

PART II: GENERAL FACILITY CONDITIONS

II.A. DESIGN AND OPERATION OF FACILITY

The Permittees must construct and maintain the Research, Demonstration, and Development facility to minimize the possibility of a fire, explosion, or any unplanned, sudden or non-sudden release of hazardous waste constituents to air, soil, surface water, or ground water which could threaten human health or the environment, as required by 6 CCR 1007-3, §264.31.

II.B PROHIBITION OF RECEIPT OF HAZARDOUS WASTE FROM OFF-SITE

The Permittees are prohibited from receiving hazardous waste from off-site sources.

II.C GENERAL WASTE ANALYSIS

During hazardous waste operations the Permittees must follow the waste analysis procedures required by 6 CCR 1007-3, § 264.13 and the PCAPP Waste Analysis Plan (WAP) attached to this Permit. The WAP includes the following documents which are contained in the Appendix to Attachment D of this Permit:

- Laboratory Analysis and Monitoring Plan
- Laboratory Quality Assurance Program Plan
- Laboratory Chemical Hygiene Plan
- PCAPP Analytical Methods
- PCAPP Laboratory Operating Procedures

II.C.1. The Permittees shall maintain a copy of the WAP at the facility (6 CCR 1007-3, §264.13(b)).

II.C.2. The Permittees shall supply a “Controlled Copy” of the documents included in the WAP and identified above to the Director, and shall provide any changes prior to implementation. For changes classified as Class 1 with Prior Approval, Class 2, or Class 3 modifications, the Controlled Copy shall be updated prior to implementation.

II.C.3. The Permittees shall make a determination, in consultation with the Director, regarding the regulatory severity of changes to the WAP. Class 1 modifications to these documents are minor and self implementing; Class 1 with Prior Approval modifications require consent and agreement, and Class 2 or 3 modifications require further regulatory mechanisms in accordance with 6 CCR 1007-3, §100.63.

- II.C.4. At a minimum, the Permittees must maintain proper functional instruments, verify the validity of sampling and analytical procedures, and perform correct calculations. The method used to obtain a representative sample of the waste to be analyzed must be the appropriate method from approved PCAPP Laboratory Operating Procedures.
- II.C.5. Laboratory methods must be those specified in the most current, approved version of PCAPP Analytical Methods, or an equivalent approved method, as specified in the Waste Analysis Plan. If the Permittees use a contract, or off-site laboratory, the Permittees shall provide, in writing, to such laboratory, the requirements to operate under the waste analysis conditions set forth in this Permit. The Permittees must keep a copy of this written notice as part of the operating record.
- II.C.6. Each batch treatment process analytical results must be reviewed, and documentation of the review, up-date, and/or reanalysis must be maintained in the operating record. (6 CCR 1007-3, §264.13(b)(4) and §264.73(b)(3)).
- II.C.7. The Permittees shall maintain copies of all waste analysis results as part of the operating record. These records shall be kept until closure of the PCAPP facility. (6 CCR 1007-3, §264.73(b))

II.D. SECURITY

- II.D.1. The Permittees must prevent the unknowing entry and minimize the possibility for unauthorized entry, of persons or livestock onto the active portion of the Facility. [6 CCR 1007-3 §264.14(a)]
- II.D.2. During hazardous waste operations, the Permittees shall control entry at all times through fences, gates, doors, or other entrances to the active portion of the PCAPP Facility. [6 CCR 1007-3 §264.14(b)]
- II.D.3. The Permittees shall construct and maintain a fence, which consists of at least a six-foot chain link fence topped with barbed wire, surrounding the chemical limited area of the PCAPP Facility. [6 CCR 1007-3 §264.14(b)]
- II.D.4. Prior to operating any permitted hazardous waste management units at PCAPP, the Permittees shall post and maintain warning signs at the PCAPP entry gates and at intervals along the northern, eastern, and southern portions of the PCAPP perimeter fence surrounding the chemical limited area (CLA) of the facility. For all hazardous waste management units, the Permittees shall post and maintain warning signs at locations and in sufficient numbers to be seen from any approach to the units. Unless different sign content is approved by the Director, the signs shall read “Danger – Unauthorized Personnel Keep Out,” shall be legible from a distance of at least 25 feet and shall be in English and Spanish. [6 CCR 1007-3 §264.14(c)]

II.E. GENERAL INSPECTION REQUIREMENTS

During hazardous waste operations, the Permittees shall comply with the requirements specified in the Inspection Plan [6 CCR 1007-3, § 100.41(a)(5) and (8)]. The Inspection Plan shall be submitted in accordance with Condition I.J. of this Permit.

II.F. PERSONNEL TRAINING

During hazardous waste operations, the Permittees shall comply with the requirements specified in the Training Plan [6 CCR 1007-3, §264.16]. The Training Plan shall be submitted in accordance with Condition I.J. of this Permit.

II.G. SPECIAL PROVISIONS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTE

During hazardous waste operations, the Permittees shall comply with the ignitable, reactive, and incompatible waste requirements specified in Attachment D (Waste Analysis Plan), the Operating Plan and the Preparedness and Prevention Plan. [6 CCR 1007-3, §100.41(a)(9) and 264.17] The Operating Plan and Preparedness and Prevention Plan shall be submitted in accordance with Condition I.J. of this Permit.

II.H. PREPAREDNESS AND PREVENTION

The Facility must be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, surface or ground water which could threaten human health or the environment. [6 CCR 1007-3 §264.31]

II.I. CONTINGENCY PLAN AND EMERGENCY PROCEDURES

II.I.1 The Permittees will conduct procedures for emergency response in accordance with the PCAPP Emergency Response Plan referenced in Permit Conditions I.I.5., should an incident occur at the Facility during construction (Phases I, II, and III). During construction, the Permittees will also follow the Pueblo Chemical Depot Contingency Plan, that meets the requirements of 6 CCR 1007-3, Part 264, Subpart D, for emergencies or response actions at PCAPP involving hazardous waste management.

II.I.2 During hazardous waste operations, the Permittees shall comply with the requirements specified in the Contingency Plan. [6 CCR 1007-3, Part 264, Subpart D] The Contingency Plan shall be submitted in accordance with Condition I.J. of this Permit.

II.J. MANIFEST SYSTEM

The Permittees will comply with the applicable manifest requirements of 6 CCR 1007-3, Part 264, Subpart E.

II.K. OPERATING RECORD

The Permittees shall maintain a written operating record at the Facility to comply with 6 CCR 1007-3 §264.73 and Part 264, Appendix I. The following items must be maintained as part of the operating record:

II.K.1. The Permittees shall maintain copies of all samples and measurements taken for the purpose of monitoring or sampling.

II.K.1.a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

II.K.1.b. The Permittees shall retain records of all monitoring information, including calibration (such as laboratory and field equipment calibrations) and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, analog or digital data stored electronically or on any other medium, copies of all reports required by this Permit, and records of all data used to complete the application for this Permit for a period of at least three years from the date of the sample, measurement, report, or application. These periods may be extended by request of the Director at any time and are automatically extended during the course of any unresolved enforcement action regarding this Facility.

II.K.1.c. Hazardous waste operations shall be considered to be a part of the operating record. These records shall include at a minimum:

- i. The dates, location, and time of sampling or measurement
- ii. The individual(s) who perform the sampling or measurement
- iii. The date(s) the analyses were performed
- iv. Chain of custody forms as applicable
- v. The individual(s) who performed the analyses
- vi. The analytical techniques and methods used
- vii. The results of such analyses
- viii. Any other relevant data

Records of construction and analytical data that support the Phase I, Phase II, and Phase III construction activities are not considered to

constitute a portion of the Permittee's operating record. However, records of PCAPP construction must be retained on-site in their entirety for review and reference at any time during the duration of the project and until closure certification of the facility has been completed. The Permittees may request a ruling from the Division on any part of the construction record as to whether it must be retained on-site.

II.K.2. The Permittees shall maintain a record and results of all inspections performed in accordance with Condition II.E at the Facility.

II.K.3. Any written report required by Permit Condition I.E.13.c.

II.L. ADDITIONAL RECORD KEEPING AND REPORTING (reserved)

II.M. CLOSURE REQUIREMENTS

If a hazardous waste management unit is to be closed, the Permittees shall follow the requirements specified in the Closure Plan. [6 CCR 1007-3, Part 264, Subpart G] The Closure Plan shall be submitted in accordance with Condition I.J. of this Permit.

II.N. LAND DISPOSAL RESTRICTIONS

The Permittees shall comply with 6 CCR 1007-3, Part 268.

II.O. PUBLIC INVOLVEMENT REQUIREMENTS

The Permittees shall maintain a public involvement program to inform the public regarding regulatory and technical matters related to the permitted facility, to provide a mechanism for the public to obtain information about the permitted facility, and to accept and respond to comments or concerns voiced by the public regarding the permitted facility. The public involvement program shall provide for the following activities in accordance with the schedule set forth below;

II.O.1. Maintain information repositories at the locations specified under Permit Conditions II.O.1.a., II.O.1.b. and II.O.1.c. The information repositories must contain all documents, reports, data, and information deemed necessary by the Director to inform the public about the permitted facility. The Permittees will make permitting documents available in the information repositories within 15 days of a written request made by the Director to include such document. The Permittees may change the location of any information repository with the approval of the Director and in accordance with the procedures for modification of permits 6 CCR 1007-3 §100.60. Modification of the location for an information repository

shall be considered a Class I Modification with prior written approval from the Director.

II.O.1.a. Robert Hoag Rawlings Public Library
100 East Abriendo Avenue
Pueblo, CO 81004

II.O.1.b. Avondale Water and Sanitation District
321 Third Street
Avondale, CO 81022

II.O.1.c. Boone Town Hall
100 Baker Street
Boone, CO 81025

II.O.2. Participate in meetings at least quarterly with the Director to assess the effectiveness of public involvement activities in achieving the objectives of the Colorado Department of Public Health and Environment Public Involvement Plan and to share information regarding any comments or concerns received from the public regarding the permitted facility.

II.O.3. Submit a report at least monthly, summarizing any public involvement activities related to the permitted facility. The report must be submitted to the Director either by mail or electronic mail and include the following:

II.O.3.a. Identification and description of any public involvement events or activities related to the permitted facility attended, provided, or participated on by the Permittees;

II.O.3.b. Identification and description of any upcoming public involvement events or activities related to the permitted facility that the Permittees plan on attending, providing, or participating on; and

II.O.3.c. Any other information regarding the Permittees' public involvement events or activities related to the permitted facility deemed necessary by the Director.

II.P PILOT TEST PLAN

During hazardous waste operations, the Permittees shall comply with the requirements specified in the Pilot-Test Plan. [6 CCR 1007-3, §100.22] The Pilot Test Plan shall be submitted in accordance with Condition I.J. of this Permit.

II.Q CONSTRUCTION QUALITY ASSURANCE

During construction of PCAPP under this permit the Permittees will maintain a construction quality assurance (CQA) program to ensure that construction of the facility meets or exceeds the design criteria and specifications in Attachment F, for the APB, AGV and ERB foundations, and the application information for the remaining balance of these containment buildings and all other regulated units as described in the Phase III permit modification request. At a minimum the CQA program shall include but is not limited to the following:

II.Q.1. Quality Management Plan, activity implementation plans, specifications and drawings (including references to codes and standards), material certifications, material requisitions, and material data sheets, non-conformance documentation, and corrective action documentation that addresses the following:

- II.Q.1.a. Sampling size and location
- II.Q.1.b. Frequency of testing
- II.Q.1.c. Data evaluation procedures
- II.Q.1.d. Acceptance and rejection criteria for construction materials
- II.Q.1.e. Plans for implementing corrective measures; and

II.Q.2. The CQA information identified in Condition II.Q.1 will be maintained on-site and will be available for inspection by Division personnel until site closure is certified.