M6-B05-B0033	000	Yes	Piping & Instrument Diagram, Toxic Storage and Spent Decon Category C Sump (APB)	E-104
24852-RD-M6-B05-B0034	P00	Yes	Piping & Instrument Diagram, Toxic Storage and Spent Decon Category A Sump (APB)	E-105
24852-RD-M6-B05-B0035	000	Yes	Piping & Instrument Diagram, Toxic Storage and Spent Decon Category C Sump (APB)	E-106
24852-RD-M6-B05-B0036	000	Yes	Piping & Instrument Diagram, Spent Decon Storage System, Category C Sump (APB)	E-107
24852-RD-M6-B05-M0001	P00	Yes	Piping & Instrument Diagram, Spent Decon Storage System, Spent Decon Holding Tank	E-108
24852-RD-M6-B05-M0002	P00	Yes	Piping & Instrument Diagram, Spent Decon Storage System, Spent Decon Feed Pumps	E-109
24852-RD-M6-B05-M0003	P00	Yes	Piping & Instrument Diagram, Spent Decon Storage System, Spent Decon Holding Tank	E-110

List of Drawings in Attachment E				
Drawing Number	Aug 2008 Revision	As-Built Required per Condition I.J.3.a?	Title	Page Number
24852-RD-M6-B05-M0004	P00	Yes	Piping & Instrument Diagram, Spent Decon Storage System, Spent Decon Feed Pumps	E-111
24852-RD-M6-B09-M0001	P00	Yes	Piping & Instrument Diagram Biotreatment System ICB Feed Tank Module 1	E-112
24852-RD-M6-B09-M0002	P00	Yes	Piping and Instrument Diagram Biotreatment System ICB Feed Pump- Module 1	E-113
24852-RD-M6-B09-M0003	P00	Yes	Piping & Instrument Diagram Biotreatment System ICB Feed Heater Module 1	E-114
24852-RD-M6-B09-M0005	P00	Yes	Piping & Instrument Diagram Biotreatment System	E-115
24852-RD-M6-B09-M0006	P00	Yes	Piping & Instrument Diagram Biotreatment System ICB 0102-Module 1	E-116
24852-RD-M6-B09-M0007	P00	Yes	Piping & Instrument Diagram Biotreatment System ICB 0103-Module 1	E-117
24852-RD-M6-B09-M0008	P00	Yes	Piping & Instrument Diagram Biotreatment System ICB 0104- Module 1	E-118
24852-RD-M6-B09-M0009	P00	Yes	Piping & Instrument Diagram Biotreatment System ICB Off- gas Header	E-119
24852-RD-M6-B09-M0010	P00	Yes	Piping & Instrument Diagram Biotreatment System ICB Effluent Tank	E-120
24852-RD-M6-B09-M0011	P00	Yes	Piping & Instrument Diagram Biotreatment System ICB Effluent Pump	E-121
24852-RD-MJ-B01-W0300	000	No	ERB-Projectile/Motor Disassembly System Isometric Assembly	E-122
24852-RD-P1-000-P0030	R	No	Plot Plan	E-123
24852-RD-P1-APB-P0001	000	No	Agent Processing Building, Equipment Location Plan – Area 2D	E-124
24852-RD-P1-APB-P0002	000	No	Agent Processing Building, Equipment Location Plan – Area 2G	E-125
24852-RD-P1-APB-P0003	000	No	Agent Processing Building, Equipment Location Plan – Area 2H	E-126
24852-RD-P1-APB-P0004	000	No	Agent Processing Building, Equipment Location Plan – Area 2J	E-127
24852-RD-P1-APB-P0005	000	No	Agent Processing Building, Equipment Location Plan – Area 2K	E-128
24852-RD-P1-APB-P0006	000	No	Agent Processing Building, Equipment Location Plan – Area 2L	E-129
24852-RD-P1-APB-P0030	000	No	Agent Processing Building, General Arrangement, Redesign, Plan	E-130
24852-RD-P1-ERB-P0030	000	No	Enhanced Reconfiguration Bldg. General Arrangement Plan	E-131
APB Sump Area 2D	POA	No	APB Sump Location – Area 2D Sheet 2	E-132
APB Sump Area 2G	POA	No	APB Sump Location – Area 2G Sheet 3	E-133
APB Sump Area 2H	POA	No	APB Sump Location – Area 2H Sheet 4	E-134
APB Sump Area 2K	POA	No	APB Sump Location – Area 2K Sheet 6	E-135
ERB Sump Areas	POA	No	ERB Sump Locations	E-136
Figure A-RCRA Units	POA	No	Figure A RCRA Units (Plot Plan)	E-137
Figure B-ERB	POA	No	Figure B ERB RCRA Units	E-138
Figure C-APB	POA	No	Figure C APB RCRA Units	E-139
Figure D-APB	POA	No	Figure D APB Process Flow	E-140
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Figure D-1-4		No	ESM Cross Section	E-145
Figure E-ERB	POA	No	Figure E ERB Process Flow	E-146

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Deleted: MSM Typical Stacking and Storing Arrangement

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Deleted: MSM Cross Section

Deleted: Figure D-1-3

Deleted: No

Deleted: ESM, Typical Stacking and Storing Arrangement

List of Drawings in Attachment E				
Drawing Number	Aug 2008 Revision	As-Built Required per Condition I.J.3.a?	Title	Page Number
Figure F-MSM	POA	No	Figure F MSM Typical Storage Arrangements	E-146
Figure H-ERB	POA	No	Figure H ERB Typical Storage Arrangements	E-147

The drawings listed in the table above are included in the following pages of Attachment E.

CDPHE RESPONSE:

In an effort to make this multi-part comment easier to follow, the Division has labeled each Bullet No.1 – Bullet No.6:

Bullet No.1 The order of drawings in the draft permit was based on the order that the drawings were referenced in the draft permit text. The Division concurs with reordering the list of drawings in Attachment E into alphabetical/numerical order, and the table of drawings in Attachment E has been changed accordingly in the final Permit. The Division agrees that this change should facilitate finding drawings more easily.

Bullet No.2 These figures were not superseded by later submittals to the Division and are important for their conceptual as opposed to their dimensional (which PCAPP is not being asked to be held to) aspects. These three figures will be retained in the permit but no as-built replacements are necessary.

Bullet No.3 The Division agrees to use the latest drawings as provided on the CD.

Bullet No.4 The Division agrees to the figure clarifications provided by the Permittee.

Bullet No.5 The Division does not agree that these two drawings should be removed. They are retained on the list.

Bullet No.6 See table below:

Category and/or Drawing Nos	Division Response
24852-RD-D0-000-S0006	Concur, standards shouldn't change. Leave in permit but no as-built necessary.
Agent Monitoring Location Plans	Concur, the Lamp will be updated and Drawings depicting final locations for ERB, APB, and AGV Corridor monitoring locations are to be provided within 60 days of smoke test completion but not as part of permit condition I.J.
Process Flow Diagrams (Agent Neutralization, Spent Decon,	The Division agrees that the PFDs and P&IDs represent similar information but there are differences that the Division would like to reference. The Division requires that the PFDs be reflective of the associated P&IDs and are to be submitted as part of permit

Biotreatment	condition I.J.
24852-RD-MJ-B01-W0300	Concur, retain in permit, no as-built necessary.
Plot Plan	The Division agrees that most major facility structures have their footprints established. However, other onsite structures and their final locations in relation to the key structures need to be depicted. A final as-built Plot Plan is necessary.
Location Plans	The Division disagrees with the reason provided and believes the location of equipment is of importance. Please provide as-built drawings within 90 days following construction completion.
Figures	If the figures do not correspond to site data, then they need to be updated. Please update the Figures if they or concepts they represent have changed.