

**NEW YORK STATE
DEPARTMENT OF
ENVIRONMENTAL CONSERVATION**



**6 NYCRR PART 373
HAZARDOUS WASTE MANAGEMENT
PERMIT**

FOR

**MPM SILICONES LLC
WATERFORD
FACILITY SARATOGA
COUNTY**

DEC PERMIT No. 5-4154-00002/00357

EPA ID No. NYD002080034



PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:

O RO "UKNEQP GU'NNE"
482'J WFUQP "TK>"TF "
Y CVGTHQTF .P ['343: : "
*73: +455/4793

Facility:

O QO GP VK&G'RGTHQTO CPEG'O CVGTHQNU
482'J WFUQP "TK>"TF "
Y CVGTHQTF .P ['343: :

Facility Location: kp"Y CVGTHQTF 'kp"UCTCVQI C"EQWP V[""

Facility Principal Reference Point:"P [VO/G<"82: 0 : 3 ""P [VO/P <"69630534

""Ncvkwf g<"64A6:)7; Q \$"Nqpi kwf g<"95A622705\$

Authorized Activity: Vj ku'cevqkp'ku'c'tgpgy cn'qh'yj g'8'P [ETT'Rctv'595'J c| ctf qwu'Y cuvg"

O cpci go gpv'Rgto k'vq'O RO "Ukdeqpgu.'NNE"cpf "cwj qtk gu'yj g'tcekkv' 'vq'uvqtg'j c| ctf qwu'y cuvg'kp"
vpmu'cpf "eqpvckpgtu."tgcvj c| ctf qwu'y cuvg'kp"vpmu."qr gtcvg'vy q'j c| ctf qwu'y cuvg'kpekpgtcvqkp'wpku"
cpf 'r gthqto 'o kuegmcpqgwu'cevkkkgu"*g'0 Oerpcpki "gs wkr o gpv'wugf 'kp'j c| ctf qwu'y cuvg'tgcwo gpv'cpf "
j cpf rki +'cv'o kuegmcpqgwu'wpku0

Permit Authorizations

Resource Conservation and Recovery Act - Under Article 27, Title 9

Rgto k'K'7/6376/22224122579

""Tgpgy cn Rtqr qugf "Ghgevxg'F cvg<_____ Rtqr qugf "Gzr ktcvqkp'F cvg<P q'Gzr OF cvg

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Rgto k'Cf o kpkntcvqt<O CTE"U'O K NKQTG.'F gr wv' "Tgi kpcnRgto k'Cf o kpkntcvqt

Cff tguu< TGI KQP "7"Y CTTGP UDWTI "UWD/QHH&EG

454'I QNHEQWTUG'TF

Y CTTGP UDWTI .P ['34: : 7

Cwj qtk gf "Uki pcwtg<""aaa ""F cvg'aaa laaa laaaa

Permit Components



TGUQWTEG'EQP UGTXC VKQP 'CPF 'TGEQXGT['CEV'RGTO K'E QP F KVQP U

'I GP GTCN'E QP F KVQP U.'CRRN['VQ'CNN'CWVJ QTK GF 'RGTO KVU

'P QVHKEC VKQP 'QH'QVJ GT'RGTO KVGG'QDNK C VKQP U

RESOURCE CONSERVATION AND RECOVERY ACT PERMIT CONDITIONS

1. **Special Conditions For ARTICLE 27, Title 9, Hazardous Waste Management** 30*****Vj ku Rgto k'ku'dcugf "qp'yj g'cuwo r vkp'yj cv'yj g'kphqto cvkqp'uwdw kwgf "kp'yj g'r gto k'cr r rkecvkqp. "kpkckm{ tgegkxgf "qp'Lwn{ "37."4225"cpf "hpkcrk{ gf "March 7."4233"*vj gtgchgt "tghgtgf "vq"cu'yj g'cr r rkecvkqp+. "ku eqo r rgyv"cpf "ceewtcvg"cpf "yj cv'yj g'hcekxk{ "y kn'dg"qr gtcvgf "cu'ur gekkxgf "kp'yj g'cr r rkecvkqp"cpf "yj ku Rgto k0"Cp{ "kpeewtcelgu"qt "kpeo r rgyvguu'hqwpf "kp'yj g'kphqto cvkqp"o c{ "dg'i tqwpf u'hqt "vgtw kpcvkqp"qt o qf kkecvkqp"qh'yj ku'Rgto k'cpf "r qvgpvkn'gphqtego gpv'cevkqp0

40 **The Permittee must comply with all the terms and conditions of this Permit. This Permit consists of the conditions contained herein (including all Modules, Attachments and documents incorporated by reference as specified in Schedule 1 of Module I) and the applicable regulations contained in 6 NYCRR Parts 370 through 376, 621 and 624, as specified in this Permit. Applicable regulations are those which are in effect on the date of issuance of this Permit, except as provided in Condition A.4 and R.7 of Module I of this Permit.**

50 Kp'yj g'gxgpv'qh'c'f kuetgr cpe{ "dgwy ggp'yj ku'Rgto k'cpf "cp{ "tgi wrcvkqp."qtf gt"qp"eqpugpv'qt"cp{ qvj gt'r gto kv'yj g'o qtg'utkpi gpv'tgs wktgo gpv'cr r rkgu0

60 Vj g'Rgto kwgg'o wuv'r tqxkf g'r tqr gt "cpf "uchg"eqpf kxkqpu'hqt 'F gr ctwo gpv'ceegu'hqt 'kpur gevqpu0 Kpur gevqpu."vguu."uco r rgu."r j qvqi tcr j { "qt"qdugtxcvkqpu'd{ "yj g'F gr ctwo gpv.'F gr ctwo gpvau'Gpi kpggt"qt yj ktf "r ctvku'o c{ "dg'r gthqto gf "vq'r tqxkf g'kphqto cvkqp"vq'yj g'F gr ctwo gpv'qp"eqo r rkepeg'y kj "yj ku Rgto k=j qy gxgt. "yj ku'r tqxkukap"ku'pqv'kpvpgf gf "vq"etgcvg"cp{ "f w{ "qt"qdri cvkqp"vq'yj g'Rgto kwgg'd{ "yj g'F gr ctwo gpv'qt"ku'Gpi kpggt."pqt"ku'yj g'kphqto cvkqp"eqmgev'f "kpvpgf gf "vq"hwtkn'yj g'Rgto kwggau qdri cvkqpu'wpf gt "yj ku'Rgto k0

70 Vj g'Rgto kwgg'o wuv'r tqxkf g'c'r gtuqp"vq"ceeqo r cp{ "yj g'F gr ctwo gpvau'tgr tgugpv'vkg'f wtkpi "cp kpur gevqpu0

80 Vj g'Rgto kwgg'o wuv'tgs wktg'ku'kpf gr gpf gpv'eqpv'cevqtu."go r m{ ggu."ci gpw'cpf "cuuki pu"vq eqo r n{ "y kj "yj ku'Rgto kv.'kpenw'kpi "Uej gf wrg"3"qh'O qf wrg'Kcpf "cm'ur gekn'eqpf kxkqpu."cpf "uwej "r gtuqpu uj cm'dg'uwldgev'vq"yj g'uco g'ucpevkqpu'hqt "xkqrcvkqp"qh'yj g'Gpxkqpo gpv'n'Eqpugtxcvkqp"Ney "cu'yj qug r tguetkdgf "hqt"yj g'Rgto kwgg0

90 Vj g'Rgto kwgg'o wuv'cnuq"pqvkh{ "yj g'Rwdrie"Uchgv{ "Eqo o kuukqpgt"ht"yj g'Vqy p"qh"Y cvgthqtf."qt j kulj gt "f guki pgg."qh'cm'ur kmu."tgrgcugu"cpf "qvj gt"lpekf gpw'y j kej "ctg'tgs wktgf "vq"dg'tgr qtvgf "vq"yj g'F gr ctwo gpv0"Wpf gt "yj g'tgs wktgo gpw'qh'yj g'Go gti gpe{ "Rrcppkpi "cpf "Eqo o wpkv{ "Tki j v'vq"Mpqy "Cev *GRETC+r tqi tco "pqv'kkecvkqp"r tqegf wtu."yj ku'pqv'kkecvkqp"o wuv'qeev't'y kj kp'vy q'j qwtu0



GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department Vj g'r gto kwgf "ukg"qt "hcekrk\ . "kpenmf kpi "tgrgxcpv\teqtf u. ku"uwlge\va"kpur gevqap"cv\tecuqpcdrj" qwtu"cpf "kpvgtxcni"d{ "cp"cwj qtk gf "tgr tguqpcvkg"qh"vj g. F gr ctvo gpv"qh"Gpxkqpo gpvniEqpugtxcvqap"*j g'F gr ctvo gpv"va"fgvto kpg"y j gvj gt "vj g'r gto kwgg"ku eqo r n{ kpi "y kj "vj ku'r gto k'cpf "vj g'GEN0"Uwej "tgr tguqpcvkg"o c{ "qtf gt "vj g'y qtniurw gpf gf "r wtuwcpv va"GEN'93/"2523"cpf "UCRC"623*5-0

Vj g'r gto kwgg"uj cmr tqxf g"e"r gtuqpv"q"ceeqo r cp{ "vj g'F gr ctvo gpv"u"tgr tguqpcvkg"ftkpi "cp"kpur gevqap va"vj g'r gto k'ctgc"y j gp"tgs wguvf "d{ "vj g'F gr ctvo gpv0

C"eqr { "qh"vj ku'r gto k'kpenmf kpi "cm\thgtgpegf "o cr u. "ftcy kpi u"cpf "ur gekn'eqpf kkpku."o wuv'dg"cxckrdrg hgt"kpur gevqap"d{ "vj g'F gr ctvo gpv"cv"cm\ko gu"cv"vj g'r tq\ge\ukg"qt "hcekrk\ 0"Hckntg"va"r tqf weg"e"eqr { "qh vj g'r gto k'vr qp"tgs wguv"d{ "c"F gr ctvo gpv"tgr tguqpcvkg"ku"e"xlqrvcvqap"qh"vj ku'r gto k0

2. Relationship of this Permit to Other Department Orders and Determinations Wprguu"gzr tguunf r tqxf gf "hgt"d{ "vj g'F gr ctvo gpv."kuwcpvg"qh"vj ku'r gto k'f qgu"pqv"o qf kh{ . "uwr gtugf g"qt "tguelpf "cp{ "qtf gt qt "f gvto kpcvqap"r tgxkqum{ "kuwgf "d{ "vj g'F gr ctvo gpv"qt"cp{ "qh"vj g"vto u."eqpf kkpku"qt"tgs wkt go gpvu eqpvkpgf "kp"uwej "qtf gt"qt "f gvto kpcvqap0

3. Applications For Permit Renewals, Modifications or Transfers Vj g'r gto kwgg"o wuv'uwo k'c ugr ctcvg"y tkwgp"cr r ncevqap"va"vj g'F gr ctvo gpv"ht"r gto k'tgpgy cn"o qf khecvcvqap"qt "tcpuht"qh"vj ku r gto k0"Uwej "cr r ncevqap"o wuv"kpemf g"cp{ "hgt u"qt "uwr r go gpvni"lphqto cvkqp"vj g'F gr ctvo gpv"tgs wkt gu0 Cp{ "tgpvy cn"o qf khecvcvqap"qt "tcpuht"i tcvpf "d{ "vj g'F gr ctvo gpv"o wuv'dg"kp"y tkkpi 0"Uwo kuukqp"qh cr r ncevqap"ht"r gto k'tgpgy cn"o qf khecvcvqap"qt "tcpuht"ctg"va"dg"uwo kwgf "va"<

Tgi kppcnRgto k'Cf o kpkntcvqt
TGI KQP "7"Y CTTGP UDWTI "UWD/QHHKEG
454"i QNHQWTUG"TF
Y CTTGP UDWTI . "P [34: : 7

4. Submission of Renewal Application Vj g'r gto kwgg"o wuv'uwo k'c"tgpvy cn"cr r ncevqap"cv"tgcuv"3: 2 f c{ u"dghgtg'r gto k'gzr kcvqap"ht"vj g'hqmqy kpi "r gto k'cwj qtk cvkpu<"T guqwtg"Eqpugtxcvqap"cpf Tgeqxgt { "Cev0

5. Permit Modifications, Suspensions and Revocations by the Department Vj g'F gr ctvo gpv tguqpcv"vj g'tki j v"va"gzgtekug"cm\cxckrdrg"cwj qtk\ "va"o qf kh{ . "uwr gpf "qt"tgxqng"vj ku'r gto k0"Vj g i tqwvf u"ht"o qf khecvcvqap. "uwr gpukqp"qt "tgxqecvcvqap"kpemf g<

c0 o cvgtkcm\ "hcnug"qt "kpccewcvg"uvcgo gpvu"kp"vj g'r gto k'cr r ncevqap"qt "uwr r qt vkpi "r cr gtu=

d0 hckntg"d{ "vj g'r gto kwgg"va"eqo r n{ "y kj "cp{ "vto u"qt "eqpf kkpku"qh"vj g'r gto kv=

e0 gzeggf kpi "vj g'ueqr g"qh"vj g'r tq\ge\cu"ft guetkdgf "kp"vj g'r gto k'cr r ncevqap=

f0 pgy n{ "f lueqxtgf "o cvgtkcn'lphqto cvkqp"qt"e"o cvgtkcn'ej cpi g"kp"gpvni"qpf kkpku. tgrgxcpv"vej pqmqi { "qt"cr r ncedrg"rxy "qt"tgi wrcvqap"ukpeg"vj g'kuwcpvg"qh"vj g'gzkukpi "r gto kv=



g0 papeqo r rncpeg'y kj 'r t gxlqumf 'kuuwgf 'r gto k'eqpf kkpqu."qtf gtu'qh'y g'eqo o kuukpqt."cp{
r tqxkukqpu'qh'y g'Gpxktqpo gpvniEqpugtxcvkap'Ncy "qt'tgi wvkvqpu'qh'y g'F gr ctwo gpvt'grv'gf "vq
vj g'r gto kvgf "cevkkk{0

6. Permit Transfer Rgto ku'ctg'v'cpuhgtcdng'wprguu'ur gekkccm{ 'r tqj kdkv'gf 'd{ 'uvcwvg.'tgi wvkvq'qt
cpqj g'r gto k'eqpf kkp0'Cr r rncvkvqpu'hqt'r gto k'v'cpuhgt'uj qwrf 'dg'uwdo kvgf 'r tkqt 'vq'cewcn'v'cpuhgt'qh
qy pgtuj k'0

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

Vj g'r gto kvgg."gzegr vki 'uvcv'qt' hgf gtcn'ci gpekgu."gzi tguun{ 'ci tggv'v'kpf go plh{ 'cpf 'j qrf 'j cto nguu'y g
F gr ctwo gpv'qh'Gpxktqpo gpvniEqpugtxcvkap'qh'y g'Uvcv'qh'P gy 'I qtm'ku'tgr t'gugpv'v'x'gu."go r m{ ggu.
cpf 'ci gpw'*\$F GE\$+'hqt'cm'erko u.'uwxu."cevkvpu."cpf 'f co ci gu."vq'vj g'gzv'gpv'cwt'kdwcdng'vq'vj g
r gto kvgg'u'cev'qt'qo kuukqpu'lp'eqppge'v'kp'y kj 'vj g'r gto kvgg'u'w'pf g'v'cn'ki 'qh'cev'kk'kgu'lp'eqppge'v'kp
y kj ."qt'qr g'v'kv'cp'f'o cl'p'v'g'c'p'eg'qh'vj g'f'ce'kk'v'f'qt'f'ce'kk'kgu'cwj qtk'gf'd{ 'vj g'r gto k'y j g'vj g't'lp
eqo r rncpeg'qt'p'qv'lp'eqo r rncpeg'y kj 'vj g'v'gto u'cp'f'eqpf kkpqu'qh'y g'r gto k'0'Vj ku'k'pf go pl'k'cev'kv'f'q'gu
p'qv'gz'v'gp'f'vq'cp{ 'erko u.'uwxu."cevkvpu."qt'f co ci gu'vq'vj g'gzv'gpv'cwt'kdwcdng'vq'F GE'u'qy p'p'gi r'ki gpv'qt
k'p'v'p'v'k'p'cn'cev'qt'qo kuukqpu."qt'vq'cp{ 'erko u.'uwxu."qt'cevkvpu'p'co k'pi 'vj g'F GE'cp'f'ct'k'k'pi 'w'pf g't
C't'v'eng'9: 'qh'vj g'P gy 'I qtm'E'k'k'i'R't'cev'leg'Ncy u'cp'f'T'w'gu'qt'cp{ 'ek'k'gp'u'w'k'qt'ek'k'i't'k'i j u'r tqxkukq
w'pf g't' h'gf g't'cn'qt' u'vcv'rcy u0

Item B: Permittee's Contractors to Comply with Permit

Vj g'r gto kvgg'ku't'gur qpukdng'hqt'lp'hqto k'pi 'ku'k'pf gr g'p'f'gpv'eqpv'cev'qtu."go r m{ ggu."ci gpw'cp'f'cu'ki pu'qh
vj g't'gur qpukd'k'k'v'v'q'eqo r n{ 'y kj 'vj ku'r gto k'v'k'p'cn'f'k'pi 'cm'l'ur gekn'eqpf kkpqu'y j k'rg'cev'k'pi 'cu'vj g
r gto kvgg'u'ci gpv'y kj 't'gur gev'v'q'vj g'r gto kvgf "cevkkk'kgu."cpf "u'wej "r gtu'qpu'uj cm'd'g'u'wd'lg'ev'v'q'vj g'uco g
uc'p'ev'kv'pu'hqt'x'k'q'v'kv'pu'qh'y g'Gpxktqpo gpvniEqpugtxcvkap'Ncy "cu'vj qug'r t'guet'kd'gf'hqt'vj g'r gto kvgg0

Item C: Permittee Responsible for Obtaining Other Required Permits

Vj g'r gto kvgg'ku't'gur qpukdng'hqt'q'd'v'cl'p'k'pi "cp{ "q'v'j g't'r gto ku."cr r tqx'cnu."r'cp'f'u."gc'ugo gpw'cp'f't'k'i j w'q'h/
y c{ 'vj cv'o c{ "dg't'gs w'k'gf "vq'ectt{ "q'w'v'j g'cev'kk'kgu'vj cv'ct'g'cwj qtk'gf'd{ 'vj ku'r gto k'0

Item D: No Right to Trespass or Interfere with Riparian Rights

Vj ku'r gto k'f'q'gu'p'qv'eq'p'x'g{ "vq'vj g'r gto kvgg'cp{ 't'k'i j v'v'q'v't'gur cuu'w'r qp'vj g'r'cp'f'u'qt'lp'v'g't'g't'g'y kj 'vj g
t'k'r ct'k'p't'k'i j w'q'h'q'v'j gtu'lp'q'f'g't'v'q'r g't'hqto 'vj g'r gto kvgf "y q't'n'p'q't'f'q'gu'k'v'cwj qtk'g'vj g'k'o r c'k'to gpv'q'h
cp{ 't'k'i j u.'v'k'rg."qt'lp'v'g't'g'u'v'lp't'g'cn'qt'r gtu'q'p'cn'r t'qr g't'v'f'j g'f'qt'x'g'u'gf'k'p'c'r gtu'q'p'p'qv'c'r ct'v'f'vq'vj g
r gto k'0

Vcdng'qh'Eqpvgpwu'

Cetqpo u'

Oqf wrgu'

- K" I gpgtcn'Eqpf kkpui í 00K3'6'K37"
- Uej gf wrg'3"qh'O qf wrg'K í U3/3'6'U3/49"
- Gzj kdk'Cí 00C/3'6'C/6"
- Gzj kdk'Dí 00D/3 – B2
- Gzj kdk'Eí 00E/3'6'E/9"
- Gzj kdk'Fí 00F/3'6'F/6"
- Gzj kdk'Gí G/3'6'G/53"
- Gzj kdk'Hí H/3'6'H/5"
- Gzj kdk'I í I /3'6'I /4"
- KK" Eqttgevkxg'Cevkqp'Tgs wtkgo gpwu í 000KK3'6'KK35"
- KKK" Wug'cpf'O cpci go gpv'qh'Eqpvkpgtuí 0000KK3'6'KK7"
- KK'" Vcpm'U{vrgo uí 000K/3'6'K/9"
- X'" TGUGTXGF'Y í 00 í í í í 0'
- XK" TGUGTXGF í 0'
- XKK" Kpelgpcvqtu í 0 0XKK3'6'XKK7"
- XKKK" TGUGTXGF í 0'
- KZ'" TGUGTXGF í 0 í "
- Z'" J c| ctf qwu'Y cug'O luegmcpqwu'Wpkuí í í í í í í í í í í í í í í í í 0Z/3'6'Z/4"

Cwcej o gpwu'

- C" TGUGTXGF "
- D" Gpi kpggtkpi 'F tcy kpi u'/"õO RO 'Ukrleqpgu.'NNE.'Y cvgthqtf.'P gy '[qtm'
P [UF GE 'Rctv'595'J c| ctf qwu'Y cug'Rgto k/Crr rdecvkqp.'Xqno g'KK'Ugevkpu'
KK'cpf 'KKö'*Lwpg'4229.'Tgxkugf 'P qxgo dgt'34.'4234+'
- E" Enquwtg'Ræp.'RquvEnquwtg'cpf 'HkpcpekriCuwtcpeg'/"õO RO 'Ukrleqpgu.'NNE.'
Y cvgthqtf.'P gy '[qtm=P [UF GE 'Rctv'595'J c| ctf qwu'Y cug'Rgto k'
Crr rdecvkqp.'Xqno g'K'Ugevkpu'KK/C.'cpf 'XKKö'*Lwpg'4229.'Tgxkugf '
P qxgo dgt'34.'4234+'
- F" Rgto k'O qf hdecvkqp'Nqi "

F qewo gpw'kpeqtr qtcvgf "d{ "Tghgtgpeg"

30 MPM Silicones, LLC "TETC Hcekrk{ "K" P q0P [F 2242: 2256 "HkpcpekcnCuuwtcpeg
Rwtuwpv'vq'8"P [ETT'595/40 . "Ktngxqecdrng"Ucpcf d{ "Ngwgt"qh'Etgf k'VRVU/ 534: 72'hqt
Enquwtg'cpf "Rquv'Enquwtg'Ectg"*Hgdwtct { "48."4229+"cpf "y'g"Ucpcf d{ "VtwuvCi tggo gpv'hqt
Ngwgt"qh'Etgf k'VRVU/534: 72'MPM Silicones, LLC "TETC Hcekrk{ "K" P q0
P [F 2242: 2256 "O ctej '7."4229+"^{3,4}

40 MPM Silicones, LLC "TETC Hcekrk{ "K" P q0P [F 2242: 2256 "HkpcpekcnCuuwtcpeg
Rwtuwpv'vq'8"P [ETT'595/40 "Ktngxqecdrng"Ucpcf d{ "Ngwgt"qh'Etgf k'VRVU/ 49587: 'hqt
Vj kf "Rctv{ "Nkcdkrk{ "Cy ctf u"qt "Ugwrgo gpw"*F gego dgt'3: . "4229+"cpf
y'g"Ucpcf d{ "VtwuvCi tggo gpv'hqt "Ngwgt"qh'Etgf k'VRVU/49587: "MPM Silicones, LLC
TETC Hcekrk{ "K" P q0P [F 2242: 2256 "F gego dgt"42."4229+"^{3,4}

50 "Civil Action No. 83-CV -77" and resulting Consent Order between the State of New
York and General Electric Company "Cwi wuv": . "3; ; 7"³

60 "Tgo gf kcn'Rrcp'hqt'I gpgtcl'Gngvle'Ego r cp{ . "Ukrleqpg'Rtqf wew'F kxkukqp."Y cvgthqtf .
P gy 'I qtnö"*F gego dgt'3; ; 9"³

70 "Ncpf hkn'P q03" "Tgo gf kcn'Rrcpö"*O c{ "53."3; ; 7"³

80 Ngwgt'vq'P [UF GE "tgi ctf kpi "y'g"öRtqr qugf "O qf hkecvkqp"vq'I tqwpy cvgt "Tgo gf kcn
Rtqi tco ö"*Lwn{ . "4227"cpf "uwdugs wgpw{ "cr r tqxgf "k'p'ngwgt'htqo "P [UF GE "f cvgf
Lcpwct { "8."4228"³

90 "Qr gtcvqp"cpf "O clpvgpcepg"O cpwcn'ó"Enqugf "Tgi wrcvgf "cpf "P qp/Tgi wrcvgf "Wpkuö
"Qevqdg"4: . "4233"³

: 0 "kpvgtlo "Eqttgevkxg"O gcuwtgu"Rgthqto cpeg"Gxcnwcvkqp'hqt'I tqwpy cvgt "Tgo gf kcn
U{ uvgö uö"*Hgdwtct { "46."4234"³

; 0 "Equv'cpf "Tgi wrcvt{ "Dcuku'hqt"O omentive Rerformance O aterials"Ukrleqpgu."NNE
TETC "HkpcpekcnCuuwtcpeg. Y cvgthqtf . "P gy 'I qtnö"*Hgdwtct { "4234"³

320Tgxkugf "Uetggplpi "Ngxgn'Geqmi kcn'TkuniCuuguuo gpv'Rrcp'hqt'I G'UkrleqpguøTqvct{ "Mkp
cpf "Hlzgf "Dqz "%4+"kpekpgtcvqtu"*Lwn{ "4."4225"³

330Tgxkugf "J wo cp"J gcnj "TkuniCuuguuo gpv'Rrcp'Hqt'I G'UkrleqpguøTqvct{ "Mkp"cpf "Hlzgf
Dqz "%4+"kpekpgtcvqtu"*Lwn{ "4."4225"³

340"öTgxkugf "Uetggplpi "Ngxgn'Geqmi kcn'TkuniCuuguuo gpv'ó" "Tqvct{ "Mkp"cpf "Hlzgf "Dqz
kpekpgtcvqtö"*P qxgo dgt"4228"³

350 Cff gpf wo 'q'j g'J wo cp'J gcnj 'TkunCuuguuo gpv'Rrp'hqt'O qo gpv'xg'Rgthqto cpeg
O cvgtknu' Tqvct { 'Mkr'cpf 'Hkzgf 'Dqz '%# 'kpekpgtcvqtuö '*P qxgo dgt '4233+³

360 Tgxkugf 'Uetggpkpi 'Ngxgn'Geqrqi kecn'TkunCuuguuo gpv'Tqvct { 'Mkr'cpf 'Hkzgf 'Dqz
kpekpgtcvqtuö '*Lwn { '4234+³

370 Tgxkugf 'O wmr cvj y c { 'TkunCuuguuo gpv'ó' Tqvct { 'Mkr' ('Hkzgf 'Dqz 'kpekpgtcvqtuö
*Hgdwtct { '4234+³

380 Tgxkugf 'Uetggpkpi 'Ngxgn'Geqrqi kecn'TkunCuuguuo gpv'ó' Tqvct { 'Mkr' ('Hkzgf 'Dqz
kpekpgtcvqtuö '*Hgdwtct { '4234+³

390 Tgxkugf 'O wmr cvj y c { 'TkunCuuguuo gpv'Tqvct { 'Mkr'cpf 'Hkzgf 'Dqz 'kpekpgtcvqtuö '*Lwn {
4234+³

3: 0öVtken'DwptRgthqto cpeg'Vguv'Rrp'hqt' Tqvct { 'Mkr'kpekpgtcvqt'cpf 'Hkzgf 'Dqz 'kpekpgtcvqt
%ö '*O ctej '4226+³

3; 0öVtken'DwptRrp'S wrkv { 'Cuwtcpeg'Rtqlgev'Rrp'hqt 'j g' Tqvct { 'Mkr'kpekpgtcvqt '*TMK
cpf 'Hkzgf 'Dqz 'kpekpgtcvqt '*HDKö '*Qevdgt '422: +³

420 öEqo r tgi gpukxg' "Rgthqto cpeg'Vguv '*ERV+'Rrpö '*Cwi wuv'4232+³

430 öVtken'DwptRgthqto cpeg'Vguv'Tgr qt'v'hqt 'j g' Tqvct { 'Mkr'kpekpgtcvqtö '*Tgxkukqp '3'ó
Ugr vgo dgt '4228+³

440 öSource Emission Test Report - Eqo r tgi gpukxg' "Rgthqto cpeg'Vguv'pi . 'Tqvct { 'Mkr'
kpekpgtcvqtö' /'Lwpg'4232 '*Tgxkukqp <O ctej '4233' tgr qt v+³

450 öSource Emission Test Report - Eqo r tgi gpukxg' "Rgthqto cpeg'Vguv'pi . 'Tqvct { 'Mkr'
kpekpgtcvqt 'Tg'v'ó'F gego dgt '4232ö '*Tgxkukqp <O ctej '4233' tgr qt v+³

460 öO qo gpv'xg' "Rgthqto cpeg'O cvgtknu. 'TMKEqpuqnf cvgf 'Qr gtcv'pi 'O cpwcn'-
Compliance Operations – SSMPö '*Lwpg'35. '4233+³

470 TMKEGO U'S wrkv { 'Eqptqnl'cpf 'S wrkv { 'Cuwtcpeg' '*S C I S E+'Rrp '*Qevdgt '44. '4234+³

480 Ngwgt 'q'P [UF GE 'tgi ctf kpi 'j g'ö62 'EHT' 'Uwdr ctv'63 GGG'ó'P qv'hecv'qp'qh"
Eqo r rlcpeg'ó' Tqvct { 'Mkr'kpekpgtcvqt '*TMK'ó' MPM Silicones, 'Y cvgthqtf . 'P [ö '*O ctej "
8. '4233+³

490 öVtken'DwptRgthqto cpeg'Vguv'Tgr qt'v'hqt 'j g' Hkzgf 'Dqz 'kpekpgtcvqt '%ö '*Tgxkukqp '3'ó
Qevdgt '4228+³

4: 0“Source Emission Test Report - Comprehensive Performance Testing, Fixed Box
Incinerator #2 October 2010” (Revision: March 2011 report) 1

- 4; 0õO qo gpvkg'Rgthqto cpeg'O cvgtkcn."%4"Kpekgtcvqt'Eqpuqnf cvgf 'Qr gtcvpi 'O cpwcnó Compliance Operations - SSMPö" *Lwpg"43."4233+³
- 520õCf f gpf wo 'v'j g'Ego r tgj gpukg'Rgthqto cpeg'Vguv'Rrcp'hqt'vj g'Hkzgf 'Dqz'Kpekgtcvqt %4ö" *Ugr vgo dgt"4233+³
- 530õEgo r tgj gpukg'Rgthqto cpeg'Vgukpi 'Tgr qt v'hqt'vj g'Hkzgf 'Dqz'Kpekgtcvqt"%4/" Ugr vgo dgt"4233"Vguvö" *F gego dgt"4233"tgr qt v"⁶
- 540õP qvkecvkp'qh'Ego r rkcpeg" *P QE+ 'y kj 'vj g'Tgs vktgo gpw'qh'62'EHI"63 Uwdr ctv'GGG" hqt vj g'Hkzgf 'Dqz'Kpekgtcvqt "%4ö" *F gego dgt"4233+³
- 550MPM Silicones, LLC, Continuous Monitoring System (CMS) Plan” (September 26, 2012)¹
- 560Letter to NYSDEC regarding “Momentive’s RCRA Permit Renewal Application, Cadigan’s Tomb Revised Proposal” *Lcpwct { "4."4235+³
- 570õO omentive Rerformance O aterials'Silicones.'NNE.'Y cvgthqtf.'P gy "[qtm="P [UF GE Rctv'595"J c| ctf qwu"Y cuvg Rgto k'Cr r rkecvkp."Xqno g'K'Ugevkpu'K'KK'KK'KX/D.'KX/ E.'KX/F.'X.'XK'XKK'KZ"cpf Zö" *Lwpg"4229."Tgxkugf 'P qxgo dgt"34."4234+³
- 580õO omentive Rerformance O aterials"Ukreqpgu."NNE."Y cvgthqtf.'P gy "[qtm="P [UF GE Rctv'595"J c| ctf qwu"Y cuvg Rgto k'Cr r rkecvkp."Xqno g'K'Ugevkpu'K.'KK'cpf "Xö" *Lwpg 4229."Tgxkugf 'P qxgo dgt 34."4234+³,
- 590õO omentive Rerformance O aterials"Ukreqpgu."NNE."Y cvgthqtf.'P gy "[qtm="P [UF GE " Rctv'595"J c| ctf qwu"Y cuvg Rgto k'Cr r rkecvkp."Xqno g'KK'Kpvi tcvf Eqvpi gpe{ " Rrcpö" *Lwpg"4229."Tgxkugf P qxgo dgt"34."4234+^{3,4},
- 5; 0õO qo gpvkg'Rgthqto cpeg'O cvgtkcn."Y cvgthqtf 'P gy "[qtni."J c| ctf qwu"Y cuvg'Cpcn{ uku Rrcp"cpf 'S wrkv{ 'Cuwtcpeg'IS wrkv{ 'Eqvtqn'Rrcpö" *O ctej "48."4235+^{3,4}' r ctvkn
- 5; 0õUw r ngo gpvkn'Ur km'Tgr qt vpi 'Tgs vktgo gpw'hqt'O qo gpvkg'Rgthqto cpeg'O cvgtkcn Ukreqpgu."NNE" *O RO +ö" *O ctej "43."4236+^{3,4}

Footnotes:

1. Each document referenced by this footnote includes the above dated original submission and any subsequent Department approved document revisions.

2. Each document referenced by this footnote includes the referenced document and any subsequent Department approved replacement.

* Confidential Business Information may be requested under Freedom of Information Law

ACRONYMS

Cetq{ o u'hqt 'Rctv'595'Rgto kv'

A

CQE/"Ctgcu'qh'Eqpegtp"
CEHO "/"Cewcn'Ewde'Hggv'r gt'O kpwg"
CREG/"Ck'Rqmwwqp'Eqpv'qn'Gs wkr o gpv"
CRU/"Cekf'Rqnt'Uqrgpw"
CYHEQ/"Cwqo cve'Y cug'Hggf'Ewqhh"

B

DVW/"Dtkkuj 'Vj gto cn'Wpk'

C

æE/"F gi tggu'Egnukwu"
ECU/"Ej go kecn'Cdwtcev'Ugtxlegu'T gi kwt { ""
EEU/"Eqwvgt 'Ewtgpv'Uetwddgt"
EG/"Ecrkdtcvkp'Gttqt"
EGOU/"Eqvkwqwu'Go kukqpu'O qpkqtłpi 'U{ ugo "
EHO "/"Ewde'Hggv'r gt'O kpwg"
EHU/"Etqu'Hqy 'Uetwddgt"
EOK/"Eqttgevxg'O gcuwtgu'Kó r ngo gpvcvqp"
EOU/"Eqvkwqwu'O qpkqtłpi 'U{ ugo 'qt'Eqttgevxg'O gcuwtgu'Uwf { "
EQ/"Ectdqp'O qpzłf g"
ERV/"Eqo rtgj gpukxg'Rgthqto cpeg'Vguv"
EUC/"Eqvkvpgt'Uqtci g'Ctgc"
EUO "/"Eqpegr wcn'Ukg'O qf gn'

D

FGE/"F gr ctvo gpv'qh'Gpxktqpo gpvcn'Eqpugtxcvqp"
FGT/"F kxkukqp'qh'Gpxktqpo gpvcn'Tgo gf kvvqp"
FWUT/"F cvc'Wucdkkx{ 'Uwo o ct { 'Tgr qtv"

E

GE/"Go gti gpe{ "Eqqt f kpcvqt"
GEN/"Gpxktqpo gpvcnEqpugtxcvkqp"Ncy "
GF U/"Grgextqple'F qewo gpvUcpcf ctf u"
GNCR/"Gpxktqpo gpvcnNcdqtcvqt{ "Cr r tqxcnRtqi tco "
GUX/"Go gti gpe{ "Uchgv{ "Xgpv"

F

HDK/"Hzgf "Dqz "Kpelpgtcvqt"
HGT/"Hkpcn'Gpi kpggtkpi "Tgr qtv"
HU/"Hgcukdkrk{ "Uwf { "

G

I QN/"I gpgtcn'Qdrki cvkqpu"Ncy "
I RO "/"I cmqpu'r gt'O kpwg"

H

J En/"J { f tqi gp'Ej nqt k f g"
J OF \ "/"J gzcogj {rf kkk| cpg"
J t/"J qwt"
J TC/"J qwt n' "Tqm kpi 'Cxgtci g"
J YE/OCEV/"J c| ctf qwu"Y cuw"Eqo dwuxtu'O czko wo "Cej kxgcdng'Eqpvtqn"Vgej pqmji { ""

I

K("E/"Kpwtwo gpvcvkqp"cpf 'Eqpvtqn'
KE/"Kpukwvkqpcn'Eqpvtqn"
KEO/"Kpvtko "Eqttgevkxg'O gcuw tgu"
KUV/"Kpucpvcpgqwu"
KY U/"Kpk kpi "Y gv"Uetwddgt ""

K

mY "/"Mktqy cwu"

L

Ndu/"Rqwpf u"
NF T/"Ncpf 'F kur qucn'T gust kvkqpu"
NXO "/"Nqy "Xqmvkrg'O gvcn"

M

OCEV/"O czko wo 'Cej kxcdng'Eqvtqni'Vgej pqmji { "
OEN/"O czko wo 'Eqpwo kpcpv'Ngxgn'
OEU/"O gj { rej nqtukrpg"
OO "DVW/"O krikp'Dtkkuj "Vj gto cri'Wpku"
OPC/"O qpkqgf 'P cwten'Cwgpwcvqp"
OQP/OCEV/"O kwegmpgqwu'Qti cple'Ej go lecn'O cpwcewtkpi "/"O czko wo 'Cej kxcdng"
Eqvtqni'Vgej pqmji kgu"

N

PGU CRU/"P cvkqpcni'Go kukqpu'Ucpcf ctf u'hqt'J c| ctf qwu'Ckt'Rqmwcpwu"
PHRC/"P cvkqpcni'Hktg'Rtqygecvqp'Cuuqekcvqp"
PK/"P qvhecvqp"qh'Kvgnv'v'Eqo r n"
PQE/"P qvhecvqp"qh'Eqo r rkcpeg"
PRU/"P qp'Rqret'Uqkxgpwu"
P[ETT/"P gy '[qtni'Ucvg'Eqf gu.'T wgu'('Tgi wrcvqpu"
P[UFGE/"P gy '[qtni'Ucvg'F gr ctwo gpv'qh'Gpxktqpo gpv'ni'Eqpugtxcvqp"
P[UFQJ "/"P gy '[qtni'Ucvg'F gr ctwo gpv'qh'J gcmj "

O

QOC/"Qpg'O kpwg'Cxgtci g"
Q(O "/"Qr gtcvqp"('O clpvgpcpeg"
QUIC/"Qeew cvkqpcni'Uchgv'('J gcmj 'Cfo kpkwcvqp"

P

REDu/"Rqn{ej nqtkpcvfg 'Dkr j gp{nu"
RFH/"Rqtvcnng'F qewo gpv'Hqto cv"
R(K "/"Rtqegu'cpf 'Kputwo gpvcvqp'F tcy kpi IF kci tco "
RKE/"Rtqf wev'qh'Kpeo r rvg'Eqo dwukqp"
RQJE/"Rtkpek cri'Qti cple'J c| ctf qwu'Eqpukwgpv"
RT/"Rtgrko kpc{ 'Tgxky "
RTT/"Rgtkqf le'Tgxky 'Tgr qt v'
RRO "/"Rctu'r gt'O krikp"
RROX/"Rctu'r gt'O krikp"d{ 'Xqmw g"
RT/"Rtgrko kpc{ 'Tgxky "
RUK "/"Rqwpf u'r gt'Us wctg'Kpej 'I cwi g"

Q

SCISE/"S wcrk\{ 'CuwtcpegIS wcrk\{ 'Eqvtqn'

R

TC/"Tgo gf kni'Cevkqp"qt "TknCuuguo gpv"
TCVC/"Tgrvkg'Ceevtce{ "Vguy'Cwf k"
TETC/"Tguqteg'Eqpugtxcvkqp"('Tgeqxt{ 'Cev'
TF/"Tgo gf kni'F guki p"
TFITC/"Tgo gf kni'F guki pIT go gf kni'Cevkqp"
THC/"TETC'Hcekrk\{ 'Cuuguo gpv"
THK/"TETC'Hcekrk\{ 'Kpxguki cvkqp"
TK/"Tgo gf kni'Kpxguki cvkqp"
TMK/"Tqvct{ 'Mkp'Kpelpgtcvqt"
TQF/"Tgeqtf "qh'F gekukqp"
TRN/"Tgen'Rtqr gtv\ 'Ncy "
TRO/"Tqcvkqp'r gt'o kpwg"
TUQ/"Tgo gf kni'U\ ugo "Qr vko k\ cvkqp"

S

UCRC/"Ucvg'Cfo kpkwtcvkg'Rtqegf wtgu'Cev"
UE/"Ukg'Ej ctcevtk\ cvkqp"
UEE/"Ugeqpf ct{ 'Eqo dwukqp'Ej co dgt"
UGS T/"Ucvg'Gpxktqpo gpvni'S wcrk\{ 'Tgxky "
UQ4/"Ukrtec"
UO/"Ukg'O cpci go gpv"
UOR/"Ukg'O cpci go gpv'Rrnp"
UQD/"Ucvgo gpv'qh'Dcuku"
UOR/"Uctwr . 'Uj wf qy p'cpf 'O crhwpevkqp'Rrnp"
URF GU/"Ucvg'Rqmwcpv'F kiej cti g'Grko kpcvkqp'U\ ugo "
UY O W/"Uqrf "Y cug'O cpci go gpv'Wpkv"
UX/"Uco r npi "Xkukv"
UXO/"Ugo k'Xqrcvkg'O gcn'

T

VUFH/"Vtgcwo gpv.'Uqtci g"('F kur qucn'Hcekrk\{ "

U

WN/"Wpf gty tkgtu'Ncdqtcvqtkgu"
WUF QV/"Wpkgf "Ucvgu'F gr ctvo gpv'qh'Vtcur qtvcvkqp"
WUGRC/"Wpkgf "Ucvgu'Gpxktqpo gpvni'Rtqgevkqp'Ci gpe{ "
WX/"Wntcxkqgv"

V

XUK/'Xkuwn'Ukg'kpur gevqp"

W

Y CR/'Y cug'Cpcn{uku'Rrp

MODULE I

General Conditions

RCTV'595'RGTO K'

O QF WNG'K6'I GP GTCN'EQP F KVKQP U'

The Permittee is hereby authorized to operate only the hazardous waste units identified in Schedule 1 of Module I of this Permit. This Permit does not authorize the use of any other units to operate other than those identified in Schedule 1 of Module I. " K' v' k' Rgto k' eqphkew'y kj "cp{ "tgi wrvkpu"y j lej "ctg'kp"ghge'v'qp"v'j g'f cvg'qh"hp'cn'kuw'cpeg"qh"v'j k' Rgto k' v'j g' o qtg'ut'kpi gpv'tgs vktgo gpv'cr r rkgu0'

C0 GHGEV'QHRCTV'595'RGTO K'

30 Vj k'Rgto k'eqpukw"qh"v'j g"i gpgtcn'cpf "ur gekn'eqpf k'k'pu"eqpv'k'p'gf "k'v'j k'cpf "v'j g' cwcej gf " O qf wgu." k'pen'f'kpi " Schedule 1 of Module I=" v'j g" F gr ctvo gpv'cr r tqxgf Rgto k' Crr r'k'cv'k'p." k'pen'f'kpi " v'j g" Cwcej o gpw" cpf " f qewo gpw" k'peqtr qtcv'gf " d{ tghgt'p'eg="cpf " v'j g" cr r' r'k'cd'ng"tgs vktgo gpw"qh"v'j g" P gy "[qtm'U'cv'g" G'p'x'k'q'p'o gp'cn' Eq'p'ug't'x'c'v'k'p" Ncy " *GEN+ C't'k'erg"49." V'k'erg"; ." U'ge'v'k'p"49/2; 22" gv' ugs0" cpf " v'j g' h'q'm'y k'pi "tgi wrvkpu<

- 8'P [ETT'592"/"J c| ctf qwu"Y cug'O cpci go gpv'U{ u'go /I gpgtcn=
- 8'P [ETT'593"/"K gpv'k'k'cv'k'p"cpf "N'k'v'k'pi "qh"J c| ctf qwu"Y cugu=
- 8'P [ETT'594"/"J c| ctf qwu"Y cug"O c'p'h'g'u'U{ u'go " cpf "T'g'r'v'g'f "U'c'p'f'c't'f' u'h'q' I gpgtcv'qtu."V't'c'p'ur'q't'v'g't'u"cpf "H'c'k'k'k'g'u="
- 8'P [ETT'595"/"J c| ctf qwu"Y cug'O cpci go gpv'H'c'k'k'k'g'u="
- 8'P [ETT'596"/"O cpci go gpv'q'h'U'r g'ek'h'e"J c| ctf qwu"Y cug="
- 8'P [ETT'598"/"N'c'p'f' "F'k'ur'q'uc'n'T'g'ut'k'v'k'p'u="
- 8'P [ETT'843"/"W'p'k'h'q'to "R't'q'eg'f'w't'g'u="cpf ."
- 8'P [ETT'846"/"R'g'to'k'J' g'c't'k'p'i "R't'q'eg'f'w't'g'u0'

40 Vj g"Rgto k'v'gg"o wuv'eqo r n{ "y kj "v'j g" cr r' r'k'cd'ng" Tgo gf k'v'k'p" I w'k'f'c'p'eg" cpf "R'q'r'k'e { F qewo gpw'h'q'w'p'f "cv" [j wr <ly y y f ge Q{ Q qx lt gi wrvkpu45; 5Q vo r0](#)

50 Vj g"Rgto k'v'gg"o wuv'eqo r n{ "y kj "v'j g" cr r' r'k'cd'ng" Eqo o k'v'k'p'g't "R'q'r'k'e'k'u" h'q'w'p'f "cv" [j wr <ly y y f ge Q{ Q qx lt gi wrvkpu18677: Q vo r0](#)

60 Vj g'cr r' r'k'cd'ng'tgi wrvkpu"qt'tgs vktgo gpw'ctg'v'j qug'y j lej "ctg'kp"ghge'v'qp"v'j g'f cvg'qh' hp'cn'kuw'cpeg"qh"v'j k' Rgto k0"J qy g'x'g't."v'j g"Rgto k'v'gg"o wuv'c'u'q"eqo r n{ "y kj "v'j g' h'q'm'y k'pi "tgs vktgo gpw<

c0 tgs vktgo gpw'y j lej "d'ge'q'o g'gh'ge'v'k'g'd { 'u'c'w'w'g.'k'pen'f'kpi "co g'p'f'o gpw'v'j g't'g'v'q=

d0 tgs vktgo gpw'qh'8'P [ETT'598."cu'o qf k'k'g'f "r'c'p'f' "f'k'ur'q'uc'n't'g'ut'k'v'k'p'u=

e0 tgs wkt go gpw'qh'8'P [ETT"595/5049."595/504: ."cpf"595/504; ."cu"o qf kkgf "*"ckt go kuukqp'ucpf ctf u="cpf

f0 qj gt'tgs wkt go gpw'ur gekkkgf 'kp'8'P [ETT"595/308*g+*r gto k'eqpf kkpup+0

70 Vj g" Rgto kwgg" ku" cwj qtk gf " vq" o cpci g" j c| ctf qwu" y cuvg" kp" vj g" r gto kwgf " wpku kf gpw'kkgf " kp" **Schedule 1 of Module I** "kp" ceeqtf cpeg" y kj " vj g" eqpf kkpup" qh" vj ku Rgto k0" Cp{ "uqtc| g. "tgcvo gpv'qt" f kur qucn'qh" j c| ctf qwu" y cuvg" pqv'cwj qtk gf "d{ "vj ku Rgto k'ku'r tqj kdkgf "wrguu"gzgo r v'wpf gt'8'P [ETT"Rctv"595/308*f +0" Kuwpeg"qh'vj ku Rgto k'f qgu"pqv'cwj qtk g" cp{ "kplwt { "vq" r gtuqpu"qt" r tqr gtv{ ."cp{ "kpxcukqp"qh'qj gt r tlxcvg'tki j w."qt"cp{ "kplkpi go gpv'qh'kkgf gtcn"Ucvg'qt"mecn'hcy u'qt"tgi wcvkpu0

80 Cni'r rpu."tgr qtu."ur gekkkgf kkpup"cpf "uej gf wrgu"tgs wkt gf "d{ "vj g"vgtu u"qh"vj ku"Rgto kv cpf "cm'uwdugs wgpv'co gpf o gpw'vq"vj qug"fqewo gpw'ctg"kpqtr qtcvgf "d{ "tghgtgpeg"kpq vj ku"Rgto k'y j gp"ur gekkkgf "pqvgf "kp"cp{ "y tkwgp"cr r tqxcn'kuwgf "d{ "vj g" F gr ctvo gpv r wtuwcpv" vq" 8'P [ETT"843050" "Wf qp" kpqtr qtcvqp. "vj g" r tqxkukpu"qh" gcej "uwej fqewo gpv'y kn'dg"dkpf kpi "wr qp"vj g"Rgto kwgg"cpf "j cxg"vj g'uco g'ngi cni'hqteg"cpf "ghgevcu"vj g'tgs wkt go gpw'qh'vj ku"Rgto k0

90 Vj g"Rgto kwgg"o wuv'uwdo k'r rpu."tgr qtu."ur gekkkgf kkpup."ko r ngo gpvcvqp"uej gf wrgu cpf "cp{ "uwdugs wgpv'co gpf o gpw'vq"vj qug"fqewo gpw'tgs wkt gf "d{ "vj ku"Rgto k'vq"vj g F gr ctvo gpv'hq"tgxkgy "cpf "eqo o gpv' "Hqmjy kpi "ku"tgxkgy "qh" c"fqewo gpv."kh"vj g fqewo gpv'tgs wkt gu"hqto cni'F gr ctvo gpv'cr r tqxcn"*cu"fqewo kpgf "d{ "vj g" F gr ctvo gpv: vj g" F gr ctvo gpv'o c{ "gkj gt"cr r tqxg"vj g'fqewo gpv'cu"uwdo kwgf "qt"kuwgf"eqo o gpw'qp vj g"uwdo kwcn0" Kk"vj g" F gr ctvo gpv'kuwgu"eqo o gpw'qp"vj g"fqewo gpv."uwdugs wgpv cevkkku'hq"vj g'fqewo gpv'o wuv'r tqeggf "kp"ceeqtf cpeg"y kj "vj g'hqmjy kpi "uej gf wrg<

c0 O ggkpi "dgy ggp" vj g" Rgto kwgg" cpf " vj g" F gr ctvo gpv' vq" f kuwuu" vj g" fqewo gpv eqo o gpw."kh'tgs wuvgf "d{ "vj g"Rgto kwgg"qt" f ggo gf "pgeguact { "d{ "vj g" F gr ctvo gpv= cpf .

d0 Uwdo kuukqp"qh" c"tgxkugf "fqewo gpv'vq"vj g" F gr ctvo gpv'hq"cr r tqxcn'y kj kp"vj kv{ *52+"ecngpf ct" f c{ u"qh"vj g" cdqxg/f guetkdgf "o ggkpi 0" *Kk"vj g" cdqxg" tghgtgpegf o ggkpi "ku"fqewo kpgf "pqv'vq"dg"pgeguact { ."vj g"Rgto kwgg"o wuv'uwdo k'c"tgxkugf fqewo gpv'hq" F gr ctvo gpv'cr r tqxcn" ceeqtf kpi "vq" c" uej gf wrg" ur gekkkgf "d{ "vj g F gr ctvo gpv."pqv'vq"gzeggf "hqtv{/hkg" *67+"ecngpf ct" f c{ u"qh"vj g"Rgto kwggau'tgegr v qh'eqo o gpw'htqo "vj g" F gr ctvo gpv0

e0 Kk"vj g"uwdo kuukqp"ku"pqv'tgxkugf "vq"vj g" F gr ctvo gpv'u"ucvkucevqp."vj g" F gr ctvo gpv o c{ "tgxkug"vj g"fqewo gpv'cpf "ugpf "vj g"Rgto kwgg" c"pqv'eg"qh'kpvgpv'vq"o qf kh{ "vj g Rgto k'vq"kpqtr qtcvg"vj g"tgxkugf "fqewo gpv'kpq"vj g"Rgto k.'r wtuwcpv'vq"8'P [ETT 843050'

: 0 Vj g'fqewo gpw'rwgf "kp" **Condition B of Schedule 1 of Module I** "ctg"o cf g'r ctv'qh vj ku"Rgto k'ctg"dkpf kpi "wr qp"vj g"Rgto kwgg"cpf "j cxg"vj g'uco g'ngi cni'hqteg"cpf "ghgevcu"vj g'tgs wkt go gpw'qh'vj ku"Rgto k0

; 0 Kphqto cn'cf xleg. "i wk cpeg. "uwi i gukqp. "qt"eqo o gpv'd { "vj g"Rgto kwgg" qh" vj g"Rgto kwggau" qdri cvkqp" vq" qdvcv" uwej hqto cn' cr r tqxcn' cu" o c { "dg" tgs vkt gf " d { " vj ku" Rgto k0" k0" vj g" gxgpv' qh' c" eqphkev dgy ggp" vj g" tgs vkt go gpv' y kj kp" vj ku" Rgto k' qt" dgy ggp" vj g" vgtu u' qh' vj ku" Rgto k' cpf cp { " r ncpu. tgr qt w. " ur gekhlec v kpu" cpf " uej gf wgu' uwo kwgf " r wuwpv' vq" vj ku" Rgto k. " vj g o qtg" utkpi gpv' tgs vkt go gpv' u' j cni' cry c { u' eqpvt qf0" " Vj g" Rgto kwgg" eqpugv' vq" cpf ci tggv' pqv' vq" eqpvgu' vj g" cwj qtkv' " cpf " lwtkuf levkqp" qh' vj g" F gr ctvo gpv' vq" gpvgt' kp' vq" qt gphqteg" vj ku" Rgto k0

320 Vj g" Rgto kwgg" o wuv' cnuq" eqo r n { " y kj " vj g" hqmjy kpi <

- 8'P [ETT"595/308* h" o" Wp k hqto " Rtqegf wtgu
- 8'P [ETT"595/308* i + o" Gphqtego gpv
- 8'P [ETT"595/308* j + o" Ugxgtcdk k v {

330 Vj g" Rgto kwgg" o wuv' o clpvkvp" c" ewttgpv' cpf " eqo r ngv" r cr gt" eqr { " qh" vj ku" Rgto k. kpenf kpi " cni' O qf wgu. " C wcej o gpw" cpf " f qewo gpw" kpeqr qtcvgf " d { " tghgt gpeg. " kp" cv r gcu' vqpg' hcec v kqp" cv' vj g" Hcekkv' hqt' t g x l g y " d { " vj g" F gr ctvo gpv' w r qp' tgs wgu 0

340 Hqt" cp { " Gpxktqpo gpvcn' O qpkqt *u+ " cuuki pgf " vq" vj g" Hcekkv' . " vj g" Rgto kwgg" o wuv o clpvkvp" c" eqo r ngv' ugv' qh' r cr gt" eqr kgu' qh' cni' uwo kwcu' tgs vkt gf " d { " vj ku" Rgto k' kp' vj g qh' hleg" qh' vj g" Gpxktqpo gpvcn' O qpkqt" qt" cu' qv' gty kug" f k' gevgf " d { " vj g" Gpxktqpo gpvcn O qpkqt *u+ 0

D0 F G H P K V K Q P U

30 Hqt" vj g" r wtr qugu' qh' vj ku" Rgto k. " vj g" vgtu u' wugf " j gtgkp" u' j cni' j cxg" vj g" uco g" o gcpkpi u cu" vj qug" r tqxkf gf " kp" 8'P [ETT" 592" vj tqwi j " 598. " cpf " vj g" vgtu u' f g h k p g f " kp **Condition B.2** qh' vj ku' O qf wrg' wprgu' vj ku' Rgto k' ur gekhlec m { " ucvgu' qv' gty kug 0" Y j gtg vj g" vgtu u' ctg' pqv' vj gty kug" f g h k p g f . " vj g" o gcpkpi u' cuuqekv' y kj " uwej " vgtu u' u' j cni' dg cu' f g h k p g f " d { " c" ucpf ctf " f levkqpct { " tghgt gpeg" qt" vj g" i gpgtcm { " ceegr vgf " uekpv' hle" qt kpf wuv { " o gcpkpi " qh' vj g" vgtu 0

40 Vj g" hqmjy kpi " cf f k k q p c n' v g t o u' w u g f " k p' v j k u' R g t o k' c t g' f g h k p g f " c u' u w e j <

c0 Cevkqp " Ngxgn0" " Hqt" vj g" r wtr qugu' qh' vj ku" Rgto k. " ocevkv" r g x g n o " ctg" j c | ctf qwu eqpukwgpv' eqpegpvtcvkpu" hqt" c" ur gekhle" gpxktqpo gpvcn' o gf kwo " y j lej " kh gzeggf gf " kpf lecvg" c" r qv' p v k c n' vj t g c v' vq" j wo cp" j g c n j " qt" vj g" gpxktqpo gpv' 0" Vj g gzeggf gpeg" qh' cevkv" r g x g n i " o c { " v k i i g t " h w v j g t " k p x g u k i c v k p u . " u w f k g u " c p f eqttgevkxg" o gcuwgu0" Y j gtg" cxckrdrg. " cevkv" r g x g n i " ctg" dcugf " qp" cr r tq r t k v g r t q o w i c v g f " u c p f c t f u " g u v d r k u j g f " h q t " c " u r g e k h l e " g p x k t q p o g p v c n' o g f k w o 0" Y j g p r t q o w i c v g f " u c p f c t f u " c t g " p q v' c x c k r d r g . " c e v k p " r g x g n i " e c p " d g " o g f k c / u r g e k h l e j c | c t f q w u " e q p u k w g p v' e q p e g p v t c v k p u " f g t k x g f " h t q o " p q p / r t q o w i c v g f " j w o c p j g c n j " t k u m f c v " q t " g p x k t q p o g p v c n' t k u m f c v " y k j " v j g" r w g t " r g x g n i " d g k p i " r t q v g e v k x g q h' c s w c v e " r h g " q t " y k f r h g 0" C p " c e v k p " r g x g n i " o c { " d g " u g v' c v' vj g" d c e m i t q w p f " r g x g n i " h q t c " j c | c t f q w u " e q p u k w g p v' " h q t " y j l e j " f c v " c t g " k p c f g s w c v g " v q " u g v' c " j w o c p " j g c n j " q t

gpxktqpo gpwnj gcnj /dcugf "ngxgr0"Vj g"cevkqp"ngxgnuhqt "i tqwpf y cvgt "ctg"vj g"o qtg" utkpi gpv"qh"vj g"hqmqy kpi "hqt" gcej "eqo r qwpf "qt" eqpukwgpv<8"P [ETT"92507." P gy [qtm' Ucvg" F gr ctwo gpv"qh" J gcnj ai" F tkpnkpi " Y cvgt" Ucpf ctf u" cpf " yj g" Wpkvgf "Ucvgu"Gpxktqpo gpwnjRtqvgevkqp"Ci gpe{ ai"O czko wo "Eqpwo kpcpv"Ngxgnu" *O ENu+0

d0 Ctgcuh"Eqpegtp" *COE+0"Rwtuwpv"vq"vj g"cwj qtkv{ "i tcpvgf "d{ "8"P [ETT"595/30 *e+*4+."cp"octgc"qh"eqpegtpö"j cu"dggp" f ghpvgf "hqt"r wtr qugu"qh"vj ku"Rgto kv"vq o gcp"cp"ctgc"cv"vj g"hekkv{ ."qt"cp"qh"ukvg"ctgc."y j lej "ku"pqv"cv"vj ku"vko g"npqy p"vq dg" c" uqrf " y cvg" o cpci go gpv" wpk" *UY O W+." y j gtg" j c| ctf qwu" y cvg" cpf lqt j c| ctf qwu"eqpukwgpw"ctg"r tguvpv."qt"ctg"uwur gevfg "vq"dg"r tguvpv."cu"ct"guwn"qh"ctgrgcug"htqo "vj g"hekkv{ 0"Vj g"vgtö "uj cm"lpenmf g"ctgcuh"r qvvpkcn"qt"uwur gevfg eqpwo kpcvkqp"cu"y gm"cu"cewcn"eqpwo kpcvkqp0"Uwej "ctgc"u"o c{ "tgs vktg" c"uwf { cpf "c" f gvgto kpcvkqp"qh"y j cv."kh"cp{ ."eqttgevkxg"cevkqp" o c{ "dg" pgeguact { 0" Cm Rgto kv"tghgtgpegu"vq"cpf "eqpf kkpqu"htq"UY O Wu"uj cm"cr r n{ "vq"ctgcuh"eqpegtp0

e0 Eqttgevkxg" Cevkqp0" "Hqt" vj g" r wtr qugu" qh" vj ku" Rgto kv."öeqttgevkxg" cevkqpö" ku" c r tqegu"vj cv"lpenmf gu"cm"cevkxkku"tgrvgf "vq"vj g"lpxguki cvkqp."ej ctcevgtk cvkqp"cpf ercepw"qh"ctgrgcug"qh"j c| ctf qwu"o kzgf "y cvgu"qt"j c| ctf qwu"eqpukwgpw"htqo "c uqrf "y cvg" o cpci go gpv" wpk" *UY O W+cv"r gto kvgf "qt"kpvgtko "ucwu"tgcvo gpv. uqtcg" g"cpf " f kur qucn"hekkv{ " *VUF H+ "vq" cp{ " gpxktqpo gpwnj" o gf kwo ." lpenmf kpi i tqwpf y cvgt0" **Module II**"qh"vj ku"Rgto kv"eqpukpu" c" o qtg" f gvckrgf " f luewuukp"qh"vj g eqttgevkxg"cevkqp" r tqegu0

f0 Gpxktqpo gpv0" "Rwtuwpv" vq" GEN" Ctvleng" 49." Vkrng" ; ." Ugevkqp" 49/2; 23. ögpxktqpo gpvö" o gcpu" cp{ " y cvgt=" y cvgt" xcr qt=" rcpf ." lpenmf kpi " rcpf " uwthceg" qt uwduwthceg="ct="cpf . "huj . "y kf rkhg. "dkvc"cpf "cm"qvj gt"pcwtcn"tguqwtegu

g0 J c| ctf qwu" Eqpukwgpw0" " Hqt" vj g" r wtr qugu" qh" vj ku" Rgto kv" öj c| ctf qwu eqpukwgpwö" ctg"vj qug"eqpukwgpw"rkvgf "kp"Cr r gpf kz "45"qh"8"P [ETT"593"qt cp{ "eqpukwgpv"rkvgf "kp"Cr r gpf kz "55"qh"8"P [ETT"595/40

h0 Rgto kvgg0" "Hqt" vj g" r wtr qugu" qh" vj ku" Rgto kv." öRgto kvggö" j gtgkp" tghgtu" vq" vj g r ctv{ *gu+"uwlgev"vq"vj ku"Rgto k0"kp"cf f kkpq."tghgt"vq" **Conditions R.2 and R.3**"qh vj ku"O qf wrg0

i 0 Rtktkv{ "Rqmwpv0" "Rwtuwpv" vq" 8" P [ETT"972" 304 *c+*89+."ör tktkv{ " r qmwpvö o gcpu"vj qug"r qmwpw"rkvgf "kp"62"EHI"344."Cr r gpf kz "F " *ugg"8" P [ETT"972 3046+ " cu" Qti cple" Vqzle" Rqmwpw" *xqrkvku." cekf " eqo r qwpf u." dcuglpgwten eqo r qwpf u"cpf " r guvkef gu+."O gvnu."E { cpkf g"cpf "Vqcn"Rj gpqnu0

j 0 Tgrgcug0" Hqt" r wtr qugu"qh"vj ku"Rgto kv."ötgrgcugö"lpenmf gu."dw"ku"pqv"rko kvgf "vq."cp{ ur knkpi ." rgnkpi ." r wo r kpi ." r qwtkpi ." go kvkpi ." go r v{ kpi ." f kuej cti kpi ." kplgevki . guecr kpi ." rgej kpi ." f wo r kpi "qt" f kur qukpi "kp"vq"vj g" gpxktqpo gpv"qh"cp{ "j c| ctf qwu y cvg." lpenmf kpi " j c| ctf qwu" eqpukwgpw. " wprguu" gzr tguun{ " cwj qtkf gf " wpf gt" vj g vgtö u"qh"vj ku"Rgto kv"qt"qvj gty kug"r gto kvgf " wpf gt" rny " *g0 0"URF GU" r gto kvgf f kuej cti gu+0

d{ "tghgtgpeg"kpq"vj ku"Rgto k0"Vj g"mji "o wuv"eqphqto "vq"vj g"F gr ctvo gpv/cr r tqxgf " hqto cv'r tguvpgf "kp"Cwcej o gpvF"qh'vj ku"Rgto k'cpf "o wuv'dg"uwdo kwgf "y kj "gcej " o qf kkecvkp" tgs wgu0 " Vj g"mji "o wuv' dg" hkmf " qw' kp" ku" gpvkvf ." gzeqr v' hqt " vj g" kuwcepeg" f cvg0" Wf qp"kuwcepeg"qh'gcej "Rgto k'o qf kkecvkp. "vj g"Rgto kwgg"o wuv'r mceg" vj g"wr f cvgf "mji "kp"Cwcej o gpvF"qh'vj ku"Rgto k'cnpj "y kj "c'eqr { "qh'vj g'F gr ctvo gpvu" cr r tqxcn'rgwtu. "y j gp" cr r rkecdrg. "cpf "tgr mceg"cm'chgevgf "r ci gu"kp" vj g"O qf wgu. " Cwcej o gpv'cpf kt'f qewo gpv'kpeqtr qtcvgf "d{ "tghgtgpeg"y kj "vj g'o qf kkegf "r ci gu0

60 Vj g'F gr ctvo gpv'o c{ "cv'cp{ "ko g."cv'ku" f kuetgkqp. "o qf kh{ "vj ku"Rgto k'wpf gt"vj g'vgo u qh'8'P [ETT"84305"kp"ceeqtf cpeg"y kj "vj g'tgs wkt go gpv'eqpvcvkgf "vj g'gkp0

70 Rgto k'Vtcpuht<"Vj g'Rgto kwgg"o wuv'r tqegu"cm'ej cpi gu"kp"Hcekkv{ "qy pgtuj kr "cpf lqt qr gtcvkpcn'eqpvtqn' kp" ceeqtf cpeg" y kj " vj g" tgs wkt go gpv" qh"8'P [ETT"595/30*c+ kpenmf kpi "vj g'ko ghtco gu'ur gekhgf "vj g'gkp0"Rtkqt "vq"wpf gtvcnkpi "c'ej cpi g'kp"Hcekkv{ qy pgtuj kr "cpf lqt"qr gtcvkpcn'eqpvtqn"vj g'Rgto kwgg"o wuv'r tqxkf g'y tkwgp"pqvkkkecvkp vq"vj g'F gr ctvo gpv'cpf "tgegkxg"y tkwgp"cr r tqxcn'htgo "vj g'F gr ctvo gpv'vq"cmjy "vcpuht qh'vj ku"Rgto k0"Vj g'Rgto kwgg"o wuv'f go qpvtcvg"vq"vj g'F gr ctvo gpv'u'ucvku'kecvkp"vj cv vj g" r tqur gevkg" vcpuhtgg" y kn' dg" cdrg" vq" eqo r n{ " y kj " cm' cr r rkecdrg" mxy u" cpf tgi wcvkpu. "Rgto k'eqpf kkpju."hpcpekn'cuwcepeg"cpf "qj gt"tgs wkt go gpv"vq"y j lej vj g"Rgto kwgg"ku"uwdlge0"Vj g"y tkwgp"pqvkkkecvkp"o wuv'kpenmf g"vj g'kf gpvkv{ "qh'vj g vcpuhtgg"cpf "vj g'pcwtg"cpf "r tqur qugf "f cvg"qh'vj g"eqpxg{ cpeg. "cpf "o wuv'pqvkh{ "vj g vcpuhtgg"kp"y tkkpi. "y kj "c'eqr { "vq"vj g'F gr ctvo gpv."qh'vj g"cr r rkecdkkv{ "qh'vj ku"Rgto k' kpenmf kpi " vj g" eqttgevkg" cevkqp" r tqi tco. " cu" cr r tqur tkevg0 " Vj g" F gr ctvo gpv' y km f gvgo kpg"y j gvj gt"vcpuht"qh'vj ku"Rgto k'ku"ceegr vcdrg"cpf "y kn'tgs wkt g'gkj gt" c'o kpat qt"o clqt"o qf kkecvkp0

GO GZRKTCVKQP "CPF "EQP VIK WCVKQP "QHRGTO K/U"8'P [ETT"595/30 "

30 Tgs wguu" hqt " eqpvcvkvkp" qh' vj ku" Rgto k' o wuv' dg" uwdo kwgf " kp" ceeqtf cpeg" y kj 8'P [ETT"595/30"cpf "843030

40 P q"uqqpgt"vj cp"qpg"*3+"{ gct"cpf "pq"mvg"vj cp"3: 2"fc{ u"dghqtg"vj g"gzr ktcvkqp"qh'vj ku Rgto k." vj g" Rgto kwgg" o wuv' r tqxkf g" vj g" F gr ctvo gpv' y kj " c" tgr qt v' tgi ctf kpi " vj g o cvgtu"kf gpvkhgf "kp"GEN"49/2; 35*5+"qeewtkpi "y kj kp"vy q" { gctu"qh'vj g"f cvg"qh'vj g tgr qt0"Vj g'tgr qt v'o wuv'kpenmf g"cp{ "uwej "o cvgtu"lpxqkxkpi "vj g'r gto kwgf "Hcekkv{ ."cm qj gt"kekkkv"qy pgf "qt"qr gtcvgf "d{ "vj g"Rgto kwgg"cpf "cp{ "f wv' "kpeqtr qtcvgf "r ctgpv qt"uwduf kct{ "o cpci kpi "j c| ctf qvu"y cvgu"y kj kp"vj g"Wpkgf "Ucvgu0"Vj g"Rgto kwgg o wuv'wv r n{ "uwej "f qewo gpv'cpf "r gtvkpgpv'f gvku'tgi ctf kpi "vj g'o cvgtu"kp"vj g'tgr qt v cu'o c{ "dg'tgs wguvgf "d{ "vj g'F gr ctvo gpv0

50 Vj g"Rgto kwgg"o wuv'uej gf wrg" c"0RtG/Cr r rkecvkp0"o ggkpi "y kj "vj g"F gr ctvo gpv'cv rgcuv'492"fc{ u'r tkqt "vq"vj g"gzr ktcvkqp" f cvg"qh'vj ku"Rgto k0" Tgpgy cn'cr r rkecvkpu"y kj "c uki pkecpv" ej cpi g" *cu" f ghkpgf " cv" 8'P [ETT" 595/302*c+*3+" ctg" uwldgev" vq" vj g tgs wkt go gpv'qh'8'P [ETT"595/3020

60 Eqo r rvg"cr r rkecvkpu" hqt"r gto k'tgpgy cn'o wuv'dg"uwdo kwgf "cv'rgcuv'3: 2"fc{ u"dghqtg vj g"gzr ktcvkqp" f cvg"qh'vj ku"Rgto k'r wtuwcpv'q"8'P [ETT"595/30 *d+0

70 Cv'cp{ 'klo g'f wtkpi 'vj g'tgxkgy 'qh'vj g'tgpgy cn'cr r rdecvkqp. 'vj g'F gr ctwo gpv'o c{ 'tgs wguv vj cv'vj g'Rgto kvgg'uwo k'cp{ 'cf f kkpccn'kphqto cvkqp'kp'y tkkpi 'y j lej 'ku'pgeguuct { 'hqt f gvgto kpkpi 'vj g'eqo r rvgvpguu'qh'vj g'cr r rdecvkqp' Hckntg'vq' r tqxkf g'uwej 'kphqto cvkqp d{ 'vj g'f cvg'ur gekkkgf 'kp'vj g'tgs wguv'o c{ 'dg'i tqwvf u'hqt'f gpkcn'qh'vj g'cr r rdecvkqp'cpf vj g' g'zvgpukqp' cmqy gf " r wtuwcpv' vq" Ugevkqp'623*4+' qh' vj g' Ucvg' Cf o kpkntcvkxg Rtqegf wtu'Cevo

H0 VGTO KPCVQOP 'QHRGTO K'CEVKKVIGU'

30 Uj qwf "vj g'Rgto kvgg'egcug'vj g'j c| ctf qwu'y cvg"o cpci go gpv'cevkkkku'cmqy gf "d{ vj ku" Rgto k' r tkqt " vq" vj g' g'zr kcvkqp" qh' vj ku" Rgto kv." vj gp." r wtuwcpv' vq" 8'P [ETT 595/308*f +."vj g'Rgto kvgg'o wuv'eqpvkpwg"vq'eqo r n{ 'y kj "vj g'cr r rdecvng'emqwtg." r quv'emqwtg'cpf "eqttgevkxg'cevkkp'eqpf kkpqu'cpf 'tgs wkt go gpv'uwr wcvgf 'kp'vj ku'Rgto k0

40 Kk' vj g' Rgto kvgg'egt vkkgu'emqwtg"qh'cm'j c| ctf qwu'y cvg"o cpci go gpv'wpku"cv' vj g Hckkkv{ ."cpf "vj g'F gr ctwo gpv'ceegr u"vj gug'emqwtg'egt vkkcvkpu'f wtkpi "vj g'vgo "qh vj ku'Rgto kv."cpf "r quv'emqwtg'ectg"qt"eqttgevkxg'cevkkp"ku'f gvgto kpgf "vq'dg"pgeguuct { d{ "vj g'F gr ctwo gpv."vj g'F gr ctwo gpv'y kn'o cng" c" f gvgto kpcvkqp" y j gvj gt "c" r gto k'qt qvj gt "gphqtegcdng"eqo o ko gpv'f qewo gpv'ku'cr r tqr tkvg. "r wtuwcpv'vq" Gpxkqpo gpvcn Eqpugtxcvkqp" Ncy " *GEN+ Ugevkqp'93/4949*5+0 " Dcugf " qp" vj cv' f gvgto kpcvkqp." vj g Rgto kvgg" o wuv' gpvt " kvq" vj g' cr r tqr tkvg" gphqtegcdng" eqo o ko gpv' r tkqt " vq" vj g g'zr kcvkqp'qh'vj ku'Rgto k0

I 0 HCEKKNV 'QRGTCVQOP'

30 Kp'ceeqtfcpeg'y kj "8'P [ETT'595/405*d+. "vj g'hckkkv{ "o wuv'dg'f guki pgf. "eqputwcvgf. o clpvkpgf " cpf " qr gtcvgf " vq" o kpk k g" vj g' r quukdkkv{ " qh" hktg." g'zr rqukqp." qt" cp{ wpr rppgf "uwf f gp"qt"ppq/uwf f gp"tgrcgug"qh'j c| ctf qwu'y cvg*u"qt"j c| ctf qwu'y cvg eqpukwgpw" vq" ckt. "uqkn'uwthceg" y cvgt"qt"i tqwvf y cvgt" vj cv'eqwf "vj tgcvgp"j wo cp j gcnj "qt"vj g'gpxkqpo gpv0

40 Vj g'Rgto kvgg"o wuv'cv'cm' klo gu'eqputwcv."qr gtcvg"cpf "o clpvk"cm'hckkkkku'cpf u{ ugo u'qh'tgcv gpv'cpf "eqpvqn"*cpf "tgrcvgf "cr r wvpgcpegu+y j lej "ctg"kpucmgf "qt wugf " d{ " vj g' Rgto kvgg" cu" f guki pgf " kp" ceeqtf cpeg" y kj " vj ku" Rgto kv' kpenw kpi **Schedule 1 of Module 10**

50 Vj g'Rgto kvgg"o wuv'kpur gev'vj g'Hckkkv{ "vq" r tggxgpv'o chwpevkpu'cpf "f gvgtkqtcvkqp. qr gtcvt"gttqtu."cpf "f kvej cti gu"vj cv'o c{ "ecwug"qt"ngcf "vq"vj g'tgrcgug"qh'j c| ctf qwu y cvg*u"qt"j c| ctf qwu'y cvg"eqpukwgpw"vq"vj g'gpxkqpo gpv."qt" c"vj tgcv'vq"j wo cp j gcnj "r wtuwcpv'vq"8'P [ETT'595/404*i +0

J 0 EQORNICPEG'UEJ GF WNG'

30 Vj g'Rgto kvgg"o wuv'eqo r rvg'cp{ "cevkkkku'tghgtgpegf "kp"**Condition C of Schedule 1 of Module I**" y kj kp" vj g' klo ghtco gu" ugv' hqt vj " vj gtgkp" cpf " kp" ceeqtf cpeg" y kj 8'P [ETT'595/308*f +0

40 Vj g"Rgto kwgg" o wuv"uwdo kv"tgr qt w"lp" c" F gr ctvo gpv" cr r tqxgf "hqtto cv"pq"mvgt" yj cp 36"fc{u"hmty lpi "gcej "kpvgtko "cpf " yj g" hpcn" eqo r rncpeg" f cvg" yj cv" uwo o ctkl g" yj g ucwuw"qh" gcej "qh" yj g" cevxkkgu" hkvgf "lp" **Condition C of Schedule 1 of Module I0**

K0 Y CUVG' CPCNJ UKU']8' P [ETT' 595/404 *g+ "

30 Vj g" Rgto kwgg" o wuv" r gthqto " i gpgten' y cvg" cpcn{uku" kp" ceeqtf cpeg" y kj " yj g tgs wktgo gpw" qh" 8' P [ETT' 595/404 *g+ " cpf " yj ku" Rgto kv" kpenw lpi " yj g" F gr ctvo gpv/ cr r tqxgf " Y cvg" Cpcn{uku" Rncp" kpeqtr qtcvgf " d{ " tghgtgpeg" kpq" yj ku" Rgto kv' d{ **Condition B of Schedule 1 of Module I0**

40 Cmi'rdqtcvqt lgu' wklk gf "hqt" yj g" cpcn{uku" qh" cp{ " emquwtg. 'r quv' emquwtg" cpf lqt " eqttg evkxg cevkqp" uco r ngu" o wuv' dg" egt wklgf " wpf gt" yj g" P gy "[qtm' Ucvg" F gr ctvo gpv' qh' J gcnj cu Gpxkqpo gpvcn' Ncdqtcvqt { " Cr r tqxcn' Rtqi tco " *GNCR-0 Cp{ " rdqtcvqt { " vguu" qt uco r ng" cpcn{ugu" hqt" yj j lej " yj g" eqo o kuukapgt" qh" yj g" P gy "[qtm' Ucvg" F gr ctvo gpv' qh J gcnj " *P [UF QJ + " kuwgu" egt wklgf " qh" cr r tqxcn' o wuv' dg" r gthqto gf " d{ " c" rdqtcvqt { egt wklgf " vq" r gthqto " uvej " vguu" qt " cpcn{ugu" r wuwcpv" vq" yj g" P [UF QJ " Gpxkqpo gpvcn Ncdqtcvqt { " Cr r tqxcn' Rtqi tco 0

I0 "RGTUQP P GN" VTCR R I " RTQI TCO "]8' P [ETT' 595/404 *j + "

30 Vj g" Rgto kwgg" o wuv" eqpf wev" r gtuqppgn' vclpklpi " kp" ceeqtf cpeg" y kj " 8' P [ETT 595/404 *j + *3+ " *4+ " cpf " *5+ " cpf " yj ku" Rgto kv" kpenw lpi " yj g" F gr ctvo gpv/ cr r tqxgf Rgtuqppgn' vclpklpi " Rtqi tco " kpeqtr qtcvgf " d{ " tghgtgpeg" kpq" yj ku" Rgto kv' d{ **Condition B of Schedule 1 of Module I0**

40 Vj g" Rgto kwgg" o wuv" o clpvclp" vclpklpi " f qewo gpw" kp" ceeqtf cpeg" y kj " 8' P [ETT 595/404 *j + *6+ " cpf " *7+ " cpf " yj ku" Rgto kv" kpenw lpi " yj g" F gr ctvo gpv/ cr r tqxgf " Rgtuqppgn Vclpklpi " Rtqi tco " kpeqtr qtcvgf " d{ " tghgtgpeg" kpq" yj ku" Rgto kv' d{ **Condition B of Schedule 1 of Module I0**

M0 RTGRCTGF P GUUCP F " RTGXGP VKQP. " EQP VR I GPE [" RNCP " CP F " GO GTI GPE [" RTQEGF WTGU"]8' P [ETT' 595/406 " cpf " 406 "

30 Vj g" Rgto kwgg" o wuv" eqo r n{ " y kj " yj g" r tgr ctgf pguu" cpf " r tngxpvkqp" tgs wktgo gpw" kp ceeqtf cpeg" y kj " 8' P [ETT' 595/406 " cpf " yj ku" Rgto k0

40 Vj g" Rgto kwgg" o wuv" eqo r n{ " y kj " eqpvkpi gpe{ " r rncp" cpf " go gti gpe{ " r tqegf wtg tgs wktgo gpw" kp" ceeqtf cpeg" y kj " 8' P [ETT' 595/406 " cpf " yj ku" Rgto kv" kpenw lpi " yj g F gr ctvo gpv/ cr r tqxgf " Kpvgi tcvgf " Eqpvkpi gpe{ " Rncp" kpeqtr qtcvgf " d{ " tghgtgpeg" d{ **Condition B of Schedule 1 of Module I** " qh" yj ku" Rgto k0

N0 Y CUVG' TGF WE VKQP " TGS WKTGO GP VU "

30 Vj g" Rgto kwgg" o wuv" eqo r n{ " y kj " yj g" tgs wktgo gpw" qh" Ctvleng" 49. " Vkwg"; . Ugevklp" 49/2; 2: "qh" yj g" GEN" cpf " 8' P [ETT' 595/407 " e- *kz + " tgr vlxg" vq" yj cvg" tgf wevkqp tgs wktgo gpw0

O0 TGS WKTGO GP VU" HQT" TGEQTF KPI " CPF" TGRQTVKPI " QH" OQP KVQTKPI "
TGUWNVU]8"P [ETT"595/308*d+ "

30 Vj g" Rgto kwgg" o wuv" eqo r n" y kj " vj g" tgeqtf kpi ." tgr qt vki " cpf " o qpkqt kpi tgs wkt go gpw' hkvgf "kp" vj ku" Rgto k0

40 Vj g" Rgto kwgg" o wuv" kpuvcn " wug" cpf " o ckvckp" o qpkqt kpi " gs wkr o gpv" wkkk g" vj g cr r tqxgf "o gj qf u." cpf "tgr qt v'o qpkqt kpi "tguwvu"cu"ur gekhgf "kp" vj ku" Rgto kv." kpenf kpi
Schedule 1 of Module I'cpf '8"P [ETT"595/40

P0 F CVC" CPF " FQEWO GP V" UVC P F CTF U"

30 Cm'pcn' vkcni' f c v "tgs wkt gf "d { "vj ku" Rgto kv." cu" y gm'cu" cm'pcn' vkcni' f c v "tgs wkvgf "d { vj g" F gr ctvo gpv." o wuv' dg" uwo kwgf "vq" vj g" F gr ctvo gpv" kp" vj g" uvcpf ctf k gf "hqt o cv' kp ceeqtf cpeg" y kj " vj g" F gr ctvo gpv" "Grgextqple" F c v "F grxgtcdng" i wkf cpeg" y kj kp" 52 f c { u" qh" tgegr v' ltqo " vj g" rdqtcvqt { " *ugg [j wr < dly y y f ge Q f 0 qx lej go kcnl84662j vo n0](#) " " Vj g" Rgto kwgg" o wuv' j cxg" cm' emqwtg. r quv' emqwtg" cpf " eqtt gev kxg" cevkqp" f c v "xcnkf cvgf "d { "c" vj kf "r ctv' "r tkqt" vq" uwo kulkqp vq" vj g" F gr ctvo gpv" Vj g" kp' kxf wcn' r gthqto kpi " vj g" vj kf "r ctv' "xcnkf cvkqp" o wuv' r tgr ctg c" F c v "Wucdkk { "Uwo o ct { "Tgr qt v" *F WUT+ "kp" ceeqtf cpeg" y kj " vj g" tgs wkt go gpv" qh' vj g F gr ctvo gpv" "F GT/320" Vj g" F WUT" o wuv' dg" uwo kwgf "y kj " vj g" tgr qt v' eqpvckpki " vj g f c v " kp" ceeqtf cpeg" y kj " **Condition N.2** " qh" vj ku" O qf wrg' " Vj g" f c v " f grxgtcdng uwo kwgf "vq" vj g" F gr ctvo gpv" o wuv' kpenf g' vj g' tguwvu" qh' vj g" f c v "xcnkf cvkqp0

40 Vj g" Rgto kwgg" o wuv' f grxgt" vq" vj g" F gr ctvo gpv' r tgrko kpc { " qt" hpcni' tgr qt v. ur gekhcvkqpu" qt" f tcy kpi u" r tgr ctgf "r wuvcpv" vq" vj ku" Rgto kv" kp" cp" grgextqple" hqt o cv vj cv' eqo r nku" y kj " vj g" F gr ctvo gpv" "Grgextqple" F qewo gpv' Uvcpf ctf u" *GF U+ " qt" cu qvj gty kug' f k gev gf "d { "vj g" F gr ctvo gpv" "Cm' hpcni' f qewo gpv" ctg" vq" dg" uwo kwgf "kp" cp grgextqple" hqt o cv' vj cv' eqo r nku" y kj " vj g" o quv' tgegpv' F GT "GF U0" Wpvk' uwej "vko g" cu vj g" F gr ctvo gpv' gucdrikuj gu" cp" GF U. "hpcni' f qewo gpv" ctg" vq" dg" uwo kwgf "cu" c" RF H f qewo gpv' *ugg" [j wr < dly y y f ge Q f 0 qx lgi wr v kpu47: 8j vo n0](#) " Cnuq. " vj g" Rgto kwgg o wuv. " cv' vj g" tgs wkv" qh' vj g" F gr ctvo gpv. " r tqxkf g" grgextqple" xgtukqpu" qh' vgej plecn f qewo gpv" kp" O U" Y qtf " cpf lqt" O U" Gzegn" cpf " r ncp" f tcy kpi u" cpf lqt" qvj gt" ukg f tcy kpi u" kp" CwqECF. "qt" qvj gt" hqt o cv' ukcdng" vq" vj g" F gr ctvo gpv0

50 Kp" cf f kkp" vq" grgextqple" eqr kgu. " vj g" Rgto kwgg" o wuv' r tqxkf g" r cr gt" eqr kgu" qh" cp { f qewo gpv' *g0 0" tgr qt v. " r ncp. " f c v. " ur gekhcvkqpu. " f tcy kpi u. " gve0" tgs wkvgf "d { " vj g F gr ctvo gpv" kp" r cr gt" hqt o cv' qt" cu" o c { " dg" ur gekhgf "kp" r cr gt" hqt o cv' kp" **Schedule 1 of Module I0**

Q0 HPCPEKN' CUUWTCPEG"

30 Vj g" Rgto kwgg" o wuv' eqo r n" y kj " cm' qh" vj g" cr r rkcdrng" tgs wkt go gpv" qh' 8" P [ETT 595/40 " cpf " vj ku" Rgto k0 " Vj g" f ghpkkqpu" eqpvckpgf " kp" 8" P [ETT" 595/40 *d+ " ctg cr r rkcdrng" vq" vj g" hpcpekn' tgs wkt go gpv' y kj kp" vj ku" Rgto k0

40 Vj g" Rgto kwgg" o wuv' eqo r n" y kj " vj ku" Rgto kv" cpf " 8" P [ETT" 595/408 *n" hqt" o ggkpi " vj g hpcpekn' cuuwtcpeg" tgs wkt go gpv" hqt" eqtt gev kxg" cevkqp" hqt" tgrgcugu" ltqo " cp { " uqrf

y cuvg'o cpci go gpv'wkv'ncv'gf "cv'yj g'Hcekxk\ ."tgi ctf rguu'qh'yj g'vko g'yj g'y cuvg'y cu' r rcegf 'kp'yj g'wvko'

50 Vj g'Rgto kvgg" o wuv'cf lwuv' hqt "kphrcvqpp" cni' equv' guvko cvgu" tgs vkt gf " d{ " 8'P [ETT 595/40 " cpf " yj ku" Rgto kv' cppwcm\ ." cpf " r tqxkf g" cf f kkpccn' hkpceken cuwtcpeg" hqt " yj ku" cf lwuv' gpv' kp" ceeqtf cpeg" y kj " 8'P [ETT " 595/40 0' Vj gug cf lwuv' gpv'o wuv'dg'kp'f gr gpv'qh'cp{ "tgs wguv'vq" f getgcug" equv' guvko cvgu. "wprguu yj g" F gr ctvo gpv' j cu" r tqxkf wuv' " cr r tqxgf " uwej " c" f getgcug" *K0" yj g" kphrcvqppct{ cf lwuv' gpv'o wuv'dg" o cf g'ugr ctcvgn\ "htqo " cp{ "wpcr r tqxgf "tgs wguv' hqt " c" f getgcug" kp yj g' equv' guvko cvg-0" kp' cf f kkpccn' yj g' vqcn' co qwpv'qh'cp{ 'r quv' emuwt g' equv' guvko cvg" o wuv dg' guv' drcij gf "cpf " o ckw' k' p' gf " yj tqwi j qw' yj g' r hgt' qh' yj ku" Rgto kv' kp' cv' r' gcuv' yj g" co qwpv f g' t' x' gf " d{ " o wv' k' n' k' pi " yj g" cppwcm' r quv' emuwt g' equv' guvko cvg" d{ " c" o k' p' k' o " qh 52" { gctv' wprguu' yj g" F gr ctvo gpv' j cu" cr r tqxgf " c" f getgcug" kp" yj g" r quv' emuwt g' ectg r g' t' k' f' hqt " c" w' p' k' v' q' t' yj g' Hcekxk\ 'kp' ceeqtf cpeg' y kj '8'P [ETT " 595/40 *1 +*3 +*k0

60 Vj g'F gr ctvo gpv' cr r tqxgf " emuwt g. " r quv' emuwt g" cpf " eqtt gev' xg" cev' k' p' " equv' guvko cvgu ctg" k' p' eq' r' q' t' c' v' g' f " d{ " t' g' h' t' g' p' e' g' " k' p' v' " yj ku" Rgto kv' d{ " **Condition B of Schedule 1 of Module I0** " Vj gug' equv' guvko cvgu" o wuv' dg' cf lwuv' g' c' p' p' w' c' m' \ " hqt " k' p' h' r' c' v' q' p' p' " k' p' c' e' e' q' t' f' c' p' e' g' y kj " **Condition O.3** " qh' yj ku" O qf wrg0

70 Vj g'Rgto kvgg" o wuv' qdv' k' p' " cr r tqxcn' kp" y tkkpi " htqo " yj g' F gr ctvo gpv' r t' k' q' t' " v' q' " cp{ t' g' f' w' e' k' p' " k' p' " yj g" cr r tqxgf " equv' guvko cvgu" cpf " hqt " cp{ " e' j' c' p' i' g' u' " v' q' " yj g" k' p' u' t' w' o' g' p' v' u' + " cpf l' q' t' " o' g' e' j' c' p' k' u' o' *u+ " *g' f' 0" v' r' g' " qh' k' p' u' t' w' o' g' p' v' u' + " cpf l' q' t' " o' g' e' j' c' p' k' u' o' *u+ " yj g" k' u' u' k' p' i' e' q' o' r' c' p' { *k' u' + k' p' u' k' w' k' p' *u+ " cpf l' q' t' " c' t' g' f' w' e' k' p' " k' p' " yj g' f' q' m' c' t' " c' o' q' w' p' v' u' + 0

80 Eqtt gev' xg" Cev' k' p' " Equv' Guvko cvgu" " Hqt " cp{ " cpf " cni' eqtt gev' xg" cev' k' p' u' " tgs vkt gf " w' p' f' g' t' yj g' cwj' q' t' k' \ " qh' yj ku" Rgto kv' hqt " cp{ " p' g' y' n' \ " k' f' g' p' v' k' g' f' " Uq' r' k' " Y cuvg' O cpci go gpv' W' p' k' u. d' q' j' " h' k' p' c' n' " cpf " k' p' v' t' k' o' . " yj g" Rgto kvgg" o wuv' u' w' d' o' k' v' hqt " yj g" F gr ctvo gpv' u' " cr r tqxcn y t' k' w' p' " g' u' v' k' o' c' v' g' u. " k' p' " e' w' t' g' p' v' f' q' m' c' t' u. " y j' k' e' j' " t' g' h' g' e' v' " c' n' i' " e' q' u' u' " k' p' x' q' i' k' g' f' " k' p' " k' o' r' n' g' o' g' p' v' k' p' i' eqtt gev' xg" cev' k' p' " yj tqwi j " F gr ctvo gpv' cr r tqxgf " eqo r r' g' v' k' p' 0' " Uwej " guvko cvgu" o wuv t' g' h' g' e' v' " yj g' equv' qh' j' k' t' k' p' i " c " yj k' f' " r' c' t' v' " v' q' " r' g' t' h' q' t' o " yj g' eqtt gev' xg" cev' k' p' " k' p' c' e' e' q' t' f' c' p' e' g' y kj " 8'P [ETT " 595/40 *g+*3 +*k0 " Hqt " yj g' h' k' p' c' n' i' eqtt gev' xg" o g' c' u' w' t' g' u' + " yj g" Rgto kvgg o wuv' r t' q' x' k' f' g' " u' e' j' " g' u' v' k' o' c' v' g' u' " y kj " yj g" u' w' d' o' k' u' k' p' p' " qh' " yj g" Eqtt gev' xg" O g' c' u' w' t' g' u' K' o' r' n' g' o' g' p' v' k' p' " *E' O' K' " y' q' t' n' i' r' r' e' p' 0' " Hqt " k' p' v' t' k' o' " Eqtt gev' xg" O g' c' u' w' t' g' u' " *K' E' O' + " t' g' s' v' k' t' k' p' i' y' q' t' n' i' r' r' e' p' u. " yj g" Rgto kvgg" o wuv' r t' q' x' k' f' g' " u' e' j' " g' u' v' k' o' c' v' g' u' " y kj " yj g" u' w' d' o' k' u' k' p' p' " qh' " g' e' j' K' E' O' " y' q' t' n' i' r' r' e' p' t' g' s' v' k' t' g' f' " d{ " yj ku" Rgto k0

90 Uj qt v' Vgto " Eqtt gev' xg" O g' c' u' w' t' g' u' < " Hqt " h' k' p' c' e' k' e' n' i' cuwtcpeg" qh' h' k' p' c' n' i' q' t' " k' p' v' t' k' o' eqtt gev' xg" o g' c' u' w' t' g' u' hqt " cp{ " p' g' y' n' \ " k' f' g' p' v' k' g' f' " Uq' r' k' " Y cuvg' O cpci go gpv' W' p' k' u' t' g' s' v' k' t' g' f' d{ " F gr ctvo gpv' cr r tqxgf " y q' t' n' i' r' r' e' p' u " y j' g' t' g' " yj g" k' o' r' n' g' o' g' p' v' k' p' p' " u' e' j' g' f' w' r' g' " k' p' " yj g' cr r tqxgf " y q' t' n' i' r' r' e' p' *u+ " k' p' f' l' e' c' v' g' u' " c' p' v' e' k' r' c' v' g' f' " e' q' o' r' r' g' v' k' p' p' " qh' " u' c' k' f' " c' e' v' k' p' *u+ " y kj k' p' " q' p' g' *3+ " { g' c' t. " yj g" Rgto kvgg" o wuv' r t' q' x' k' f' g' " yj g" F gr ctvo gpv' y kj " c " r' g' w' g' t' " e' g' t' v' k' h' { k' p' i " yj cv' yj g' Rgto kvgg" j cu' u' w' h' l' e' k' p' v' " n' s' w' k' " h' k' p' c' e' k' e' n' i' t' g' u' q' w' e' g' u' " v' q' " r' g' t' h' q' t' o " cpf " e' q' o' r' r' g' v' g' " yj g' cr r tqxgf " eqtt gev' xg" o g' c' u' w' t' g' u' + " d' c' u' g' f' " q' p' " yj g" F gr ctvo gpv' cr r tqxgf " equv' guvko cvg *u+ " t' g' s' v' k' t' g' f' " d{ " **Condition O.6** " qh' yj ku" O qf wrg0 " Vj ku' r' g' w' g' t' o' wuv' k' p' e' n' i' g' " c' " e' g' t' v' k' h' c' v' k' p' " k' p' c' e' e' q' t' f' c' p' e' g' " y kj " 8'P [ETT " 595/306 *c+*7+ " cpf " o' wuv' dg' r t' q' x' k' f' g' f' " hqt " yj g' F gr ctvo gpv' u' c' e' e' g' r' c' p' e' g' " y kj " yj g" Rgto kvgg' u' w' d' o' k' u' k' p' p' " qh' " c' " h' k' p' c' n' i' q' t' " k' p' v' t' k' o' " eqtt gev' xg" o g' c' u' w' t' g' u'

y qtm'r rcp*u0" K'ij g"Rgto kwgg"v cv'ij g"egt hlecvkp"ku'pqv
 ceegr vcdrg."ij g"Rgto kwgg"o wuv'gucdrkuj "hpcpekn'cuwtcepeg"ht"eqttgevxg"o gcuwtgu'
 kp"ceeqtf cpeg'y kj "ij g'tgs vkt go gpw'qh'hpcpekn'cuwtcepeg"ht"Nqpi /Vgto "Eqttgevxg"
 O gcuwtgu'cu'ur gekhgf "kp"Condition O.8"qh'ij ku'O qf wrg'y kj kp"ukzvf"*82+f c{u'qh'uckf"
 pqv hlecvkp0" K'ij g"eqttgevxg"cevkp*u+"ctg"pqv'eqo r rvgf "y kj kp"qpg" {gct"qh'ij g"
 kp'kcn'egt hlecvkp."ij g"Rgto kwgg"o c{"tgs wgu'cpf"ij g"Rgto kwgg"o wuv'cu'ur gekhgf "kp"Condition O.8"qh'ij ku'
 o c{"crrtqxf"wr "vq"cp"qpg"*3+" {gct"gzvpuqp"qh'ij g"eqttgevxg"cevkp*u+"j cu'pqv'dggp"eqo r rvgf "vq"ij g"Rgto kwgg"o wuv'ucv'kucv'kcp"cv'ij g"gp"qh'ij g"
 htuv" {gct"qt" c"Rgto kwgg"o wuv'crrtqxf"gzvpuqp."ij g"Rgto kwgg"o wuv'ij kj kp"ukzvf"*82+f c{u'rtqxf g" hpcpekn'cuwtcepeg"kp"ceeqtf cpeg"y kj "ij g'tgs vkt go gpw'qh'hpcpekn'
 cuwtcepeg"ht"Nqpi /Vgto "Eqttgevxg"O gcuwtgu'cu'ur gekhgf "kp"Condition O.8"qh'ij ku'
 O qf wrg0

: 0 Nqpi /Vgto "Eqttgevxg"O gcuwtgu'<"Hqt" hpcn'qt"kpvtko "eqttgevxg"o gcuwtgu'tgs vkt gf
 ht"cp{"pgy n"kf gpv'kfg "Uqrf "Y cuvg"O cpci go gpv'Wpku'd{"c"Rgto kwgg"o wuv'crrtqxf
 y qtm'r rcp*u+ y j gtg"ij g"ko r rgo gpv'kcp"uej gf wrg"kp"ij g"crrtqxf"y qtm'r rcp*u+
 kpf lecvu"ij cv'ij g"cpv'ek cvgf"eqo r rvgkq"qh'ij g" hpcn'qt"kpvtko "eqttgevxg"cevkp*u+
 y km'vng"nqpi gt"ij cp"qpg"*3+" {gct."ij g"Rgto kwgg"o wuv'gucdrkuj "cpf"o c'kpcv'kcp" c
 Rgto kwgg"o wuv'crrtqxf "hpcpekn'cuwtcepeg"kp'utwo gpv'u+lp"ceeqtf cpeg"y kj "8" P [ETT
 595/40 *h0"Vj ku'hpcpekn'cuwtcepeg"o wuv'dg"gs wcn'vq"ij g"ewtgpv'f qmct"co qwpv'qh'ij g
 o quv' tgegpv' Rgto kwgg"o wuv'crrtqxf" hpcn' qt" kpvtko " eqttgevxg" o gcuwtgu' equv
 guko cvg*u+tgs vkt gf "d{"Condition O.6"qh'ij ku'O qf wrg0" Vj g"Rgto kwgg"o wuv'crrtqxf
 hpcpekn' cuwtcepeg" o wuv' dg" qpg." qt" c" eqo dkpcv'kcp." qh'ij g" hpcpekn' cuwtcepeg
 kp'utwo gpw."ur gekhgf "kp"8" P [ETT"595/40 *h*3+"ij tqwi j "*6+"cpf"ij gug"kp'utwo gpw
 o wuv' dg"kuwgf "d{"cp"gpv'kfg."qt"gpv'kfgu."ij cv'ctg"rgi cm{"cpf"hu'ecm{"ugr ctcvg"cpf
 f kucpev'htgo "ij g"Rgto kwgg"cpf"cp{"r ctgpv'qt"uwduf kct{"ij gtgqh0" K'ij g"Rgto kwgg
 ej qqugu"v" wug" gkj gt"8" P [ETT"595/40 *h*4+"qt"*5+"qt" c"eqo dkpcv'kcp"ij gtgqh+ "ij g
 Rgto kwgg"o wuv'tgxkug"qt" gucdrkuj "c"U'cpcf d{"Vt wuv' Hwpf "kp"ceeqtf cpeg"y kj "uckf
 tgi wv'kpu0" Vj g"Rgto kwgg"o wuv'uwdo k'ij g"kp'utwo gpv'u+."ht"ij g"Rgto kwgg"o wuv'
 crrtqxcn"pq"vgt"ij cp"ukzvf"*82+f c{u'chgt"ij g"Rgto kwgg"o wuv'crrtqxcn'qh'eqttgevxg
 o gcuwtgu'y qtm'r rcp*u+."qt"cu'tgs vkt gf "d{"ij g'tgs vkt go gpw'qh'hpcpekn'cuwtcepeg"ht
 Uj qtv'Vgto "Eqttgevxg"O gcuwtgu'cu'ur gekhgf "kp"Condition O.7"qh'ij ku'O qf wrg0

: 0 Hqt"cp{"Rgto k'o qf hlecvkp"tgs wgu'r g'v'kplpi "vq"ij g"Enquwtg"Rrcp"qt"Rquv'Enquwtg
 Rrcp"r tqxf gf "cu" Cwcej o gpv'E"qh'ij ku'Rgto k'lp'xq'kplpi "cp"kp'etgcug"kp"ij g"equv'qh
 enquwtg"qt"r quv'equwtg."ij g"Rgto kwgg"o wuv'cnuq"uwdo k'c"tgxkugf "equv'gu'ko cvg."kp
 ewtgpv'f qmctu."y j lej "kpenmf gu"ij g"kp'etgcug"kp"ij gug"equu"y kj "crrtqr tkvg"ij kf "rctv'
 lwv' hlecvkp0" Hqt"cp{"pgy "qt"o qf kfgf "eqttgevxg"o gcuwtg'tgs vkt gf "d{"ij ku'Rgto k'cpf
 uwdo kwgf "d{"ij g"Rgto kwgg"uwdugs wgpv'vq"ij g"kuwcepeg"qh'ij ku'Rgto k'y j lej "lp'xq'k
 gu cp"kp'etgcug"kp"ij g"equv'qh'eqttgevxg"cevkp."ij g"Rgto kwgg"o wuv'cnuq"uwdo k'ht
 Rgto kwgg"o wuv'crrtqxcn" c"tgxkugf "equv'gu'ko cvg."kp"ewtgpv'f qmctu."y j lej "kpenmf gu"ij g
 equv'kp'etgcug"cu'qekcvgf "y kj "ko r rgo gpv'kpi "ij g"eqttgevxg"o gcuwtg"y kj "crrtqr tkvg
 ij kf "rctv'lwv' hlecvkp0

320Y kj kp"ukzvf"*82+f c{u'qh'c"o qf hlecvkp"qh'ij ku'Rgto k'qt"Rgto kwgg"o wuv'crrtqxcn'qh'c
 pgy "qt"o qf kfgf "eqttgevxg"o gcuwtg'lp'xq'kplpi "cp"kp'etgcug"kp" c"equv'gu'ko cvg."ij g
 Rgto kwgg"o wuv'gucdrkuj "cf f k'kqpcn'hpcpekn'cuwtcepeg"vq"eqxgt"ij g"co qwpv'qh'ij g

lpetgcug" kp" yj g" equv' guko cvg" kp" ceeqtf cpeg" y kj " yj g" tgs wktgo gpw" qh' 8'P [ETT" 595/40 0

330Vj g" Rgto kwgg" o wuv' o clpvckp" yj g" Fgrctvo gpv'crrtqxf" hpcpekn' cuwtcpeg kputwo gpw" hqt" emuwtg." r quv'emuwtg" cpf " eqttgevxg" cevkqp." y j lej " uj cm' dg" yj qug kpeqtr qtcvfg " d{ " tghgtgpeg" kp" yj ku" Rgto k' d{ " **Schedule 1 of Module I.**" cpf " cp{ Fgrctvo gpv'crrtqxf" tgxkukqpu" yj gtgqh" qt" Fgrctvo gpv'crrtqxf" tgr mrego gpw" hqt yj gug" hpcpekn' kputwo gpw" ugrgevgf " d{ " yj g" Rgto kwgg" htqo " yj g" kputwo gpv' v' r gu r tgxkqwu" ur gekhgf " kp" yj ku" eqpf kklq0 " Ej cpi gu" kp" gzkukpi " hpcpekn' cuwtcpeg kputwo gpw" qt" tgr mrego gpv' qh' gzkukpi " hpcpekn' cuwtcpeg" kputwo gpw" o wuv' dg crrtqxf " d{ " yj g" Fgrctvo gpw" Vj g" Rgto kwgg" o wuv' r tqxkf g" cppwcn' gxf gpeg" vj" yj g Fgrctvo gpv' y kj kp" yj kv{ " *52+" f c{ u' r tkqt" vj" yj g" cppkxtuct{ " qp" y j lej " yj g" kpkcn crrtqxf" hpcpekn' cuwtcpeg" kputwo gpv' y cu" guxcdruj gf." yj cv' cm' kputwo gpw kpeqtr qtcvfg " d{ " tghgtgpeg" kp" yj ku" Rgto k' d{ " **Schedule 1 of Module I**" kpenf kpi " cp{ crrtqxf " tgxkukqpu" qt" tgr mrego gpw" yj gtgqh" j cxg" dggp" o clpvckp" cpf " pqv'cmjy gf " vj nru g0

340Y kj kp" ukz v{ " *82+" f c{ u' chgt" cp{ " lpetgcug" kp" yj g" crrtqxf " equv' guko cvg." yj g" Rgto kwgg o wuv' kp" ceeqtf cpeg" y kj " 8'P [ETT" 595/40 ." gkij gt<

c0 Tgxkug" qpg" qt" o qtg" qh' yj g" Fgrctvo gpv'crrtqxf " hpcpekn' cuwtcpeg" kputwo gpv' u+ hqt" emuwtg" vj" kpetgcug" yj g" kputwo gpv' u+ co qwpv' d{ " cv' rgcuv' yj g" co qwpv' qh' yj g kpetgcug" kp" yj g" crrtqxf " equv' guko cvg" cpf " uwdok' yj g" tgxkugf " kputwo gpv' u+ hqt Fgrctvo gpv'crrtqxcn=qt

d0 Uwdok' cp" cf f kklqpcn' hpcpekn' cuwtcpeg" kputwo gpv." qt" kputwo gpw" htqo " yj g kputwo gpv' v' r gu" ur gekhgf " kp" 8'P [ETT" 595/40 " y kj " cp" co qwpv' gswcn' vj" cv' rgcuv yj g" co qwpv' qh' yj g" kpetgcug" kp" yj g" crrtqxf " equv' guko cvg" cpf " uwdok' yj g" cf f kklqpcn kputwo gpv' u+ hqt " Fgrctvo gpv'crrtqxcn0

350Kl' yj g" Rgto kwgg" ggevu" vj" tgr mreg" cp{ " qh' yj g" kputwo gpw" kpeqtr qtcvfg " d{ " tghgtgpeg" kp" yj ku" Rgto k' d{ " **Schedule 1 of Module I**" hqt" hpcpekn' cuwtcpeg." y kj " pgy " hpcpekn cuwtcpeg" kputwo gpv' u+ cu" ur gekhgf " d{ " 8'P [ETT" 595/40 ." yj g" pgy " kputwo gpw" o wuv dg" kuwgf " d{ " cp" gpvkv{ ." qt" gpvkvgu." yj cv' ctg" rgi cm{ " cpf " hkuemf " ugrctcvg" cpf " f kklqpcn htqo " yj g" Rgto kwgg" cpf " cp{ " r ctgpv' qt" uwdok' kct{ " yj gtgqh0 " Cnuq. " kl' crrtqxcn. " cp{ tgr mrego gpv' kputwo gpw" r gtvckpki " vj" r quv'emuwtg" cpf " eqttgevxg" cevkqp" o wuv' dg y qtf gf " kp" ceeqtf cpeg" y kj " 8'P [ETT" 595/40 *1+" gzevr' vj" cv' yj g" y qtf u" or quv'emuwtg cpf " eqttgevxg" cevkqp0 o wuv' dg" uwdokwgf " hqt" yj g" y qtf u" or quv'emuwtg0 kp" cp{ " uwej tgr mrego gpv' kputwo gpw0

R0 EQO O WP IEC VKQP U

30 Vj g" Rgto kwgg" o wuv' tcpuo k' cm' eqo o wplecvkqpu" r wtuwcpv' vj" yj ku" Rgto k' vj" yj g Fgrctvo gpv' xlc" ggevtqple" f grkxgt{ " vj" yj g" tgekr kgpw" ur gekhgf " kp" **Schedule 1 of Module I**" qh' yj ku" Rgto k0 " Cm' f grkxgtcdrgu" o wuv' dg" tcpuo kwgf " kp" c" Fgrctvo gpv' crrtqxf " htqo cv' cu" ur gekhgf " kp" **Condition N**" qh' yj ku" O qf wrg0

40 Kt'tgs wguv'f "d{ "vj g" F gr ctvo gpv'lp"ngw'qh "qt"lp"cf f kkkp"vq."cp"grgevtqple" f grkxgtcdrg.
vj g"Rgto kwgg"o wuv'vcpuo k'vj g"tgs wguv'f "y tkwgp"eqo o wplecvkqpu"r wtuwcpv"vq"vj ku
Rgto k'vq"vj g" F gr ctvo gpv'd{ "Wpkv'f"Ucv'gu'Rquv'cn'Ugtxleg."d{ "r tkxcv'geqwtlgt"ugt xleg
qt"d{ "j cpf" f grkxgt{ "vq"vj g'hqmqy kpi "cf f tguu<

Ej lgh" TETC"Rgto kwkpi "Ugevkqp"
F kxkukqp"qh'Gpxkqpo gpv'cn'Tgo gf kvkqp"
P gy "I qtni'Ucv'g'F gr ctvo gpv'qh'Gpxkqpo gpv'cn'Eqpugt'xv'kqp"
847"Dtqcf y c{."34vj "Hqqqt"
Cndcp{."P ["34455/9239"

50 Vj g"Rgto kwgg"o wuv'uwo k'cf f kkkp'cn'eqr kgu'qh'vj g'ur gekke" f grkxgtcdrgu"lf gpv'kkf"lp
Schedule 1 of Module I"vq"vj g"cf f tguugu"cpf "ci gpekgu'hkvgf"vj g'tgkp0

S0 RGCNVIGU

30 Rgto kwggau'Qdri cvkqpu

c0 Vj g"Rgto kwggau" hckwtg"vq"eqo r n{ "y kj "cp{ "vgt"o "qh"vj ku"Rgto k'eqpukwv'gu" c
xkrcv'kqp"qh"vj ku"Rgto k'cpf "vj g"GENO" P qv kpi "j gtgkp"cdtkf i gu"vj g"Rgto kwggau
tki j v'vq"eqpv'guv'cp{ "cmgi cvkqp"vj cv'k'j cu'hckv'gf "vq"eqo r n{ "y kj "vj ku"Rgto k0

d0 Rc{o gpv'qh"cp{ "r gpcnkgu"o wuv'pqv'lp"cp{ "y c{ "cnvt"vj g"Rgto kwggau"qdri cvkqpu
wv'gt"vj ku"Rgto k0

T0 O KUEGNNCP GQWU

30 Vj g"r ctei tcr j "j gcf kpi u"ugv' hqt vj "lp"vj ku"Rgto k'ctg"lpenmf gf "hqt"eqpxgpkp'peg"qh
tghgt'peg"qpn{ "cpf"o wuv'dg" f kut gi ct f gf "lp"vj g"eqputw'v'kqp"cpf "kpv'gtr tgv'v'kqp"qh"cp{
r tqxkukqpu"qh"vj ku"Rgto k0

40 Kt'vj g'tg"ctg"o wnk'rg'r ctv'ku'uwld'ge'v'vq"vj ku"Rgto k'vj g"vgt"o "oRgto kwgg"o wuv'dg"t'gcf
lp"vj g"r nvtcn"vj g"qdri cvkqpu"qh"geej "uwej "r ctv{ "wv'gt"vj ku"Rgto k'ctg"lqkv"cpf
ugxgtcn" cpf "vj g" kpuq'xgpe{ "qh"qt" hckwtg" d{ "cp{ "Rgto kwgg" vq" ko r ngo gpv' cp{
qdri cvkqpu" wv'gt"vj ku"Rgto k' o wuv'pqv' ch'ge'v'vj g"qdri cvkqpu"qh"vj g"tgo ck'kpi
Rgto kwgg*u+wv'gt"vj ku"Rgto k0

50 Kt'vj g"Rgto kwgg"ku" c"r ctv'p'gtuj kr ."vj g"qdri cvkqpu"qh"cm'i gp'g'tcn'r ctv'p'gtu" k'penmf kpi
rko k'gf "r ctv'p'gtu"y j q"cev'cu"i gp'g'tcn'r ctv'p'gtu+wv'gt"vj ku"Rgto k'ctg"lqkv"cpf "ugxgtcn
cpf "vj g" kpuq'xgpe{ "qt" hckwtg"qh"cp{ "i gp'g'tcn'r ctv'p'gt"vq"ko r ngo gpv'cp{ "qdri cvkqpu
wv'gt"vj ku"Rgto k' o wuv'pqv' ch'ge'v'vj g"qdri cvkqpu"qh"vj g"tgo ck'kpi "r ctv'p'gt *u+wv'gt
vj ku"Rgto k0

60 Kp"cp{ "cf o kpkwt'v'xg"qt"lwf lekcn'cev'kqp"vq" gphqteg" c"eqpf kkkp"qh"vj ku"Rgto k'vj g
Rgto kwgg'y ck'xgu"cp{ "qdl'ge'v'kqp"vq"vj g"cf o ku'kd'k'k'v{ "cu"gx'kf g'peg"qh"cp{ "f cw"i gp'g't'v'f
r wtuwcpv"vq"vj ku"Rgto k0

70 Y j gpgxgt "o cvgtkcn"qt "gs wkr o gpv'ctg"ur gekhgf "qt "f guetkdgf "kp"vj ku"Rgto k'wukpi "vj g pco g"qh"e"r tqr tkvct {"kgo "qt"vj g"pco g"qh"e"r ctvewrct "uwr r rkt. "vj g"pco kpi "qh"vj g kgo "ku" kpvpgf gf "vq" gucdkuj "vj g" v{r g. "hwpevkp. "s wrk\ . "r gthqto cpeg" cpf "f guki p etkgtk"tgs wktgf 0"kp"cm'ecugu. "wprguu"vj g"pco g"ku"hmjy gf "d{"y qtf u'kpf kcvkpi "vj cv õpq":qt "gs wcr'qt "uwdukwvkp"ku"cmjy gf õ"qt "uko kct "rcpi wci g. "o cvgtkcn"qt "gs wkr o gpv qh'qj gt "uwr r rktu"o c {"dg"ceegr vgf "d{"vj g" F gr ctvo gpv'k'uwtkkpgv'kphqto cvkqp"ku uwo kwgf "d{"vj g"Rgto kwgg"vq"cmjy "vj g" F gr ctvo gpv'vq" f gvto kpg"vj cv'vj g'o cvgtkcn'qt gs wkr o gpv'r tqr qugf "ku"gs wkrxrgpv'qt "gs wcn'vq"vj cv'pco gf 0" Tgs wguv'hqt 'tgxky "qh'õqt gs wcr'qt "uwdukwvg" kgo u' qh'o cvgtkcn' cpf "gs wkr o gpv' y kn'pqv' dg" ceegr vgf "d {"vj g F gr ctvo gpv'htqo "cp{qpg"qj gt "vj cp"vj g"Rgto kwgg0"K'vj g"Rgto kwgg'y kuj gu'vq" hwtpkuj qt "wug"cp"õqt "gs wcr'qt "uwdukwvg" kgo "qh'o cvgtkcn'qt "gs wkr o gpv. "vj g"Rgto kwgg'o wuv o cng'y tkwgp"cr r rkecvkqp"vq"vj g" F gr ctvo gpv'htq "ceegr vpeg"vj gtgqh "egtwh{kpi "vj cv'vj g r tqr qugf "õqt "gs wcr'qt "uwdukwvg" y kn'r gthqto "vj g" uco g"hwpevkpu" cpf "cej kxg"vj g uco g"tgwuu"ecmgf "hqt" d {"vj g"i gpgtcf guki p. "dg"uko kct"cpf "qh"gs wcn'uwducpeg"cpf s wrk\ "vq"vj cv'ur gekhgf . "cpf "dg"uwkvgf "vq"vj g" uco g" wug"cu"vj cv'ur gekhgf 0

80 Vj g"Rgto kwgg"o c {"uwo k'c"y tkwgp"tgs wguv'vq"vj g" F gr ctvo gpv'htq "c"erctkhecvkqp"qp eqo r rkepeg'y kj "cp{"eqpf kkp"kp"vj ku"Rgto k0" Cp {"uwej "tgs wguv'o wuv'dg"uwo kwgf "cv rncuv"52" f c {u'r tkqt "vq"vj g" f cvg"qp"y j lej "vj g"Rgto kwgg"o wuv'eqo r n {"y kj "vj g"eqpf kkp kf gpv'k'gf "kp"vj g"erctkhecvkqp"tgs wguv'0"kp"tgur qpug. "vj g" F gr ctvo gpv' y kn'r tqxkf g"vj g Rgto kwgg'y kj "c"y tkwgp"erctkhecvkqp. "f gvckpi "y j cv'eqpukwgu"eqo r rkepeg'y kj "vj g kf gpv'k'gf "Rgto k'eqpf kkp0" Vj ku"erctkhecvkqp" r tqegu"uj cm'kp"pq"y c {"tgdg"vj g Rgto kwgg"htqo "vj g" qdri cvkqp"vq"eqo r n {"y kj "cm'vj g" vto u" cpf "eqpf kkp"qh'vj ku Rgto k0

90 Ur gekn'Eqpf kkp"u"Eqpegtkpi "Hwmtg"Ucvg"cpf lqt'Hgf gtcn'Ncy u'qt" Tgi wrcvqpu

c0 Kp"vj g" gxgpv' vj cv' cp {"Ucvg" ucwwqt {"qt" tgi wrcvqt {"tgs wktgo gpw" ctg" gpcevgf . cf qr vgf "qt" r tqo wi cvgf "y j lej "ctg" cr r rkecdrg" vq" vj g" Rgto kwggau" Hcekrk\ " cpf cf f tguu"vj g" pggf "hqt" cpf lqt "vj g" pcwtg" cpf "gzv'qv" qh' r quv'emquwtg" ectg" cpf lqt eqttgevkxg"cev'kqp. "cpf "uwej "ucwwqt {"qt" tgi wrcvqt {"tgs wktgo gpw'ctg" f ggo gf "d {"vj g F gr ctvo gpv' vq" dg" o qtg" utkpi gpv' vj cp" vj g" r quv'emquwtg" ectg" cpf lqt "eqttgevkxg cev'kqp" tgs wktgo gpw" uwr wrcv'gf "kp" vj ku" Rgto k. "uwej " ucwwqt {" cpf " tgi wrcvqt {" tgs wktgo gpw'uj cm'uw' r gtugf g'vj g' r gtvkpgpv'tgs wktgo gpw'qh'vj ku"Rgto k0

d0 Kp"vj g" gxgpv' vj cv' cp {"hgf gtcn'ucwwqt {"qt" tgi wrcvqt {"tgs wktgo gpw" ctg" gpcevgf . cf qr vgf "qt" r tqo wi cvgf "y j lej "ctg" cr r rkecdrg" vq" vj g" Rgto kwggau" Hcekrk\ " cpf cf f tguu"vj g" pggf "hqt" cpf lqt "vj g" pcwtg" cpf "gzv'qv" qh' r quv'emquwtg" ectg" cpf lqt eqttgevkxg"cev'kqp. "uwej "ucwwqt {"qt" tgi wrcvqt {"tgs wktgo gpw'uj cm'uw' r gtugf g'vj g r gtvkpgpv'tgs wktgo gpw'qh'vj ku"Rgto k'vq"vj g" gzv'qv' vj cv'k'ku" f gvto kpgf "d {"vj g F gr ctvo gpv' vj cv'uwej "ucwwqt {"qt" tgi wrcvqt {"tgs wktgo gpw'chhqt" "gs wcn'qt" i tgcvt r tqgevkp"vq" eqpv'kpi "r quv'emquwtg" ectg" cpf lqt "eqttgevkxg"cev'kqp"cu"ku"chhqt gf d {"vj ku"Rgto k0

SCHEDULE 1 of MODULE I

Facility-Specific Conditions

RCTV'595"RGTO K"

UEJ GF WNG'3"QH'O QF WNG'K
HCEKVK/ /URGEKHE'E QP F VKQP U"

a"

DEC Facility Name: **Momentive Performance Materials"**

FGT"Ukg'KF"P q0" 768225"
GRC"TETC"KF"P q0" P [F 2242: 2256

Facility Address:" 482"J wf uqp'Tkxg'Tqcf "
Y cvgthqtf.'P gy '[qtm343: : "
Uctcqi c'E qwpv "

J gtgkpcvgt'tghgtgf "q"cu"oHcekv ö"qt"oUkgö"
a"

C0 RGTO K/VGF "CEVKKVIGU"

0' Vj g"hmqy kpi 'j c| ctf qwu'y cuvg'o cpci go gpv'wpku."cevkkgu"cpf "v{ r gu'cpf "s wcpvkgu'qh'
j c| ctf qwu'y cuvg'q'dg'o cpci gf "ctg'cwj qtk gf 'd{ 'j ku'Rgto k<

Unit Type ¹	No. of Areas/Units	Activity Type	Waste Type ²	Quantity
Eqpvkpgtu"*U23+"	4"ctgcu" 5.; 82"wpku"	Uqtci g"	Uqrf "('Nks wkf " Y cuvg"	439.: 22 ⁵ "i cmqpu
Vtcpuht' Ctgc *U; ; +"	32"ctgcu" 34"wpku"	Uqtci g"	Uqrf "('Nks wkf " Y cuvg"	59.222"i cmqpu" *ks wkf u" 4"enkngt"vckgtu"
O kægmpgqwu" Wpku"*ZZZ+"	5"wpku"	Vtgcwo gpv'	Uqrf "('Nks wkf " Y cuvg"	P IC"
Vcpm"*U24+"	33"ctgcu" "3: "wpku"	Uqtci g"	Nks wkf "Y cuvg"	3; 9.547 ⁶ "i cmqpu"
Vcpm"*V23+"	3"ctgc" 3"wpk'	Vtgcwo gpv'	Nks wkf "Y cuvg"	56.222" i cmqpu l f c { "
Kpelpgtcvtu"*V25+"	4"ctgcu" 4"wpku"	Vtgcwo gpv'	Uqrf "('Nks wkf " Y cuvg"	; 6.922" DVWlj qwt"

Footnotes:

1. Unit codes are as described in the Part A Application.
2. Specific waste types and waste codes are presented in **Exhibit C** (containers) of this Schedule, **Exhibit D** (tanks) of this Schedule and the Department-approved Waste Analysis Plan incorporated by reference by **Condition B of Schedule 1 of Module I** of this Permit.
3. This represents the maximum permitted storage quantity. The Permittee must comply with additional requirements limiting storage capacity in accordance with **Condition D.3 of Module III** and **Condition C Item 7** of this Schedule.
4. Quantity includes Tank 15.

D0 RGTO K'F QEWO GP VU'

Vj g" hqmy kpi " O qf wgu." Cwcej o gpw" cpf " f qewo gpw" kpeqtr qtcvfg " d{ " tghgtgpeg" ctg" eqpukf gtgf "r ctv'qh'j ku'Rgto k<

O qf wgu"

- K' I gpgtcnEqpf kkpqu"
Uej gf wrg'3"qh'O qf wrg'K'
- KK' Eqttgevkxg'Cevkqp" Tgs wkt go gpw"
- KKK' Wug"cpf "O cpci go gpv'qh'Eqpvckpqtu"
- KX" VcpmU{ ugo u"
- X" TGUGTXGF "
- XK' TGUGTXGF "
- XKK' kpekgtcvqtu"
- XKKK' TGUGTXGF "
- KZ'" TGUGTXGF "
- Z" J c| ctf qwu"Y cuvg'O kuegmepgqwu"Wpku"

Cwcej o gpw<

- C" TGUGTXGF
- D" Gpi kpggtkpi "F tcy kpi u'ó"õO RO "Ukrekpgu"NNE."
Y cvgthqtf ."P gy "[qtm=P [UF GE "Rctv'595"J c| ctf qwu"
Y cuvg"Rgto k/Cr r rkecvkqp.Xqno g"KK"Ugevkqpu"KKKcpf "
KKö"Lypg"4229."Tgxkugf "P qxgo dgt"34."4234
- E'" Emuwtg"Rncp."RquvEmuwtg"cpf "HkpcpekenCuwtcpeg"/"
õO RO "Ukrekpgu"NNE."Y cvgthqtf ."P gy "[qtm=P [UF GE "
Rctv'595"J c| ctf qwu"Y cuvg"Rgto k/Cr r rkecvkqp."Xqno g"
K"Ugevkqpu"KK/C."cpf "XKKö"Lypg"4229."Tgxkugf "
P qxgo dgt"34."4234"
- F" "Rgto k'O qf kkecvkqp"Nqi "

F qewo gpwUkpeqtr qtcvgf "d{ "Tghgtgpeg"

30 MPM Silicones, LLC" TETC" Hcekrk{ " K" P q0' P [F 2242: 2256" Hkpcpekn Cuwtcpeg Rwtuwpv"vq"8"P [ETT"595/40 ."Kt gxqecdrg"Ucpcf d{ "Ngwgt"qh"Etgf k"VRVU/ 534: 72"htq Enquwtg"cpf "Rquv"Enquwtg"Etg" *Hgdwtct { "48."4229+"cpf "vj g"Ucpcf d{ "Vt wuv"Ci tgggo gpv"htq Ngwgt" qh" Etgf k" VRVU/534: 72" MPM Silicones, LLC" " TETC Hcekrk{ " K" P q0 P [F 2242: 2256" *O ctej '7."4229+"^{3,4}

40 MPM Silicones, LLC" TETC" Hcekrk{ " K" P q0' P [F 2242: 2256" Hkpcpekn Cuwtcpeg Rwtuwpv"vq"8"P [ETT"595/40 "Kt gxqecdrg"Ucpcf d{ "Ngwgt"qh"Etgf k"VRVU/ 49587: "htq Vj kf" Rctv{ " Nkcdkrk{ " Cy ctf u" qt" Ugwgo gpwU" *F gego dgt" 3: ." 4229+" cpf vj g"Ucpcf d{ "Vt wuv"Ci tgggo gpv"htq"Ngwgt"qh"Etgf k"VRVU/49587: "MPM Silicones, LLC TETC" Hcekrk{ " K" P q0' P [F 2242: 2256" *F gego dgt"42."4229+"^{3,4}

50 oCivil Action No. 83-CV -77" and resulting Consent Order between the State of New York and General Electric Company" *Cwi wuv": ."3; ; 7³

60 oTgo gf kcn'Rrcp"htq" I gpgtcn'Grgextle"Eqo r cp{ ."Ukrleqpg"Rtqf wew" F kxkukqp."Y cvgthqtf . P gy " [qtno" *F gego dgt"3; ; 9³

70 oNcpf hkn'P q03" Tgo gf kcn'Rrcpö" *O c{ "53."3; ; 7³

80 Ngwgt" vq" P [UF GE" tgi ctf kpi " vj g" oRtqr qugf " O qf hkecvkqp" vq" I tqwpf y cvgt" Tgo gf kcn Rtqi tco ö" *Lwn{ " : ." 4227" cpf " uwdugs wgpw{ " cr r tqxgf " kp" ngwgt" htqo " P [UF GE" f cvgf Lcpwct { "8."4228³

90 oQr gtcvkqp" cpf " O ckpvgpcpeg" O cpwcn' ó" Emugf " Tgi wrcvgf " cpf " P qp/Tgi wrcvgf " Wpkuö *Qevqdt"4: ."4233³

: 0 oKpvtko " Eqttgexkg" O gcwvtgu" Rgthqto cpeg" Gxcnrcvkqp" htq" I tqwpf y cvgt" Tgo gf kcn U{ uvgö *Hgdwtct { "46."4234³

; 0 oEqv" cpf " Tgi wrcvt { " Dcuku" htq" O omentive Performance O aterials" Ukrleqpgu." NNE TETC" Hkpcpekn Cuwtcpeg. Y cvgthqtf . P gy " [qtno" *Hgdwtct { "4234³

320 Tgxkugf "Uetggpki "Ngxgn'Geqmi kcn'TkuniCuuguuo gpv'Rrcp"htq" I G"Ukrleqpguo" Tqvct { "Mkrp cpf "Hkzgf "Dqz " *%4+" Kpelpgtcvqtu" *Lwn{ "4."4225³

330 Tgxkugf "J wo cp" J gcnj "TkuniCuuguuo gpv'Rrcp"htq" I G"Ukrleqpguo" Tqvct { "Mkrp" cpf "Hkzgf "Dqz " *%4+" Kpelpgtcvqtu" *Lwn{ "4."4225³

340 oTgxkugf "Uetggpki "Ngxgn'Geqmi kcn'TkuniCuuguuo gpv"ó" Tqvct { "Mkrp" cpf "Hkzgf "Dqz Kpelpgtcvqtö" *P qxgo dgt"4228³

350 oCff gpf wo "vq" vj g" J wo cp" J gcnj "TkuniCuuguuo gpv'Rrcp"htq" O qo gpvkg" Rgthqto cpeg O cvgtknuo" Tqvct { "Mkrp" cpf "Hkzgf "Dqz " *%4+" Kpelpgtcvqtuö" *P qxgo dgt"4233³

360õTgxlkf "Uetggplpi "Ngxgri'Geqmi kecn'Tkumi'Cuuguuo gpv'Tqvct{"Mkrp"cpf "Hlzgf "Dqz
Kpekgtecvqtuö"*Lwn{ "4234+³

370õTgxlkf " O wnr cyj y c{" Tkumi' Cuuguuo gpv' ó" Tqvct{" Mkrp" (" Hlzgf " Dqz"
Kpekgtecvqtuö *Hgdwtct {"4234+³

380õTgxlkf "Uetggplpi "Ngxgri'Geqmi kecn'Tkumi'Cuuguuo gpv'ó"Tqvct{"Mkrp"}(" Hlzgf "Dqz
Kpekgtecvqtuö"*Hgdwtct {"4234+³

390õTgxlkf "O wnr cyj y c{"Tkumi'Cuuguuo gpv'Tqvct{"Mkrp"cpf "Hlzgf "Dqz "Kpekgtecvqtuö"*Lwn{
4234+³

3: 0õVtkn'Dwtp IRgthqto cpeg"Vguv'Rrcp'hqt"Tqvct {"Mkrp"Kpekgtecvqt"cpf "Hlzgf "Dqz "Kpekgtecvqt
%4ö"*O ctej "4226+³

3; 0õVtkn'Dwtp "Rrcp" S wrk{ "Cuuwtepeg"Rtqlgev'Rrcp'hqt"yj g" Tqvct {"Mkrp"Kpekgtecvqt"*TMK-
cpf "Hlzgf "Dqz "Kpekgtecvqt"*HDKö"*Qevdgt"422: +³

420õEgo r t gj gpukxg"Rgthqto cpeg"Vguv"ERV+"Rrcpö"*Cwi wuv"4232+³

430õVtkn'Dwtp IRgthqto cpeg"Vguv" Tgr qtv'hqt"yj g" Tqvct {"Mkrp"Kpekgtecvqtö*Tgxkukqp"3"
óUgr vgo dgt"4228+³

440õEgo r t gj gpukxg"Rgthqto cpeg"Vgukpi ." Tqvct {"Mkrp"Kpekgtecvqtö"/"Lwpg"4232"*Tgxkukqp<
O ctej "4233"tgr qtv+³

450õEgo r t gj gpukxg" Rgthqto cpeg" Vgukpi ." Tqvct {" Mkrp" Kpekgtecvqt" Tgvuv" ó" F gego dgt"
4232ö *Tgxkukqp<O ctej "4233"tgr qtv+³

460õO qo gpukxg"Rgthqto cpeg"O cvgtknu."TMK- Compliance Operations – SSMPö"*Lwpg"
35."4233+³

470TMKEGO U'S wrk{"Eqvtqn'cpf "S wrk{"Cuuwtepeg"*S C IS E+"Rrcp"*Qevdgt"44."4234+³

480Ngwgt"q" P [UF GE'tgi ctf kpi "yj g"õ62'EHT"Uwdr ctv'GGG"ó" P qvhlcvkqp"qh'Ego r rncpeg"ó
Tqvct {"Mkrp"Kpekgtecvqt"*TMK"ó"O RO "Ukneqpgu."Y cvgthqtf ." P [ö"*O ctej "8."4233+³

490õVtkn'Dwtp IRgthqto cpeg"Vguv" Tgr qtv'hqt"yj g" Hlzgf "Dqz "Kpekgtecvqt "%4ö"*Tgxkukqp"3"
óQevdgt"4228+³

4: 0õEgo r t gj gpukxg" Rgthqto cpeg" Vgukpi " Tgr qtv." Hlzgf " Dqz " Kpekgtecvqt" %4" " Qevdgt"
4232ö *Qevdgt IF gego dgt"4232"vgukpi ."Tgxkukqp<O ctej "4233"tgr qtv+³

4; 0õO qo gpukxg"Rgthqto cpeg"O cvgtknu."""%4"Kpekgtecvqt"Eqpuqrf cvgf "Qr gtcvki "O cpwcn"
ó Compliance Operations – SSMPö"*Lwpg"43."4233+³

520õCf f gpf wo "q"yj g'Ego r t gj gpukxg"Rgthqto cpeg"Vguv'Rrcp'hqt"yj g" Hlzgf "Dqz "Kpekgtecvqt
%4ö"*Ugr vgo dgt"4233+³

530 Ego r t g j g p u k x g " R g t h q t o c p e g " V g u k p i " T g r q t v " h q t " v j g " H k z g f " D q z " K p e k p g t c v q t " % 4 " / U g r v g o d g t " 4 2 3 3 " V g u o " * F g e g o d g t " 4 2 3 3 " t g r q t v " ³

540 P q u k l e c v k p " q h " E q o r r k c p e g " * P Q E + " y k j " v j g " T g s w k t g o g p w " q h " 6 2 " E H T " U w d r c t v " G G G " h q t v j g " H k z g f " D q z " K p e k p g t c v q t " % 4 " * F g e g o d g t " 4 2 3 3 " ³

550 O R O " U k l e q p g u . " L L C " E q p v k p w q w u " O q p k q t k p i " U { u v g o u " * E O U + " R r c p " h q t " v j g " T q v c t { " M k p c p f " H k z g f " D q z " K p e k p g t c v q t u o " * U g r v g o d g t " 4 2 . " 4 2 3 4 " ³

560 Letter to NYSDEC regarding “Momentive’s RCRA Permit Renewal Application, Cadigan’s Tomb Revised Proposal” * L c p w c t { " 4 . " 4 2 3 5 " ³

570 O m o m e n t i v e R e r f o r m a n c e O a t e r i a l s " U k l e q p g u . " N N E " Y c v g t h q t f . " P g y " [q t m = " P [U F G E R c t v " 5 9 5 " J c | c t f q w u " Y c u v g R g t o k " C r r r e c v k p . " X q n w o g " K " U g e v k p u " K " K K " K K " K X / D . " K X / E . " K X / F . " X . " X K " X K K " K Z " c p f Z o " * L y p g " 4 2 2 9 . " T g x k u g f " P q x g o d g t " 3 4 . " 4 2 3 4 " ³

580 O m o m e n t i v e R e r f o r m a n c e " M a t e r i a l s U k l e q p g u . " N N E " Y c v g t h q t f . " P g y " [q t m = " P [U F G E R c t v " 5 9 5 " J c | c t f q w u " Y c u v g R g t o k " C r r r e c v k p . " X q n w o g " K " U g e v k p u " K . " K K c p f " X o " * L y p g 4 2 2 9 . " T g x k u g f " P q x g o d g t 3 4 . " 4 2 3 4 " ³

590 O m o m e n t i v e R e r f o r m a n c e O a t e r i a l s " U k l e q p g u . " N N E " Y c v g t h q t f . " P g y " [q t m = " P [U F G E " R c t v " 5 9 5 " J c | c t f q w u " Y c u v g R g t o k " C r r r e c v k p . " X q n w o g " K K " K p v g i t c v g f " E q p v k p i g p e { " R r c p o " * L y p g " 4 2 2 9 . " T g x k u g f " P q x g o d g t " 3 4 . " 4 2 3 4 " ^{3,4}

5: 0 O q o g p v k x g " R g t h q t o c p e g " O c v g t k n u . " Y c v g t h q t f " P g y " [q t n l . " J c | c t f q w u " Y c u v g " C p c n { u k u R r c p " c p f " S w r k { " C u u w t c p e g I S w r k { " E q p v t q n R r c p o " * O c t e j " 4 8 . " 4 2 3 5 " ^{3,4}

39. “Supplemental Spill Reporting Requirements for Momentive Performance Materials Silicones, LLC (MPM)” (March 21, 2014) ^{1,2}

Footnotes:

1. Each document referenced by this footnote includes the above dated original submission and any subsequent Department approved document revisions.

2. Each document referenced by this footnote includes the referenced document and any subsequent Department approved replacement.

E0 EQORNKPEG"UEJ GF WNG"

Vj g"Rgto kwgg"o wuv'eqo r ngv"vj g"hmny kpi "eqo r nkpeg"cevkkkgu"y kj kp"vj g"ko ghtco gu" kpf kcvgf "qp"vj g"hmny kpi "vcdrg<

Kgo " P q0	Vkwg	F guetr vkp ³ "	Eqo r nkpeg"Fcw"
30'	Hkpcpeknc'Cuwtcpeg" Tgs wktgo gpw"	Rtqxf g'hkpcpeknc'cuwtcpeg" cu'r gt "8"P [ETT"595/40 "kp" vj g"co qwpv'qh"&26,085,000" fqt'eqttgevkxg"cevkap."emqwtg" cpf "r quv'emqwtg'ectg'equu0'	Y kj kp"; 2'fc { u'qh'vj g" ghgevkxg'fcw'qh'vj ku'Rgto k'
40'	Hkpcn'Eqxgt'Rtqi tco "hqt" Ncpf hkn'P q04"	<p>F guki p'cpf "ko r ngo gpv'vj g" hkpcn'eqxgt'r tqi tco "hqt" Ncpf hkn'P q04'kp"ceeqtf cpeg" y kj "P [UF GE" tgs wktgo gpw<</p> <ul style="list-style-type: none"> <li data-bbox="695 877 1024 1129">• Rtqr qucn'v'g' r gthqto kpur gevkap'cpf fgwtwevkxg'vgv'kpi y kj kp'hkxg" { gctu'htqo vj g'fcw'qh'vj g'r tkqt kpur gevkap'cpf "gxgt { vj tgg" { gctu'vj gtgchgt <li data-bbox="695 1140 1024 1276">• Gpi kpggtkpi 'F guki p Tgr qt v'kpenmf kpi ko r ngo gpv'kap uej gf wg+ <li data-bbox="695 1287 1024 1539">• Kp'vj g'gxgpv tgr nrego gpv'ku f gvtgto kpgf "v'dg pgeguuct { < Gpi kpggtkpi F tcy kpi u"*57' . '87' . ; 7' +" <li data-bbox="695 1549 1024 1791">• Kp'vj g'gxgpv tgr nrego gpv'ku f gvtgto kpgf "v'dg pgeguuct { <"Vgej pkecn Ur gekh'cevkapu'cpf Y qtm'Uej gf wg"*57' . 87' .; 7' + 	<p>Y kj kp"; 2'fc { u'qh'vj g" ghgevkxg'fcw'qh'vj ku'Rgto k'</p> <p>Y kj kp"; 2'fc { u'qh' eqo r ngv'kap'qh'vj g'P [UF GE" cr r tqxgf "kpur gevkap'kgv'kpi ""</p> <p>Y kj kp"; 2. "357"cpf " 3: 2'fc { u.'tgr gev'kxgn' . "qh" P [UF GE"cr r tqxcn'qh'vj g" Gpi kpggtkpi 'F guki p'Tgr qt v'</p> <p>Y kj kp"; 2. "357"cpf " 3: 2'fc { u.'tgr gev'kxgn' . "qh" P [UF GE"cr r tqxcn'qh'vj g" Gpi kpggtkpi 'F guki p'Tgr qt v'</p>

Kgo " P q0	Vkrq	F guetkr vqp ³ "	Eqo r rdcpeg'F cvg"
40' cont'd	Hpcn'Eqxgt'Rtqi tco 'hqt" Ncpf hmiP q04 "eqpvd +"	<ul style="list-style-type: none"> • K r rgo gpvcvqp • Egtvkecvqp'Tgr qtv <i>See Footnote 2</i> 	<p>Y kj kp'yj g'vko g'ltco gu" f ghkpgf "qp'yj g'P [UF GE/ cr r tqxgf "Y qtni'Uej gf wrq0'</p> <p>Y kj kp'52'f c { u'qh'P [UF GE " ceegr vcepg"qh'uwduxcpvkn' eqo r rgvqp"qh'cp { 'tgr cktu'qt" tgr rnego gpv0'</p>
50'	Ugeqpf ct { "Eqpvkpo gpv" Ecr cekv { "/'Nqcf kpi l" Wpinqcf kpi "Ctgcu"	<p>Uwdo k'c"Y qtni'Rncp. "kpenw kpi " ko r rgo gpvcvqp'uej gf wrq. "vq" cr r n { 'ko r gto gcdrg'eqcvkpi u'vq" cm'lwthcegu'kpenw gf 'kp" ugeqpf ct { "eqpvkpo gpv" ecr ewcvkpu'vq'yj g'P [UF GE " hqt'tgxky "cpf "cr r tqxcn0" kpenw g'c'f guki p'kp'yj g'Y qtni' Rncp'yj cv'f go qpuxcvgu'yj cv'cm' eqpvkpgtu'y km'dg'ukwcvgf " eqo r rgvn { 'y kj kp'yj g" ko r gto gcdn { "eqcvgf " eqpvkpo gpv'ctgcu0'</p> <ul style="list-style-type: none"> • Y qtni'Rncp • K r rgo gpv'Y qtni'Rncp 	<p>Y kj kp'82'f c { u'qh'yj g" ghgevxg'f cvg"qh'yj ku'Rgto kv"</p> <p>Y kj kp"; 2'f c { u'qh'P [UF GE " cr r tqxcn'qh'Y qtni'Rncp. " wrguu'cp"gzvgpukp'ku" i tcpvgf "d { 'yj g'F gr ctvo gpv'</p>

Kgo " P q0	Vkrq	F guetkr vkp ³ "	Eqo r rkcpeg'F cvg"
60'	Ugeqpf ct { 'Eqpvkpo gpv' Ecr cek\ ' / "kpvgteqppgevgf " Vcpmi'cpf 'Eqpvkpo gpv' Ctgcu"	<p>c0Gxcnvcvg'kpvgteqppgevgf vcpmi'yj cv'tgn' "qp"qr gtcvqtu" vq'kuqrvg'yj g'vcpmi'vq" qr gtcvg'cu'kpf gr gpf gpv' vcpmi'Wpf gtcvng"cp" gpi kpggtkpi 'r tqigev'vq" cwqo cvg'vcpmi'kuqr'vkp0K' cp { 'kpvgteqppgevgf 'vcpmi' ecppqv'dg'cwqo cvkcm' " kuqrvgf "cf gs wcvg'ugeqpf ct { " eqpvkpo gpv'vq'eqpvkpo'yj g" vqcn'xqno g'qh'yj g" kpvgteqppgevgf 'vcpmi'o wuv'dg" r tqxkf gf 0"</p> <p>d0Gxcnvcvg'kpvgteqppgevgf eqpvkpo gpv'ctgcu'K gpvk { " cpf 'tgeqpek'cm' eqo r cvdkkv' 'kuwgu'y kj " cp { 'y cug'qt'qyj gt'o cvgtken' y j kej 'o c { "gpvt'yj g'uj ctgf " eqpvkpo gpv'ctgc0'</p> <p>Uwdo kv'Y qtm'Rcp."</p> <p>kpenf kpi "ko r ngo gpv'vkp" uej gf wq. "v'P [UF GE 'hqt" tgxky "cpf "cr r tqxcn0"</p> <ul style="list-style-type: none"> • Y qtm'Rcp • Ftch'Gpi kpggtkpi Tgr qtv • Hkpcn'Gpi kpggtkpi Tgr qtv • K r ngo gpv VcpmiEqpvkpo gpv O qf khec'vapu 	<p>Y kj kp'82'f c { u'qh'yj g" ghgevxg'f cvg'qh'yj ku'Rgto kv"</p> <p>Y kj kp'67'f c { u'qh'P [UF GE " cr r tqxcn'qh'Y qtm'Rcp"</p> <p>Y kj kp'52'f c { u'qh'P [UF GE " cr r tqxcn'qh'F tch' Gpi kpggtkpi "T gr qtv"</p> <p>Y kj kp"; 2'f c { u'qh'P [UF GE " cr r tqxcn'qh'Hkpcn' Gpi kpggtkpi "T gr qtv'wvrguu" cp'gz vgpukqp'ku'i tcvp'gf 'd { " vj g'F gr ctvo gpv"</p>

Kgo " P q0	Vkwg	F guetkr vqp ³ "	Eqo r rkepeg'F cvg"
70'	Vcpm'4: 'C'('D'Xcwm' K r tqxgo gpw"	<p>Gxcnvcg'utwewtcn'cpf lqt" qr gtcvqpcnko r tqxgo gpw'vq" y g'Vcpm'4: 'C'('D'xcmw' eqpvkpo gpv'u{ ugo u0" C f f t gu'eqpvqnu'hqt " r tgekr kcvkqp'twp/qp'cpf " ko r tqxgo gpv'qh" ceeguulecr cdkk{ 'v'r gthqto " f ckn{ 'kpur gevqpu0'Uwdo k' Y qtm'Rrcp.'kpenf kpi " ko r ngo gpvcvqp'uej gf wrg.'vq" P [UF GE'hqt'tgxkgy 'cpf " cr r tqxcn0'</p> <ul style="list-style-type: none"> • Y qtm'Rrcp • F tch'Gpi kpggtkpi Tgr qtv • Hkpcn'Gpi kpggtkpi Tgr qtv • K r ngo gpv'Utwewtcn Qr gtcvqpcn O qf kkecvkpu'vq Vcpm'Xcwm'U{ ugo 	<p>Y kj kp"342'f c { u'qh'y g" ghgevxg'f cvg'qh'y ku'Rgto k' Y kj kp"67'f c { u'qh'P [UF GE " cr r tqxcn'qh'Hkpcn'Y qtm'Rrcp " Y kj kp"52'f c { u'qh'P [UF GE " cr r tqxcn'qh'F tch' Gpi kpggtkpi 'Tgr qtv" Y kj kp"; 2'f c { u'qh'P [UF GE " cr r tqxcn'qh'Hkpcn' Gpi kpggtkpi 'Tgr qtv.'wprguu" cp'gz vpvkqp'ku'i tcvpf 'd { " y g'F gr ctvo gpv'</p>
80	Vcpm'75; 'C'('D'Hktg Rtqvevqp'Rrcpu	<p>Gxcnvcg'cngtpevxg'o gy qf u" vq'cej kxg'cf gs wcv'htg" r tqvevqp'hqt'Vcpm'75; " C'('D0'Uwdo k'Gpi kpggtkpi " Tgr qtv.'uwo r gf 'd { 'RGO' nkgpugf 'k'y g'Uvcg'qh'P gy " [qtm'kpenf kpi 'cp " ko r ngo gpvcvqp'uej gf wrg.'vq" P [UF GE'hqt'tgxkgy 'cpf " cr r tqxcn0'</p> <ul style="list-style-type: none"> • Y qtm'Rrcp • F tch'Gpi kpggtkpi Tgr qtv 	<p>Y kj kp"82'f c { u'qh'y g" ghgevxg'f cvg'qh'y ku'Rgto k' Y kj kp"67'f c { u'qh'P [UF GE " cr r tqxcn'qh'Hkpcn'Y qtm'Rrcp "</p>

Kgo " P q0	Vkwg	F guetkr vqp ³ "	Eqo r rkcpeg'F cvg"
80 cont'd	Vcpmi'75; 'C'('D'Hktg Rtqvevqp'Rrpu"*eqpvf +	<ul style="list-style-type: none"> • Hkpcn'Gpi kpggtkpi Tgr qtv • K r ngo gpv'htg r tqvevqp ko r tqxgo gpw'vq Vcpmi'75; 'C'('D 	<p>Y kj kp'52'f c { u'qh' F gr ctvo gpv'cr r tqxcn'qh" F tch'Gpi kpggtkpi "Tgr qtv"</p> <p>Y kj kp"; 2'f c { u'qh'P [UF GE" cr r tqxcn'qh'y g'Hkpcn' Gpi kpggtkpi "Tgr qtv.'wrguu" cp'gz vgpukqp'ku'i tcpv'f 'd { " y g'F gr ctvo gpv"</p>
90	F two "Uqtci g'Utwevtg/ Tgf wevqp'kp'Uqtci g Ecr cekv{	<p>Vj g'Rgto kwgg'o wuv'eqo r n' " y kj "Condition D.3 of Module III"/'Wug'cpf "</p> <p>O cpci go gpv'qh'Eqpvcpgtu0" Vj ku'Eqpf kkp'tgs vkt gu'y g" Rgto kwgg'vq."co qpi "qy gt" ucpf ctf u'o clpvkp'ckng" ur ceg'y cv'ku'c'o kpk wo "qh" y q"*4+'hggv'y kf g0'F two u" o wuv'pqv'dg'ucengf 'i tgcvt" y cp'y q"*4+'j ki j "qt'uvqgf " kp'tqy u'i tgcvt'y cp'y q"*4+' f two u'y kf g0'</p>	<p>Y kj kp'82'f c { u'qh'y g" ghgevxg'f cvg'qh'y ku'Rgto kv'</p>

Kgo " P q0	Vkwg	F guetkr vqp ³ "	Eqo r nkpeg'F cvg"
90 cont'd	F two "Uqtci g'Utwewtg'/ Tgf wevqp'kp'Uqtci g Ecr cekv{*eqpvf +	Vj g'Rgto kwgg'o wuv'gxcnvcg" yj g'eqpxgtukqp"qh'yj g"; 2/f c{ " uqtci g'ctgc'cv'Dwkrf kpi "37" vq'c'pgy n{ 'r gto kwgf 'uqtci g" ctgc'hqt 'iks wkr 'j c ctf qwu" y cugv'cpf 'uwo k'c'o clqt" r gto k'o qf kkecvqp'tgs wguv" vq'yj g'F gr ctwo gpv0"Vj g" tgs wguv'o wuv'kpenmf g'cp" ko r ngo gpvcvqp'uej gf wrg" cpf 'r tqegf wtgu'vq'kpukwwg" o qtg'htgs wgpv'r kemw u'qh" j c ctf qwu'y cugv'htqo "; 2/ f c{ 'uqtci g'ctgcu'vq" o kpk k g'qp/ukg'uqtci g'qh" j c ctf qwu'y cugv0"Vj g" tgs wguv'o wuv'r tqxkf g" cf gs wcvg'f gvckr'qh'yj g" tgeqphki wtcvqp"qh'yj g'F two " Uqtci g'ctgc'cpf 'yj g" r tqr qugf "Dwkrf kpi "37" uqtci g'ctgc'vq'f go qpwtcvg" yj cv'yj gug'ctgcu'y knib ggv" ewttgpv'htg'eqf g" tgs wkt go gpv0'	Y kj kp"342'f c{ u'qh'yj g" ghgevxg'f cvg'qh'yj ku'Rgto kw'

Kgo " P q0	Vkwg	F guetkr vqap ³	Eqo r rkcpeg'F cvg"
: 0	Wpf gti tqwpf 'r kr kpi kpur gevkap	<ul style="list-style-type: none"> F gxgnr 'r tqegf wtgu kp"ceeqtf cpeg'y kj ceegr vgf 'kpf wut { uxcpf ctf u'vq"vguv wpf gti tqwpf j c ctf qwu'y cug vtcpuhgt "cpf eqpxg{ cpeg'r kr kpi dgw ggp"j c ctf qwu y cug"ugeqpf ct { eqpvkpo gpv'ctgcu0 Uwdo k'Rtqr qucn kpenf kpi ko r ngo gpv'vkap uej gf wrg."vq P [UF GE 'hqt' tgxkgy cpf "cr r tqxcn0 Ko r ngo gpv'vkap r tqegf wtgu'kp ceeqtf cpeg'y kj "j g P [UF GE "cr r tqxgf uej gf wrg"cpf "uwdo kv F tchv'Tgr qt v0 Hkpcn'Tgr qtv Eqpf wev'hqmgy /wr vkap 	<p>Y kj kp"372'f c{ u'qh'y g" ghgevxg'f cvg"qh'y ku'Rgto kv"</p> <p>Y kj kp"372'f c{ u'qh' P [UF GE "cr r tqxcn'qh" Rtqr qucn "wprguu'cp" gzvgpukap'ku'i tcvgf "d{ 'j g" F gr ctwo gpv"</p> <p>Y kj kp"82'f c{ u'qh' P [UF GE "cr r tqxcn'qh'F tchv' Tgr qt v" Uwdo k'tgr qt v'y kj "pgzv" Rgto k'tgpgy cni'cr r rkc'vkap"</p>
; 0	TETC"Uwdr ctvCC.'DD cpf 'EE'r tqveqnu	<p>Rtgr ctg'r tqveqnu+ "vq" gpuwtg"eqo r rkcpeg'y kj "8" P [ETT"595/4049."404: "cpf " 404; . "kpenf kpi "cp" ko r ngo gpv'vkap"uej gf wrg0</p> <ul style="list-style-type: none"> Uwdo k'f tchv r tqveqnu+ "hqt P [UF GE 'tgxkgy 	<p>Y kj kp"462'f c{ u'qh'y g" ghgevxg'f cvg"qh'y ku'Rgto kv"</p>

Kgo " P q0	Vkrng	F guetr vq ³ "	Eqo r rkepeg'F cvg"
; 0 cont'd	TETC'Uwdr ctv'CC.'DD cpf 'EE'r tqvqeqn *eqp v +	<ul style="list-style-type: none"> • Uwdo k'tgxkugf 'f tchv r tqvqeqn'u+ cf f tguulpi F gr ctvo gpv eqo o gpw0 • Uwdo k'hkpcn r tqvqeqn'u+"vq"vj g F gr ctvo gpv0 • K r ngo gpv'vj g cr r tqxgf r tqvqeqn'u+0 	<p>Y kj kp'82'f c{ u'qh'tgegkr v'qh' F gr ctvo gpv'eqo o gpw"</p> <p>Y kj kp'37'f c{ u'qh' F gr ctvo gpv'f gvgto kpcvqp" vj cv'f tchv'r tqvqeqn'u+"ctg" eqo r rkv'cpf "cf gs wcvg"</p> <p>Y kj kp'; 2'f c{ u'qh' P [UF GE'cr r tqxcr'qh'hkpcn' r tqvqeqn'u+"vprguu"cp" gzv'pukqp'ku'i tcpv'gf "d{ "vj g" F gr ctvo gpv"</p>

Kgo " P q0	Vkrq	F guetkr vkp ³ "	Eqo r nkpeg'F cvg"
320	Dwkrf kpi '9: "Vtcpuhtg Ucvkqp"ó"Wri tcf g'qh Ugeqpf ct { 'Eqpvkpo gpv	<p>Wri tcf g'vj g'ugeqpf ct { " eqpvkpo gpv'ecr cekv' 'cv'vj g" Dwkrf kpi '9: "vtcpuhtg'ucv'kqp" vq'r tqxkf g'uwhlekpv" eqpvkpo gpv'ht' 'vj g" r gto kwgf "vcpngt. 'r nnu'cp" cmqy cpeg'ht' '60 'kpej gu'qh" r tgekr kcvkqp"dcugf "qp'c'47/ { gct. '46/j qwt' tclphcm'gxgp0" Vj g'ko r tqxgo gpv'u+vq" ugeqpf ct { 'eqpvkpo gpv' u{ ugo 'uj cm'b kpo k' g" cp { 'twp/qp'y j kej 'o ki j v' gpvt'vj g'u{ ugo 0'</p> <ul style="list-style-type: none"> • Uwdo kv'c'F tchv Gpi kpggtkpi "Tgr qtv. kpenw kpi "cp ko r ngo gpv'kqp uej gf wrg'vq'vj g P [UF GE 'ht' 'tgxky cpf "cr r tqxen • Uwdo kv'c'Hkpcn Gpi kpggtkpi "Tgr qtv • Ko r ngo gpv'Vtcpuhtg Ucvkqp'Eqpvkpo gpv O qf hlek'vqpu 	<p>Y kj k'82'f c { u'qh'ghge'v'x'g" f cvg'qh'vj ku'Rgto kv"</p> <p>Y kj k'67'f c { u'qh' P [UF GE "cr r tqxen'qh'F tchv" Gpi kpggtkpi "Tgr qtv"</p> <p>Y kj k'; 2'f c { u'qh' P [UF GE "cr r tqxen'qh'Hkpcn" Gpi kpggtkpi "Tgr qtv. 'wprguu" cp'gz vgpukqp'ku'i tcv'gf "d { " vj g'F gr ctwo gpv"</p>

Kgo " P q0	Vkrq	F guetkr vkrp ³ "	Eqo r rkrpeg'F cvg"
330	Ukg'KpukwkwkqpcnEqpvtqni"	<p>Rtqxf g'f qewo gpvcvkrp'yj cv KpukwkwkqpcnEqpvtqni"K u+" kp'ceeqtfcpeg'y kj "F GT/55" j cxg'dggp'tgeqtfgf 'hqt'cm' r ctegn'y kj "rcpf hku." UY O Wqt'CQE "ctgcu" y j gtg'eqpvc kpcvgu'ctg" cdqxg'wptgultevgf "wug" ngxgn'qt'i tqwpy cvgt" eqpvc kpcvg'ngxgn'ctg" cdqxg'i tqwpy cvgt" ucpfctfu."cmipi 'y kj 'y g" hqto gt'tgukf gpvcn'r tqr gtvku" npqy p"cu'497"cpf "499" J wf uqp'Tkxgt'Tqcf 0"Vj g" Ku'o wuv'tgutlev'hwwtg'rcpf " cpf 'i tqwpy cvgt "wug0""</p> <p>See Footnote 3"</p>	Y kj kp"3: 2'f c{ u'qh' ghgevxg'f cvg'qh'y ku'Rgto k'

Footnotes:

1. All work plans prepared pursuant to this Compliance Schedule must be certified in accordance with 6 NYCRR 373 1.4(a)(5), and by a Professional Engineer, or by such other qualified environmental professional as the Department may find acceptable using the language provided in DER 10.
2. **Final Cover of Landfill No. 2** - The Permittee must design, implement and document a final cover program for Landfill No. 2. The overall technical approach for final cover must be clearly stated in an initial proposal submitted for review and approval to the NYSDEC prior to initiating the Engineering Design Report. The proposal must address the following, including, but not limited to:
 - Conduct a comprehensive visual inspection of the existing exposed membrane by a 3rd party for failure points, cracking, adverse effects associated with expansion and contraction, etc., with NYSDEC oversight.
 - Obtain a representative number of samples of existing, exposed geomembrane and perform conformance testing of samples to document the integrity of the geomembrane and its seams versus its installed properties. Testing to be performed by a 3rd party with NYSDEC oversight.
 - Perform non-destructive testing of a representative portion of the existing geomembrane seams.
 - In the event replacement is determined to be necessary, design and implement a final cover and grading plan utilizing barrier protection layer, subsurface drainage systems and vegetative growth layer.
 - In the event replacement is determined to be necessary, prepare an approvable Storm Water Management Plan.

- Prepare an Engineering Design Report, stamped by a P.E. licensed in New York State, with experience and qualifications in landfill design/closure, summarizing all destructive and non-destructive testing, inspection activities, repairs, data analysis and reporting.
- Prepare a Certification Report to document all repairs, material properties and completed construction. Utilize certification requirements for owner/operator at 6 NYCRR Part 373-1.4(a)(5).

3. **Site Institutional Controls** – The Permittee must provide documentation that the ICs restrict future land and groundwater use. The ICs must also include a requirement to conduct an evaluation of the vapor intrusion potential in accordance with the State’s “Guidance for Evaluating Soil Vapor Intrusion in the State of New York,” or equivalent and any successor methodology thereto, before any change in use of any existing buildings from manufacturing, industrial, packaging, laboratory or other non-office space use to any use that is less restrictive than industrial use including office space or before any new buildings constructed on the Property become occupied or, in the alternative, the owner will install a subslab vapor intrusion mitigation system in any newly constructed building on the Property.

F0 UEJ GF WNG'QH'F GN>CDNGU"

Vj g'Rgto kwgg'o wuv'eqo r rvg'vj g'hqmy kpi 'f gr>cdngu'y kj kp'vj g'vko g'htco gu'kpf kecvf " qp'vj g'hqmy kpi 'vcdng<

Kgo '%'	Vkng'''	F guetkr vkqp ³	F gr>cdng'F cvg''	
30'	F gxgnr "'Grgvtple'Y cvg" O cpci go gpv'F cvdcug'''	Rtgr ctg'c'f gvckrf 'vgej plecn' r tqr qucn' r tgu'p'kpi 'vj g'o gcpu'cpf " o gj qf u'qh'f gxgnr kpi 'cpf " ko r ngo gpv'kpi 'cp'grgvtple'y cvg" o cpci go gpv'f cvdcug'f guetkdgf 'kp" Hqqpqv'4'dgmy 0'Vgej pqm { 'hqt" qr gtcvkqp'qh'c'j c ctf qvu'y cvg" vcpn'o qpkqt'kpi 'u'f u'vgo 'y kj " o qpkqt'kpi 'ecr cdk'k'v'qh'vcpn'rgxgn' i cwi gu.'cmto u'cpf 'h'cni'f gygevkqp" o wuv'dg'kpen'f gf 0'Uwdo k' r tqr qucn'kpen'f kpi 'ko r ngo gpv'vkqp" uej gf wng.'v'P [UF GE'hqt'tgxky " cpf 'cr r tqxcn'k'p'ceeqtf cpeg'y kj " vj g'hqmy kpi <"	<ul style="list-style-type: none"> • F tchv'Rtqr qucn • Hkpcn'Rtqr qucn 	<p>Y kj kp'492'f c { u'qh'vj g' gh'ge'v'x'g'f cvg'qh'vj k' Rgto k'</p> <p>Y kj kp'82'f c { u'qh' P [UF GE'cr r tqxcn'qh' F tchv'Rtqr qucn'</p>

Kgo "%'	Vksrg'''	F guetkr vkqp ³ ''	F grkxgtcdng'F cvg''
30' cont'd	F gxgnr "'Grgetqple'Y cvg" O cpci go gpv'F cwcug" *eqpwf +''	<ul style="list-style-type: none"> • Kó r ngo gpvcvkqp <p><i>See Footnote 2</i></p>	Y kj lp'3''{ gct'qh" P [UF GE 'cr r tqxcn'qh" Hkpcn'Rtqr qucn'wprguu" cp'gzvpuqp'ku'i tcpvgf " d{ 'yj g'F gr ctvo gpv'
40'	Eqpegr wcn'Ukg'O qf gn'EUO <i>See Footnote 3''</i>	<p>Rtgr ctg'c'EUO 'hqt'yj g" O qo gpvkg'Rgthqto cpeg" O cvgtkcn'hcekkw{ 0''Uwdo kw'yj g" hqmty kpi 'f qewo gpw'vq'yj g" P [UF GE 'hqt'tgxkgy 'cpf 'cr r tqxcn' kp'ceeqtfcpeg'y kj 'yj g'hqmty kpi " uej gf wrg-<''</p> <ul style="list-style-type: none"> • F tch'EUO • Hkpcn'EUO 	<p>Y kj lp'492'fc{u'qh'yj g" ghgevkxg'fcv'qh'yj ku" Rgto k'</p> <p>Y kj lp'82'fc{u'qh" tgegkr v'qh'P [UF GE " eqo o gpw'qp'yj g'F tch' EUO "</p>
50'	Tgo gfkcn'U{ ungo " Qr vko k'cvkqp''TUQ+''	<p>Eqpf wev'cp''TUQ'tgxkgy 'hqt'yj g" O qo gpvkg'Rgthqto cpeg" O cvgtkcn'hcekkw{ located in Waterford, NY0''Uwdo kw'yj g" Y qtniRrep. 'kpenw kpi " kó r ngo gpvcvkqp'uej gf wrg.'vq'yj g" P [UF GE 'hqt'tgxkgy 'cpf 'cr r tqxcn' kp'ceeqtfcpeg'y kj 'yj g'hqmty kpi " schedule:</p> <ul style="list-style-type: none"> • TUQ''Work Plan • F tch'TUQ''Tgr qtv • Hkpcn'TUQ''Tgr qtv • TUQ''Kó r ngo gpvcvkqp <p><i>See Footnote 4''</i></p>	<p>Y kj lp'3: 2'fc{u'qh" P [UF GE 'cr r tqxcn'qh" yj g'Hkpcn'EUO "</p> <p>Y kj lp'67'fc{u'qh" P [UF GE 'cr r tqxcn'qh" yj g'TUQ''Y qtniRrep''</p> <p>Y kj lp'52'fc{u'qh" tgegkr v'qh'P [UF GE " eqo o gpw'qp'yj g'F tch' TUQ''Tgr qtv'</p> <p>Y kj lp'; 2'fc{u'qh" P [UF GE 'cr r tqxcn'qh" yj g'Hkpcn'TUQ''Tgr qtv." wprguu'cp'gzvpuqp'ku" i tcpvgf ''d{ 'yj g" F gr ctvo gpv'</p>

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70'	O qo gpvks'g'Rgthqto cpeg" O cvgtkcn'fcekks' located in Waterford, NY'o'Hkpcn' Gpi kpggtkpi 'Tgr qtv'*HGT+''	<p>Rtgr ctg'c'HGT'hqt'yj g" O qo gpvks'g'Rgthqto cpeg" O cvgtkcn'fcekks' "located in Waterford, NY'cpf 'uwo k'q" yj g'P [UF GE'hqt'tgxky "cpf " cr r tqxcn'kp'ceeqtf cpeg'y kj 'yj g" hqmqy kpi 'uej gf wrg<"</p> <ul style="list-style-type: none"> • F tch'HGT • Hkpcn'HGT 	<p>Y kj kp', 2'f c{u'qh" P [UF GE'cr r tqxcn'qh" Hkpcn'UO R"</p> <p>Y kj kp'82'f c{u'qh" tgegk v'qh'eqo o gpw'qp" yj g'F tch'HGT"</p>
80'	Tgo qvg'O qpkqtkpi "U{ ugo " hqt'k'ekp'gtcvkqp'Wpk'""	<p>Rtgr ctg'cp'gxcn'cvkqp'qh" vej pqmji { 'hqt'qr gtcvkqp'qh'cp" k'ekp'gtcvkqp'o qpkqtkpi 'u{ ugo " y kj 'tgo qvg'o qpkqtkpi 'ecr cdkks'0" Uwo k'Rtqr qucn 'kpenw' kpi " k r rgo gpvks'qp'uej gf wrg.'q" P [UF GE 'hqt'tgxky "cpf "cr r tqxcn'</p> <p>Tgo qvg'o qpkqtkpi 'u{ ugo " kpu'cn'cvkqp'cpf 'qr gtcvkqp"</p>	<p>Y kj kp'2' { gctu'qh'yj g" gh'gcvks'g'f cvg'qh'yj ku" Rgto k'</p> <p>Y kj kp'3' { gct'qh" P [UF GE'cr r tqxcn'qh" Rtqr qucn 'v'p'rguu'cp" gz v'pukqp'ku'i t'cpvgf " d{ 'yj g'F gr ctwo gpv"</p>

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: 0'	<p>Y cvg'Utgco IY cvg'Eqf g" Cwf k'</p>	<p>Rtgr ctg'c'vgej plecn'gxcnvcvkrp'vq" k'gpvkh{ "cpf 'tgeqpekr'cm' eqpvkpgtk gf 'j c ctf qvu'y cvg" utgco u'o pci gf luvqgf "cv'y g'TMK' Hggf 'Rcf.'v'j g'F two "Uqtci g" Utwewtg'cpf 'cp{ 'ctgcu'dgkpi " eqpukf gtgf 'hqt'hwwt'g'r gto kvgf " f two 'uvqtc g0'Uwdo k'Rtqr qucn " kpenf kpi 'ko r ngo gpv'vkrp'uej gf wng" hqt 'P [UF GE 'tgxky "cpf 'cr r tqxcn0'</p> <ul style="list-style-type: none"> • Rtqr qucn • F tch'Tgr qtv • Hkpcn'Tgr qtv 	<p>Y kj kp'3: 2'f c{ u'qh'y g" ghgevxg'f cvg'qh'y ku" Rgto k'</p> <p>Y kj kp'67'f c{ u'qh" P [UF GE 'cr r tqxcn'qh" r tqqr qucn'</p> <p>Y kj kp'52'f c{ u'qh" P [UF GE 'cr r tqxcn'qh" F tch'Tgr qtv'</p>

Item #	Title	Description ¹	Deliverable Date
8. cont'd	Waste Stream/Waste Code Audit (cont'd)	<ul style="list-style-type: none"> Implementation (including any permit modifications) <p>See Footnote 5</p>	Within 30 days of NYSDEC approval of Final Report, unless an extension is granted by the Department.
9.	Areas of Concern - Mudderkill Creek and Item # 941-20.1 Tributary H-244	<ul style="list-style-type: none"> Submission of Schedule for RFA Work Plan and Possible ICM Work Plan Submission of a Records Search in accordance with DER-10, Appendix 3A Preparation of RFA Work Plan and Possible ICM Work Plan, along with a written citizen's participation plan and an updated schedule Implement Work Plan(s) 	<p>Within 30 days of the effective date of this permit.</p> <p>Within 60 days of the effective date of this permit.</p> <p>Within 90 days of the effective date of this permit.</p> <p>Upon approval by the DEC in accordance with the approved schedule.</p>

Footnotes:

1. All work plans prepared pursuant to this Schedule of Deliverables must be certified in accordance with 6 NYCRR 373 1.4(a)(5), and by a Professional Engineer, or by such other qualified environmental professional as the Department may find acceptable using the language provided in DER 10.

2. **Development of a “Web-Based” Electronic Waste Management Database** – In accordance with the facility Waste Analysis Plan (WAP), the Permittee is required to periodically sample and analyze each waste stream destined for incineration and prepare a waste profile. Information on chemical and physical characteristics must be obtained via laboratory analyses conducted periodically or when a process change occurs. Waste profiles must be reviewed and updated accordingly.

The analytical results associated with each waste stream must be managed in an electronic database. Toward that end, a unique identification number must be assigned to each waste stream and associated waste profile that is managed at the Momentive Performance Materials facility located in Waterford, NY. The waste profile provides information regarding hazardous waste codes, waste constituents, BTU value, chemical and physical properties, the process(es) generating the waste stream, and if applicable, special handling requirements, among others.

In addition, each container of waste managed in permitted areas of the facility must be labeled with a bar code with a unique identification number capable of being “read” by a scanning device. Retrieving the unique identification number in the database will provide information regarding the date the drum went into storage, as well as its physical location in storage (e.g., “Row 15, Pallet F”). Each drum must also be labeled with the

unique waste stream identification number that identifies the contents of the drum.

The waste management database shall have the capability of interfacing with the incineration system computers to provide a proper feed rate associated with each waste stream to maintain compliance with other permit limits (e.g., maximum number of drums fed per hour, maximum weight of solids fed per hour, maximum weight per drum fed, etc.).

The database must be capable of demonstrating compliance with the waste feed rate limits established in the permit for the incineration unit utilizing the information in the waste profiles. A default value for each parameter that has a waste feed limit associated with each waste profile must be calculated using the database and updated annually in accordance with the WAP.

The system must include technology for operation of a hazardous waste tank monitoring system with remote monitoring capability of tank level gauges, alarms and leak detection.

3. *The intent of Items 2, 4 and 5 is to provide comprehensive, current site-wide documents.*

4. **Remedial System Optimization** - Remedial Site Optimization (RSO) is the multi-tiered approach to improving efficiency, effectiveness, and net environmental benefit of a remedy, reducing costs, and achieving site closure. This is achieved by focusing on the site strategy, process optimization and supply management. An RSO report provides a critique of a site's conceptual model, gives a summary of past performance, documents current cleanup practices, summarizes progress made towards the site cleanup goals, and provides recommendations for improvement if needed. The RSO is not a periodic review report (PRR). The RSO is conducted in addition to the PRR. The RSO differs from a periodic review in that periodic review focuses on confirming the protectiveness of the remedy while RSO focuses on optimization of the remedy.

The underlying concept for the RSO process is to identify and implement ongoing improvement. The RSO process evaluates the remedial situation, reports on it as it is, and provides recommendations for improvement.

An RSO is an engineering audit of the performance of a site with an active remedy. A complete RSO cycle consists of performing the RSO audit, implementing the RSO's suggestions, and operating the remedy under the RSO changes for a period of time. The cycle is repeated through the life of the actively performing remedy.

Objectives of the RSO include improving operational efficiency to reduce costs, improve the sustainability of the remedy, hasten remediation and reduce long-term O&M costs.

The typical scope for an RSO may include research, evaluation, and recommendation.

1) Research

- *A background file search / information gathering phase.*
- *A site visit is completed during which present and past operator(s) may be interviewed, photos are taken and observations are made and discussed;*
- *Field and analytical data from the operation and maintenance of the remedy is reviewed; and*
- *Operational experience is drawn upon and documented.*

2) Evaluation

- *Remedial goals and remedial action objectives are reviewed to determine if they are still appropriate and realistic;*
- *The accuracy of the site conceptual model is evaluated for accuracy;*

- Operation of the remedy is evaluated to determine if it is consistent with the ROD;
- Progress toward the cleanup is evaluated and compared against the remedial goals and objectives;
- The appropriateness of the remedy and its ability to meet the stated remedial goals and objectives stated in the ROD is evaluated.
- The ability of the remedy to reach the remedial goal and/or monitoring is assessed; and
- The potential for terminating the active remedy and move to Monitored Natural Attenuation (MNA) or monitoring is assessed.

3) Recommendation

- Lastly, a comprehensive report is prepared. This full report contains summaries of past history and performance, information from the background search and site visit, engineering evaluations of the remedial components, a statement regarding progress towards closure, recommendations for potential improvements including cost saving measures, and protocols, metrics and procedures for future RSO evaluations. Appendix 1 is an outline for drafting an RSO report). The recommendations developed for the RSO report may include concepts such as the following:
 - Changes necessary to more efficiently and effectively target the contamination;
 - Modification or optimization of system processes;
 - Application, as appropriate, of new technologies and risk assessment approaches;
 - Improvements in reliability/run time of systems to reduce the frequency of site visits for O&M;
 - Modifications to processes (e.g. switch from air stripping to activated carbon if data suggests a cost savings);
 - Modifications or replacement of equipment to reduce energy costs and associated emissions;
 - Reduction in sampling frequency and locations. Use of alternate analytical methods;
 - Substitution of field analysis for laboratory analysis;
 - Evaluation of existing vendors and disposal arrangements to identify cost saving changes; and
 - Consideration of alternative supply management techniques, such as contracting O&M through the competitive bid process.

Appendix 1 - Outline for RSO Report

REMEDIAL SYSTEM OPTIMIZATION FOR _____ [Site Name] TABLE OF CONTENTS

1.0 INTRODUCTION

1.1 SITE OVERVIEW

1.2 PROJECT OBJECTIVES AND SCOPE OF WORK

1.3 REPORT OVERVIEW

2.0 REMEDIAL ACTION DESCRIPTION

2.1 SITE LOCATION AND HISTORY

2.2 REGULATORY HISTORY AND REQUIREMENTS

2.3 CLEANUP GOALS AND SITE CLOSURE CRITERIA

2.4 PREVIOUS REMEDIAL ACTIONS

2.5 DESCRIPTION OF EXISTING REMEDY

2.5.1 System Goals and Objectives

- 2.5.2 System Description
- 2.5.3 Operation and Maintenance Program

3.0 FINDINGS AND OBSERVATIONS

- 3.1 SUBSURFACE PERFORMANCE
- 3.2 TREATMENT SYSTEM PERFORMANCE
- 3.3 REGULATORY COMPLIANCE 3-3
- 3.4 MAJOR COST COMPONENTS OR PROCESSES
- 3.5 SAFETY RECORD

4.0 RECOMMENDATIONS

- 4.1 RECOMMENDATIONS TO ACHIEVE OR ACCELERATE SITE CLOSURE
 - 4.1.1 Source Reduction/Treatment
 - 4.1.2 Sampling
 - 4.1.3 Conceptual Site Model (Risk Assessment)
- 4.2 RECOMMENDATIONS TO IMPROVE PERFORMANCE
 - 4.2.1 Maintenance Improvements
 - 4.2.2 Monitoring Improvements
 - 4.2.3 Process Modifications
- 4.3 RECOMMENDATIONS TO REDUCE COSTS
 - 4.3.1 Supply Management
 - 4.3.2 Process Improvements or Changes
 - 4.3.3 Optimize Monitoring Program
 - 4.3.4 Maintenance and Repairs
- 4.4 RECOMMENDATIONS FOR IMPLEMENTATION

5. **Waste Stream/Waste Code Audit** - The Permittee must prepare and submit to the NYSDEC, for review and approval, a comprehensive and detailed evaluation which identifies all containerized hazardous waste managed at the RKI Feed Pad, Drum Storage Structure and any areas being considered for future permitted drum storage. Prior to embarking on the waste stream identification exercise, the Permittee must submit a proposal to the NYSDEC, for review and approval, identifying the specific elements of the evaluation and the methodology to reconcile any and all waste stream inconsistencies. The proposal must clearly articulate the manner in which the Permittee shall advance the comprehensive evaluation and reconciliation of the following documents including, but not limited to, the Facility's Part A Permit Application, the NYSDEC-approved Waste Analysis Plan, the waste codes managed at the Facility (RKI Feed Pad and Drum Storage Structure), Footnote 1 - Authorized Waste Streams at Drum Storage Structure and RKI Feed Pad (Table) in **Exhibit C - Supplement to Module III - Use and Management of Containers and the Facility's Hazardous Waste Annual (Generator) Report**.

The proposal must include a schedule for advancing and completing the waste stream evaluation, along with any consideration of required permit modifications to correct identified inconsistencies.

E. REQUIREMENTS FOR AN ON-SITE ENVIRONMENTAL MONITOR

Number of Environmental Monitors assigned to Facility: One (1)

1. The Permittee shall fund environmental monitoring services to be performed by or on behalf of the Department. These monitoring services will include, but not be limited to, the scope of work in an annual environmental monitoring work plan which is incorporated by reference and enforceable under this Permit.

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 hcekrk\ lukg" j gcmj " cpf " uchgv\ " cpf " qr gtcvkpcn' tgs wkt go gpw" cpf " r qrekgu." vj g
 Rgto kwgg"uj cm' hwtpkuj " vj g" gpxktqpo gpcn' o qpkqt" vj g" j gcmj " cpf " uchgv\ " cpf
 qr gtcvkpcn'tgs wkt go gpw"cpf "r qrekgu0

330 Vj g" gpxktqpo gpcn'o qpkqt"uj cm'dg"r gto kwgf "v" wug" gpxktqpo gpcn'o qpkqt\pi "cpf
 f cv" eqmgevqp" f gxlegu" *g0 0" r j qv" kppk cvkp" f gvgevqtu." eco gtcu." xkf gq" tgeqtf kpi
 f gxlegu." eqo r wgtu." egm' r j qpgu." gve0" f ggo gf " pgeguuct { " d{ " vj g" F gr ctvo gpv' vj
 gxcnvcg"cpf "f qewo gpv'qdugtxgf "eqpf kkpau0Eqr kgu"qh'vj g" f cv"qt" ko ci gu"eqmgevqf
 htqo "ctgcu'y j gtg"eqphk gpvcrk\ "ku" c"eqpegt"uj cm'dg"r tqxkf gf "v" vj g"Rgto kwgg"wr qp
 vj gkt" tgs wgu0' Vj g" Rgto kwgg" o c{ " tgs wgu' vj g" f cv" cpf " ko ci gu" dg" eqpukf gtgf
 eqphk gpvcrk\phqto cvkp"kh'cr r tqr tkvg0

340 K'y km'tgo ckp"vj g"tgur qpukdkk\ "qh'vj g"Rgto kwgg"v"eqpcev'vj g"Ur km'J qvlpq"qt"cp{
 F kxkukp"y kj kp" vj g" F gr ctvo gpv' tgi ctf kpi " cp{ " tgs wkt gf " pqv hcecvqp" qh' cp{ " ur km
 tgrgcug." gzegef cpegu" gve0' P qv hcecvqp" vj g" gpxktqpo gpcn' o qpkqt" y km' pqv' dg
 eqpukf gtgf "uw hcecvqp"v'v' tgr mreg"cp{ " tgs wkt gf " pqv hcecvqp0

350 The environmental monitor's office space is to be kept in good operating condition,
 including watertightness, lighting, appropriate heating and cooling, electrical power,
 telephone service and prompt snow removal. Adequate parking shall be provided for
 the monitor.

HD "TQWKP G'TGRQT VPI 'CPF 'EQO RNKPEGCE V&K VIGU"

Vj g" Rgto kwgg" o wuv' uwdo kv' vj g" hmqy kpi " tqwkpq" tgr qt w" vj g" F gr ctvo gpv' d{ " vj g"
 kpf kcvgf " f wg" f cvg" kp" ceeqtf cpeg" y kj " vj g" tgs wkt go gpw" qh' vj ku' Rgto kv' *P qvg< vj g" rku'
 r t gupvgf " dmqy " f qgu' pqv' kpenf g' pqp/ tqwkpq" tgr qt vpi " vj g" F gr ctvo gpv<

Kgo	Tgr qt v ³	Hgs wgpe{	F wg'F cvg"	Tgs wkt go gpv
3"	Cppwcn'Tgr qt v'	Cppwcm{ "	O ctej "3 ^{um}	8'P [ETT 595/407 *g+
4"	J c ctf qwu"Y cuvg'T gf vevkp" Tgr qt v'/C'ppwcn'Ucwwu" Tgr qt w'cpf "Dkppkcn'Wf f cvgu	Cppwcm{ "	Lwn{ "3 ^{um} "	GEN'49/2; 2: " cpf 'Module I, Condition L"

Kgo	Tgr qt v ³ "	Htgs wpe {	F wg'F cvg"	Tgs wkt go gpv
5"	Uqrf "Y cug'O cpci go gpv" Wpk'UY O W+Tgr qt v"	S wct vgn{ "	52 ^y "f c{ "qh'y g" o qpj "hmqy kpi " y g'gpf "qh'y g" s wct vgt "	<u>XqrOK'Ugevkqp"</u> <u>KZ'qh'y g'Rgt o kv"</u> <u>Cr r rkecvkqp"</u> kpeqr qtcvgf "d{ " tghgtgpeg"d{ " Schedule 1 of Module I"
6"	Rctv ⁵⁹⁵ "kpekpgtcvt "Tgr qt v" *TMKcpf "HK"	O qpj n{ "	Y kj kp ⁵ "y ggmi" chgt "y g'gpf "qh" the o qpj "	Schedule 1 of Module I, Exhibit E
7"	S wct vgn{ "Tgo gf knRrp" Cevkxkku "Tgr qt v ⁴ "	S wct vgn{ "	Hktuv'f c{ "qh" Hgdwtet{ . 'O c{ . " Cwi wuv'cpf " P qxgo dgt "qh" gcej "{ gct "	Tgo gf knRrp" kpeqr qtcvgf "d{ " tghgtgpeg"d{ " Schedule 1 of Module I
8"	Cpwwen'Tgo gf knRrp" Cevkxkku "Tgr qt v"	Cpwwen{ "	O ctej "3 ^{um} "	Tgo gf knRrp kpeqr qtcvgf "d{ " tghgtgpeg"d{ " Schedule 1 of Module I"
9"	I tqwpf y cvgt "Tgo gf kvkqp" U{ uvgo 'F qy pko g' "Tgr qt v"	Cu'pggf gf "	Y kj kp ⁵² "f c{ u"	Tgo gf knRrp" kpeqr qtcvgf "d{ " tghgtgpeg"d{ " Schedule 1 of Module I"
:	Eqpvkpgtu "Ugeqpf ct { " Eqpvkpo gpv "Cuuguo gpv" Tgr qt v ⁴ "	Cpwwen{ "	Eqo r rvg" cuuguo gpw"d{ " Cwi wuv ⁵³ ^{uv} " uwo k'tgr qt v'd{ " P qxgo dgt "52 ^y ""	Module III, Condition K.1
;	Vcpni "U{ uvgo "Cuuguo gpv" Tgr qt v ⁴ "	Gxgt { "7" { gctu"	Y kj kp"; 2 "f c{ u" qh'kpur gevkp "	Module IV, Condition K.3
32"	Vcpni "Ugeqpf ct { "Eqpvkpo gpv" Cuuguo gpv "Tgr qt v ⁴ "	Cpwwen{ "	Eqo r rvg" cuuguo gpw"d{ " Cwi wuv ⁵³ ^{uv} " uwo k'tgr qt v'd{ " P qxgo dgt "52 ^y "	Module IV, Condition K.4

Kgo	Tgr qt v ³	Htgs wge {	F wg'F cvg"	Tgs wktgo gpv
33"	Enquwtg'Equv'Guko cvg" Cflwugf 'Hqt 'Kphrcvkqp"	Cppwcm{ "	82'f c { u'r tkqt "vq" cppkxgtuct { 'f cvg" qh'gucdrkuj o gpv' qh'hkpcpekni' kputwo gpv"	8'P [ETT" 595/40 *e+*4+'cpf " Module I, Condition O "
34"	Rquv'Enquwtg'Equv'Guko cvg" Cflwugf 'hqt 'Kphrcvkqp"	Cppwcm{ "	82'f c { u'r tkqt "vq" cppkxgtuct { 'f cvg" qh'gucdrkuj o gpv' qh'hkpcpekni' kputwo gpv"	8'P [ETT" 595/40 *g+*4+'cpf " Module I, Condition O "
35"	Gxkf gpeg'vj cv'Hkpcpekni' Cuwtcpeg'kputwo gpw'j cxg" dggp'O clpckpfg "cpf "pqv" Ncr ugf "	Cppwcm{ "	52'f c { u'r tkqt "vq" cppkxgtuct { 'qh" kpkcnc'r r tqxcn'	Module I, Condition O.11
36"	47"qt"72'CY HEQ'Tgr qt v ^u "	O qpvj n{ 'cu" pggf gf +"	Y kj k p"5"qt"37" f c { u'hqmy kpi " gxgpv." t gur gevkxgn{ "	Exhibit E – Condition C.4
37"	Rquv'Enquwtg'Ce vkkkku'qh" Uki pkhecpv'F ghekppekku"	Cu'P ggf gf "	Y kj k p"5" y qtnkpi "f c { u"	Xqn'K'Ugevkqp" KX/C'qh'vj g" Rgto k' Cr r nekvkqp" kpeqtr qtcvfg "d{ " tghgtgpeg"d{ " Schedule 1 of Module I
38"	Enkdtcvkqp'Gttqt'Vguv'Tgr qt v ⁴	Quarterly	"Within 5 days of the test	Exhibit E – Condition C.2
39"	Tgr vkg'Ceewtce { 'Vguv' Tgr qt v ⁴ "	Cppwcm{ "	Y kj k p"82'f c { u" hqmy kpi " eqo r ngvkqp"qh" vgu0'	Exhibit E – Condition C.2

Kgo	Tgr qt ³ "	Hgs wge{	F wg'F cvg"	Tgs wkt go gpv
3: "	Uwo o ct{"qh'I tggp" Tgo gf kcvkp'O gvkcu ⁵ "	Cpwwm{ "	O ctej '53 ^{uw} "	Exhibit B – Condition C

Footnotes:

1. The Permittee must certify all reports prepared pursuant to **Condition F** of this Schedule in accordance with 6 NYCRR 373 1.4(a)(5).
2. Quarterly Remedial Plan Activities Report includes the following:
 - Monitoring and maintenance activities associated with Landfill No. 6 including groundwater monitoring results where applicable.
 - Leachate collection system manhole inspection results and biennial hydrostatic testing of carrier pipe between Landfill No. 6 pump house and MH-A-1A.
 - Quarterly leachate monitoring reports.
 - Monthly summary report of volume of leachate removed weekly.
 - Semi-annual groundwater sampling results from Landfill No. 6 detection monitoring wells, potentiometric surface maps based upon groundwater elevation measurements, and results of any required resampling events.
 - Annual summary report of all sampling results, groundwater flow direction and rate and proposed changes to the Groundwater Monitoring Plan.
 - 5-year inspection report for Landfill No. 6 Detection Monitoring Network.
 - Monitoring and maintenance activities associated with each closed unit including groundwater monitoring results where applicable.
 - Mudderkill Creek monitoring program quarterly reports.
 - Semi-annual groundwater sampling results for Landfill No. 3.
 - Periodic integrity assessments and 5-year video inspections of process sewers⁰
3. Summary must be recorded on most recent form provided by the Department.
4. The environmental monitor shall be notified at least three working days prior to performing the inspections or testing performed to complete these reports to allow for DEC oversight.

I 0 HCEKNKJ /URGEKHE "TGS WKTGO GP VU" VJ CV" UWRRNGO GP V" VJ G' UVCP FCTF "
O QF WNGU"

Gzj kdk/C" Uwr r ngo gpv'q'O qf wrg'Kó'I gpgtcn'Rtqxkukqpu"

C" I gpgtcn'Eqpf kkpqpu"

D" Rrcpu."Tgr qt vU."Ur gekkcvkpqpu."Kó r ngo gpvcvqp"Uej gf wrgu'cpf "Qvj gt"
Uwdo kvcn"

E" Ur gekcn'Rquv'Erquwtg'cpf "Eqttgexg'O gcuwtgu'Equv'Gurko cvg'Eqpf kkpqpu"

F" Ur gekcn'Hpcpekn'Cuwtcpeg'Eqpf kkpqpu"

G" Uwr r ngo gpvcn'Ur kn'Tgr qt vpi "Tgs wkt go gpvu"

Gzj kdk'D" Uwr r ngo gpv\q'O qf wrg"KKó'Eqttevkxg'Cevkqp"

" C"" Cr r rcedkky{ "

" D" Eqttgevkxg'Cevkqp'Rtqi tco "

" E" I tggp'T go gf kcvkqp"

Gzj kdk'E" Uwr r ngo gpv\q'O qf wrg"KKó'Wúg'cpf 'O cpci go gpv\qh'Eqpvckpqtu"

C" Cwj qtk gf "Uqtci g'Ctgc."Y cuvg"V{ r gu'cpf "Uqtci g'Xqmw g"

D" Ur gekri'Eqpf kkp'u'ht'Eqpvckpqtu"*I gpgtcn"

E" Ur gekri'Eqpf kkp'u'ht'Eqpvckpqtu"*Ur gekri'e+"

Gzj kdk'F " Uwr r ngo gpv\q'O qf wrg"KK"ó"VcpmU{ ugo u"

C" Cwj qtk gf "Uqtci g'Vcpm"Y cuvg"V{ r gu'cpf "Uqtci g'Xqmw g"

D" Ur gekri'Eqpf kkp'u'ht"VcpmU{ ugo u"*I gpgtcn"

E" Ur gekri'Eqpf kkp'u'ht"VcpmU{ ugo u"*Ur gekri'e+"

Gzj kdk'G" Uwr r ngo gpv\q'O qf wrg"XKKó'Kpelpgtcvqtu"

C" Cwj qtk gf "Kpelpgtcvqp"Wpku"

D" Vtcpu"kkp"vq"J Y E/O CE V"Ucpcf tf u"

E" I gpgtcn'Eqpf kkp'u"

F" Tqct { "Mkp"Kpelpgtcvqt"*TMK"Eqpf kkp'u"

G" Hkzgf "Dqz "Kpelpgtcvqt"*HDK"Eqpf kkp'u"

Gzj kdk'H" Uwr r ngo gpv\q'O qf wrg"Z "ó"J c| ctf qwu"Y cuvg'O kuegmcpqgwu"Wpku"

C" Cwj qtk gf "J c| ctf qwu"Y cuvg'O kuegmcpqgwu"Wpku"

D" Ur gekri'Eqpf kkp'u'ht'O kuegmcpqgwu"Wpku"*I gpgtcn"

E" Ur gekri'Eqpf kkp'u'ht'O kuegmcpqgwu"Wpku"*Ur gekri'e+"

Gzj kdk'I " EmquwtgRquvEmquwtg'Ectg"

C" Emquwtg"cpf 'RquvEmquwtg'Ectg'"

EXHIBIT A

SUPPLEMENT TO MODULE I – GENERAL PROVISIONS

**EXHIBIT A
SUPPLEMENT TO
MODULE I - GENERAL PROVISIONS**

Vj g'htmqy kpi "eqpf kkpqu"ur r ngo gpv'vj qug'eqpf kkpqu'eqpvkpgf 'y kj kp **Module I**'qh'vj ku'Rgto k<

C0 I GP GTCN'EQP F KVQP U'

30 Vj g'Rgto kvgg"o wuv'o cng'cttcpi go gpw'ht'ugo k/cppwcn'kpur gevqpu'qh'vj g'Hcekkv{ "d{ mjecn'ht g" eqo r cpkgu"qt" f gr ctwo gpw0 " F wtkpi " gcej " kpur gevqpu" vj g" Rgto kvgg"uj cm uqnek'tgeqo o gpf cvkqpu'htqo "vj g'ht g"eqo r cp{ "qt" f gr ctwo gpv'eqpegtkpi "o kpo wo uwi i guvgf "kpxgpvtkgu"ht "ht ghi j vpi "cpf "uchgv{ "gs wkr o gpv"vq"dg"o ckvkpgf "cv"vj g hcekkv{ 0"C'tgr qt v'qh'gcej "kpur gevqpu."kpenf kpi "cp{ "cpf "cm'tgeqo o gpf cvkqpu'o cf g'd{ ht g"eqo r cp{ "qt" f gr ctwo gpv'kpur gevqpu'cpf "vj g'Rgto kvgg"ur rpu'ht'cf f tguakpi "vj gug tgeqo o gpf cvkqpu." o wuv' dg" uwo kwgf " vq" vj g" F gr ctwo gpv' d{ " vj g" Rgto kvgg" y kj kp ugxgp"9+f c{ u'qh'gcej "kpur gevqpu0

40 Vj g'Rgto kvgg"o wuv'r tqxkf g"e"eqr { "qh'vj g'Kvgi tcvgf "Eqpvkpi gpe{ "Rrnp"eqpvkpi "cp kpxgpvt{ "uj ggv'htkpi "vj g"co qwpv'cpf "mjecvqpu'qh'cm'go gti gpe{ "gs wkr o gpv'cxckrdng qp/ukg"vq"cm'go r m{ ggu'kpxqrgf "kp"go gti gpe{ "tgr qpug0

50 Wf qp"pqv'htcekvqpu"d{ "vj g'Rgto kvgg"qh'cp{ "r ct vkn'emquwg"qh" c"wpk'qt" r qt vqpu"vj gtgqh qt"qh'htpcn'emquwg"qh'vj g'Hcekkv{ . "vj g" F gr ctwo gpv'y km'f gvgto kpg"cv"vj g"vko g"qh'uckf emquwtgu"y j gj gt "cf f kkpqcn'uco r ngu."uco r rpi "r qkpu."uco r rpi "vej pls wguo gj qf u cpf lqt"uco r ng'cpcn{ uku"100"kp"cf f kkpq"vq"Emquwtg'Rrnp'tgs wkt go gpw'kp "Cwcej o gpv'E qh'vj ku'Rgto k<"y km'dg"pgeguuct { "vq"xgtkh{ "vj g"ghgevkxgpguu"qh'f geqpvco kpcvqpu"qt tgo qxcn' qh' eqo r qpgpw." gs wkr o gpv." utwewtgu" cpf " eqpvco kpcvqpu" uqku0 " Vj gug f gvgto kpcvqpu'y km'dg"dcugf "wr qp"vj g'r cuv'j kvqt { "qh'qr gtcvki "r tcevegu'cpf "v{ r gu'qh y cuvgu" j cpf rnf " cv' vj g" wkvHcekkv{ " cpf " qp" vj g" emquwtg" tgi wrcvqpu" cpf " qvj gt tgs wkt go gpw' kp" ghge'v'cv' vj g" vko g" qh' emquwtg" qh' vj g" wkvHcekkv{ 0" Vj g" qr gtcvki tgeqtf . "vj g"tgeqtf "qh"ur kmu." vj g"v{ r gu"qh'y cuv"tgrcugf . "mjecvqpu'qh'ur kmu" cpf " vj g eqpf kkpq"qh'cp{ "ugeqpf ct { "eqpvkpo gpv'u{ ugo u'y km'cnuq"r tqxkf g"fcv"vq"dg"uugf "kp vj gug" f gvgto kpcvqpu0 " Cnuq." cv' vj g" vko g" qh' uckf " emquwtgu." vj g" F gr ctwo gpv' y km f gvgto kpg"y j gj gt "o qtg"tgutkvxg"cpf lqt"cf f kkpqcn'etkgtk"100"o qtg"tgutkvxg vj cp."qt"kp"cf f kkpq"vq"Emquwtg'Rrnp'etkgtk"kp"Cwcej o gpv'E"qh'vj ku'Rgto k<"y km'dg pgeguuct { "vq"xgtkh{ "vj g"ghgevkxgpguu"qh'f geqpvco kpcvqpu"qt"tgo qxcn'qh'eqo r qpgpw. gs wkr o gpv."utwewtgu"cpf "eqpvco kpcvqpu"uqku."dcugf "qp"vj g" F gr ctwo gpw'tgi wrcvq { ercprw "ucpf ctf u'kp"ghge'v'cv'vj g"vko g"qh'uckf "emquwtgu0

60 Kij g'F gr ctvo gpv'f gvto kpgu'vj cv'cf fklqpcn'uco r npi "cpf "cpcn' uku'qt'o qtg'tgutk'v'xg
cpf lqt" cf fklqpcn' etkgtk" ctg" pgeguuct { " cv' vj g" vko g" qh' wpl'f'ckek'k' { " emquwtg." vj g
F gr ctvo gpv' uj cmi'ugpf " vj g" Rgto kwgg" c" pqv'eg" qh' k'p'v'p'v' vq" o qf kh' { " vj ku" Rgto k' k' p
ceeqtf cpeg'y kj "8'P [ETT"843"v'k'p'eqtr qtcv'g"vj gug'tgs vkt go gpv'u'k'p'v' vj g"Rgto k'0"K'p
vj g" gxgpv' vj g" F gr ctvo gpv' kuwgu" uwej " c" pqv'eg" qh' k'p'v'p'v' vj g" Rgto kwgg" y kni' dg
tgutk'v'g'f "htqo "kuw'kpi "c" egt'v'k'k'c'v'k'p"qh' emquwtg"ht' "vj g" wpl'f'ckek'k'k' { "k'p" ceeqtf cpeg
y kj "8'P [ETT"595/40"v'k'p'v'k' vj g"cuuqek'v'g'f "8'P [ETT"843"Rgto k'v' o qf k'k'c'v'k'p
r tqegu'u'ku'eqo r ngv'g'f "cpf "cp { "cuuqek'v'g'f "emquwtg"tgs vkt go gpv'u'v' vj cv'o ki j v'tguw'v'htqo
vj ku'o qf k'k'c'v'k'p"r tqegu'ctg'uc'v'k'k'g'f 0

D0 RNCP U."TGRQT VU."URGE K'K'c'v'k'p U."KO RNGO GP VC'V'K'P "UEJ GF WNGU'CP F"
QVJ GT"UWDO K'V'c'NU"

30 Uwdo kvcn"tgs vktg'f "d { "vj g" Rgto k'v' o wuv"dg"r tqxk'f'g'f "vq" vj g" F gr ctvo gpv' cpf "qvj gt
kf gp'v'k'g'f "Ci gpekgu"cu"kp'f'k'c'v'g'f "dgm'y . "o wuv"dg"uwdo kwg'f "vq" vj g"cf f tguugu"cpf "v'k'v'g'u
*qt" f guki p'ggu"r'k'v'g'f "dgm'y 0"Vj g"r'k'v'dgm'y "kf gp'v'k'g'u"vj g" F gr ctvo gpv'Ci gpekgu"uc'h
d { "v'k'v'g" vj cv'o wuv"t'gegk'x'g"uwdo kuuk'p'u"cpf "kp'f'k'c'v'g'u" vj g"v'f r gu"qh'uwdo kuuk'p'u" gcej
o wuv"t'gegk'x'g'0" C'v' cp { " vko g" f v'k'p'i " vj g" r'k'v'g" qh' vj ku" Rgto k'v' vj g" F gr ctvo gpv' o c {
f guki p'c'v'g" c'ngt'p'c'v'g" v'k'v'g'u" vq" t'gegk'x'g" uwdo kuuk'p'u" *f k'k'v'g'p'v' vj cp" vj qug" kp'f'k'c'v'g'f
dgm'y + "cpf "f'k't'gev" vj g" Rgto kwgg"vq" o cng"uwdo kuuk'p'u"vq" vj g" c'ngt'p'c'v'g"v'k'v'g'0"Vj g"r'k'v'
dgm'y "cnu"kp'f'k'c'v'g'u"y j gyj gt" vj g"uwdo kuuk'p" o wuv"dg" c"r cr gt"qt" g'ng'v'q'p'k'e"eqr { 0
Y j gt g"ng'v'q'p'k'e"eqr k'gu'ctg"kp'f'k'c'v'g'f . "vj g"uwdo kuuk'p" o wuv"dg"kp" c" h'qto "cu"tgs vktg'f
d { "Condition N of Module I"qh' vj ku" Rgto k'0"Uwdo kuuk'p'u"qh'ng'v'q'p'k'e"eqr k'gu'o c { "dg
o cf g"d { "g/o cki'qt"qvj gt"o gyj qf u'ceegr v'cd'ng"vq" vj g" F gr ctvo gpv'0

c0 Qpg*3+"ng'v'q'p'k'e"eqr { "qh'cni'uwdo kvcn"vq<

Tgi kqpcn'Tgo gf k'c'v'k'p"Gpi k'p'ggt"
Pgy 'I' qtni'U'c'v'g'F gr ctvo gpv'qh'G'p'x'k'q'p'o gpv'ni'Eq'p'ug't'x'c'v'k'p"
Tgi kqp'7"Q'h'k'g"
Tqwg': 8"
Tc { "Dtq'qm" P ["34; 99/24; 8"

F'k't'gev'qt."Tgo gf k'c'ni'D'w't'g'c'w'G"
F'k'x'k'k'p"qh'G'p'x'k'q'p'o gpv'ni'Tgo gf k'c'v'k'p"
Pgy 'I' qtni'U'c'v'g'F gr ctvo gpv'qh'G'p'x'k'q'p'o gpv'ni'Eq'p'ug't'x'c'v'k'p"
847"Dt'q'c'f'y c { "
C'nd'cp { .P [""34455/9239"

d0 Qpg*3+"r cr gt"eqr { "qh'cni'h'k'p'c'p'ek'ni'cu'w't'c'p'eg" f'q'ewo gpv'u'vq<

TETC"E"H'k'p'c'p'ek'ni'Cu'w't'c'p'eg"Eq'q't'f'k'p'c'v'q't"

F kxkukqp"qh'Gpxktqpo gpcn'T go gf kvkqp"
P gy 'I qtni'Ucv'F gr ctwo gpv'qh'Gpxktqpo gpcn'Eqpugtxcvkqp"
847'Dtqcf y c{ "
Cndcp{. 'P ["34455/9234

e0 Qpg*3+r cr gt'eqr { 'qh'cm'y cuvg'tgf wevkqp'f qewo gpw'vq<

Ej kgh'Dwtgcw'qh'Y cuvg'T gf wevkqp"('T ge{ erkpi "
F kxkukqp"qh'O cvgtkcm'O cpci go gpv'
P gy 'I qtni'Ucv'F gr ctwo gpv'qh'Gpxktqpo gpcn'Eqpugtxcvkqp"
847'Dtqcf y c{ "
Cndcp{. 'P ["34455/9475"

E0 URGEKCN" RQUV/ENQUWTG" CPF " EQTTGEVKG" O GCUWTGU" EQUV" GUVKO CVG"
EQPF KVQPU"

30 Ngcej cvg'I gpgtcvkqp"('Gzvtcevg'I tqwpf y cvgt'Equv'Guvko cvg'kpetgcugu

c0 Vj g"cewcn'cppwcn's wcpvklgu"qh'ngcej cvg"cpf"eqpwo kpcv'gf "i tqwpf y cvgt"tgo qxgf
ltqo "gcej "j c| ctf qwu"y cuvg"rcpf hkn'cpf "d{ "qp/ukg"eqpwo kpcv'gf "i tqwpf y cvgt
gzvtcevkqp"u'vgo u" f wtkpi " vj g" r t'gxlqwu"ecngpf ct" { gct. "cu"y gm'cu"cm"r t'gxlqwu
ecngpf ct" { gct. "o wuv'dg"r t'gugpv'gf "lp"vcdrgu"cpf "i tcr j u"lp"vj g"Rgto kwggau"cppwcn
tgr qtv' kp" ceeqtf cpeg" y kj " 8'P [ETT" 595/407*g-0 " Ku" wr qp" t'gxlgy kpi " vj ku
kphqto cvkqp."vj g"F gr ctwo gpv'f gvgto kpgu"vj cv'vj gtg"j cu'dggp"c"uki p'k'lecpv'ej cpi g
kp" vj g" cppwcn' s wcpvklgu" qh' ngcej cvg" cpf lqt" eqpwo kpcv'gf "i tqwpf y cvgt" dgkpi
tgo qxgf "vj cv'y qwf "kpetgcug"vj g"equv'qh'cppwcn'r quv'erquwtg'ectg"cpf lqt"eqttgevkxg
o gcuwtgu" kpf kcv'gf "kp" vj g" cr r tqxgf "r quv'erquwtg" cpf "eqttgevkxg" o gcuwtgu" equv
guko cvgu."vj g" F gr ctwo gpv' y kn'pqvkh{ "vj g" Rgto kwgg"kp" y tkkpi "cpf" tgs vkt'g" vj g
Rgto kwgg"vq" t'gxlkug" vj g" equv'guko cvgu"vq" eqxgt "vj g" kpetgcug0" Vj g" Rgto kwgg"o wuv
uwdo kv" hqt" F gr ctwo gpv' cr r tqxcn" vj g" t'gxlkugf "equv'guko cvgu" y kj kp" vj kv{ " *52+
f c { u'qh'vj g" Rgto kwggau" t'gegr v'qh'vj g" cdq'xg" kpf kcv'gf "y tkwgp" p'q'v'k'lecvkqp"d { "vj g
F gr ctwo gpv' vj cv'cp" kpetgcug"kp" vj g" equv'guko cvg" ku" p'geguuct { "f wg"vq" c"uki p'k'lecpv'
kpetgcug"kp" ngcej cvg" cpf lqt" eqpwo kpcv'gf "i tqwpf y cvgt" i gpgtcvkqp0" Uwdugs wgpv'vq
F gr ctwo gpv' cr r tqxcn'qh' vj g" t'gxlkugf "equv'guko cvg." vj g" Rgto kwgg"o wuv' guxcdrkuj
cf f k'k'qpcn' h'k'p'c'p'ekn' cuwtcpeg" vq" eqxgt "vj g" co qwpv' qh' vj g" kpetgcug"kp" vj g" equv
guko cvgu"kp" ceeqtf cpeg" y kj **Condition O of Module I0**

D0

SPECIAL FINANCIAL ASSURANCE CONDITION"

The financial assurance agreed to by the DEC in the amount of \$26,085,000 for corrective action, closure and post closure care costs is conditional on the Permittee's completion of the items included in C. Compliance Schedule and D. Schedule of Deliverables within the timeframes included therein unless an appropriate time extension is approved by the DEC. In the event that the Permittee fails to timely complete any item(s) included in C. Compliance Schedule and D. Schedule of Deliverables, the DEC will evaluate the cost of corrective action, closure and/or post closure care.

If the DEC determines that an adjustment in the cost of corrective action, closure and/or post closure care is warranted, the DEC will notify the Permittee in writing and require the Permittee to revise the cost estimates to cover the increase. The Permittee must submit, for Department approval, the revised cost estimates within thirty (30) days of the Permittee's receipt of the above indicated written notification by the DEC that an increase in the cost estimate is necessary. Subsequent to Department approval of the revised cost estimate, the Permittee must establish additional financial assurance to cover the amount of the increase in the cost estimates in accordance with **Condition O of Module I**.

G0

SWRRNGO GP VC N'URKNN'TGRQT VIK I TGS WKTGO GP VU"

1. MPM must follow the supplemental spill reporting requirements'kp"fqewo gpv39 y j kej 'ku kpeqtr qtcvgf "d{ 'tghgtgpeg'kpq"vj ku'r gto kv.
4. J c| ctf qwu'uwduscpegu'rkugf "kp"8"P [ETT'Rctv7; 9
 - a. Ur kmu"dgmjy "vj g"cr r rlecdng'tgr qt vki "s wcpvkw{ "vj cv'ctg'pqv'engcpgf "wr "y kj kp"4"j qwtu qh" f kaeqxgt {" o wuv" dg" tgr qt vgf " vq" yj g" " F gr ctvo gpvau" gpvktqpo gpvci" o qpkqt ko o gf kvgn(0

EXHIBIT B

SUPPLEMENT TO MODULE II – CORRECTIVE ACTION

EXHIBIT B
SUPPLEMENT TO
MODULE II - CORRECTIVE ACTION

The following conditions supplement those conditions contained within **Module II** of this Permit:

A. APPLICABILITY

1. The conditions of this Exhibit and **Module II** apply to:
 - a. the Solid Waste Management Units (SWMUs) listed on Table IX-1 of Vol. I, Section IX of the Permit Application incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**;
 - b. Areas of Concern related to past discharges associated with the Mudderkill Creek and the unnamed tributary (Item # 941-20.1, Tributary H-244) in proximity to the Landfill 6 ravine; and,
 - c. any additional SWMUs discovered during the course of groundwater monitoring, field investigations, environmental audits or other means.

The SWMUs which are known to exist at the facility and which may have released hazardous waste or hazardous constituents to the environment are listed in Vol I., Section IX of the Permit Application incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**. The Corrective Measures which are necessary to address groundwater contamination associated with those SWMUs have been implemented. The Corrective Measures which are necessary to address the soil contamination associated with those SWMUs have either been implemented or deferred until the soils are accessible. Many SWMU Areas or portions of SWMU Areas are either inaccessible or not practical to excavate. These soils are required to be properly assessed and managed appropriately as they become accessible in the future.

The Permittee has a program in place for the assessment of newly identified SWMUs and AOCs that is included in Vol. I, Section IX of the Permit Application incorporated by reference into this Permit by Condition B of Schedule 1 of Module I. This program is an approved plan for the notification, assessment, sampling, analysis and reporting of newly identified SWMUs and AOCs that meet the requirements of Module II Conditions C(1) through C(5) of this permit.

For the Area of Concern identified in b above, the Permittee is required to characterize and if necessary remediate conditions. Therefore, the Permittee is required to prepare an RFI Work Plan in accordance with Condition D of Module II. The Department may, at its discretion, also require the Permittee to prepare an Interim Corrective Measures (ICM) Work Plan.

D0 EQTTGEV&G'CEVKQP 'RTQI TCO "

30 Cu"t'g'uwn'qh'Ekxkl'Cevkqp"P q0: 5/EX/99"cpf "y g'tg'uwn'kpi "Eqpugpv'F getgg'dgy ggp P gy " [qtm'Ucvg" cpf "I gpgtcn'Grgvle" *pqy " O qo gpv'xg" Rgthqto cpeg" O cvgtkcn+ kpeqtr qtcvgf "d{ 'tghgtgpeg'kp'v'j ku'Rgto k'd{ "**Condition B of Schedule 1 of Module I.**" y g'Rgto kvgg"j cu'kpu'kw'wgf "c'ukg/y kf g'tgo gf kcn'r tqi tco "y cv'ghge'v'xgn' "r t'gx'gp'u y g' qh'ukg" o ki tcvkqp" qh' eqp'wco kpcv'gf " i tqw'pf y cvgt" htqo " y g' h'ce'k'k'v' " cpf " y j lej uj qw'f "w'ko cvgn' "ergcp/w' "y g'i tqw'pf y cvgt" eqp'wco kpcv'kqp" cv'j g' h'ce'k'k'v' " O' O qo gpv'xg Rgthqto cpeg" O cvgtkcn' ku' ewt'g'p'v' " o cpci kpi " y ku' tgo gf kcn'r tqi tco " k'p' cee'q't'f cpeg y kj " c' Lwn' " : . " 4227" ngw't " v' " y g' " P gy " [qtm'Ucvg" F gr ctwo gpv' qh' Gp'x'k'q'po gp'v'cn Eqpug'x'cv'kqp" *P [UF GE +t'gi ct'f kpi " or tq'q'ug'f " o qf k'le'c'v'k'p' " v' " i tqw'pf y cvgt" tgo gf kcn u' { u'go u. " I gpgtcn'Grgvle" C'f x'c'p'eg'f " O cvgtkcn' o' " Uk'le'q'p'gu. " Y cv'g't'h'q't'f. " P gy " [qtm' O P [UF GE " r tq'x'k'f g'f " h'q'to c'n'c'r r tq'x'c'n'q'h' " y ku' tgo gf kcn'r tqi tco " k'p' c' ngw't " f' cv'gf " L'cp'w'c't { 8. " 42280' " Vj g'tgh'q't'g. " y g' Rgto kvgg" ku' tgs w'k'g'f " v' " r g'th'q'to " y g' UY O W'ur g'ek'h'e

Eqttge'v'x'g" O gcu'w't'gu" r tqi tco u' cu' f'guet'k'd'g'f " k'p' X'q'r'0' K' Uge'v'k'p' " KZ " qh' y g' Rgto k'v' C'r r k'le'c'v'k'p' k'p'eq't'r q't'c'v'g'f " d{ 'tghgtgpeg'kp'v'j ku'Rgto k'd{ "**Condition B of Schedule 1 of Module I0**

E0 I TGGP 'TGO GF KCVKQP "

30 Vj g'Rgto kvgg"o wuv'o cng'dguv'gh'q't'u'v'q'ko r ngo gpv'i tggp'tgo gf k'v'k'p' r t'ce'v'le'gu'k'p' y g' r g'th'q'to cpeg" qh' y g' tgs w'k't'go gp'u' qh' y g' Y qtm' k'p'en'f'k'pi " dw' p'q'v' r'ko k'g'f " v' r g'th'q'to cpeg" qh' c' " TETC " H'ce'k'k'v' " k'p'x'g'u'ki c'v'k'p' " Eqttge'v'x'g" O gcu'w't'gu" U'w'f { . " k'p'v'g't'ko Eqttge'v'x'g" O gcu'w't'g. " Eqttge'v'x'g" O gcu'w't'gu' K'o r ngo gp'v'c'v'k'p' " cpf " R'qu'v' E'ri'q'w't'g' I G'h'g'e'v'x'g'p'g'u' " G'x'c'n'c'v'k'p'u' " v' " o c'z'ko k'g' " v' " y g' g'z'v'g'p'v' r t'ce'v'le'c'd'rg. u'w'w'c'k'p'c'd'k'k'v' . " t'g'f'w'eg" g'p'g'ti { " cpf " y cvgt" w'uci g. " r tqo q'v'g' e'c't'd'q'p' " p'g'w'c'r'k'v' { . " r tqo q'v'g o cvgtkcn't'g'w'ug" cpf " t'ge { e'ri'k'pi . " cpf " r tq'v'g'e'v'c'p'f " r t'g'u'g't'x'g' r'c'p'f " t'g'u'q'w't'g'e'u'0

40 Vj g'Rgto kvgg"o wuv'o cng'dguv'gh'q't'u'v'q'w'k'k'k' g'eq'p'eg'r u'c'p'f " v'g'ej p'k's w'g'u' r t'g'u'g'p'v'g'f " k'p' y g' " P gy " [qtm'Ucvg" F gr ctwo gpv' qh' Gp'x'k'q'po gp'v'cn' Eqpug'x'cv'k'p' " / " F GE " R't'q'i t'co R'q'ik'e { " F GT/53 II tggp'Tgo gf k'v'k'p' . " o qu'v't'g'g'p'v'g'f k'k'q'p'0

50 Vj g'Rgto kvgg"o wuv't'gr q't'v'I tggp'Tgo gf k'v'k'p' " o g'v't'k'eu'cu't'g's w'k'g'f " d{ "**Condition F of Schedule 1 of Module I.**

EXHIBIT C

SUPPLEMENT TO MODULE III - USE AND MANAGEMENT OF CONTAINERS

**EXHIBIT C
SUPPLEMENT TO
MODULE III - USE AND MANAGEMENT OF CONTAINERS**

Vj g'hqmny kpi "eqpf kkpqu"ur r igo gpv'yj qug'eqpf kkpqu"eqpckpgf "y kj kp"Module III"qh'yj ku'Rgto k<

C0 CWJ QTK GF "UVQTCI G'CTGCU."Y CUVG"VJ RGUCPF "UVQTCI G'XQNWOGU"

30 Vj g'Rgto kwgg'ku'cwj qtk gf "vq"qr gtcvg'yj g'hqmny kpi "eqpckpgt"uvtci g"ctgcu"*EUCu+"cv yj g" Hcekkv{" cpf " uvtg" y cuvgu" kp" eqpckpgtu" kp" yj gug" ctgcu" vr " vq" yj g" o czko wo swcpkkgu'cwj qtk gf "d{" 'yj ku'Rgto k0

Storage Area	Waste Type and Codes	Container Specifications	Maximum Capacity (55-gallon drum equivalents)
F two "Uvtci g" Utwewtg"	Y cuvg'Nkugf "kp"Vcdrg" E/3"	77'i cmqp"ftwo u ³	5.6: 2 ⁴ "
TMKHggf "Rcf ""	Y cuvg'Nkugf "kp"Vcdrg" dgrny ³ *gzeqr v'yj g" y cuvgu"ftur qugf "qt" tgercko gf "qhh/ukg+"	77'i cmqp"ftwo u ³	6: 2 ⁴ "

Footnotes:

1. Total container storage volumes must not exceed the maximum capacity based on 55-gallon drum equivalents. Containers smaller than 55 gallons may be used, but each smaller container must be considered equivalent to one 55-gallon drum when calculating the maximum capacity. Drums and smaller containers may be stored in overpack drums up to 85 gallons in size. Each overpacked drum will have a 55-gallon equivalent capacity equal to the size of the overpacked drum divided by 55 gallons and rounded up to the next whole number. Portable totes with a capacity equal to or less than 500 gallons may also be used and will have a 55-gallon equivalent capacity equal to the size of the tote divided by 55 gallons and rounded up to the next whole number.
2. Final authorized storage quantity is pending based on the Permittee's evaluation of compliance with applicable current codes, standards and regulations, including but not limited to the New York State Fire Code and Building Code, National Fire Protection Association (NFPA) 505, Occupational Safety and Health Administration (OSHA) standards and NFPA 30. The Permittee must comply with **Condition C, Item 7 of Schedule 1 of Module I.**

**Table C-1 – Waste Streams Authorized at the Drum Storage Structure (DSS) and
RKI Feed Pad (RKI)"**

Waste Stream	Waste Codes	Authorized CSA	
		DSS	RKI
Cegvqz {"Ecvn{uv"	F 223.'F 225.'H225.'H227"	Z"	Z"
Cegv n'Ej rqtkf g"	F 223.'F 224.'F 229.'H227"	Z"	Z"
Cekf /Rqret "Uqrxgpw"*CRU+"	F 223.'F 224.'H225.'H227"	Z"	Z"
CgtquqnEcpu"*qhh/ukg'kpelpgtcvkqp+"	F 223"	Z"	
Ecwvke"Nls wkf u"ó"J ki j "r J "	F 223.'F 224"	Z"	
Ecwvke"Nls wkf u"ó"Nqy "r J "	F 223.'F 224"	Z"	
Ecwvke"Uqrfk u"ó"J ki j "r J "	F 224"	Z"	Z"
Ecwvke"Uqrfk u"ó"Nqy "r J "	F 224"	Z"	Z"
J cmj gpcvqf "Ukrpgu"	F 223.'F 225.'H227"	Z"	Z"
Kpelpgtcvqt "Cuj "	H224.'H225.'H227.'H25; "	Z"	Z"
O gtew {"Y cvqg*qhh/ukg'tgero cvkqp"qt"tgcvo gpv+	F 22; "	Z"	
O gj {nJ {ftqi gp" *O gJ +" Ukreppgu" ó" Nls wkf u' *qhh/ukg'kpelpgtcvkqp+"	F 223.'F 224.'F 225.'F 228.'F 229.' F 22; .'H225.'H227"	Z	
O gj {nJ {ftqi gp"*O gJ +"Ukreppgu"ó"Uqrfk u"	F 225.'H225.'H227"	Z"	Z"
O kægmpgqwu"Y cvgu"ó"J O F \ "	F 223.'F 224.'F 225.'H225.'H227"	Z"	Z"
O kægmpgqwu"Y cvgu"ó"WX'Nki j v'Gpf u"	F 223.'F 225.'H225.'H227"	Z"	Z"
P qp/Rqret "Uqrxgpw"*P RU+"	F 223.'F 22; .'F 233.'H225.'H227"	Z"	Z"
P qp"J c ctfqwu"Y cvgu"cy "O cvgtknu"	//"	Z"	
Ukreppg"Uqrfk u<" ó o cvgtknu'lp'cduqtdgpv ó hkg't'ecng ó CRKmqcvkqp'egm'uqrfk u ó O gj {rej rqtqurkpg" *O EU+" ur gpv' r qy fgt l tgcevt'ecng" ó i gmgf "tqulpu'y kj "uqrxgpw'cpf "cekf u ó rd'y cvgu'lp'cduqtdgpv ó k r cevgf "uqku	F 223.'F 224.'F 225.'"F 23; .'F 243.'" H224.'H225.'H227.'H25; "	Z	Z
Ukqzcpgu"	F 223.'F 224.'H225.'H227"	Z"	
Ur gpv'RED'Dcm:uu"*qhh/ukg'kpelpgtcvkqp+"	D226"	Z"	

Storage Area	Waste Type	Largest Container Permitted in TA^{1,2} (gallons)	Maximum Quantity of hazardous waste and/or containers allowed in TA
APS Transfer Station	Non Polar Solvents (NPS), Acid Polar Solvents (APS)	APS/NPS - 6,500	1 container
FBI Transfer Station	Acetyl Chloride, Methyl Slurry, Miscellaneous Wastes - HMDZ	Acetyl Chloride - 2,000 Methyl Slurry - 2,000 HMDZ - 1,000	2 containers
RKI Transfer Station	Acetyl Chloride, Methyl Slurry, Miscellaneous Wastes - HMDZ, Miscellaneous Wastes - UV Light Ends and Clinker	Acetyl Chloride - 2, 000 Methyl Slurry - 2,000 HMDZ - 1,000 UV Light Ends - 6,500	4 containers – total volume of liquid waste cannot exceed 7,283 gallons
Building 23 Transfer Station	APS	APS - 6,500	1 container
Building 30 Transfer Station	Miscellaneous Wastes - HMDZ	HMDZ - 1,000	1 container
Building 71 Transfer Station	APS	APS - 6,500	1 container
Building 76 Transfer Station	Acetyl Chloride, APS	Acetyl Chloride - 2,000 APS - 6,500	2 containers
Building 78 Transfer Station	Miscellaneous Wastes - UV Light Ends	UV Light Ends - 6,500	1 container
Tank 538 Transfer Station	NPS, APS	APS/NPS - 6,500	1 container
MCS/R2 Tank Slurry Transfer Station	Methyl Slurry	Methyl Slurry - 2,000	2 containers

Footnotes:

1. Product tankers (includes compatible materials such as raw materials, inputs etc., but not hazardous waste) can be stored, loaded or offloaded at vacant transfer slots (each slot must have its own loading/unloading arm or transfer equipment) within each storage area listed in this table, except for the Building 30 transfer volumes listed, subject to the terms of this Permit.

2. Hazardous wastes stored in these areas must be generated on site. No hazardous waste generated in an off-site facility may be stored in these areas.

3. Authorized Containers Subject to 373-2.29 Level 2 Controls

Storage Area	Largest Permitted Containers ¹ Tank Wagon (TW), Vacuum Truck (VT) or Tanker (T) ID and Capacity (gallons)	Method used to minimize air emissions during transfer of waste in to or out of the container
APS Transfer Station	APS/NPS T 3137 (6,500) T 4004 (6,500) T 4386 (6,500) VT 3015 (3,000) VT 3020 (3,000) VT 3022 (3,000)	Vents to incinerators
FBI Transfer Station	Acetyl Chloride TW 537 (2,000) TW 538 (2,000) Methyl Slurry TW 014-501 (2,000) TW 014-502 (2,000) TW 014-503 (2,000) Miscellaneous Waste HMDZ TW B-1-7171 SC3700 (1,000)	Vents to incinerators
RKI Transfer Station	Acetyl Chloride TW 537 (2,000) TW 538 (2,000) Methyl Slurry TW 014-501 (2,000) TW 014-502 (2,000) TW 014-503 (2,000) HMDZ TW B-1-7171 SC3700 (1,000) UV Light Ends T 70286 (6,500)	Vents to incinerators

Storage Area	Largest Permitted Containers¹ Tank Wagon (TW), Vacuum Truck (VT) or Tanker (T) ID and Capacity (gallons)	Method used to minimize air emissions during transfer of waste in to or out of the container
Building 23 Transfer Station	APS T 3137 (6,500) T 4004 (6,500) T 4386 (6,500)	Submerged fill with flame arrestor
Building 30 Transfer Station	HMDZ TW B-1-7171 SC3700 (1,000)	Vents to Scrubber
Building 71 Transfer Station	APS T 3137 (6,500) T 4004 (6,500) T 4386 (6,500)	Vents to Scrubber
Building 76 Transfer Station	Acetyl Chloride TW 537 (2,000) TW 538 (2,000) APS T 3137 (6,500) T 4004 (6,500) T 4386 (6,500)	Vents to Scrubber
Building 78 Transfer Station	UV Light Ends T 70286 (6,500)	Submerged fill with flame arrestor
Tank 538 Transfer Station	APS/NPS T 3137 (6,500) T 4004 (6,500) T 4386 (6,500)	Vapor balancing
MCS/R2 Tank Slurry Transfer Station	Methyl Slurry TW 014-501 (2,000) TW 014-502 (2,000) TW 014-503 (2,000)	Vents to Scrubber

Footnotes:

1. Container volumes must not exceed the 90% of the total capacity presented.

B. SPECIAL CONDITIONS FOR CONTAINERS (GENERAL)

1. The special conditions for containers presented below are applicable to all CSAs listed in **Condition A** of this Exhibit, unless otherwise specified.
2. Only wastes generated on-site may be managed in these CSAs.
3. Secondary Containment Concrete Sealant Maintenance

- a. For CSAs where a coating has been applied and damage to the coating (e.g., gouges, chips, obvious wear, etc.) is identified through routine inspections of the applicable CSAs, the Permittee must, at a minimum, re-apply the coating to repair the damaged area in accordance with the inspection procedures included in Vol. I, Section IV-B of the Permit Application incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**, and **Condition E of Module III** of this Permit.
4. Waste containers that must be opened for waste sampling, waste addition, volume reduction, and/or repackaging must be staged within a CSA secondary containment system.
 5. The Permittee must perform a pressure test or alternate test approved by the Department on all newly installed underground conveyance lines between secondary containment systems prior to burial and placing into service. The Permittee must also test existing underground secondary containment conveyance lines or conveyance line sections upon repair, replacement or alteration, prior to placing back in service. The Permittee must test both the inner carrier pipe and outer containment pipe of double-walled transfer lines. The Permittee must perform this testing in strict accordance with the procedures developed in accordance with **Condition C, Item 9 of Schedule 1 of Module I** of this Permit. The Permittee must record the results of this testing in the operating record required by 6 NYCRR 373-2.5(c). Any underground hazardous waste transfer line, or portion thereof, that fails its specified test, must be repaired or replaced in accordance with **Condition E of Module III** of this Permit and re-tested prior to its use.
 6. The Permittee must use containers conforming to USDOT packaging specifications.
 7. The Permittee may use containers that are smaller than 55-gallons in size but these containers must not be stacked more than two containers high on a pallet.
 8. The Permittee may not stack a pallet on top of another pallet holding containers smaller than 55-gallons in size.

C. SPECIAL CONDITIONS FOR CONTAINERS (SPECIFIC)

1. The special conditions for containers presented below are applicable only to the Drum Storage Structure.
 - a. Hazardous waste containers must not be staged outside of the containment area for longer than two hours.

- b. Containers may not be returned to a 90-day area after they have been moved to the Drum Storage Structure.
2. The special conditions for hazardous waste containers presented below are applicable only to the RKI Feed Pad.
 - a. Containers must not be staged outside of the containment area for longer than two hours.
 - b. Containers may not be returned to a 90-day area after they have been moved to the RKI Feed Pad.
 - c. The containers must be opened and visually inspected to verify the amount of material in the drum and its visible physical characteristics.
 - d. Containers deemed not acceptable for incineration are marked as rejected and are returned to the Drum Storage Structure.
 - e. Containers deemed acceptable for incineration based on the visual inspection must be securely covered to prevent fugitive emissions.
 - f. In addition to containers on the conveyor belt, up to eight 55-gallon containers may be prepared for incineration and staged at the RKI Feed Pad at one time.
 - g. If containers of waste are prepared for incineration and the Permittee becomes aware that the drums cannot be incinerated within 24 hours, the Permittee must replace and secure drum lids.
 - h. Only drums containing waste streams approved for incineration in the RKI incineration unit may be sampled at the RKI Feed Pad.
3. The special conditions for hazardous waste containers presented below are applicable only to the containers located in the hazardous waste transfer areas.
 - a. Containers used in the permitted hazardous waste transfer areas shall control air pollutant emissions from each container identified in the Table located in item A.3 of this exhibit in accordance with the Container Level 2 standards of Part 373-2.29.
 - i. The container must be demonstrated within the preceding 12 months to be vapor tight by performing testing in accordance with 40 CFR 60, appendix A, Method 27.

- ik Transfer of waste in to or out of a container shall be conducted in such a manner as to minimize exposure of hazardous waste to the atmosphere.
 - ikk Whenever hazardous waste is accumulated or stored in a container each closure device shall be secured and maintained in the closed position except those control devices which are required to open during transfer of waste. For batch filling operations closure devices necessary to transfer waste can only remain open if the time lapse between transfer of batch waste is less than 15 minutes.
 - ix. When the container is filled to the final intended level all closure devices must be closed.
 - x. Opening of any pressure relief devices which vent to the atmosphere during normal operation for the purpose of maintaining the internal pressure of the container is allowed in accordance with the design specifications of the container.
 - xk Visual inspections of these containers and closure devices shall be conducted annually for defects. If a defect is found the first attempt at repair shall be made within 24 hours of detection. Repair shall be completed within 5 calendar days of detection. If repair cannot be made within 5 calendar days of detection waste shall be removed and the container shall not be used to manage hazardous waste until repair is completed.
 - xkk During direct transfer operations where hazardous waste is transferred from the container directly to either of the hazardous waste incinerators described in Exhibit E, the container shall be inspected at least every hour of operation for visible leaks. If a leak is detected the transfer operation shall be halted, the leak stopped and repair completely before resuming the direct transfer operation.
6. In the event it is necessary to temporarily locate a closed hazardous waste container not identified in Table 3 above in a transfer station loading and unloading area, such as when product in a tanker does not meet specifications and MPM determines it is now a hazardous waste, MPM must:
- a. K o gf kcvgn{ "pqwh{ "j g"gpvktqpo gpvri'o qpkqt"qh"j g"mccvqp"cpf "kf gpvkkccvqp"qh j g"eqpvkpgt=
 - d. Rtqr gtn{ "rdgr'cpf "f cvg"j g"eqpvkpgt=
 - e. Gpuwtg"j cv'cf gs wcvg"ugeqpf ct { "eqpvkpo gpv'ku"cxckrdrg=

- d. Make sure that the waste is compatible with other materials located in the containment area; and,
- e. Have the container moved off-site within 10 days.

EXHIBIT D

SUPPLEMENT TO MODULE IV – TANK SYSTEMS

**EXHIBIT D
SUPPLEMENT TO
MODULE IV – TANK SYSTEMS**

The following conditions supplement those conditions contained within **Module IV** of this Permit:

A. AUTHORIZED STORAGE TANK, WASTE TYPES AND STORAGE VOLUME

1. The Permittee is authorized to use the following tank systems for the storage and/or treatment of the following wastes subject to the terms of this Permit:

Tank System I.D.	Maximum Permitted Capacity (gallons)	Tank Usage & Material of Construction	Waste Description	EPA Hazardous Waste Code Nos.	Secondary Containment Volume (gallons)
Waste Treatment Plant					
15 ¹	7,245	Storage/Treatment Carbon Steel	Non-Polar Solvents (NPS) and Acid-Polar Solvents (APS)	D001, D002, D009, F003, F005	39,927
26A	5,275	Storage Carbon Steel	Halogenated Silanes	D001, D003, F005	7,953
26B	5,275	Storage Carbon Steel	Halogenated Silanes	D001, D003, F005	7,953
26C	5,274	Storage Carbon Steel	Siloxanes	D001, D002, F003, F005	39,927
28A	7,447	Storage Carbon Steel with Liner	NPS and APS	D001, D002, D009, F003, F005	23,430
28B	7,447	Storage Carbon Steel with Liner	NPS and APS	D001, D002, D009, F003, F005	23,333

Tank System I.D.	Maximum Permitted Capacity (gallons)	Tank Usage & Material of Construction	Waste Description	EPA Hazardous Waste Code Nos.	Secondary Containment Volume (gallons)
39	5,000	Storage Carbon Steel	Methyl Slurry	D001, D003, D007, D008, D010	17,797
40	10,000	Storage Carbon Steel	Methyl Slurry	D001, D003, D007, D008, D010	17,797
61	10,000	Storage Carbon Steel with Liner	Methyl Slurry	D001, D003, D007, D008, D010	23,300
62	10,000	Storage Carbon Steel with Liner	Methyl Slurry	D001, D003, D007, D008, D010	23,300
250	20,148	Storage Steel plate with Liner	NPS	D001, D009 F003, F005	32,260
251	20,153	Storage Steel plate	NPS	D001, D009 F003, F005	32,260
252	4,950	Storage Steel plate	NPS	D001, D009, F003, F005	32,260
539A	19,344	Storage Carbon Steel with Liner	NPS and APS	D001, D002, D009, F003, F005	44,949
539B	19,344	Storage Carbon Steel	NPS and APS	D001, D002, D009 F003, F005	44,949

Tank System I.D.	Maximum Permitted Capacity (gallons)	Tank Usage & Material of Construction	Waste Description	EPA Hazardous Waste Code Nos.	Secondary Containment Volume (gallons)
Building 23 Tank Farm					
506D	6,500	Storage Carbon Steel	Halogenated Silanes	D001, D003, F005	63,765
Boiler House					
538	16,500	Storage Carbon Steel	NPS and APS	D001, D002, D009, F003, F005	20,157
Building 76					
509	6,423	Storage Carbon Steel	Acetyl Chloride	D001, D002, D007, F005	18,873
Building 62					
599A	11,000	Storage Carbon Steel	Methyl Slurry	D001, D003, D007, D008, D010	15,062

Footnotes:

1. See **Condition C.1** of this Exhibit regarding treatment allowed in Tank 15 and other operational requirements.

B. SPECIAL CONDITIONS FOR TANK SYSTEMS (GENERAL)

1. The special conditions for tank systems presented below are applicable to all Tank Systems listed in **Condition A** of this Exhibit, unless otherwise specified.
2. The Permittee must operate and maintain the Tank Systems in accordance with Vol. I, Section IV-C of the Permit Application incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**.
3. Only wastes generated on-site may be managed in these Tank Systems.
4. The Permittee must perform a pressure test or alternate test approved by the Department on all newly installed underground conveyance lines between secondary containment systems prior to burial and placing into service. The Permittee must also test existing underground secondary containment conveyance lines or conveyance line sections upon repair, replacement or alteration, prior to placing back in service. The Permittee must test both the inner carrier pipe and outer containment pipe of double-walled transfer lines. The Permittee must perform this testing in strict

accordance with the procedures developed in accordance with **Condition C, Item 9 of Schedule 1 of Module I** of this Permit. The Permittee must record the results of this testing in the operating record required by 6 NYCRR 373-2.5(c). Any underground hazardous waste transfer line, or portion thereof, that fails its specified test, must be repaired or replaced in accordance with **Condition E of Module IV** of this Permit and re-tested prior to its use.

C. SPECIAL CONDITIONS FOR TANK SYSTEMS (SPECIFIC)

1. Treatment of hazardous waste in tanks in accordance with 6 NYCRR 373-2.10
 - a. The Permittee is authorized to operate Tank 15, the APS phase separator tank to conduct phase separation of the APS waste stream. The water soluble portion may be treated in the biological reactors at the Facility's wastewater treatment system. The non-water soluble phase must be transferred to storage tanks for treatment in the on-site hazardous waste incinerators. Waste that cannot be adequately separated will be transferred to storage tanks for treatment in the on-site hazardous waste incinerators.
 - b. The Permittee must monitor the volume of material treated in Tank 15 and the volume transferred to the hazardous waste storage tanks for incineration. These records must be maintained in the Facility's operating record in accordance with 6 NYCRR 373-2.5(c).

EXHIBIT E

SUPPLEMENT TO MODULE VII – INCINERATORS

**EXHIBIT E
SUPPLEMENT TO
MODULE VII- INCINERATORS**

The following conditions supplement those conditions contained within **Module VII** of this Permit:

A. AUTHORIZED INCINERATION UNITS

1. The Permittee is authorized to operate the following incineration unit(s) for the destruction of hazardous wastes consistent with the waste type/physical form, design thermal capacity and waste source listed in Table A-1 below and subject to the terms of this Permit:

Table A-1 - Permitted Incineration Units

Permitted Unit	Waste Type/Physical Form	Design Thermal Capacity (MM BTU/hr)	Waste Source
Rotary Kiln Incinerator (RKI)	Solid and liquid waste	54.7	On-site generated wastes included in Table D-1 of this Exhibit
Fixed Box Incinerator (FBI)	Liquid waste	40	On-site generated wastes included in Table E-1 of this Exhibit

2. Solid waste fed to the Rotary Kiln Incinerator (e.g., drums) must not contain free liquids.
3. Contaminated air from the wastewater stripper vent, process vents, and MON-MACT vents may be incinerated as necessary provided that operating conditions specified in this Exhibit are maintained.

B. TRANSITION TO HWC-MACT STANDARDS

1. The incineration unit(s) authorized by this Permit are subject to the regulatory requirements prescribed at 6 NYCRR 373-2.15 and the Hazardous Waste Combustors Maximum Achievable Control Technology (HWC-MACT) standards found at 40 CFR Part 63 Subpart EEE and incorporated by reference into the New

York State Department of Environmental Conservation regulations in accordance with 6 NYCRR 200.10. The HWC-MACT rule was promulgated at the federal level on October 12, 2005 with a compliance date of October 12, 2008. New York State is in the process of obtaining authorization from the U.S. Environmental Protection Agency for these regulations that will allow for regulation of emissions of hazardous air pollutants from hazardous waste combustors to transition from the state's hazardous waste management program to the air resources program. Once this authorization process is completed by New York State and the Permittee submits its HWC-MACT Notification of Compliance (NOC) and receives a written finding of compliance pursuant to 40 C.F.R. 63.6(f)(3) from the Department, **Module VII** of this Permit, with the exception of **Condition J**, is void.

2. Although the emission standards and operating conditions of **Module VII** will no longer apply after the transition to HWC-MACT, the incineration unit(s) will remain hazardous waste treatment unit(s) subject to the closure requirements found at 6 NYCRR 373-2.15(h), and the facility will remain subject to all other applicable RCRA requirements, including financial assurance. In addition, the Department retains its authority under 6 NYCRR 373-1.6(c) to require permit terms and conditions beyond those stipulated under the HWC-MACT standards, as necessary to protect human health and the environment.

C. GENERAL CONDITIONS

1. Operating Conditions

- a. The Permittee must comply at all times with the requirements of this Permit, including Module VII and this Exhibit when burning hazardous wastes in authorized incineration unit(s).
- b. The Permittee must control the emission of products of incomplete combustion (PICs) from authorized incineration unit(s). Accordingly, the carbon monoxide (CO) level in the stack gas must not exceed 100 ppmv on an hourly rolling average basis (i.e., over any 60 minute period) continuously corrected to 7% oxygen, dry gas basis. CO and PICs must be continuously monitored and recorded by a continuous emissions monitoring system (CEMS) in conformance with "Performance Specifications for Continuous Emission Monitoring of Carbon Monoxide and Oxygen for Incinerators, Boilers, and Industrial Furnaces Burning Hazardous Waste" in 40 CFR 266 Appendix IX.
- c. The Permittee shall limit the thermal capacity fed to the incinerator(s) to the values specified in the Table A-1 of this Exhibit.

- d. The Permittee must control emissions of chlorine (Cl), silica (SiO₂), mercury (Hg), semi-volatile metals (SVM) and low volatile metals (LVM) from each authorized incineration unit by limiting the total feed rate of chlorine, silica, mercury, SVM and LVM as specified in **Conditions D.2, E.2 and E.3** of this Exhibit. The Permittee shall calculate the contribution of chlorine (as HCl), silica (SiO₂), mercury (Hg), SVM and LVM from all sources being fed to the incinerator. The default values provided in the WAP shall be used to calculate the chlorine, silica, mercury, SVM and LVM contribution from each source incinerated unless the maximum historical value in the statistical data set or the analytical results for the batch are used.
- e. The Permittee must calculate default values for all default numbers following the methodology described in the WAP incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**.
- f. The Permittee must operate all equipment associated with the incineration unit(s) and all air pollution control equipment (APCE) systems in accordance with 6 NYCRR 373-2.15(f) and the manufacturer's design and operating specifications. The Permittee must cease operation of the incineration unit(s) when changes in waste feed, incinerator design or operating conditions result in a contravention of the limits designated in this Permit.
- i. The Permittee must operate and maintain an automatic waste feed cutoff (AWFCO) system in a manner to automatically stop the flow of wastes when the operating conditions are not within the limits specified in Tables D-2, D-3, D-4, D-5, E-2, E-3, E-4, E-5 and **Condition E.3** of this Exhibit. Toward that end, the Permittee must comply with **Condition D, Item 7 of Schedule 1 of Module I**. The Permittee must not feed wastes to the incineration unit(s) unless the AWFCO system and associated alarms are operating properly. The AWFCO system must not be bypassed while feeding wastes except as authorized in Footnote 1 of Tables D-6 and E-7 of this Exhibit. Wastes must not be fed into the incineration unit(s) until and unless all operating parameters are within the limits specified in Tables D-5 and E-5 and **Condition E.3** of this Exhibit. The Permittee must initiate resumption of waste feed manually, not automatically, after each AWFCO while monitoring and recording the parameters listed in Tables D-5 and E-5 of this Exhibit; the system cannot automatically reengage waste feed after the AWFCO condition clears. Any instances where the automatic waste feed cut-off system is bypassed shall be reported in the facility's monthly report as required by **Condition C.3** of this Exhibit.
- ii. The Permittee must investigate the cause of each AWFCO, take appropriate corrective measures and make reasonable efforts to minimize and reduce the number of future AWFCOs.

- g. If an incineration unit is not used for a period in excess of one month, the Permittee must, prior to feeding waste to the unit, conduct the following:
 - i. Thoroughly inspect the unit(s) as required in **Condition G of Module VII**;
 - ii. Calibrate all instruments listed on Tables D-6 and E-7 of this Exhibit in accordance with the Continuous Monitoring Systems (CMS) Plan incorporated by Reference to this Permit (quarterly or annual calibrations do not necessarily need to be performed unless the next scheduled quarterly or annual calibration occurs during the period the unit was not operated; however, if an instrument is removed from the unit for maintenance or other reasons, it must be calibrated when it is reinstalled);
 - iii. Test the AWFCO system per **Condition C.2.f** of this Exhibit; and
 - iv. Check all monitoring parameters listed in Tables D-5 and E-5 of this Exhibit to ensure that all parameters are within the operating limits of the Permit.
- h. In situations of noncompliance, the Permittee must take all actions feasible to mitigate harm to human health and the environment.
 - i. The Permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit.
 - ii. The Permittee must give advance notice to the Department of any planned physical alterations, additions or activity to the permitted facility which may result in non-compliance with permit requirements.
 - i. The ionizing wet scrubbers shall be operated in a manner such that only one unit is taken off-line at any one time during the periodic flushing cycles.

2. Monitoring and Inspections

- a. The Permittee must monitor the authorized incineration unit(s) for compliance with **Conditions D.1, D.2, E.1, E.2 and E.3** of this Exhibit as indicated below:
 - i. The total constituent feed rates from all sources being fed to the incineration units must be totaled and monitored to ensure that these Permit limits are not exceeded while hazardous waste is being fed. The chlorine, silica, mercury, SVM and LVM constituent feed rates from all materials fed to the incineration units must be determined as follows:

'a') The default constituent concentrations specified in the WAP

incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I** must be used to calculate the total constituent feed rates from all hazardous waste streams being fed to the incineration units, unless the maximum historical value in the statistical data set or batch-specific analytical data is being used.

- 'b') For non-hazardous waste streams (e.g., non-hazardous waste drums), data from profiling this type of waste must be used to determine the constituent concentrations from these sources.
 - 'c') For materials that are added to the waste (e.g., salt, additional floor dri added prior to incineration in order to solidify free liquids found when removing the drum lids at the RKI feed pad in preparation for incineration), a profile value from analysis of this type of material must be used to determine the constituent concentrations from these sources.
 - 'd') For additional fuels (e.g. fuel oil, gas) that are burned while hazardous waste is being fed to the incineration units, the constituent contribution from these fuels must also be determined and calculated.
- ii. The Permittee must continuously monitor and record the parameters in Tables D-5 and E-5 of this Exhibit in accordance with the specifications and locations provided on Tables D-6 and E-7 of this Exhibit, respectively. Parameters to be monitored and recorded continuously must be read at least once per second and must be recorded at least every 15 seconds. Instantaneous data, such as chamber pressure or quench temperature, must be monitored and recorded at least once per second.
- b. The Permittee must install, maintain, calibrate, monitor, and record the systems in Tables D-6 and E-7 of this Exhibit to automatically cut off the waste feed to the incineration unit(s) when the operating conditions deviate from the limits established in **Conditions D.1, D.2, E.1, E.2, and E.3** of this Exhibit. These cutoffs must be activated immediately after the interlocked parameter exceeds the cutoff limit unless otherwise specified.
 - c. The Permittee must install, maintain, calibrate, and operate monitoring equipment which continuously records parameters specified in **Conditions D.1, D.2, E.1, E.2, and E.3** of this Exhibit. The monitoring equipment must be monitored and inspected in accordance with **Condition G of Module VII** and must be calibrated as specified by Tables D-6 and E-7 of this Exhibit in accordance with the procedures in the Department approved CMS Plan incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**.

- d. The Permittee must inspect and calibrate the instruments used for monitoring **Conditions D.1, D.2, E.1, E.2, and E.3** of this Exhibit as specified by Tables D-6 and E-7 of this Exhibit in accordance with the procedures included in the CMS Plan incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**.
- e. The instruments used for monitoring the parameters in **Conditions D.1, D.2, E.1, E.2, and E.3** of this Exhibit must be calibrated at the frequencies and in accordance with the procedures that are specified by Tables D-6 and E-7 of this Exhibit.
- f. The Permittee must test AWFCOs by simulating upset conditions for each parameter specified in Tables D-5 and E-5 of this Exhibit on a weekly basis as specified in the Department approved AWFCO test plan document. Alarms associated with these AWFCOs and other alarms associated with permitted parameters, such as low combustion air pressure (burner) and secondary air flow that do not require a cutoff, must also be tested weekly. The Permittee must follow the procedure in the AWFCO testing procedures incorporated by reference into this Permit. Records of all of testing and calibration must be documented in the operating record in accordance with 6 NYCRR 373-2.5(c).
- g. During the start-up of the incineration unit(s), and at other times when the combustion chamber temperature falls below the minimum temperature limits specified in Tables D-5 and E-5 of this Exhibit, the Permittee must not feed wastes into the incineration unit(s) until the required minimum temperature is reached and all other operating parameters and emission limits are as specified in Tables D-5 and E-5 of this Exhibit.
- h. The CO and O₂ CEMS must be inspected and calibrated in accordance with requirements of 40 CFR 266 Appendix IX and the Department approved CEMS testing procedures incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**.
- i. Permittee must perform a daily calibration check of each CO and O₂ monitor in accordance with the CEMS Process Operating Procedures documents incorporated by reference into this Permit. The Permittee must audit the CEMS daily in accordance with the Compliance Operations – CEMS QA/QC documents incorporated by reference into this Permit. Instances where the acceptable drift was exceeded and any remedial actions taken shall be included in the monthly report in accordance with **Condition C.3** of this Exhibit.
- i. The Permittee must perform quarterly Calibration Error (CE) testing of each CO and O₂ monitor. The Permittee must provide an electronic copy of the CE

test report to the Department.

- ii. The Permittee must perform annual Relative Accuracy Test Audit (RATA) testing of each CO and O₂ monitor. At least 48 hours prior to testing the Permittee shall provide a test plan protocol to the Department. The Permittee must provide an electronic copy of the RATA test report to the Department.
- j. The Permittee must inspect, calibrate, and test the instruments, AWFCOs, system parameters and other monitoring parameters after any maintenance or repair to the incineration unit(s) and its associated equipment, including but not limited to replacement of the stack fan or installation of any new components of the incineration system(s) including the air pollution control equipment. In addition, a brief description of what work was done must be included in the monthly report provided to the Department in accordance with **Condition C.3** of this Exhibit.
- k. Upon request by the Department, the Permittee must conduct testing required by 6 NYCRR 373-2.15(g)(1)(iii). These performance tests must be conducted in accordance with **Condition I of Module VII**. The Permittee may conduct additional trial burns or tests subject to prior written approval by the NYSDEC.

3. Monthly Reports

- a. The Permittee must submit a monthly report summarizing operations during the calendar month for each of the incineration unit(s) authorized by this Permit. This report must be submitted to the Department by the third week of the following month in accordance with **Condition B of Exhibit A**.
- b. The report must address the following items for each incineration unit:
 - i. Operating Summary:
 - 'a)' List the hours the unit was operated;
 - 'b)' Provide a brief explanation for down-time and maintenance items conducted;
 - 'c)' List each period of operation under the special operating conditions listed in **Conditions D.2.b, E.2.c and E.3** of this Exhibit;
 - 'd)' List the number of incidents that caused the emergency vent stack to open and include date/time of the incident, reason for occurrence, length of time vent stack remained open, and remedial measures to prevent recurrence;
 - 'e)' Provide a discussion of operational issues; and

- 'f) Provide an electronic file in Excel format which contains the operating parameters monitored for compliance with the **Conditions D.1, D.2, E.1, E.2, and E.3** of this Exhibit for the month. Data shall be presented for each minute during the month. In addition to the group feed rates individual waste feed rates shall be provided. Fuel use information must also be provided.
- ii. Automatic Waste Feed Cut-off (AWFCO) Summary:
 - 'a) List the total number of AWFCOs;
 - 'b) List the number of AWFCOs by operating parameter;
 - 'c) For each AWFCO, list the date/time of the incident, operating parameter causing the cut-off, the operating parameter's AWFCO limit, maximum or minimum value that the operating parameter reached outside of the operating conditions (only for CO, combustion chamber temperature and combustion chamber pressure), duration that operating conditions were exceeded and any corrective measures taken;
 - 'd) Describe ongoing efforts to reduce the number of AWFCOs; and
 - 'e) List all instances the AWFCO system was bypassed.
 - iii. Calibration Summary:
 - 'a) List any instances where calibrations exceed an acceptable drift in the Department approved CMS Plan incorporated by reference into this permit as follows:
 - '1) For the CO monitor the acceptable daily drift is less than 3% of the span value and for the O₂ monitor the acceptable daily drift is less than 0.5 percent O₂;
 - '2) For all other monitoring instruments acceptable drift values are specified in the CMS plan incorporated by reference into this Permit; and
 - 'b) List remedial actions performed.
 - iv. Waste Analysis Plan (WAP) Analytical Results
 - 'a) Provide waste analysis results which are required by the WAP, as incorporated by reference into this Permit **by Condition B of Schedule 1 of Module I**;

- 'b') Provide sample waste feed calculations to demonstrate compliance with the mercury, SVM and LVM feed rate limits specified in Tables D-2 and E-2 of this Exhibit; and
- 'c') Provide analytical results from any additional testing of hazardous waste streams associated with instances when the analytical values are used.

v. Maintenance and Repairs

- 'a') Provide a brief description of maintenance or repairs to authorized incineration unit(s) and associated equipment.

4. Additional Reporting Requirements

- a. The Permittee must submit a written notification to the USEPA and the Department within 72 hours if the AWFCO system for an authorized incineration unit has been activated 25 times or more in any calendar month period. The Permittee must include an explanation of the cause of the AWFCOs and a description of corrective measures taken to prevent future occurrences. AWFCOs initiated prior to reaching the conditions set forth in **Conditions D.1, D.2, E.1, E.2, and E.3** of this Exhibit and AWFCOs initiated for parameters not included on Tables D-5 and E-5 must be included in this total, but AWFCOs caused by power outages do not need to be included. If additional AWFCOs are registered by the system's monitoring instruments following an initial AWFCO, these cutoffs will be counted as one, provided all waste feeds to the incinerator have been cut off by the initial AWFCO. Each AWFCO after each startup shall be counted as one, irrespective of the duration of operation between each startup and cutoff.
- b. The Permittee must submit a detailed written report if the AWFCO system has been activated as described in **Condition C.4.a** of this Exhibit above, 50 times or more in any calendar month period, identifying the problem(s) causing the AWFCOs and describing proposed corrective action(s) to remedy the problem. The Permittee must implement the remedy(s) until the unit is operating with fewer than 25 AWFCOs per calendar month period. This report must be prepared and certified by a New York State registered Professional Engineer knowledgeable in hazardous waste incineration. The report must be submitted to the Department within 15 days of the initiation of the fiftieth AWFCO.
- c. The Permittee must submit a written notification to the Department within five calendar days of each occurrence of an emergency stack opening associated with the authorized incineration unit(s) other than opening during annual maintenance

where the incinerator is not operating. The notification must include the cause(s) of the opening, the duration and corrective measures taken.

- d. The Permittee must provide to the Department electronic read-only access to permitted parameter data required by **Conditions C.1, D.2 and E.2** of this Exhibit. Toward that end, the Permittee must comply with **Condition D, Item 1 of Schedule 1 of Module I**. Such parameters relating to incinerator operation must include, but are not limited to the following:
 - i. corrected carbon monoxide (CO) emission data (recorded on a one-minute basis);
 - ii. oxygen content data (recorded on a minute-by-minute basis);
 - iii. water flow rates;
 - iv. waste feed rates;
 - v. pH;
 - vi. pressures;
 - vii. temperatures;
 - viii. power/voltage; and
 - ix. fuel use data.
- e. In addition to access to the current operating conditions of the incineration unit(s) and associated feed and APCE systems, there shall also be electronic access to historical one-minute and hourly rolling average data for the previous 72 hours. The current and historical data must be provided from a dedicated computer at the Permittee's facility to a dedicated computer at the Department's Main Office, in accordance with **Condition D.6 of Schedule 1 of Module I**.
- f. The Permittee shall submit a copy of the Hazardous Waste Combustors Semi-Annual Report required by the National Emissions Standards for Hazardous Air Pollutants (NESHAPS) to the Division of Environmental Remediation when submitting this report to NYSDEC Division of Air Resources. The report must also include the waste quantity incinerated during the semi-annual reporting period.
- g. The Permittee must record each waste stream, quantity of waste incinerated and the time period during which the waste was incinerated in the operating record. The monitoring data for the parameters in Tables D-5 and E-5 of this Exhibit, recorded as required in **Condition C.2** of this Exhibit, must be stored

uncompressed on digital media and must be made available to the Department in printed form or electronically as requested by the Department.

- i. The Permittee must store one-minute average (OMA) values for all hourly rolling average (HRA) parameters. HRA values for CO must be archived until the closure of the facility.
- ii. The Permittee must retain continuous CO emission data for a minimum of two hours (as well as for all of the parameters specified in **Conditions D.1 D.2 E.1, E.2 and E.3** of this Exhibit) and make this data readily available to Department staff. The retained data must document the grab sample data points collected at least every 15 seconds that are used to create the one-minute averages which are used to determine the rolling average values.
- h. Any release to the environment from direct transfer equipment (a device used to distribute, meter, or control the flow of hazardous waste between a container (i.e., transport vehicle) and an incinerator), except a leak or spill of hazardous waste that is less than or equal to a quantity of one (1) pound and immediately contained and cleaned-up, must be reported to the Department within 24 hours of detection.

D. ROTARY KILN INCINERATOR (RKI) CONDITIONS

1. RKI Limitations on Wastes

- a. The Permittee must only feed wastes that are generated on-site to the incineration unit. No wastes generated off-site may be fed to the incineration unit.
- b. The Permittee may only incinerate the hazardous waste streams in the form and with the designated hazardous waste codes as presented on Table D-1 below. The Permittee must not feed other hazardous waste streams to this incineration unit.

Table D-1 – Authorized Waste Streams

Waste Stream	Form	Hazardous Waste Codes
Non Polar Solvent (NPS)	Liquid	D001, D009, F003, F005
Acid Polar Solvent (APS)	Liquid	D001, D002, F003, F005
Halogenated Silanes	Liquid	D001, D003, F005
Acetyl Chloride	Liquid	D001, D002, D007, F005
Miscellaneous – UV Light Ends	Liquid	D001, D003, F003, F005

Waste Stream	Form	Hazardous Waste Codes
Siloxanes	Liquid	D001, D002, F003, F005
Silicone Solid Wastes	Solid	D001, D002, D003, D018, D021, F002, F003, F005, F039
Acetoxy Catalyst	Solid	D001, D003, F003, F005
Incinerator Ash	Solid	F002, F003, F005, F039
Methyl Hydrogen Silicones	Solid	D003, F003, F005
Caustic - Low pH	Solid	D002
Caustic – High pH	Solid	D002
Methyl Slurry	Liquid	D001, D003, D007, D008, D010
Miscellaneous Waste – HMDZ	Liquid	D001, D002, D003, F003, F005

- c. The Permittee must ensure that the following waste streams are not fed to the incineration unit:
- i. EPA waste codes F020, F021, F022, F023, F026, or F027;
 - ii. polychlorinated biphenyls (PCBs);
 - iii. radioactive materials which are source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended, or, regulated by 6 NYCRR 380; or
 - iv. energetic materials that could cause an explosion, process upset or acute damage in the incineration unit.
- d. The Permittee must not feed wastes, or combination of wastes, fuel and vent gases to the incineration unit that exceeds the design thermal capacity of the unit.
- e. The Permittee must ensure that the total chlorine loading (as HCl) fed to the incineration unit does not exceed 1786 lbs/hr on a 12-hr rolling average basis. When more than one stream is fed to the incinerator, the Permittee must calculate the total contribution of chlorine from all sources (wastes, fuel, and any other materials) being fed to the incineration unit. The values used to calculate the chlorine contribution from each waste stream must be supported by analytical data, using the Department-approved testing method in the WAP incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**.
- f. The Permittee must ensure that the total silicon loading (as SiO₂) fed to the

incineration unit does not exceed 2,236 lbs/hr silica on a 12-hr rolling average basis. When more than one stream is fed to the incineration unit, the Permittee must calculate the contribution of silica from all sources (wastes, fuel, and any other materials) being fed to the incineration unit. The values used to calculate the silica contribution from each source must be supported by analytical data, using the Department-approved testing method in the WAP incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**.

- g. The Permittee must ensure that the total rate of metals fed to the incineration unit does not exceed the feedrates provided in Table D-2 below. When more than one waste stream is fed to the incineration unit, the Permittee must calculate the contribution of metals from all sources being fed. The values used to calculate the metals contribution from each source must be supported by analytical data, using the Department-approved testing method in the WAP incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**.

Table D-2 – Metals Feed Rate Limits

Metals	Maximum 12-Hour Rolling Average Feed Rate (lbs/hr)¹
Mercury	0.0071
Semi-volatile metals (SVM) –Cd, Pb, and Se	0.337
Low volatile metals (LVM) – As, Be, Cr, Sb, Co, Mn, and Ni	0.782
<p><i>Table D-2 Footnote:</i></p> <p><i>1. The Permittee must demonstrate compliance with this feedrate limit by monitoring the mass feedrate of waste (lbs/hr) at least once per minute. Based on the metals content of the waste (lbs of metals/lb of waste), calculate a one-minute average (OMA) feedrate measurement of waste metals content (lbs of metals/lb of waste feed). The rolling average feedrate for the 12-hour rolling average (12-hr HRA) must be recalculated each minute to include the latest OMA feedrate calculation.</i></p>	

- h. The Permittee must ensure that the total hazardous waste feed rates fed to the incineration unit do not exceed the feed rates provided in Table D-3 below.

Table D-3 – Hazardous Waste Feed Rate Limits

Hazardous Waste Stream	Maximum HRA Feed Rate¹
APS	43 lbs/min
Group I and II (NPS, Silanes, Chlorosilane Slurry, Siloxanes, Acetyl Chloride, Miscellaneous)	60 lbs/min
Group II (Silanes, Chlorosilane Slurry, Siloxanes, Acetyl Chloride, Miscellaneous)	50 lbs/min
Drums	6.7 drums/hr
Drums	1660 lbs/hr
<p>Table D-3 Footnote: <i>1. HRA – Hourly Rolling Average – the average of the preceding 60 one-minute average values that is updated each minute as the new one-minute average is recorded.</i></p>	

- i. The Permittee must ensure that the total feed restrictions to the incineration unit do not exceed the feed rates provided in Table D-4 below.

Table D-4 – Feed Restrictions

Parameter	Restriction
Thermal Capacity (# MMBTU/hr HRA)	54.7
Chlorine ¹ (as HCl) (lbs/hr 12-hr HRA)	1786
Silica ² (SiO ₂) (lbs/hr 12-hr HRA)	2236
Maximum Drum Weight (lbs)	450
<p>Table D-4 Footnotes: <i>1. The Permittee must demonstrate compliance with this feedrate limit by monitoring the mass feedrate of waste (lbs/hr) at least once per minute. Based on the chlorine content of the waste (lbs of organic and inorganic chlorine/lb of waste), calculate a one-minute average (OMA) feedrate measurement of waste chlorine content (lbs of chlorine/lb of waste feed). The rolling average feedrate for the 12-hour rolling average (12-hr HRA) must be recalculated each minute to include the latest OMA feedrate calculation.</i> <i>2. The same procedure as described for HRA basis in Footnote 1 must be employed to demonstrate compliance for silica limited on a 12-hour HRA basis.</i></p>	

2. RKI Operating Conditions

- a. The Permittee must ensure that the following operating conditions are met when wastes are fed to the incineration unit:
 - i. The Permittee must comply with the terms of this Permit at all times while feeding waste to the incineration unit, as well as for 79 seconds for liquid waste and 37 minutes for solid waste after any manual or automatic waste feed cutoff.
 - ii. During start-up, shut-down and malfunction of the incineration unit, hazardous wastes must not be introduced into the incinerator unless the incinerator is operating within the parameters specified in **Condition D.2** of this Exhibit.
 - iii. The Permittee must at all times ensure that there are no fugitive emissions from the combustion zone of the incineration unit. The Permittee must control fugitive emissions by the use of physical barriers and maintaining the combustion chamber pressure less than -0.3 inches of H₂O, as well as by conducting daily visual inspections and proper maintenance. Further, the Permittee must duct combustion gases through the entire APCE at all times when the incineration unit is operating.
 - iv. The Permittee must ensure that the lower secondary combustion chamber (SCC) temperature of the incineration unit is maintained at a minimum temperature of 999 °C but does not exceed 1195 °C. Both limits must be monitored and complied with on a rolling hour average basis.
 - v. The Permittee must ensure that the upper secondary combustion chamber temperature of the incineration unit is maintained at a minimum temperature of 996 °C but does not exceed 1188 °C. Both limits must be monitored and complied with on a rolling hour average basis.
 - vi. The Permittee must ensure adequate residence time for waste destruction in the incineration unit by restricting the stack gas flow rate to no more than 20,524 acfm. This limit must be monitored and complied with on a rolling hour average basis.
 - vii. The Permittee must ensure adequate residence time for waste destruction in the incineration unit by restricting the maximum kiln rotation rate to no more than 0.3125 rpm. This limit must be monitored and complied with on a rolling hour average basis.
 - viii. In addition to the above, the Permittee must also adhere to the operating conditions in Table D-5 below.

Table D-5 - Summary of Operating Parameters and Limits

Operating Parameter	Permit Limit	Basis¹	Permit Condition
Minimum Hourly Rolling Average Lower SCC Temperature (°C)	999	HRA	AWFCO
Maximum Hourly Rolling Average Lower SCC Temperature (°C)	1195	HRA	AWFCO
Minimum Hourly Rolling Average Upper SCC Temperature (°C)	996	HRA	AWFCO
Maximum Hourly Rolling Average Upper SCC Temperature (°C)	1188	HRA	AWFCO
Maximum Combustion Chamber Pressure (inches H ₂ O)	-0.3	Inst.	AWFCO
Maximum Hourly Rolling Average CO Concentration (at 7% O ₂) (ppm)	100	HRA	AWFCO
Minimum Oxygen Level (%)	7	HRA	Alarm
Maximum Stack Gas Flow Rate (acfm)	20524	HRA	AWFCO
Maximum Quench Outlet Temperature (°F)	180 195 212	Inst.	Alarm AWFCO ESV Opening
Minimum steam atomization pressure (psig)	62	HRA	AWFCO
Minimum air atomization pressure (psig)	29	HRA	AWFCO
Minimum Quench Total Water Flow Rate (GPM)	180	HRA	AWFCO
Minimum Ionizing Wet Scrubber (IWS) 1A makeup water flowrate (GPM)	41	HRA	AWFCO
Minimum IWS 1B makeup water flowrate (GPM)	40	HRA	AWFCO
Minimum IWS 1C makeup water flowrate (GPM)	29	HRA	AWFCO
Minimum IWS 2A makeup water flowrate (GPM)	49	HRA	AWFCO
Minimum IWS 2B makeup water flowrate (GPM)	46	HRA	AWFCO
Minimum IWS 2C makeup water flowrate (GPM)	30	HRA	AWFCO
Minimum IWS 1A crossflow scrubber flowrate (GPM)	359	HRA	AWFCO
Minimum IWS 1B crossflow scrubber flowrate (GPM)	353	HRA	AWFCO
Minimum IWS 1C crossflow scrubber flowrate (GPM)	355	HRA	AWFCO

Operating Parameter	Permit Limit	Basis¹	Permit Condition
Minimum IWS 2A crossflow scrubber flowrate (GPM)	348	HRA	AWFCO
Minimum IWS 2B crossflow scrubber flowrate (GPM)	347	HRA	AWFCO
Minimum IWS 2C crossflow scrubber flowrate (GPM)	343	HRA	AWFCO
Minimum pressure drop across CCS scrubber (in H ₂ O)	0.4	HRA	AWFCO
Minimum total power 1-Side IWS Train (kW)	6.6	HRA	AWFCO
Minimum 1C IWS power (kW)	4.6	HRA	AWFCO
Minimum total power 2-Side IWS Train (kW)	6.7	HRA	AWFCO
Minimum 2C IWS power (kW)	4.8	HRA	AWFCO
Monitor CCS water flowrate (GPM)	1227 gpm	HRA	AWFCO
Minimum quench water flowrate (GPM)	180 gpm	HRA	AWFCO
Minimum IWS 1A scrubber pH (pH units)	9.3 pH units	HRA	AWFCO
Minimum IWS 1B scrubber pH (pH units)	9.2 pH units	HRA	AWFCO
Minimum IWS 2A scrubber pH (pH units)	9.3 pH units	HRA	AWFCO
Minimum IWS 2B scrubber pH (pH units)	9.2 pH units	HRA	AWFCO

Table D-5 Footnote:

1. HRA – Hourly Rolling Average basis – the average of the preceding 60 one-minute average values that is updated each minute as the new one-minute average is recorded.

Inst. – Instantaneous basis – at all times, without any time delay.

- ix. During shut-down, if hazardous wastes remain in the combustion chamber of the incineration unit, the Permittee must maintain the minimum temperature as required under **Conditions D.2.a.iv and D.2.a.v** of this Exhibit and must meet the other parameters listed in Table D-5 of this Exhibit for the duration of the remaining residence time, as specified in **Condition D.2.a.i** of this Exhibit.
- b. The Permittee must ensure that incineration of fossil fuel, natural gas and/or fuel oil during deslagging periods is conducted with the air pollution control equipment operating within the parameters of Table D-5 of this Exhibit, except for the maximum combustion chambers temperatures. The Permittee shall not

feed waste to the incineration unit during deslagging periods.

- c. The Permittee must ensure that the emergency bypass stack openings are minimized by proper operating procedures. The shutdown sequences that are provided in the document entitled, “Startup, Shutdown and Malfunction Plan”, which is incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I** must be followed:
 - i. Any of the following conditions will cause the emergency vent stack to automatically open:
 - 'a) Quench water flow LOW-LOW <110 gpm;
 - 'b) Instrument air pressure LOW < 50 psig;
 - 'c) High quench chamber outlet temperature > 100 °C;
 - 'd) STOP button pulled by operator;
 - 'e) ID fans shut down; and
 - 'f) SCC pressure greater than atmospheric pressure.
 - ii. In addition to an automatic opening of the vent stack, the operator may open it manually in the case of a perceived emergency.
 - iii. Instances where the emergency vent stack is opened and waste remains in the combustion chamber(s) are violations of this permit and must be reported.

3. RKI Conditions for Monitoring, Inspections and Calibrations

- a. The Permittee must monitor the incineration unit for all of the parameters of **Conditions D.1 and D.2** of this Exhibit as indicated on Table D-6 below:

Table D-6 – Monitoring Systems: Locations and Calibrations

CONTINUOUS MONITORING SYSTEM (CMS)	Equipment	Tech Identification No.	Routine Calibration Frequency	Comprehensive Calibration Frequency
Upper SCC Temperature	WA900622	RKI-TIT-963125	1 month	1 year
Lower SCC Temperature	WA900623	RKI-TT-963126	1 month	1 year
Offgas (Stack) Oxygen Analyzer #1	WA963711	RKI-AE-963711	1 day ¹	CE -1 quarter RA - 1 year ²
Offgas (Stack) Low Range CO Analyzer #1	WA963712	RKI-AE-963712	1 day ¹	CE -1 quarter RA - 1 year ²
Offgas (Stack) Oxygen Analyzer #2	WA963721	RKI-AE-963721	1 day ¹	CE -1 quarter RA - 1 year ²
Offgas (Stack) Low Range CO Analyzer #2	WA963722	RKI-AE-963722	1 day ¹	CE -1 quarter RA - 1 year ²
Stack Flow Rate	WA900629	RKI-FT-963211	1 month	1 year
SCC Pressure	WA900618	RKI-PT-963394	1 month	1 year
Quench Exit Temperature	WA900620	RKI-TT-963136	1 month	1 year
Quench Flow Monitor	WA900616	RKI-FT-963210	1 month	1 year
Atomizing Inst. Air pressure	WA962109	RKI-PIT-963811	1 month	1 year
Instrument air header pressure	WA900255	RKI-PT-963318	1 month	1 year
Steam Atomization Pressure	WA900256	RKI-PT-963377	1 month	1 year
IWS Total Make-up Water Flow 1A	WA900607	RKI-FT-963191	1 month	1 year
IWS Total Make-up Water Flow 1B	WA900608	RKI-FT-963193	1 month	1 year
IWS Total Make-up Water Flow 1C	WA900829	RKI-FT-963225	1 month	1 year

CONTINUOUS MONITORING SYSTEM (CMS)	Equipment	Tech Identification No.	Routine Calibration Frequency	Comprehensive Calibration Frequency
IWS Total Make-up Water Flow 2A	WA900609	RKI-FT-963195	1 month	1 year
IWS Total Make-up Water Flow 2B	WA900610	RKI-FT-963691	1 month	1 year
IWS Total Make-up Water Flow 2C	WA900828	RKI-FT-963215	1 month	1 year
IWS Crossflow Scrubber Flow 1A	WA907701	RKI-FIT-960005	1 month	1 year
IWS Crossflow Scrubber Flow 1B	WA907702	RKI-FIT-960006	1 month	1 year
IWS Crossflow Scrubber Flow 1C	WA907703	RKI-FIT-960007	1 month	1 year
IWS Crossflow Scrubber Flow 2A	WA907704	RKI-FIT-960008	1 month	1 year
IWS Crossflow Scrubber Flow 2B	WA907705	RKI-FIT-960009	1 month	1 year
IWS Crossflow Scrubber Flow 2C	WA907706	RKI-FIT-960010	1 month	1 year
IWS Voltage 2A	WA900668	RKI-EI-963251	1 month	1 year
IWS Voltage 2B	WA900670	RKI-EI-963252	1 month	1 year
IWS Voltage 2C	WA900280	RKI-EI-963253	1 month	1 year
IWS Voltage 1A	WA900667	RKI-EI-963254	1 month	1 year
IWS Voltage 1B	WA900669	RKI-EI-963255	1 month	1 year
IWS Voltage 1C	WA900281	RKI-EI-963256	1 month	1 year
IWS Current 2A	WA963251	RKI-II-963251	1 month	1 year
IWS Current 2B	WA963252	RKI-II-963252	1 month	1 year

CONTINUOUS MONITORING SYSTEM (CMS)	Equipment	Tech Identification No.	Routine Calibration Frequency	Comprehensive Calibration Frequency
IWS Current 2C	WA963253	RKI-II-963253	1 month	1 year
IWS Current 1A	WA963254	RKI-II-963254	1 month	1 year
IWS Current 1B	WA963255	RKI-II-963255	1 month	1 year
IWS Current 1C	WA963256	RKI-II-963256	1 month	1 year
Counter Current Scrubber Water Flow	WA900624	RKI-FT-963190	1 month	1 year
Counter Current Scrubber Differential Pressure	WA900772	RKI-PDT-963250	1 month	1 year
IWS Crossflow Scrubber pH 1A	WA901162	RKI-AIT-960001	1 week	1 year
IWS Crossflow Scrubber pH 1B	WA901164	RKI-AIT-960002	1 week	1 year
IWS Crossflow Scrubber pH 2A	WA901163	RKI-AIT-960003	1 week	1 year
IWS Crossflow Scrubber pH 2B	WA901165	RKI-AIT-960004	1 week	1 year
Slurry (T-61) Flow Rate	WA900601	RKI-FIT-963161	1 month	1 year
Slurry (T-62) Flow Rate	WA900602	RKI-FIT-963162	1 month	1 year
Main Burner Fuel Oil /NPS (orifice) Flow Rate	WA900603	RKI-FIT-963168	1 month	1 year
Lance Fuel Oil/NPS (mass meter) Flow Rate	WA900604	RKI-FIT-963206	1 month	1 year
APS Flow Rate	WA900628	RKI-FIT-963800	1 month	1 year
Siloxane/miscellaneous Flow Rate	WA900605	RKI-FT-963163	1 month	1 year
Acetyl Chloride Flow Rate	WA900606	RKI-FT-963164	1 month	1 year

CONTINUOUS MONITORING SYSTEM (CMS)	Equipment	Tech Identification No.	Routine Calibration Frequency	Comprehensive Calibration Frequency
Silanes Flow Rate	WA900600	RKI-FT-963165	1 month	1 year
Drum Scale	WA960495	RKI-WIT-963020	1 month	1 year

Table D-6 Footnotes:

1. The Permittee may perform the daily calibrations of the Continuous Emissions Monitoring System (CEMS) units while the incinerator is burning hazardous waste provided the backup or alternate CEMS unit is operational during the calibration time and that the incinerator is operating in a stable manner. If one CEMS unit is out of service for repair and the second unit is operating without a back-up, the remaining CEMS unit may be taken offline for a period not to exceed 20 minutes per day for daily calibration provided that the incinerator is operating in a stable manner. If the incinerator is not operated for one week or more the Permittee may conduct weekly routine calibrations instead of daily routine calibrations. When the incineration unit is operated the daily routine calibrations must be resumed.

2. The frequency for Calibration Error (CE) testing is quarterly and the frequency for Relative Accuracy Test Audit (RATA) testing is annually. Note that CE testing is not required in a quarter in which a RATA test is performed.

E. FIXED BOX INCINERATOR (FBI) CONDITIONS

1. FBI Limitations on Wastes

- a. The Permittee must only feed liquid wastes that are generated on-site to the incineration unit. No wastes generated off-site may be fed to the incineration unit.
- b. The Permittee may only incinerate the hazardous waste streams in the form and with the designated hazardous waste codes as presented on Table E-1 below. The Permittee must not feed other waste streams to this incineration unit.

Table E-1 – Authorized Waste Streams

Waste Stream	Form	Hazardous Waste Codes
Non Polar Solvent (NPS)	Liquid	D001, D009, F003, F005
Acid Polar Solvent (APS)	Liquid	D001, D002, F003, F005
Halogenated Silanes	Liquid	D001, D003, F005
Acetyl Chloride Wastes	Liquid	D001, D002, D007, F005
Miscellaneous – UV Light Ends	Liquid	D001, D003, F003, F005
Siloxanes	Liquid	D001, D002, F003, F005

Waste Stream	Form	Hazardous Waste Codes
Methyl Slurry	Liquid	D001, D003, D007, D008, D010
Miscellaneous Waste – HMDZ	Liquid	D001, D002, D003, F003, F005

- c. The Permittee must ensure that the following waste streams are not fed to the incineration unit:
- i. EPA waste codes F020, F021, F022, F023, F026, or F027;
 - ii. polychlorinated biphenyls (PCBs);
 - iii. radioactive materials which are source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended or regulated by 6 NYCRR 380; or
 - iv. energetic materials that could cause an explosion, process upset or acute damage in the incineration unit.
- d. The Permittee must not feed waste, or combination of wastes, fuel, and vent gases to the incineration unit that exceeds the design thermal capacity of the unit.
- e. The Permittee must ensure that the total chlorine loading (as HCl) fed to the incineration unit does not exceed 896 lbs/hr on a 12-hr rolling average. When more than one stream is fed to the incinerator, the Permittee must calculate the total contribution of chlorine from all sources (wastes, fuel and any other materials) being fed to the incineration unit. The values used to calculate the chlorine contribution from each waste stream must be supported by analytical data, using the Department-approved testing method in the WAP incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**.
- f. The Permittee must ensure that the total silicon loading (as SiO₂) rate fed to the incineration unit does not exceed 935 lbs/hr silica on a 12-hr rolling average. When more than one stream is fed to the incineration unit, the Permittee must calculate the contribution of silica from all sources being fed. The values used to calculate the silica contribution from each source must be supported by analytical data, using the Department-approved testing method in the WAP incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**.
- g. The Permittee must ensure that the total rate of metals fed to the incineration unit does not exceed the feed rates provided in Table E-2 below. When more than one waste stream is fed to the incineration unit, the Permittee must calculate the contribution of metals from all sources being fed. The values used to calculate the metals contribution from each source must be supported by analytical data,

using the Department-approved testing method in the WAP incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**.

Table E-2 – Metals Feed Rates

Metals	12-Hour Rolling Average Feed Rate¹ (lbs/hr)
Mercury	0.00759
Semi-volatile metals (SVM) – Cadmium and Lead	0.34
Low volatile metals (LVM) – Arsenic, Beryllium and Chromium	0.36
Table E-2 Footnote:	
<p><i>1. The Permittee must demonstrate compliance with this feedrate limit by monitoring the mass feedrate of waste (lbs/hr) at least once per minute. Based on the metals content of the waste (lbs of metals/lb of waste), calculate a one-minute average (OMA) feedrate measurement of waste metals content (lbs of metals/lb of waste feed). The rolling average feedrate for the 12-hour rolling average (12-hr HRA) must be recalculated each minute to include the latest OMA feedrate calculation.</i></p>	

- h. The Permittee must ensure that the total hazardous waste feed rates fed to the incineration unit do not exceed the feed rates provided in Table E-3 below.

Table E-3 – Hazardous Waste Feed Rates

Hazardous Waste Stream	Maximum HRA Feed Rate¹
APS	43 lbs/min
Group I and II (NPS, Silanes, Chlorosilane Slurry, Siloxanes, Acetyl Chloride, Miscellaneous)	41 lbs/min
Group II (Silanes, Chlorosilane Slurry, Siloxanes, Acetyl Chloride, Miscellaneous)	29 lbs/min
Table E-3 Footnote:	
<p><i>1. HRA – Hourly Rolling Average – the average of the preceding 60 one-minute average values that is updated each minute as the new one-minute average is recorded.</i></p>	

- i. The Permittee must ensure that the total feed restrictions to the incineration unit do not exceed the feed rates provided in Table E-4 below.

Table E-4– Feed Restrictions

Parameter	Restriction
Thermal Capacity (# MMBTU/hr)	40
Chlorine ¹ (12-hr HRA as HCl)	896
Silica ² (12-hr HRA as SiO ₂)	935

Table E-4 Footnotes:

1. The Permittee must demonstrate compliance with this feedrate limit by monitoring the mass feedrate of waste (lbs/hr) at least once per minute. Based on the chlorine content of the waste (lbs of organic and inorganic chlorine/lb of waste), calculate a one-minute average (OMA) feedrate measurement of waste chlorine content (lbs of chlorine/lb of waste feed). The rolling average feedrate for the 12-hour rolling average (12-hr HRA) must be recalculated each minute to include the latest OMA feedrate calculation.

2. The same procedure as described for HRA basis in Note 1 must be employed to demonstrate compliance for silica limited on a 12-hour HRA basis.

2. FBI Operating Conditions

- a. The Permittee must ensure that the following operating conditions are met when wastes are fed to the incineration unit:
 - i. The Permittee must comply with the terms of this Permit at all times while feeding waste to the incineration unit, as well as for 92.4 seconds after any manual or automatic waste feed cutoff.
 - ii. During start-up, shut-down and malfunction of the incineration unit, hazardous wastes must not be introduced into the incinerator unless the incinerator is operating within the parameters specified in **Conditions E.2 or E.3** of this Exhibit.
 - iii. The Permittee must at all times ensure that there are no fugitive emissions from the combustion zone of the incineration unit. The Permittee must control fugitive emissions by the use of physical barriers and maintaining the combustion chamber pressure less than -0.08 inches of H₂O, as well as by conducting daily visual inspections and proper maintenance. Further, the Permittee must duct combustion gases through the entire APCE at all times when the incineration unit is operating.

- iv. The Permittee must ensure that the temperature of the combustion chamber of the incineration unit is maintained at a minimum temperature of 980° C but does not exceed 1215° C. Both limits must be monitored on a rolling hour average basis.
- v. The Permittee must ensure adequate residence time for waste destruction in the incineration unit by restricting the stack gas flow rate to no more than 6422 cfm for the North (#1) Stack and 5087 for the South (#2) Stack.
- vi. In addition to the above, the Permittee must also adhere to the operating conditions presented in Table E-5.

Table E-5 – Summary of Operating Parameters and Limits

Operating Parameter	Permit Limit	Basis¹	Permit Condition
Minimum Hourly Rolling Average Incinerator Temperature (°C)	980	HRA	AWFCO
Maximum Hourly Rolling Average Incinerator Temperature (°C)	1215	HRA	AWFCO
Maximum Combustion Chamber Pressure (inches H ₂ O)	-0.08	Inst.	AWFCO
Maximum Hourly Rolling Average CO Concentration (at 7% O ₂) (ppm)	100	HRA	AWFCO
Minimum Oxygen Level (%)	7	HRA	Alarm
Maximum North (#1) Stack Gas Flow Rate (acfm)	6422	HRA	AWFCO
Maximum South (#2) Stack Gas Flow Rate (acfm)	5087	HRA	AWFCO
Maximum Quench Outlet Temperature (°F)	180 195 212	Inst.	Alarm AWFCO ESV Opening
Minimum Quench Total Water Flow Rate (GPM)	153	HRA	AWFCO
Minimum steam atomization pressure (psig)	50	HRA	AWFCO
Minimum air atomization pressure (psig)	59	HRA	AWFCO
Minimum IWS makeup water flowrate 1-1 (GPM)	35	HRA	AWFCO
Minimum IWS makeup water flowrate 1-2 (GPM)	40	HRA	AWFCO
Minimum IWS makeup water flowrate 2-1 (GPM)	35	HRA	AWFCO
Minimum IWS makeup water flowrate 2-2 (GPM)	37	HRA	AWFCO
Minimum IWS crossflow scrubber flowrate – IWS Unit 1-1 (GPM)	221	HRA	AWFCO

Operating Parameter	Permit Limit	Basis ¹	Permit Condition
Minimum IWS crossflow scrubber flowrate – IWS Unit 1-2 (GPM)	309	HRA	AWFCO
Minimum IWS crossflow scrubber flowrate – IWS Unit 2-1 (GPM)	218	HRA	AWFCO
Minimum IWS crossflow scrubber flowrate – IWS Unit 2-2 (GPM)	321	HRA	AWFCO
Minimum pressure drop across CCS scrubber #1 (in H ₂ O)	0.15	HRA	AWFCO
Minimum pressure drop across CCS scrubber #2 (in H ₂ O)	0.15	HRA	AWFCO
Minimum IWS 1-2 Power (kW)	3.6	HRA	AWFCO
Minimum 1 Side Total Power (kW)	5.3	HRA	AWFCO
Minimum IWS 2-2 Power (kW)	3.4	HRA	AWFCO
Minimum 2 Side Total Power (kW)	5.6	HRA	AWFCO
Minimum CCS water flowrate – stack 1 (GPM)	1017	HRA	AWFCO
Minimum CCS water flowrate – stack 2 (GPM)	1178	HRA	AWFCO
Minimum quench water flowrate (GPM)	153	HRA	AWFCO
Minimum IWS scrubber pH 1-1 (pH units)	9.1	HRA	AWFCO
Minimum IWS scrubber pH 1-2 (pH units)	9	HRA	AWFCO
Minimum IWS scrubber pH 2-1 (pH units)	9	HRA	AWFCO
Minimum IWS scrubber pH 2-2 (pH units)	9	HRA	AWFCO

Table E-5 Footnote:

1. HRA – Hourly Rolling Average basis – the average of the preceding 60 one-minute average values that is updated each minute as the new one-minute average is recorded.

Inst. – Instantaneous basis – at all times, without any time delay

- vii. During shut-down, if hazardous wastes remain in the combustion chamber of the incineration unit, the Permittee must maintain the minimum temperature as required under **Condition E.2.a.iv** of this Exhibit and must meet the other parameters listed in Table E-5 for the duration of the remaining residence time, as specified in **Condition E.2.a.i** of this Exhibit.

- b. The Permittee must ensure that the emergency bypass stack openings are minimized by proper operating procedures. The shutdown sequences that are provided in the document entitled, “Startup, Shutdown and Malfunction Plan”, which is incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I** must be followed:
 - i. Any of the following conditions will cause the emergency vent stack to automatically open:
 - 'a) Instrument air pressure LOW < 38 psig;
 - 'b) High quench chamber outlet temperature > 100 °C;
 - 'c) STOP button pulled by operator;
 - 'd) #2 ID fan shut down;
 - 'e) #2 ID Fan inlet pressure high; and
 - 'f) SCC pressure greater than atmospheric pressure.
 - ii. In addition to an automatic opening of the vent stack, the operator may open it manually in the case of a perceived emergency.
 - iii. Instances where the emergency vent stack is opened and waste remains in the combustion chamber(s) are violations of this permit and must be reported.
- c. The Permittee must ensure that soot-blowing periods are conducted with the air pollution control equipment operating within the parameters of Table E-5 of this Exhibit, except for the minimum combustion chamber temperature and stack gas flowrate limits. The Permittee shall not feed wastes or fuels to the incineration unit during soot-blowing periods. The stack gas flow rate limits in Table E-6 below shall apply during soot blowing:

Table E-6 Soot-Blowing Stack Gas Flow Rate Limits

Operating Parameter	Permit Limit	Basis ¹	Permit Condition
North (#1) Stack - Maximum stack gas flowrate during soot blow (acfm)	9246	10-minute Rolling Average During Soot Blow	AWFCO
South (#2) Stack -Maximum stack gas flowrate during soot blow (acfm)	9429	10-minute Rolling Average During Soot Blow	AWFCO
Table E-6 Footnote:			
<i>1. 10 minute RA basis – the average of the preceding 10 one-minute average values that is updated each minute as the new one-minute average is recorded.</i>			

3. FBI Maintenance Mode Operating Conditions

- a. The Permittee may operate the FBI in maintenance mode (using only one series of

Ionizing Wet Scrubber (IWS) units provided that the following limits are met:

- i. Only the South (#2) stack may be operated during maintenance mode;
- ii. The stack flow rate limit for the South (#2) stack does not exceed 6770 acfm HRA;
- iii. The silicon waste loading rate does not exceed 561 lbs/hr as SiO₂ 12-hour rolling average;
- iv. The chlorine waste loading rate does not exceed 416 lbs/hr as HCl 12-hour rolling average;
- v. The mercury feed rate does not exceed 0.0047 lbs/hr 12-hour rolling average;
- vi. The SVM feed rate does not exceed 0.23 lbs/hr 12-hour rolling average;
- vii. The LVM feed rate does not exceed 0.19 lbs/hr 12-hour rolling average;
- viii. The IWS 2-2 power is greater than 3.4 kW HRA;
- ix. The IWS Total 2 Side power is greater than 4.1 kW HRA; and
- x. All other operating conditions applicable to the South (#2) Air Pollution control devices listed in **Condition E.2.a** of this Exhibit are maintained.

4. FBI Conditions for Monitoring, Inspections and Calibrations

- a. The Permittee must monitor the incineration unit for all of the parameters of **Conditions E.1 and E.2** of this Exhibit as indicated on Table E-7 below:

Table E-7 – Monitoring Systems: Locations and Calibrations

CONTINUOUS MONITORING SYSTEM (CMS)	Equipment	Tech Identification No.	Routine Calibration Frequency	Comprehensive Calibration Frequency
CO Stack Gas	WA901554	INCIN 2-AT-907154	1 day ¹	CE -1 quarter RA - 1 year
O ₂ Stack Gas	WA901554	INCIN 2-AT-907155	1 day ¹	CE -1 quarter RA - 1 year
#1 Stack Flow	WA900671	INCIN 2-PDIT-907315	1 month	1 year
#2 Stack Flow	WA900672	INCIN 2-PDIT-907015	1 month	1 year
Combustion Chamber Pressure	WA900643	INCIN 2-PT-907077	1 month	1 year
Combustion Chamber Temp	WA900647	INCIN 2-TT-907066	1 month	1 year
Backup Combustion Chamber Temp	WA901456	INCIN 2-TT-907067	1 month	1 year
Quench Exit Temp	WA900650	INCIN 2-TT-907065	1 month	1 year

CONTINUOUS MONITORING SYSTEM (CMS)	Equipment	Tech Identification No.	Routine Calibration Frequency	Comprehensive Calibration Frequency
Quench Water Flow	WA901415	INCIN 2-FT-907013	1 month	1 year
Atomization Air Pressure	WA907143	INCIN 2-PIT-907143	1 month	1 year
Instrument Air Pressure	WA901460	INCIN 2-PT-907080	1 month	1 year
Steam Atomization Pressure	WA901461	INCIN 2-PT-907081	1 month	1 year
1-1 IWS Plate Water Flow	WA900641	INCIN 2-FIT-907310	1 month	1 year
1-2 IWS Plate Water Flow	WA901412	INCIN 2-FIT-907311	1 month	1 year
2-1 IWS Plate Water Flow	WA901410	INCIN 2-FIT-907010	1 month	1 year
2-2 IWS Plate Water Flow	WA901411	INCIN 2-FIT-907011	1 month	1 year
1-1 CFS Water Flow	WA907051	INCIN 2-FIT-907301	1 month	1 year
1-2 CFS Water Flow	WA907052	INCIN 2-FIT-907302	1 month	1 year
2-1 CFS Water Flow	WA907053	INCIN 2-FIT-907001	1 month	1 year
2-2 CFS Water Flow	WA907054	INCIN 2-FIT-907002	1 month	1 year
1-1 IWS Current	WA905240	INCIN 2-IIT-907340	1 month	1 year
1-2 IWS Current	WA907450	INCIN 2-IIT-907350	1 month	1 year
2-1 IWS Current	WA907240	INCIN 2-IIT-907040	1 month	1 year
2-2 IWS Current	WA907150	INCIN 2-IIT-907050	1 month	1 year
1-1 IWS Voltage	WA901442	INCIN 2-EIT-907341	1 month	1 year
1-2 IWS Voltage	WA901444	INCIN 2-EIT-907351	1 month	1 year
2-1 IWS Voltage	WA901446	INCIN 2-EIT-907041	1 month	1 year
2-2 IWS Voltage	WA901448	INCIN 2-EIT-907051	1 month	1 year
#1 CCS Water Flow	WA901414	INCIN 2-FIT-907312	1 month	1 year
#2 CCS Water Flow	WA901413	INCIN 2-FT-907012	1 month	1 year
#2 CCS dP	WA900644	INCIN 2-PDT-907035	1 month	1 year

CONTINUOUS MONITORING SYSTEM (CMS)	Equipment	Tech Identification No.	Routine Calibration Frequency	Comprehensive Calibration Frequency
#1 CCS dP	WA900274	INCIN 2-PDT-907335	1 month	1 year
#1-1 IWS pH	WA907047	INCIN 2-AT-907305	1 week	1 year
#1-2 IWS pH	WA907048	INCIN 2-AT-907306	1 week	1 year
#2-1 IWS pH	WA907049	INCIN 2-AT-907005	1 week	1 year
#2-2 IWS pH	WA907050	INCIN 2-AT-907006	1 week	1 year
Slurry Flow Rate	WA900636	INCIN 2-FIT-907131	1 month	1 year
"Backup" Slurry Flow Meter	WA907132	INCIN 2-FIT-907132	1 month	1 year
NPS Flow Rate	WA901465	INCIN 2-FT-907116	1 month	1 year
APS Flow Rate	WA900363	INCIN 2-FT-907124	1 month	1 year
Acetyl/Misc. Flow Rate	WA900673	INCIN 2-FT-907126	1 month	1 year
Silane/Siloxane Flow Rate	WA901485	INCIN 2-FT-907151	1 month	1 year

Table E-7 Footnotes:

1. The Permittee may perform the daily calibrations of the Continuous Emissions Monitoring System (CEMS) units while the incinerator is burning hazardous for a period not to exceed 20 minutes per day for daily calibration provided that the incinerator is operating in a stable manner. If the incinerator is not operated for one week or more the Permittee may conduct weekly routine calibrations instead of daily routine calibrations. When the incineration unit is operated the daily routine calibrations must be resumed.

2. The frequency for Calibration Error (CE) testing is quarterly and the frequency for Relative Accuracy Test Audit (RATA) testing is conducted annually. Note that CE testing is not required in a quarter in which a RATA test is performed.

EXHIBIT F

SUPPLEMENT TO

MODULE X – HAZARDOUS WASTE MISCELLANEOUS UNITS

EXHIBIT F

**SUPPLEMENT TO
MODULE X – HAZARDOUS WASTE MISCELLANEOUS UNITS**

The following conditions supplement those conditions contained within **Module X** of this Permit:

A. AUTHORIZED HAZARDOUS WASTE MISCELLANEOUS UNITS

1. The Permittee is authorized to manage hazardous wastes in the following miscellaneous units:

Table A-1 - Permitted Miscellaneous Units

Permitted Unit	Location	Permitted Activities
API Pad (North Pad)	Wastewater Treatment Plant	Dewatering, equipment washing, managing incinerator packing materials
RKI Transfer Station	Wastewater Treatment Plant	Waste transfer operations, parking hazardous waste/ clinker trailers, equipment washing
Truck Wash Pad	Landfill #6	Equipment washing, leachate transfer to leachate transport system

B. SPECIAL CONDITIONS FOR MISCELLANEOUS UNITS (GENERAL)

1. The Permittee must conduct equipment washing activities in accordance with the following:
 - a. Protective materials must be used under the area where a high pressure water spray is likely to be used to prevent damage to the protective coating on the concrete. These erosion protection materials do not need to underlie truck tires in the event that a vehicle is being washed;
 - b. Provision must be provided to prevent wash water from splashing outside of the containment area; and
 - c. When heavy equipment, such as a bucket loader, is used to move materials on and off a pad or transfer station, the Permittee must conduct a visual inspection of the

area within 24 hours for any damages. Any damages must be repaired within thirty (30) days from when the damage was discovered, or in accordance with a schedule acceptable to the Department. The Permittee must record the occurrence in the inspection log and maintain the log as part of the operating record required by 6 NYCRR 373 2.5(c). The Permittee must indicate in the facility's operating record the date the defect was identified, the date repairs were completed and a brief description of said repairs.

2. The pads and transfer areas permitted on Table A-1 must undergo annual assessments in accordance with the Protocol for Secondary Containment Annual Assessment provided as Attachment A of Vol. I, Section IV-B of the Permit Application incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**.

C. SPECIAL CONDITIONS FOR MISCELLANEOUS UNITS (SPECIFIC)

1. API Pad

- a. The Permittee must comply with the following when conducting permitted activities at the API Pad:
 - i. Splash guards that are at least 9 feet high and constructed of a rigid or semi-rigid material must be provided on three sides of the pad to prevent wash water from splashing outside of the containment area;
 - ii. Provision must be provided to separate silt and other solids from liquids being discharged during dewatering activities; and
 - iii. Dewatering must be completed and the dewatered material containerized and removed from the API Pad within three days from the start of dewatering activities.

2. RKI Transfer Station

- a. The Permittee must comply with the following when conducting permitted activities at the RKI Transfer Station:
 - i. Hazardous waste storage is not allowed at the unit during equipment washing activities; and
 - ii. Splash guards that are at least 9 feet high and are constructed of a rigid or semi-rigid material must be provided on three sides of the unit to prevent wash water from splashing outside of the containment area during equipment washing activities.

3. Truck Wash Pad

- a. The Permittee must transfer leachate in a controlled manner directly to the leachate transport system drain by means of a hose or other method acceptable to the Department.
- b. The Permittee must clean and conduct a visual inspection of the sump on an annual basis. The Permittee must notify the Environmental Monitor at least three days prior to the inspection. Records of the date and results of the inspection must be maintained as part of the operating record required by 6 NYCRR 373-2.5(c). If any defects are identified as part of the inspection, the Permittee must indicate in the facility's operating record the date repairs that were completed and a brief description of said repairs.

EXHIBIT G

CLOSURE/POST CLOSURE CARE

EXHIBIT G

CLOSURE/POST-CLOSURE CARE

A. CLOSURE AND POST-CLOSURE CARE

1. The Permittee must perform closure and post-closure care for each regulated unit authorized by this Permit and post-closure care for each closed regulated unit in accordance with the requirements of 6 NYCRR 373-2.7, this Permit, the Department-approved Closure Plan and Post-Closure Plan provided as Attachment C of this Permit and the Groundwater Corrective Measures Program and Operations and Maintenance Manual incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**.
2. The Permittee must conduct long-term post-closure care and corrective action for each closed regulated unit authorized by this Permit in perpetuity unless otherwise approved by the Department.
3. The Permittee must determine the costs associated with long-term post-closure care and corrective action in accordance with the following:
 - a. The total amount of the cost estimate for the entire post-closure care and corrective action period shall be calculated using the total annual cost estimate for post-closure and corrective action according to the following procedure:
 - i. The total amount of the Facility's Annual Post-Closure and Corrective Action Cost Estimate, in current dollars, must be multiplied by a 30-year post-closure care and corrective action period to derive the total 30-year post-closure cost estimate in accordance with 6 NYCRR 373-2.8(e)(1)(ii).
 - ii. Using the total amount of the Facility's Annual Post-Closure and Corrective Action Cost Estimate, calculate the present value of the cost over the entire post-closure care and corrective action period by dividing the total annual amount by the most recent Department-approved discount rate.
 - iii. The total amount of the cost estimate for the entire post-closure care and corrective action period shall always be the greater of the two amounts calculated according to **Conditions A.3.a.i and A.3.a.ii** of this Exhibit.
 - b. The calculation required by **Condition A.3.a** of this Exhibit must be repeated anytime there is an increase in the Facility's Annual Post-Closure or Corrective

Action Cost Estimate, with the results submitted to the Department. If this calculation results in an increase in the previously approved Department cost estimate, the Permittee must establish additional financial assurance to cover the amount of the increase in the cost estimate in accordance with **Condition O of Module I.**

MODULE II

Corrective Action Requirements

PART 373 PERMIT

MODULE II – CORRECTIVE ACTION REQUIREMENTS

A. APPLICABILITY

1. Statute and Regulations: Article 27, Title 9, Section 27-0913, and 6 NYCRR 373-2.6(l) requires corrective action, including corrective action beyond the Facility boundary where necessary to protect human health and the environment, for all releases of hazardous wastes, including hazardous constituents, from any solid waste management unit (SWMU) regardless of the time at which waste was placed in such unit. Pursuant to 6 NYCRR 373-1.6(c)(2), the Department may impose Permit conditions as the Department determines necessary to protect human health and the environment (such as areas of concern (AOCs) as defined in **Module I** of this Permit).
2. Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs): The Permittee must initiate and complete the corrective action process for all SWMUs and AOCs at the Facility. The conditions of this Module apply to:
 - a. All known SWMUs and AOCs as identified in **Schedule 1 of Module I** that have not completed the corrective action process; and
 - b. Any newly-identified SWMUs and AOCs identified during the course of groundwater monitoring, field investigations, environmental audits or other means including, but not necessarily limited to, those identified pursuant to **Condition C** of this Module.

B. STANDARD CONDITIONS FOR CORRECTIVE ACTION

1. The Permittee must perform any and all corrective action specified by **Condition A.2** of this Module and Vol. I, Section IX of the Permit Application incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**.
2. The Permittee must follow the requirements for Groundwater Protection as incorporated by reference into this Permit, including any groundwater sampling and analysis plan which may be required therein.
3. The Permittee and its consultants/contractors performing corrective action activities must demonstrate completion of appropriate training in accordance with the Department-approved Personnel Training Program provided as Vol. I, Section VII of the Permit Application incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I** and follow all applicable health and safety plans.
4. Compliance with Governmental Requirements: During investigative activities, interim corrective measures and final corrective measures (including, but not limited to, equipment decommissioning, excavation and unit demolition) required by this

Module, the Permittee must ensure that the transportation, treatment, storage, discharge, and disposal of all contaminated materials generated as a result of such activities (including, but not limited to, soil, sediments, liquids, tanks, pipes, pumps, rubble, debris and structural materials) are performed in an environmentally sound manner pursuant to all applicable federal, State and local requirements, and in a way that is protective of human health and the environment. Nothing in this Module shall be construed to require the Permittee to proceed in a manner which is in violation of any such requirements.

5. Notifications:

- a. Groundwater Contamination: If at any time the Permittee discovers that hazardous constituents in groundwater released from the Facility have migrated beyond the Facility boundary in concentrations that exceed an action level, the Permittee must, within fifteen (15) calendar days of discovery, provide written notice to the Department.
- b. Air Contamination: If at any time the Permittee discovers that hazardous constituents in air have been released from a SWMU or AOC at the Facility, and have or are migrating to areas beyond the Facility boundary in concentrations that exceed action levels in the Department's DAR-1 ("Guidelines for the Control of Toxic Ambient Air Contaminants"), and that residences or other places at which continuous, long-term human exposure to such constituents might occur are located within such areas, the Permittee must immediately initiate all appropriate actions necessary to mitigate the release to concentrations below the action levels or cease operation immediately. In addition, the Permittee must:
 - i. Provide written notification to the Department within fifteen (15) calendar days of such discovery; and
 - ii. Immediately initiate any actions that might be necessary to provide notice to all individuals who have been, may have been or may become exposed to the released constituents.
- c. Residual Contamination: If hazardous wastes or hazardous constituents are located within or have been released from SWMUs or AOCs and will remain in or on the land, including groundwater, after the term of this Permit has expired, the Permittee must record, in accordance with State law, a notation in the deed to the Facility property or in some other instrument acceptable to the Department which is normally examined during title search that will, in perpetuity, notify any potential purchaser of the property, of the types, concentrations and locations of such hazardous wastes or hazardous constituents.
- d. Newly Discovered SWMUs and AOCs: The Permittee must notify the Department, in writing, of any additional SWMUs and AOCs discovered during the course of groundwater monitoring, field investigations, environmental audits or other means within fifteen (15) days of discovery. Thereafter, the Permittee

must proceed with the assessment, investigation, evaluation and remediation of the SWMU and/or AOC as set forth in **Condition C** of this Module.

- e. Newly Discovered Releases: The Permittee must notify the Department, in writing, of any release(s) of hazardous wastes, including hazardous constituents, discovered during the course of groundwater monitoring, field investigations, environmental audits, or other activities no later than fifteen (15) calendar days of discovery. Such newly-discovered release(s) may be from newly-identified unit(s)/area(s), from unit(s)/area(s) for which, based on the findings of the RCRA Facility Assessment (RFA), the Department had previously determined that no further investigation was necessary, or from unit(s)/area(s) investigated as part of a RCRA Facility Investigation (RFI). Based on the information provided in the notification, the Department shall determine the need for further investigation of the release(s). If the Department determines that such investigations are needed, the Department shall, by written notification, require the Permittee to prepare an RFI Work Plan in accordance with **Condition D** of this Module. The Department may, at its discretion, also require the Permittee to prepare an Interim Corrective Measures (ICM) Work Plan.
6. Determination of No Further Action
- a. Based on the results of a RFA or a RFI for a particular SWMU or AOC, or combination of SWMUs and/or AOCs, and any other relevant information, the Permittee may submit an application to the Department for a permit modification under 6 NYCRR 373-1.7(b) and 621.13 to terminate the subsequent corrective action requirements of this Module and **Schedule 1 of Module I** for the subject SWMU(s) or AOC(s). The permit modification application must contain information demonstrating that no release(s) of hazardous wastes, including hazardous constituents, have occurred from the subject SWMU(s) and/or AOC(s), or that such releases do not and will not pose a threat to human health or the environment. The permit modification application must also include the information required in 6 NYCRR 373-1, 373-2 and 621.4(n).
 - b. If, based upon review of the Permittee's request for a permit modification, the results of the RFI, and other information, including comments received during the forty-five (45) calendar day public comment period required for major permit modifications, the Department determines that the release(s) or the suspected release(s) investigated are either non-existent or do not pose a threat to human health or the environment, the Department may grant the requested modification.
 - c. A determination of no further action shall not preclude the Department from modifying this Permit in accordance with 6 NYCRR 621.13 in order to implement the following actions:
 - i. Require the Permittee to perform such investigations as necessary to comply with the requirements of this Module and **Schedule 1 of Module I** if new information or subsequent analysis indicates that there are, or are likely to be,

releases from SWMUs/AOCs that may pose a threat to human health or the environment; and/or,

- ii. Require continual or periodic monitoring of air, soil, groundwater, surface water, sediment or subsurface gas, if necessary, to protect human health and the environment, when site-specific circumstances indicate the release(s) of hazardous waste(s), including hazardous constituents, are likely to occur from any SWMU(s) and/or AOC(s).

C. SCHEDULE FOR ASSESSMENT OF NEWLY IDENTIFIED SWMUs AND AOCs

1. Notification of Assessment: The Permittee must notify the Department, in writing, of any additional SWMU(s) and/or AOC(s) not listed in **Schedule 1 of Module I**, which are identified during the course of groundwater monitoring, field investigations, environmental audits, or other means within fifteen (15) calendar days of discovery.
2. SWMU/AOC Assessment Report: Within thirty (30) calendar days of notifying the Department, the Permittee must submit a SWMU/AOC Assessment Report. This report must provide, at a minimum, the following information for each newly identified SWMU/AOC:
 - a. Type of unit/area;
 - b. Location of each unit/area on a topographic map of appropriate scale;
 - c. Dimensions, capacities, and structural descriptions of the unit/area (supply available engineering drawings);
 - d. Function of unit/area;
 - e. Dates that the unit/area was operated;
 - f. Description of the wastes that were placed or spilled at the unit/area;
 - g. Description of any known releases from the unit/area (to include groundwater data, soil analyses, air monitoring data, and/or surface water/sediment data);
 - h. The results of any sampling and analysis required for the purpose of determining whether releases of hazardous wastes, including hazardous constituents, have occurred, are occurring, or are likely to occur from the unit/area; and
 - i. Whether this unit/area, individually or in combination with other units/areas described in **Schedule 1 of Module I**, is a significant source of contaminant release.
3. SWMU/AOC Sampling and Analysis Plan: If prior to or after submission of the SWMU/AOC Assessment Report required in **Condition C.2** of this Module the Department determines and notifies the Permittee that sampling and analysis is

required, the Permittee must, within thirty (30) calendar days of such notification, submit to the Department for approval a plan prepared in accordance with **Condition D** of this Module, for sampling and analysis of specific environmental media including, but not limited to, groundwater, land surface and subsurface strata, surface water/sediment or air, as necessary to determine whether a release of hazardous waste, including hazardous constituents, from such unit(s) and/or area(s) has occurred, is likely to have occurred, or is likely to occur. The SWMU/AOC Sampling and Analysis Plan must demonstrate that the sampling and analyses program, if applicable, is capable of yielding representative samples and must include parameters sufficient to identify migration of hazardous waste, including hazardous constituents, from the newly-discovered SWMU(s) and/or AOC(s) to the environment.

4. Subsequent Assessment Actions: Following submission of the SWMU/AOC Assessment Sampling and Analysis Plan set forth in **Condition C.3** of this Module, the Department may either approve the Plan as submitted or issue comments on the Plan. If approved, the Permittee must implement sampling in accordance with the Plan within thirty (30) calendar days of receipt of the Department's approval. If the Department issues comments on the Plan, subsequent activities for the Plan must proceed in accordance with **Condition A.7 of Module I** of this Permit.
5. SWMU/AOC Sampling and Analysis Report: Within thirty (30) calendar days of receipt by the Permittee of validated analytical data generated under the approved SWMU/AOC Sampling and Analysis Plan, the Permittee must follow reporting requirements in the approved Plan and submit a SWMU/AOC Sampling and Analysis Report to the Department. The Report must describe all results obtained from the implementation of the approved Plan.
6. Assessment Conclusions: Based on the results of the SWMU/AOC Sampling and Analysis Report, the Department shall determine the need for further investigations at the specific unit(s) covered in the SWMU/AOC Assessment Report. If the Department determines that such investigations are needed, the Department shall, by written notification, require the Permittee to prepare and submit for approval a RFI Work Plan. In addition, the Department may, at its discretion, require the Permittee to submit an Interim Corrective Measures (ICM) Work Plan if an ICM is deemed necessary by the Department to safeguard human health and the environment. Any additional activities required by the Department must be undertaken in accordance with **Condition D** of this Module.

D. DEVELOPMENT AND IMPLEMENTATION OF CORRECTIVE ACTION PROGRAM

For the purposes of this Permit, the technical and administrative requirements of "DER-10 – Technical Guidance for Site Investigation and Remediation" are applicable where corrective action has been determined by the Department to be necessary. Since DER-10 uses State Superfund nomenclature, the following table provides a cross-reference between Resource Conservation and Recovery Act (RCRA) and State

Superfund nomenclature when using “DER-10 – Technical Guidance for Site Investigation and Remediation”:

<i>RCRA Program Element</i>	<i>Equivalent Superfund Program Element</i>
RCRA Facility Assessment (RFA) (including Preliminary Review [PR], Visual Site Inspection [VSI] and Sampling Visit [SV])	Site Characterization (SC)
RCRA Facility Investigation (RFI)	Remedial Investigation (RI)
Corrective Measures Study (CMS)	Feasibility Study (FS)
Interim Corrective Measure (ICM)	Interim Remedial Measure (IRM)
Statement of Basis (SOB)	Record of Decision (ROD)
Corrective Measures Implementation (CMI) (design)	Remedial Design (RD)
CMI (construction)	Remedial Action (RA)
Post-Closure / Effectiveness Evaluations	Site Management (SM)

Accordingly, when the Department, as part of this Permit, requires the Permittee to prepare any component (e.g., work plan, report, study, design, remedy, etc.) of a specific RCRA Program element identified in the above table, the Permittee must utilize DER-10 - Technical Guidance for Site Investigation and Remediation for the preparation of the appropriate analog RCRA Program component. The required component shall be captioned with the appropriate RCRA program element title. This is the required approach unless specific alternative direction is otherwise provided by the Department in writing.

1. Work Plan Development

- a. The Permittee must submit a corrective action work plan to the Department within thirty (30) days of notification by the Department that such work plan is necessary.
- b. All corrective action activities at the Facility must be conducted pursuant to one or more Department-approved work plans. The work plan(s) prepared pursuant to this Permit must address both on-site and off-site contamination consistent with the provisions of Department guidance, entitled “DER-10 - Technical Guidance for Site Investigation and Remediation.”
- c. All work plans must be developed consistent with Department guidance entitled “DER-10 - Technical Guidance for Site Investigation and Remediation.” Work plans prepared to address corrective action at active units or units under post-

closure care must also incorporate the applicable requirements of 6 NYCRR 373-2.6 and 373-2.7.

- d. All Department-approved work plans will be incorporated into this Permit when specifically noted in such approvals, pursuant to 6 NYCRR 621.13, and become enforceable under this Permit.
- e. The Department may, at its discretion, direct the Permittee to prepare “supplemental” work plans, studies and/or designs as it determines necessary to ensure protection of human health and the environment.
- f. The Permittee may opt to propose one or more supplemental work plans (including one or more IRM Work Plans) at any time, which the Department shall review for appropriateness and technical sufficiency.
- g. Any proposed work plan must be submitted for the Department’s review and approval, and must include, at a minimum, a chronological description of the anticipated activities, a schedule for performance of those activities, and sufficient detail to allow the Department to evaluate that work plan. The requirements for submittal review are specified in **Condition D.4** of this Module.
- h. Within twenty (20) days of the Department’s request for a work plan, the Permittee must submit for review and approval a written citizen participation plan prepared in accordance with applicable Department guidance. Upon approval, the citizen participation plan shall be incorporated by reference into this Permit.
- i. All work plans prepared pursuant to this Module must be certified in accordance with 6 NYCRR 373-1.4(a)(5), and by a Professional Engineer, or by such other qualified environmental professional as the Department may find acceptable using the language provided in DER-10.

2. Work Plan Implementation

- a. Upon approval of a work plan by the Department, the Permittee must implement such work plan in accordance with the schedule contained therein.
- b. The Department must be notified at least 7 days in advance of, and be allowed to attend, any field activities to be conducted under a Department-approved work plan, as well as any pre-bid meetings, job progress meetings, substantial completion meeting and inspection, and final inspection and meeting
- c. During all field activities conducted under a Department-approved work plan, the Permittee must have, on-site, a representative who is qualified to supervise the activities undertaken. Such representative may be an employee or a consultant retained to perform such supervision.
- d. The Permittee must follow the notification requirements of **Condition B.5** of this Module during work plan implementation.

- e. All corrective action activities must be conducted in accordance with **Condition B.4** of this Module.
- f. In accordance with the schedule contained in a Department-approved work plan, the Permittee must submit a final report (e.g., RFI report, etc.) that meets the requirements set forth in “DER-10 - Technical Guidance for Site Investigation and Remediation,” summarizes all data generated during implementation of the work plan, and includes a complete description of all assessments and evaluations required by the work plan.
- g. Any final report or final engineering report that includes construction activities must include “as built” drawings showing any changes made to the remedial design or the IRM.
- h. All final reports and final engineering reports must be submitted for the Department’s review and approval. The requirements for submittal review are specified in **Condition D.4** of this Module.
- i. All final reports and final engineering reports must be certified in accordance with 6 NYCRR 373-1.4(a)(5), and by a Professional Engineer, or other qualified environmental professional as the Department may find acceptable using the language provided in DER-10.

3. Remedy Selection

- a. The Department shall select a proposed remedy in accordance with DER-10 following receipt of the Corrective Measures Study (CMS) or Feasibility Study (FS). The selected remedy shall be set forth in a draft Statement of Basis (SOB) prepared by the Department for the Facility. The selected remedy in the final SOB shall be incorporated by reference into this Permit by modification pursuant to 6 NYCRR 621.13.
- b. Once the SOB has been incorporated into this Permit, the Permittee must submit a Corrective Measures Implementation (CMI) Work Plan or Remedial Design/Remedial Action (RD/RA) Work Plan that provides for the development and implementation of final plans and specifications for implementing the remedial alternative set forth in this Permit (i.e., in the SOB). This work plan must, unless otherwise provided in writing by the Department, be submitted within one hundred twenty (120) days of the effective date of the Permit modification. The Permittee must commence implementation of the CMI Work Plan or RD/RA Work Plan within thirty (30) days of the Department’s approval of such work plan.
- c. The Permittee must submit a Site Management Plan (SMP) or an update to an existing SMP, as necessary, in accordance with the schedule set forth in the approved CMI Work Plan or RD/RA Work Plan or in accordance with a request from the Department. The Permittee must commence implementation of the Site

Management Plan within thirty (30) days of the Department's approval of such plan.

- d. The Permittee must submit an initial periodic review report (PRR) in accordance with the schedule in the SMP and thereafter annually, unless the Department approves an alternate frequency in writing. The periodic review report must include the information specified in DER-10 and other applicable NYSDEC guidance, and must also include, but not be limited to, documentation of the performance of any required groundwater compliance inspections, operation and maintenance inspections, groundwater comprehensive monitoring evaluations, and any required corrective measures effectiveness evaluations related to the remedy(ies) in place at the Facility, as well as a description and results summary for any investigation or corrective action activity that occurred at the Facility during the period. The PRR must be certified in accordance with 6 NYCRR 373-1.4(a)(5), and by a Professional Engineer or other qualified environmental professional as the Department may find acceptable using the language provided in DER-10.
 - e. As part of the periodic review report submission, the Permittee must provide an annual certification of institutional and engineering controls until such time that the Department notifies the Permittee in writing that this certification is no longer needed. Therefore, the PRR must: (a) contain certification that the institutional controls and engineering controls put in place are still in place and are either unchanged from the previous certification or are compliant with Department-approved modifications; (b) allow the Department access to the site; and, (c) state that nothing has occurred that would impair the ability of the control to protect public health or the environment, or constitute a violation or failure to comply with the SMP unless otherwise approved by the Department. The Permittee must submit a written certification in accordance with 6 NYCRR 373-1.4(a)(5) and DER-10 - Technical Guidance for Site Investigation and Remediation.
 - f. The Permittee must continue operation of the selected remedy until such time that the remedial objectives have been achieved and the Department determines that continued operation is technically impracticable or not feasible.
4. Review of Submittals
- a. The Department shall review and respond in writing to each submittal (e.g., plans, studies, reports, schedules, written submittals, etc.) the Permittee makes pursuant to this Permit, unless the Department determines that a response is not necessary. The Department's response shall include an approval, modification request, or disapproval of the submittal, in whole or in part. Failure of the Permittee to act in accordance with the requirements of this Condition is a violation of this Permit.
 - b. Following its review of a submittal, the Department may either approve the submittal or issue comments. If approved, the Permittee must implement the submittal or initiate the next step in the program in accordance with the schedule

contained in the submittal or the Department's approval letter. If the Department issues comments on the submittal, subsequent activities for the submittal must proceed in accordance with **Condition A.7 of Module I** of this Permit.

- c. In the event the Department provides conditional approval of a submittal, within thirty (30) days of the Department's conditional approval the Permittee must modify the submittal in accordance with any Department comments and resubmit the document, including all required supporting data and documents in an electronic format acceptable to the Department in accordance with the requirements of **Condition N of Module I**. All resubmissions must be certified in accordance with 6 NYCRR 373-1.4(a)(5), and by a Professional Engineer, or other qualified environmental professional as the Department may find acceptable using the language provided in DER-10.
- d. Upon approval, the submittal will be incorporated into this Permit when specifically noted by the Department in such approval, pursuant to 6 NYCRR 621.13. If directed by the Department, the Permittee must place the submittal within the Facility's document repository within fifteen (15) days of receipt of the Department's approval.
- e. In the event that the Permittee and the Department cannot resolve the Department's comments, the Department shall, pursuant to 6 NYCRR 621.13 and within 45 days of notice of disapproval or required modifications, send to the Permittee a notice of intent to modify this Permit with regard to all unresolved issues in order to safeguard human health and the environment.

E. OTHER REQUIREMENTS

1. Reservation of Rights

- a. Nothing contained in this Permit shall be construed as barring, diminishing, adjudicating, or in any way affecting any of the Department's rights or authorities, including, but not limited to, the right to require performance of further investigations and/or response action(s), and/or to exercise any summary abatement powers with respect to any person, including the Permittee.
- b. Except as otherwise provided in this Permit, the Permittee specifically reserves all rights and defenses under applicable law, and further reserves all rights respecting the enforcement of this Permit, including the rights to notice, to be heard, to appeal, and to any other due process. The existence of this Permit or the Permittee's compliance with it shall not be construed as an admission of liability, fault, wrongdoing, or breach of standard of care by the Permittee, and shall not give rise to any presumption of law or finding of fact, or create any rights, or grant any cause of action, which shall inure to the benefit of any third party.

2. Environmental Easement

- a. If a Statement of Basis (SOB), or other approved work plan, for the Facility relies upon one or more institutional and/or engineering controls, the Permittee (or the owner of the Facility) must submit to the Department for approval an environmental easement and/or restrictive covenant to run with the land in favor of the State which must be:
 - i. created and recorded pursuant to ECL Article 71, Title 36;
 - ii. in a form and manner as prescribed by the Department;
 - iii. in compliance with General Obligations Law (GOL) 5-703(1) and ECL 71-3605(2); and,
 - iv. recordable pursuant to Real Property Law (RPL) 291.
- b. Upon acceptance of the environmental easement and/or restrictive covenant by the State, the Permittee must comply with the requirements of **Condition E.2** of this Module.
- c. Agents, employees or other representatives of the State may enter and inspect the property burdened by an environmental easement with reasonable prior notice to the property owner, to assure compliance with the restrictions identified by the environmental easement.
- d. If the SOB provides for no action other than implementation of one or more institutional controls, the Permittee must cause an environmental easement to be recorded under the provisions of **Condition E.2.a** of this Module.
- e. If the Permittee does not cause such environmental easement to be recorded in accordance with **Condition E.2.a** of this Module, the Department may file an Environmental Notice on the Facility.

3. Progress Reports

- a. The Permittee must submit a written progress report of its actions under this Module to the parties identified in **Schedule 1 of Module I** by the 10th day of each month commencing with the month subsequent to the approval of the first work plan and ending with the completion of a work item requiring reporting as specified in this Permit or a Department-approved work plan.

4. Dispute Resolution

- a. The Permittee must submit any dispute related to the Department's comments to the designated individual in writing no more than 15 days after it knew or should have known of the facts which are the basis of the dispute. The designated individual shall render a written decision and furnish a copy thereof to the

Permittee, which shall be the final Department determination, unless the Permittee files a written appeal of that decision with the designated appeal individual within 20 days of receipt of that decision.

- i. Upon receipt of the written appeal pursuant to **Condition E.4.a** of this Module, the designated appeal individual, will review the record and decision. The designated appeal individual will take one of the following actions, with written notice to the Permittee:
 - ‘a’) remand the matter to the program staff for further negotiation or information if it is determined that the matter is not ripe for review;
 - ‘b’) determine that there is no need for further action, and that the determination of the designated individual is confirmed; or,
 - ‘c’) make a determination on the record as it exists.
 - ii. The decision of the designated appeal individual shall be the final Department decision unless, within 20 days of receipt of the decision, the Permittee requests that the Department proceed in accordance with **Condition E.4.b** of this Module.
 - iii. The designated individual to:
 - ‘a’) hear disputes is a bureau director in the Department’s Division of Environmental Remediation; and,
 - ‘b’) to review dispute decisions is the assistant director of the Department’s Division of Environmental Remediation.
- b. In the event that the Department issues comments that cannot be resolved with the Permittee, the Department shall, pursuant to 6 NYCRR 621.13, send to the Permittee a notice of intent to modify this Permit with regard to all unresolved issues in order to safeguard human health and the environment.
 - c. Upon receipt of a notice of intent from the Department, the Permittee must act in accordance with 6 NYCRR 621.13(d) or the Department’s action will become effective on the date specified in the notice of intent. In the event that the Permittee acts in accordance with 6 NYCRR 621.13(d) within the specified timeframe, the procedure for dispute resolution will continue in accordance with 6 NYCRR 621.13.

F. MISCELLANEOUS

1. Required Authorizations

- a. The Permittee must use best efforts to obtain all Facility access, permits, easements, approvals, institutional controls, and/or authorizations necessary to

perform the Permittee's obligations under this Permit, including all Department-approved work plans and the schedules contained therein. If, despite the Permittee's best efforts, any access, permits, easements, approvals, institutional controls, or authorizations cannot be obtained, the Permittee must promptly notify the Department and include a summary of the steps taken. The Department may, as it deems appropriate and within its authority, assist the Permittee in obtaining same.

- b. If an interest in property is needed to implement an institutional control required by a work plan and such interest cannot be obtained, the Department may require the Permittee to modify the work plan to reflect changes necessitated by the Permittee's inability to obtain such interest. Within 15 days of receipt of such notice, the Permittee must elect in writing to either: a) modify the work plan as requested by the Department, or accept a Department modified work plan, within 30 days of receipt of the written notice; or, b) invoke dispute resolution in accordance with **Condition E.4** of this Module.

MODULE III

Use and Management of Containers

PART 373 PERMIT

MODULE III – USE AND MANAGEMENT OF CONTAINERS

A. AUTHORIZED STORAGE AREA, WASTE TYPES AND STORAGE VOLUME

1. The Permittee is authorized to manage and/or store hazardous wastes subject to the terms of this Permit as described in **Schedule 1 of Module I**. **Schedule 1 of Module I** provides information regarding the number, location, configuration and type of hazardous wastes in containers that may be stored in each permitted container storage area. The Permittee must not manage and/or store any hazardous wastes in excess of the maximum capacities for each individual area identified in **Schedule 1 of Module I** of this Permit. This Permit is applicable to containerized hazardous wastes in accordance with 6 NYCRR 373-2.9(a), with exceptions noted in, and in compliance with, 6 NYCRR 371.1(h), 371.4 (d)(3), 373-1.1(d)(1)(iii), 373-1.1(d)(1)(xiv) and 373-2.1(a).

B. CONDITION OF CONTAINERS [6 NYCRR 373-2.9(b)]

1. The Permittee must manage and maintain any and all containers holding hazardous wastes authorized by this Permit in accordance with the requirements of 6 NYCRR 373-2.9(b) and this Permit.

C. COMPATIBILITY OF WASTE WITH CONTAINERS [6 NYCRR 373-2.9(c)]

1. The Permittee must use a container made of, or lined with, materials which will not react with, and is otherwise compatible with, the hazardous wastes authorized by this Permit to be stored, so that the ability of the container to contain the waste is not impaired in accordance with 6 NYCRR 373-2.9(c) and this Permit.

D. MANAGEMENT OF CONTAINERS [6 NYCRR 373-2.9(d)]

1. The Permittee must manage containers holding hazardous waste authorized by this Permit in accordance with 6 NYCRR 373-2.9(d) and this Permit including **Schedule 1 of Module I**.
2. Any containers with nonhazardous wastes and other materials stored in an area designated for hazardous waste containers will be subject to all the terms and conditions of this Permit and 6 NYCRR 360-1.1(b). Any other materials stored in these designated areas must be compatible with the waste in accordance with **Condition H** of this Module.
3. The Permittee must maintain aisle space in accordance with 6 NYCRR 373-2.3(f) and this Permit including **Schedule 1 of Module I**. Drums must be stored in rows no greater than 2 drums wide. The aisle space between the rows must be a minimum of 2 feet wide or wider as required by **Schedule 1 of Module I** of this Permit. Drums must not be stacked greater than 2 high or as required by **Schedule 1 of Module I** of

this Permit. For aisle space and stacking requirements for other container types, refer to **Schedule 1 of Module I** of this Permit. All container storage areas must comply with the applicable sections of the New York State Fire Code and the National Fire Protection Association (NFPA) 30 - “Flammable and Combustible Liquids Code.” The Permittee must demonstrate compliance with the applicable portions of the New York State Fire Code and the NFPA 30 to the satisfaction of the Department.

E. INSPECTIONS [6 NYCRR 373-2.9(e)] AND REPAIR/REMEDIAL ACTION [6 NYCRR 373-2.2(g)(3)]

1. The Permittee must inspect areas where containers are stored as authorized by this Permit in accordance with 6 NYCRR 373-2.2(g), 373-2.9(e) and this Permit including the Department-approved Integrated Contingency Plan provided as Vol. I, Section VI-B of the Permit Application and “Volume III: Integrated Contingency Plan” incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**.
2. Loading and unloading areas must be inspected daily when in use in accordance with 6 NYCRR 373-2.2(g)(2)(iv) and this Permit.
3. For each occurrence where hazardous wastes are stored in a container that is not in good condition or that is leaking, or if defects are identified in the secondary containment for containers, the Permittee must record the occurrence in the inspection log and maintain the log as part of the operating record required by 6 NYCRR 373-2.5(c). The Permittee must indicate in the facility’s operating record the date the defect was identified, the date repairs were completed and a brief description of said repairs.
4. If any leaking container threatens human health or the environment the Permittee must immediately report the situation as specified in **Condition C.2 of Module I** (i.e., Oral Reports) and as necessary implement the Department-approved Integrated Contingency Plan provided as Vol. I, Section VI-B of the Permit Application and “Volume III: Integrated Contingency Plan” incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**.
5. For any container of hazardous wastes that is found to be not in good condition (e.g., severe rust, apparent structural deformity, etc.) or leaking, the Permittee must take immediate action to stop or prevent the leak and in accordance with 6 NYCRR 373-2.9(b) and clean up any leaked or spilled material as required by 6 NYCRR 373-2.9(f)(1)(v) in accordance with the procedures contained in the Department-approved Integrated Contingency Plan provided as Vol. I, Section VI-B of the Permit Application and “Volume III: Integrated Contingency Plan” incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**.
6. The Permittee must repair all defects or other deficiencies identified with the secondary containment system for containers during the Permittee’s regular inspections or as a result of independent assessments in accordance with 6 NYCRR

373-2.2(g)(3) and **Condition E.8** of this Module. The Permittee must maintain the secondary containment system for containers free of cracks or gaps and sufficiently impervious to contain leaks, spills and accumulated precipitation.

7. If the secondary containment system for containers is found to be breached or in such a deteriorated condition that it is obviously incapable of containing a release, the Permittee must:
 - a. Take immediate action to stop or prevent any release from the area;
 - b. Take steps in accordance with 6 NYCRR 373-2.9(f)(1)(v) and the Department-approved Integrated Contingency Plan provided as Vol. I, Section VI-B of the Permit Application and “Volume III: Integrated Contingency Plan” incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I** to clean up any leaked or spilled material; and,
 - c. Immediately cease operation of the area and relocate any containers located therein until the defect is repaired to the satisfaction of the Department.
8. For any identified deterioration or malfunction of equipment or structures associated with a hazardous waste management unit which do not result in a release or create the potential for a release of hazardous wastes from the unit’s primary containment (i.e., defects other than those described in **Condition E.5** of this Module), except for specific defects where other Permit conditions or the regulations require repairs within other specified time periods, the Permittee must either:
 - a. Schedule and complete repairs to the defect within thirty (30) days from the date the defect was first identified;
 - b. Submit a proposed schedule for Department approval within seven (7) days from the date the defect was first identified, if it is anticipated that it will take longer than 30 days to complete repairs. The proposed schedule must include the date for completing the repairs which must be within six (6) months from the date when the defect was identified; or
 - c. The Permittee may request, and the Department may approve, extensions to the schedule provided the Permittee has adequately demonstrated that the extension is needed due to unforeseen circumstances or circumstances beyond the Permittee’s control and that the delay will not lead to an environmental or human health hazard.

F. CONTAINMENT [6 NYCRR 373-2.9(f)]

1. Container storage areas authorized by this Permit for the storage of containerized liquids must have a containment system that is designed and operated in accordance with 6 NYCRR 373-2.9(f)(1) and this Permit including **Schedule 1 of Module I**. Container storage areas authorized by this Permit for only the storage of containerized

solids with no free liquids must, at a minimum, meet the requirements of 6 NYCRR 373-2.9(f)(2) and this Permit including **Schedule 1 of Module I**.

G. SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE [6 NYCRR 373-2.9(g)]

1. The Permittee must manage all ignitable or reactive waste placed in containers and authorized by this Permit in accordance with 6 NYCRR 373-2.9(g) and this Permit.

H. SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTE [6 NYCRR 373-2.9(h)]

1. The Permittee must adhere to the special requirements for the management of incompatible wastes in containers authorized by this Permit in accordance with 6 NYCRR 373-2.9(h) and this Permit.
2. The Permittee must demonstrate the compatibility of all hazardous wastes authorized by this Permit with other wastes and materials, and with the containers utilized to store the waste in accordance with this Permit including **Schedule 1 of Module I** and the Department-approved Waste Analysis Plan incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**.

I. CLOSURE [6 NYCRR 373-2.9(i)]

1. At closure, the Permittee must comply with the closure requirements in accordance with 6 NYCRR 373-2.9(i), 6 NYCRR 373-2.7 and this Permit, including the Department-approved Closure Plan provided as Attachment C of this Permit.

J. AIR EMISSION STANDARDS [6 NYCRR 373-2.9(j)]

1. The Permittee must manage all hazardous wastes in containers authorized by this Permit in accordance with 6 NYCRR 373-3.27, 373-3.28 and 373-3.29 as applicable and **Schedule 1 of Module I** of this Permit.

K. OTHER REQUIREMENTS

1. Independent Secondary Containment Assessment of Container Storage Areas: For container storage areas that require secondary containment pursuant to this Permit, the Permittee must conduct an independent assessment of each secondary containment area. The independent secondary containment assessment must be conducted annually for all areas, unless otherwise specified in **Schedule 1 of Module I**. The assessment must identify any deficiencies in each containment area including, but not limited to, cracks, gaps, sealant/coating defects or other defects that would inhibit the ability of the containment system to contain leaks or spills of containerized liquids, in accordance with the requirements of 6 NYCRR 373-2.9(f)(1). The assessment must be performed by an independent, qualified Professional Engineer licensed in New York State or a qualified inspector working under the Professional Engineer. All containers, equipment and miscellaneous debris must be removed so that all surfaces of the containment system are completely

exposed for inspection, unless otherwise specified in **Schedule 1 of Module I**. Any defects identified during the assessment must be documented in an assessment report. Once any defects have been repaired, the secondary containment area(s) must be re-inspected by the engineer/inspector to evaluate the adequacy of the repairs and to confirm that the secondary containment area(s) meets the requirements of 6 NYCRR 373-2.9(f)(1)(i) and **Condition F** of this Module. The assessment report must document the results of such re-inspections and confirm that the secondary containment area(s) meets the cited requirements. Copies of each assessment report must be retained by the Permittee in accordance with 6 NYCRR 373-1.6(a)(10) and made available for review upon Department request. The Permittee may also be required to submit the assessment report to the Department if so specified in **Schedule 1 of Module I**.

2. Precautions in Flammable & Oxidizer Waste Storage Areas: Machinery and equipment must not be permitted in flammable and oxidizer waste storage areas or any process area where a flammable atmosphere may exist unless it has been fitted with appropriate safeguard devices approved by Underwriters Laboratories (UL) to render the machinery/equipment intrinsically safe. Only non-sparking tools shall be used in these storage areas.
3. The Permittee must remove all liquid precipitation and other accumulated liquids from any hazardous waste secondary containment structure within 24 hours.

MODULE IV

Tank Systems

PART 373 PERMIT

MODULE IV - TANK SYSTEMS

A. AUTHORIZED TANK SYSTEMS AND WASTES

1. The Permittee is authorized to use the tank systems for the storage and/or treatment of hazardous wastes subject to the terms of this Permit as described in **Schedule 1 of Module I**. **Schedule 1 of Module I** provides information regarding the location, capacity and type of waste stored for each permitted tank system. This Permit is applicable to wastes stored or treated in accordance with 6 NYCRR 373-2.10(a), with exceptions noted in, and in compliance with, 6 NYCRR 373-1.1(d)(1)(iii) and 373-2.1(a).
2. The Permittee must operate and maintain the tank systems in accordance with this Permit and with 6 NYCRR 373-2.10.
3. For tank systems used to store or treat materials that are newly defined as hazardous waste in the future, the Permittee must comply with 6 NYCRR 373-2.10 and 373-1.7(g).

B. DESIGN AND INSTALLATION OF NEW TANK SYSTEMS OR COMPONENTS
[6 NYCRR 373-2.10(c)]

1. For new hazardous waste tank systems or components (such as the secondary containment system) not authorized by this Permit, which the Permittee proposes to construct in the future, the Permittee must, prior to construction for a new or replacement tank system and prior to operation of a repurposed or modified tank system, submit to the Department an application to modify this Permit including design plans, specifications and a written assessment of the tank systems' structural integrity, as required by 6 NYCRR 373-2.10(c) and obtain a permit modification.
2. The term "new hazardous waste tank system(s)" includes new tank system(s), replacement tank system(s), repurposed tank system(s) and modified tank system(s).
3. Upon completion of construction and prior to commencing operation, the Permittee must obtain and keep on file certifications of construction in accordance with 6 NYCRR 373-2.10(c)(7).
4. The Permittee may not use any tank until:
 - a. The Permittee has submitted to the Department by Certified Mail or hand delivery a letter signed by the Permittee and a New York registered Professional Engineer stating that the tank has been constructed or modified in compliance with this Permit;

- b. A Department representative has inspected the newly constructed or modified tank and has found it is in compliance with the conditions of this Permit; or
- c. If, within 15 days of the date of submission of the letter specified in **Condition B.4.a** of this Module the Permittee has not received notice from the Department of its intent to inspect, the inspection requirement specified in **Condition B.4.b** of this Module is waived and the Permittee may use the tank, per 6 NYCRR 373-1.6(a)(12)(ii)(‘b’)(‘2’).

C. CONTAINMENT AND DETECTION OF RELEASES [6 NYCRR 373-2.10(d)]

- 1. In order to prevent the release of hazardous waste or hazardous constituents to the environment, tank system(s) secondary containment must be provided and operated in a manner that meets the requirements of 6 NYCRR 373-2.10(d) and this Permit, including **Schedule 1 of Module I**, except for ancillary equipment meeting the requirements of 6 NYCRR 373-2.10(d)(6).

D. GENERAL OPERATING REQUIREMENTS [6 NYCRR 373-2.10(e)]

- 1. The Permittee must operate hazardous waste tank systems and components authorized by this Permit in accordance with 6 NYCRR 373-2.10(e) and this Permit including **Schedule 1 of Module I**.

E. INSPECTIONS [6 NYCRR 373-2.10(f)] AND REPAIR/REMEDIAL ACTION [6 NYCRR 373-2.2(g)(3)]

- 1. The Permittee must inspect tank systems and components authorized by this Permit in accordance with 6 NYCRR 373-2.2(g), 373-2.10(f) and this Permit, including the Department-approved Security and Facility Inspection Plan incorporated by reference into this Permit and **Schedule 1 of Module I**.
- 2. Loading and unloading areas must be inspected daily when in use in accordance with 6 NYCRR 373-2.2(g)(2)(iv) and this Permit.
- 3. For any leak, overflow, defect, deterioration, malfunction or other problem found as a result of the inspection or assessment of any tank system, including secondary containment and ancillary equipment, the Permittee must record the occurrence in the inspection log and maintain the log as part of the operating record required by 6 NYCRR 373-2.5(c). The Permittee must indicate in the facility’s operating record the date the defect was identified, the date repairs were completed and a brief description of said repairs.
- 4. If leaks (except minor drips) or overflows are discovered associated with any hazardous waste tank system (including ancillary equipment), the Permittee must immediately report the situation as specified in **Condition C.2 of Module I** (i.e., Oral Reports) and implement the Department-approved Integrated Contingency Plan incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**, as necessary.

5. For any identified leak (including minor drips) or defect which creates the potential for leakage from a tank or from a tank's ancillary equipment (e.g., piping, pump, valve, etc.) containing hazardous waste, the Permittee must take immediate action to stop or prevent the leak, take steps in accordance with 6 NYCRR 373-2.10(g) and clean up any leaked or spilled material as required by 6 NYCRR 373-2.10(g)(2) in accordance with the procedures contained in the Department-approved Integrated Contingency Plan incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**.
6. The Permittee must take action in response to any of the aforementioned tank system deficiencies in accordance with 6 NYCRR 373-2.2(g)(3), **Condition E.8** of this Module and, if applicable, **Condition F** of this Module. The Permittee must maintain the secondary containment system for tanks free of cracks or gaps and sufficiently impervious to contain leaks, spills and accumulated precipitation until the collected material is detected and removed. The Permittee must remove all liquid precipitation and other accumulated liquids from any hazardous waste secondary containment structure within 24 hours.
7. If a tank system secondary containment is found to be breached or in such a deteriorated condition that it is obviously incapable of containing a release, the Permittee must: a) take immediate action to stop or prevent any release from the system; b) take steps in accordance with the Department-approved Integrated Contingency Plan incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I** to clean up any leaked or spilled material; and, c) immediately cease operation of the system and relocate any material stored within the system until the defect is repaired to the satisfaction of the Department.
8. For any identified deterioration or malfunction of equipment or structures associated with a hazardous waste management unit which do not result in a release or create the potential for a release of hazardous waste from the unit's primary containment (i.e., defects other than those described in **Condition E.5** of this Module) or for situations where the waste has been removed from the primary containment unit in accordance with **Conditions E.7 or F** of this Module, except for specific defects where other Permit conditions or the regulations require repairs within other specified time periods, the Permittee must, unless otherwise addressed in an alternate schedule approved by the Department, either:
 - a. Schedule and complete repairs to the defect within thirty (30) days from the date the defect was first identified;
 - b. Submit a proposed schedule for Department approval within seven (7) days from the date the defect was first identified, if it is anticipated that it will take longer than 30 days to complete repairs. The proposed schedule must include the date for completing the repairs which must be within six (6) months from the date when the defect was identified; or

- c. The Permittee may request, and the Department may approve, extensions to the schedule provided the Permittee has adequately demonstrated that the extension is needed due to unforeseen circumstances or circumstances beyond the Permittee's control and that the delay will not lead to an environmental or human health hazard.

F. RESPONSE TO LEAKS OR SPILLS AND DISPOSITION OF LEAKING OR UNFIT-FOR-USE HAZARDOUS WASTE TANK SYSTEMS [6 NYCRR 373-2.10(g)]

1. A tank system or secondary containment system authorized by this Permit from which there has been a leak or spill, or which is unfit for use, must be removed from service immediately and the Permittee must take all action required in accordance with 6 NYCRR 373-2.10(g) and this Permit.
2. With respect to notifications of releases to the environment, reporting must be in accordance with 6 NYCRR 373-2.10(g)(4) and **Module I** of this Permit.

G. CLOSURE AND POST-CLOSURE CARE [6 NYCRR 373-2.10(h)]

1. At closure of a tank system authorized by this Permit, the Permittee must comply with the closure requirements in accordance with 6 NYCRR 373-2.10(h), 6 NYCRR 373-2.7 and this Permit, including the Department-approved Closure Plan provided as Attachment C of this Permit. For tank systems where the Department accepts the Permittee's demonstration in accordance with 6 NYCRR 373-2.10(h)(2), the Permittee must meet the closure and post-closure requirements of 6 NYCRR 373-2.14(g), 6 NYCRR 373-2.7(g) through (j), and this Permit, including a Department-approved modified Closure Plan and new or modified Post-Closure Plan provided as Attachment C of this Permit.

H. SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTES [6 NYCRR 373-2.10(i)]

1. The Permittee must manage all ignitable or reactive waste placed in tank systems authorized by this Permit in accordance with 6 NYCRR 373-2.10(i) and this Permit.

I. SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES [6 NYCRR 373-2.10(j)]

1. The Permittee must adhere to the special requirements for the management of incompatible waste in tank systems authorized by this Permit in accordance with 6 NYCRR 373-2.10(j) and this Permit.

J. AIR EMISSION STANDARDS [6 NYCRR 373-2.10(k)]

1. The Permittee must manage all hazardous wastes placed in tank systems authorized by this Permit in accordance with 6 NYCRR 373-2.27, 373-2.28 and 373-2.29, as applicable and this Permit.

K. OTHER REQUIREMENTS

1. Tank System Process and Instrumentation Diagrams: The Permittee must operate and maintain all tank systems in accordance with the Department-approved Process & Instrumentation Diagrams (PIDs) provided in Attachment B of this Permit. The Permittee may replace tank system ancillary equipment (e.g., pipes, pumps, valves, etc.) without modification of this Permit or the above referenced PIDs, provided that the materials/components used are identical to the materials/components depicted on the referenced PIDs (e.g., 4-inch HDPE pipe to be replaced with 4-inch HDPE pipe, etc.). To replace tank system ancillary equipment with materials/components that are not identical to the materials/components depicted on the referenced PIDs (e.g., 4-inch HDPE pipe to be replaced with 4-inch steel pipe, etc.), the Permittee must submit the revised PID(s) along with information to support the equivalency of the replacement materials/components, and obtain Department approval of the revisions prior to implementing the replacement. At its discretion, the Department may review the revised PID(s) and grant verbal approval for such proposed replacements to allow implementation, which will be followed by a written approval. Revisions to PIDs that only involve replacement of existing tank system ancillary equipment, do not require modification of this Permit, unless the Department determines that a Permit modification is needed due to the nature and/or extent of the revisions. For revisions to PIDs that involve new, modified or replacement tanks or new additional ancillary equipment not depicted on the referenced PIDs, the Permittee must comply with all requirements specified by **Condition B** of this Module.
2. Electronically Operated Ancillary Equipment: The Permittee must perform annual testing of any electronically operated tank system interconnection and overflow prevention controls, and leak detection equipment, including but not limited to the following:
 - tank high level sensors and alarms;
 - interconnected tank valves and alarms;
 - pump disabling switches tied to tank high level sensors;
 - pump disabling switches tied to interconnected tank valves; and
 - leak detection sensors and alarms.

The testing must be conducted by manually simulating the condition each device is designed to detect, and observing to see if the designed reaction occurs. The Permittee must record the results of this testing in the operating record required by 6 NYCRR 373-2.5(c). If any device or its associated electronic system fails to function as designed, the Permittee must make all necessary repairs in accordance with 6 NYCRR 373-2.2(g)(3) and **Condition E** of this Module, and re-test the repaired system.

3. Independent Assessment of Tank Systems

- a. In addition to the inspections required by **Condition E** of this Module, the Permittee must have each tank system assessed by an independent, qualified, Professional Engineer registered in New York, or alternatively, by an independent, qualified inspector working under a registered New York State Professional Engineer. Each tank system must be independently assessed at a minimum of once every five (5) years as measured from the end of the calendar year of the tank system's last assessment unless a more frequent inspection is recommended in the most recent tank assessment report, or as otherwise specified in **Schedule 1 of Module I** of this Permit. Each time a tank system is assessed, its next assessment shall be required to occur with five (5) calendar years of its most recent assessment.
- b. Each tank system assessment must entail an inspection of all visible tank system components including but not necessarily limited to the tank exterior, tank supports, piping, pumps, valves and any overflow prevention controls (tank system secondary containment must be inspected in accordance with **Conditions E** and **K.4** of this Module). The tank system assessment also requires a visual inspection of the tank's interior for any tank(s) identified in **Schedule 1 of Module I** as requiring such additional assessment. Any tank(s) requiring an internal inspection must be completely emptied and cleaned to expose all internal tank surfaces for examination by the engineer/inspector. The engineer/inspector must identify and record all observed cracks, leaks, corrosion, interior coating defects (where applicable) and any other areas of deterioration that could affect the integrity of the tank system. For steel tanks, the engineer/inspector must also obtain ultrasonic thickness measurements of all accessible tank surfaces to determine the integrity of the tank shell.
- c. After each assessment, the engineer/inspector must report to the Permittee as specified in the schedule provided in **Schedule 1 of Module I** of this Permit any and all tank system defects identified during the assessment along with repair recommendations. The Permittee must repair all identified defects in accordance with the engineer's/inspector's recommendations and have the engineer/inspector verify the adequacy of the repairs. Any tank system that is found to be leaking or unfit for use by the engineer/inspector must be immediately removed from service and must not be returned to service until the Permittee obtains a certification of major repairs in accordance with 6 NYCRR 373-2.10(g) and this Permit.
- d. The engineer/inspector must prepare a detailed report for all tank systems that are assessed. For each tank system, the report must include a description of observations made during the visual inspection, the result of any ultrasonic thickness measurements taken of the tank shell and the engineer's/inspector's evaluation of these measurements, a description of any defects identified, and an evaluation of all repairs made by the Permittee. Each report must also include a statement from the engineer/inspector which certifies that all repairs were made in accordance with the engineer's/inspector's recommendations and that all in-service tank systems assessed are capable of handling hazardous wastes without release for the intended life of the system. This report must be submitted to the

Department within 90 days of the assessment, unless the Department approves an extension of no greater than 30 days or as otherwise specified in **Schedule 1 of Module I**.

4. Independent Assessment of Tank Systems Secondary Containment

- a. For the tank systems authorized by this Permit with secondary containment designed in accordance with 6 NYCRR 373-2.10(d)(4)(i) or (ii), independent assessments must be conducted triennially for indoor containment areas not exposed to the weather and annually for all other containment areas, unless otherwise specified in **Schedule 1 of Module I**. The assessment must identify any deficiencies in each containment area, including but not limited to cracks, gaps or defects in the impermeable surface coatings or other defects that would inhibit the ability of the containment system to contain leaks or overflows in accordance with the requirements of 6 NYCRR 373-2.10(d). The assessment must be performed by an independent, qualified Professional Engineer licensed in New York State or a qualified inspector working under the Professional Engineer. Any equipment and miscellaneous debris must be removed from the containment system so that all surfaces are completely exposed for inspection. Any defects identified during the assessment must be documented by the engineer/inspector in an assessment report. Once any defects have been repaired, the secondary containment area(s) must be re-inspected by the engineer/inspector to evaluate the adequacy of the repairs and to confirm that the secondary containment area(s) meets the requirements of 6 NYCRR 373-2.10(d) and **Condition C** of this Module. The assessment report must document the results of such re-inspections and confirm that the secondary containment area(s) meets the cited requirements. Copies of each assessment report must be retained by the Permittee in accordance with 6 NYCRR 373-1.6(a)(10) and made available for review upon Department request. The Permittee may also be required to submit the assessment report to the Department if so specified in **Schedule 1 of Module I**.

5. Precautions in Flammable & Oxidizer Waste Storage Areas: Machinery and equipment must not be permitted in flammable and oxidizer waste storage areas or any process area where a flammable atmosphere may exist unless it has been fitted with appropriate safeguard devices approved by Underwriters Laboratories (UL) to render the machinery/equipment intrinsically safe. Only non-sparking tools shall be used in these storage areas.

MODULE V

Reserved

MODULE VI

Reserved

MODULE VII

Incinerators

PART 373 PERMIT

MODULE VII - INCINERATORS

A. GENERAL

1. The Permittee is authorized to operate the incineration unit(s) included in **Schedule 1 of Module I** of this Permit for the treatment and destruction of hazardous wastes. **Schedule 1 of Module I** of this Permit provides information regarding the type of hazardous wastes that may be incinerated and the operating parameters for each incineration unit authorized under this Permit.
2. The Permittee must operate and maintain each authorized incineration unit and ancillary equipment including, but not limited to, air pollution control equipment (APCE), waste feed systems, and process control and monitoring systems in accordance with, as applicable, 6 NYCRR 373-2.15, 373-2.27, 373-3.28 and 373-3.29, and this Permit, including **Schedule 1 of Module**.
3. In the event that the Facility has multiple incineration units, the provisions of this Permit apply individually to each unit.
4. The Department may, based on a site-specific Risk Assessment, add terms and conditions to this Permit if it is determined that the standards found at 6 NYCRR 373-2.15 are not sufficient to protect human health or the environment. These site-specific conditions, if applicable, are included in **Schedule 1 of Module I** of this Permit.
5. Any modification, as defined in 6 NYCRR 373-1.7, to the authorized incineration unit(s) or ancillary equipment shall be treated as a permit modification and must be processed as specified in 6 NYCRR 373-1.7, 6 NYCRR 621.13 and this Permit, including **Condition D of Module I and Schedule 1 of Module I**.

B. WASTE ANALYSIS [6 NYCRR 373-2.15(b) and 374-1.8(c)(2)]

1. In accordance with 6 NYCRR 373-2.15(b) and 374-1.8(c)(2), the Permittee must, as part of a Trial Burn required pursuant to 6 NYCRR 373-1.9 and **Condition I** of this Module, analyze any proposed waste feed to the incineration unit(s) authorized by this Permit to demonstrate compliance with the standards found at 6 NYCRR 373-2.15(d) or 374-1.8(c)(5), as applicable, and **Schedule 1 of Module I** of this Permit.
2. For the purposes of this Module, the term “wastes” shall include both hazardous wastes and nonhazardous wastes authorized under this Permit for incineration at the facility.
3. Any wastes or combination of wastes and fuel fed to the incineration unit(s) authorized under this Permit must not exceed the design thermal capacity of the incineration unit(s) or cause an explosion, process upset or damage to the incineration unit(s).

4. The wastes fed to the incineration unit(s) authorized under this Permit must conform to that approved by the Department as presented in the facility Waste Analysis Plan (WAP), which is incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**. No other materials may be fed into the incineration unit(s) authorized by this Permit, except as noted at 6 NYCRR 373-2.15(e)(1).
5. The waste streams (including fuel) fed to the incineration unit(s) authorized by this Permit must be sampled and analyzed per the facility's WAP, which is incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**.
6. The Permittee must ensure that each waste stream that is fed to the incineration unit(s) authorized by this Permit meets the requirements of 6 NYCRR 376.1(c)(3) at the point of generation.

C. PRINCIPAL ORGANIC HAZARDOUS CONSTITUENTS [6 NYCRR 373-2.15(c)]

1. Principal Organic Hazardous Constituents (POHCs) in the waste feed must be treated to the extent required to meet the performance standards found at 6 NYCRR 373-2.15(d) and this Permit, including **Schedule 1 of Module I**.

D. PERFORMANCE STANDARDS [6 NYCRR 373-2.15(d) and 374-1.8(c)(5)]

1. The Permittee must design, construct and maintain the incineration unit(s) authorized by this Permit so that when operated in accordance with **Condition F** of this Module, the unit(s) comply with the performance standards found at 6 NYCRR 373-2.15(d) or 374-1.8(c)(5) and this Permit, including **Schedule 1 of Module I**.
2. Any unburned hazardous or non-hazardous wastes or residues that accumulate within the combustion chamber of the incinerator unit(s) authorized by this Permit shall be a contravention of the performance standards of **Condition D** of this Module and shall be considered to be noncompliant with this Permit. It is the responsibility of the Permittee to design and implement whatever measures are necessary, including but not limited to, establishing proper alarm set points and waste feed cutoff limits to prevent any and all violations of this permit and to achieve compliance with **Condition D** of this Module and **Schedule 1 of Module I** of this Permit.
3. Compliance with the operating and waste feed limitations established by the Department, as presented in Schedule 1 of Module I of this Permit, will be regarded as compliance with the performance standards referenced in **Condition D.1** of this Module. Evidence that these Permit conditions are insufficient to ensure compliance with the performance standards will be justification to support modification, retesting and/or reissuance of this Permit pursuant to 6 NYCRR 621.14

E. HAZARDOUS WASTE PERMITS [6 NYCRR 373-2.15(e) and 374-1.8(c)(4)]

1. The Permittee is authorized to burn only the wastes specified in this Permit in the incineration unit(s) authorized by this Permit. The Permittee must comply with the

operating conditions specified for those wastes in accordance with **Condition F** of this Module and this Permit, including Schedule 1 of Module I, except during Department approved Trial Burns or if the Department approves other exemptions under 6 NYCRR 373-2.15(a)(3).

F. OPERATING REQUIREMENTS [6 NYCRR 373-2.15(f) and 374-1.8(c)(5)]

1. The Permittee must operate the incineration unit(s) authorized by this Permit in accordance with 6 NYCRR 373-2.15(f) or 374-1.8(c)(5) and this Permit, including **Schedule 1 of Module I**. The Permittee must cease operation of the incineration unit(s) whenever changes in waste feed, incinerator design or operating conditions exceed the limits designated in 6 NYCRR 373-2.15 or **Schedule 1 of Module I** of this Permit.
2. If the physical integrity of the incinerator unit(s) and ancillary equipment authorized by this Permit is compromised by any defects including but not limited to holes, cracks or breaches, the Regional and Central Offices of the Department must be notified within 24 hours of discovery, and the defect must be repaired within 5 days, unless an alternate timeframe is approved in writing by the Department. Repairs must be documented in writing and placed in the operating record. A written report may also be required to be prepared by the Permittee and submitted to the Department.

G. MONITORING AND INSPECTION [6 NYCRR 373-2.15(g) and 374-1.8(c)(5)(viii)]

1. The Permittee must monitor and inspect the incineration unit(s) authorized under this Permit in accordance with 6 NYCRR 373-2.15(g) or 374-1.8(c)(5)(viii)] and this Permit, including **Schedule 1 of Module I**.

H. RECORDKEEPING AND REPORTING

1. The Permittee must maintain records and provide required reports associated with the incineration unit(s) authorized under this Permit as stipulated in this Permit, including **Schedule 1 of Module I**.
2. The Permittee must record all monitoring, inspection and calibration data. These records must be maintained in the operating record as required by 6 NYCRR 373-2.5(c).
3. The Permittee must record any replacement, maintenance or repair to the incineration unit(s) authorized by this Permit and associated equipment. The record must be maintained in the facility operating record as required by 6 NYCRR 373-2.5(c).

I. TRIAL BURN/COMPREHENSIVE PERFORMANCE TEST (CPT) AND RISK ASSESSMENT (RA)

1. Based on direction from the NYSDEC, and until such time as the regulatory transition from RCRA to HWC-MACT is completed in New York State, any Trial Burn Plans and Comprehensive Performance Test Plans are to be provided to the Department as

one document in an effort to achieve compliance with both 6 NYCRR 373-1.9(a) and 40 CFR 63.1207(f).

2. A Trial Burn/CPT Plan and a RA protocol are to be prepared in accordance with relevant State and federal guidance and standards. The Permittee shall provide a risk assessment (RA) protocol for review and approval with the test plan if so requested by the Department. The specific requirements for the RA protocol shall be consistent with applicable Federal or State standards for such procedures.
3. Once the Department approves the Trial Burn/CPT Plan and, if requested the RA protocol, the Permittee shall conduct the Trial Burn/CPT and prepare the RA using emission rates derived from the Trial Burn/CPT and as specified in the test plans and RA protocol. The Permittee is solely responsible for failing a Trial Burn/CPT and any failure may be grounds for denial or revocation of this Permit.
4. The Permittee must perform the Trial Burn/CPT and, if requested prepare the RA, according to the timeframes presented in the Department-approved CPT Plan. The Permittee is solely responsible if the Trial Burn/CPT results fail to demonstrate compliance with the applicable standards and such failure may be grounds for denial or revocation of this Permit.
5. The Trial Burn/CPT reports, and if applicable, the RA Report, must demonstrate that the proposed operating limits will comply with applicable performance standards in 6 NYCRR 373 and provide adequate protection of human health and the environment to the risk based standards established by the Department and defined in the RA Protocol. The Trial Burn/CPT report shall propose applicable default feed rates, waste feed cutoff conditions, operating parameters, continuous emissions monitoring, continuous process monitoring, special operating conditions and other applicable limits for the Department's review and approval.
6. The Trial Burn/CPT Plan, RA protocol and Trial Burn/ CPT/RA reports must include sufficient supporting information as determined by the Department. Failure to provide any requested information in a timely manner which is reasonably necessary for the Department to make required findings or determinations may be grounds for denial or revocation of this Permit.
7. All updates to the Department-approved Trial Burn/CPT Plan and the RA Protocol incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I** must be performed in accordance with all applicable State or federal regulations, guidance and standards.
8. The analyses required by this Module must be performed by a New York State Department of Health Environmental Laboratory Accreditation Program (ELAP) - certified laboratory.
9. All test protocols (e.g. air modeling) must utilize current State or federal methods, unless alternative protocols are approved by the Department.

J. CLOSURE [6 NYCRR 373-2.15(h), 374-1.8(c)(5)(xi) and 6 NYCRR 373-2.7]

1. The Permittee must close the incineration unit(s) authorized by this Permit and all associated equipment in accordance with 6 NYCRR 373-2.15(h) or 374-1.8(c)(5)(xi), 6 NYCRR 373-2.7, and this Permit, including the Department-approved Closure/Post-closure Plan provided as Attachment C of this Permit.
2. The Permittee must notify the commissioner at least 45 days prior to the date the Permittee expects to begin closure or partial closure of the incinerator unit(s) authorized by this Permit, as required by 6 NYCRR 373-2.7(c)(4)(i) and this Permit.
3. Within 90 days after receiving the final volume of hazardous wastes, the Permittee must treat and dispose of all hazardous wastes and waste residues generated by the incineration unit(s) authorized by this Permit, including but not limited to, ash, scrubber water and scrubber sludge and complete the closure activities in accordance with 6 NYCRR 373-2.7(d) and this Permit, including **Schedule 1 of Module I**.
4. Unless the Permittee can demonstrate, in accordance with 6 NYCRR 371.1(d)(4) that the residue removed from the incineration unit(s) and ancillary equipment is not a hazardous waste, the Permittee becomes a generator of hazardous waste and must manage it in accordance with applicable requirements of 6 NYCRR Parts 372-374 and 376.

MODULE VIII

Reserved

MODULE VIII

Reserved

MODULE IX

Reserved

MODULE X

Hazardous Waste Miscellaneous Units

PART 373 PERMIT

MODULE X – HAZARDOUS WASTE MISCELLANEOUS UNITS

A. AUTHORIZED UNITS, WASTE TYPES AND WASTE MANAGEMENT ACTIVITIES

1. The Permittee is authorized to use the miscellaneous unit(s) for the storage, treatment and/or disposal of hazardous wastes in accordance with 6 NYCRR 373-2.24 and the terms of this Permit as described in **Schedule 1 of Module I**. **Schedule 1 of Module I** provides information regarding the number, location, configuration and type of wastes that may be treated, stored and/or disposed in each permitted hazardous waste miscellaneous unit. Each permitted hazardous waste miscellaneous unit must be located, designed, constructed, operated, maintained and closed in a manner that will ensure the protection of human health and the environment in accordance with 6 NYCRR 373-2.24, including as appropriate 373-2.9 through 373-2.15; 373-2.27 through 373-2.29 and 373-1.

B. ENVIRONMENTAL PERFORMANCE STANDARDS [6 NYCRR 373-2.24(b)]

1. The Permittee must design and operate each miscellaneous unit authorized by this Permit in accordance with the requirements of 6 NYCRR 373-2.24(b) and this Permit, including **Schedule 1 of Module I**.

C. MONITORING, ANALYSIS, INSPECTION, RESPONSE, REPORTING AND CORRECTIVE ACTION [6 NYCRR 373-2.24(c)]

1. The Permittee must monitor; test; obtain and manage analytical data; and conduct inspections, response and reporting at the frequencies that comply with 6 NYCRR 373-2.24(b), 373-2.2(g), 373-2.3(d), 373-2.5(e), (f) and (g), and 373-2.6(l) and this Permit, including **Schedule 1 of Module I**.
2. The Permittee must inspect each permitted hazardous waste miscellaneous unit authorized by this Permit as specified in **Schedule 1 of Module I** in accordance with 6 NYCRR 373-2.2(g) and this Permit including the Integrated Contingency Plan provided as Vol. I, Section VI and Vol. III, Integrated Contingency Plan of the Permit Application incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**.
3. Loading and unloading areas must be inspected daily when in use in accordance with 6 NYCRR 373-2.2(g)(2)(iv) and this Permit including **Schedule 1 of Module I**.
4. For any leak, overflow, defect, deterioration, malfunction or other problem discovered as a result of the inspection or assessment of any permitted hazardous waste miscellaneous unit(s), the Permittee must record the occurrence in the inspection log and maintain the log as part of the operating record required by 6 NYCRR 373-2.5(c). The Permittee must indicate in the facility's operating record

the date the defect was identified, the date repairs were completed and a brief description of said repairs.

5. If leaks, spills and/or releases are discovered associated with a permitted hazardous waste miscellaneous unit(s), the Permittee must immediately report the situation as specified in **Condition C.2 of Module I** (i.e., Oral Reports) and implement the Department-approved Integrated Contingency Plan incorporated by reference into this Permit as necessary.
6. For any identified leak or defect which creates the potential for leakage within a permitted hazardous waste miscellaneous unit but is not released from a miscellaneous unit, the Permittee must take immediate action to stop or prevent the leak, and clean up any leaked or spilled material in accordance with the procedures contained in the Department-approved Integrated Contingency Plan provided as Vol. I, Section VI and Vol. III, Integrated Contingency Plan of the Permit Application incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I**.
7. The Permittee must repair all defects or other deficiencies identified with the permitted hazardous waste miscellaneous unit(s) during the Permittee's regular inspections or as a result of independent assessments, if required by **Schedule 1 of Module I**, in accordance with 6 NYCRR 373-2.2(g)(3) and **Condition C.9** of this Module. The Permittee must maintain the miscellaneous unit(s) free of cracks or gaps and sufficiently impervious to contain leaks, spills and accumulated liquid.
8. For any identified defect which creates the potential for leakage or a release from a permitted hazardous waste miscellaneous unit, the Permittee must: a) take immediate action to stop or prevent any release from the unit; b) take steps in accordance with the Department-approved Integrated Contingency Plan provided as Vol. I, Section VI and Vol. III, Integrated Contingency Plan of the Permit Application incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I** to clean up any leaked or spilled material; and, c) if appropriate, immediately cease operation of the unit and relocate any material stored within the unit until the defect is repaired to the satisfaction of the Department.
9. For any identified deterioration or malfunction of equipment or structures associated with a hazardous waste management unit which do not result in a release or create the potential for a release of hazardous wastes from the unit's primary containment (i.e., defects other than those described in **Condition C.6** of this Module), except for specific defects where other Permit conditions or the regulations require repairs within other specified time periods, the Permittee must either:
 - a. Schedule and complete repairs to the defect within thirty (30) days from the date the defect was first identified;
 - b. Submit a proposed schedule for Department approval within seven (7) days from the date the defect was first identified, if it is anticipated that it will take longer

than 30 days to complete repairs. The proposed schedule must include the date for completing the repairs which must be within six (6) months from the date when the defect was identified; or

- c. The Permittee may request, and the Department may approve, extensions to the schedule provided the Permittee has adequately demonstrated that the extension is needed due to unforeseen circumstances or circumstances beyond the Permittee's control and that the delay will not lead to an environmental or human health hazard.

D. CLOSURE AND POST-CLOSURE CARE [6 NYCRR 373-2.24(d)]

1. The Permittee must perform closure/post-closure care, as appropriate, for each hazardous waste miscellaneous unit authorized by this Permit in accordance with the requirements of 6 NYCRR 373-2.24(d), 373-2.7 and this Permit, including **Schedule 1 of Module I** and the Department-approved Closure Plan and Post-Closure Plan provided as Attachment C of this Permit.

E. OTHER REQUIREMENTS

1. Independent Assessment of Miscellaneous Units: For the hazardous waste miscellaneous unit(s) authorized by this Permit, independent assessments must be conducted, as required, at the frequency specified in **Schedule 1 of Module I**. The assessment must identify any deficiencies in each unit, including but not limited to cracks, gaps or defects in the impermeable surface coatings or other defects that would inhibit the ability of the unit to contain leaks or overflows. The assessment must be performed by an independent, qualified Professional Engineer licensed in New York State or a qualified inspector working under the Professional Engineer. Any equipment and miscellaneous debris must be removed from the unit so that all surfaces are completely exposed for inspection. Any defects identified during the assessment must be documented by the engineer/inspector in an assessment report. Once any defects have been repaired, the unit must be re-inspected by the engineer/inspector to evaluate the adequacy of the repairs and to confirm that the unit meets the requirements of **Condition B** of this Module. The assessment report must document the results of such re-inspections and confirm that the unit meets the cited requirements. Copies of each assessment report must be retained by the Permittee in accordance with 6 NYCRR 373-1.6(a)(10) and made available for review upon Department request. The Permittee may also be required to submit the assessment report to the Department if so specified in **Schedule 1 of Module I**.
2. The Permittee must adhere to the special requirements contained in **Schedule 1 of Module I**, if applicable, for the management of ignitable, reactive and/or incompatible wastes in permitted hazardous waste miscellaneous units.
3. Precautions in Flammable & Oxidizer Waste Storage Areas: Machinery and equipment must not be permitted in flammable and oxidizer waste storage areas or any process area where a flammable atmosphere may exist unless it has been fitted

with appropriate safeguard devices approved by Underwriters Laboratories (UL) to render the machinery/equipment intrinsically safe. Only non-sparking tools shall be used in these storage areas.

ATTACHMENT A

RESERVED

ATTACHMENT B

Engineering Drawings

**“MPM Silicones, LLC, Waterford, New York;
NYSDEC Part 373 Hazardous Waste Permit
Application, Volume II, Sections III and IV” (June
2007, Revised November 12, 2012)***

ATTACHMENT C

Closure Plan, Post-Closure Plan and Financial Assurance

**“MPM Silicones, LLC, Waterford, New York;
NYSDEC Part 373 Hazardous Waste Permit
Application, Volume I, Sections IV-A, and
VIII” (June 2007, Revised November 12, 2012)**

TABLE OF CONTENTS

SECTION IV-A: PROCESS DESCRIPTION – CLOSED REGULATED UNITS

A. DESCRIPTION OF THE CLOSED REGULATED UNITS 1
B. POST CLOSURE PLANS (373-2.7 (g)(1) & (h))..... 4

ATTACHMENTS

A. POST-CLOSURE ACTIVITIES - CLOSED REGULATED UNITS

A. POST-CLOSURE ACTIVITIES - LANDFILLS NO. 1, NO. 3 AND NO. 6

B. POST -CLOSURE ACTIVITIES FOR SURFACE IMPOUNDMENTS (373-2.7 (g)(1), 373-2.7 (h), 373-2.11(f))

SECTION IV-A: PROCESS DESCRIPTION – CLOSED REGULATED UNITS**A. DESCRIPTION OF THE CLOSED REGULATED UNITS****(1) Landfill No. 1 – Southeast Ravine**

The Landfill No. 1 - Southeast Ravine contains approximately 35 feet of sludge fill overlying as much as 24 feet of non-hazardous solid waste. This non-hazardous fill consists of trash, rubble, car bodies and other debris. The portion of the landfill containing hazardous waste has overall plan dimensions of approximately 710 by 380 feet, with an approximate surface area of 6 acres. The volume of sludge fill contained in the Landfill No. 1 - Southeast Ravine is approximately 150,000 cubic yards, based on the known capacity of the landfill and the quantity of waste generated.

(2) Landfill No. 3

Landfill No. 3 is approximately 600 feet by 1200 feet in plan dimension and covers an area of approximately 16.5 acres. Waste disposal began in 1960 and materials present in the landfill include: plant trash, scrap silicone and hydrolyzed methyl silanes, dewatered solids from the wastewater treatment plant, spent silicone-copper slurry, and incinerator residue. The landfill contains approximately 550,000 cubic yards of waste material.

Within the southeast quadrant of Landfill No. 3, a special cell was constructed in 1979. This area (termed Chemical Waste Disposal Area) has a total capacity of 2,000 barrels. These barrels contain primarily reactive waste. The Chemical Waste Disposal Area contains a leachate collection system; a 4-inch bentonite-clay liner and an under drain collection system.

(3) Landfill No. 1 – Southeast Ravine and Landfill No. 3 Caps

Landfills No. 1 – Southeast Ravine and No. 3 were capped during 1990 and 1991. The final covers were constructed in the following sequence:

- a. Prepare and reshape the landfill surface to accept the cover.
- b. Construct soil barrier; two feet of compacted clay with permeability of 1×10^{-7} cm/sec or less.
- c. Install low permeability 40 mil, High Density Polyethylene (HDPE) membrane.
- d. Install drainage layer; 12 inches of sand with permeability of 1×10^{-3} cm/sec or more.

- e. Install geotextile.
- f. Construct vegetative layer; soil able to sustain vegetative growth.
- g. Seeding and mulching to establish vegetative growth.

(4) Landfill No. 6

Landfill No. 6 is approximately 750 feet by 350 feet in plan dimension and covers an area of approximately 6 acres. Waste disposal began in 1989 and materials disposed in this cell include: dewatered solids from the wastewater treatment plant, incinerator residue, asbestos-containing material, silicone filler and boiler clean-out residue. The landfill contains approximately 310,000 cubic yards of waste material.

Closure activities for Landfill No. 6 were performed in 2003. The New York State Department of Environmental Conservation (NYSDEC) approved the Closure Certification on December 26, 2007. The final cover was constructed in the following sequence:

- a. Prepare and reshape the landfill surface to accept the cover.
- b. Install gas vents.
- c. Install geosynthetic clay liner.
- d. Install 40 mil textured FML.
- e. Construct drainage layer.
- f. Construct protective soil layer.
- g. Construct topsoil layer.
- h. Seeding.

(5) Description of Surface Impoundments

There are five closed hazardous waste surface impoundments at the facility.

a. Shot Pond

This 1 million gallon capacity emergency wastewater holding pond formerly received solids from incinerated hazardous waste and leachate from land disposal of hazardous waste. The shot pond is

directly over a portion of the existing slurry wall that surrounds an inactive landfill. As a result, the pond is partially inside, and partially outside, the landfill. The area inside the slurry wall was closed as a landfill with a final cover consisting of (bottom to top) 24 inch compacted clay, a 30 mil. synthetic plastic membrane, 12 inch sand layer for drainage, and 36 inch soil cover to support vegetation. The area outside the slurry wall was cleaned of waste inventory and was backfilled with clean soil.

b. East and West Tailings Ponds

These 1.5 million gallon capacity ponds were used for emergency sludge storage. These ponds also received solids from incinerated hazardous waste and leachate from land disposal of hazardous waste. Since the East and West Tailings Ponds are adjacent, one final cover grading was used to cover both units. The waste within these ponds was partially removed since they were on an inactive landfill with slurry wall containment. Approximately 740 cubic yards of filter press sludge was left in the West Tailings Pond. Approximately 40 cubic yards of filter press sludge was left in the East Tailings Pond. These ponds also have a cap of compacted clay, 30 mil. synthetic plastic membrane (plastic membrane on East pond only), sand layer, and vegetative soil cover.

c. Lagoon No. 3

This was a 0.5 million gallon capacity wastewater treatment plant effluent polishing lagoon. This lagoon also received solids from incinerated hazardous wastes. During closure, all waste inventory from Lagoon No. 3 was removed for on-site disposal and backfilled with stone base below the groundwater table. After the stone base was extended above the groundwater table, a geotextile was laid over the surface and topped with natural clean fill.

d. Lagoon No. 2

This was a 1.2 million gallon capacity spill protection storage lagoon. This lagoon also received solids from incinerated hazardous wastes and leachate from land disposal of hazardous waste. The lagoon was cleaned of all waste inventory as part of closure activities. Momentive did not intend to backfill this lagoon. This lagoon was reconstructed to allow for continued use as a non-contact (non-hazardous) cooling water and storm water detention pond which is regulated under the facility's State Pollutant Discharge Elimination System permit.

B. POST CLOSURE PLANS (373-2.7 (g)(1) & (h))

Momentive maintains and follows Post-Closure Plans for the following closed on-site disposal facilities:

- Landfill No. 1 – Southeast Ravine
- Landfill No. 3
- Landfill No. 6
- East Tailings Pond
- West Tailings Pond
- Shot Pond

The general facility Post-Closure Plan is presented in Section VIII. Post-closure activities for Landfill No. 1 – Southeast Ravine, Landfill No. 3, Landfill No. 6, and the surface impoundments are summarized in Attachment A. Specific monitoring and maintenance activities for each facility can be found in the Momentive Operation and Maintenance (O&M) Part V operating manual for closed regulated units. Post-closure cost estimates and applicable notices are discussed in the general Post-Closure Plan in Section VIII.

**ATTACHMENT A
POST-CLOSURE ACTIVITIES – CLOSED REGULATED UNITS**

A. POST-CLOSURE ACTIVITIES - LANDFILLS NO. 1, NO. 3 AND NO. 6

(1) General Procedures

The Post-Closure Plan describes the ongoing monitoring and maintenance program that will be followed throughout the Post-Closure Care Period for Landfills No. 1 – Southeast Ravine, No. 3 and No. 6 in accordance with the requirements of 6 NYCRR 373-1.5(a) (2), 373-1.5(d) (7), 373-1.5(e) (9), 373-1.5(h) (5), 373-3.7(h), 373-3.11(f) (2), 373-3.11(f) (3), 373-3.13(h) (3), 373-3.14(g) (2) and 40 CFR 270.14(b) (13), 270.17(g), 270.18(i), 270.21(e), 265.118, 265.228(b), 265.228(c) (1), 265.280(c) and 265.310(b).

During the post-closure care period, approximately six acres are maintained for Landfill No. 1 – Southeast Ravine, 17 acres are maintained for Landfill No. 3, and approximately six acres are maintained for Landfill No. 6. Maintenance activities are performed as required by inspection. The schedule of inspections and the scope of potential maintenance procedures are identified in the following sections. Routine activities associated with post-closure care include sampling groundwater in monitoring wells and inspecting both leachate collection and runoff control systems.

The goal of Momentive's Post-Closure Plan is to maintain the function and integrity of the final cover, as well as the monitoring system. To this end, a three-point Post-Closure Plan has been developed to secure, monitor, and maintain the site.

(2) Inspection Plan

Momentive inspects the closed landfill facilities a minimum of four times per year, and always after major storm events (25 year, 24-hour storm exceeding rainfall of 4.8 inches), as determined by readings from the meteorological station located within the facility boundaries. Areas requiring maintenance are recorded so appropriate activities can be performed. Inspection criteria can be found in the Momentive O&M manual for closed regulated units (O&M Manual).

(3) Reporting

a. Post Closure Activities (373-2.7(g)(2), 373-2.7(h)(2)(ii))

Section IX, Corrective Action, of this application describes the post closure groundwater monitoring plan. Momentive has instituted a remedial program in accordance with Civil Action No. 83-CV-77 and the resulting Consent Decree between New York State and GE Silicones (now Momentive). Momentive is currently managing this remedial program in accordance with a July 8, 2005 letter to the New York State Department of Environmental Conservation (NYSDEC) regarding “proposed modification to groundwater remedial systems, General Electric Advanced Materials – Silicones, Waterford, New York.” NYSDEC provided formal approval of this remedial program in a letter dated January 6, 2006. The approved remedial program provides the necessary protection of human health and the environment required under 6 NYCRR Part 373-2.6(a)(6).

b. Quarterly Status Reports

Momentive will provide quarterly reports detailing monitoring and maintenance activities associated with each closed landfill unit to the NYSDEC. Reports will also include results of groundwater monitoring when applicable. Reporting will be combined with quarterly status reports on Remedial Plan Activities.

c. Immediate Reporting

Momentive will notify the Commissioner within 3 working days of any of the following occurrences:

- Inspection findings that cannot readily be resolved with routine maintenance procedures,
- Findings or conditions that could potentially threaten human health or the environment.

(4) Groundwater Monitoring

Momentive monitors groundwater in the vicinity of the closed landfills. It is Momentive’s intention to continue monitoring for the duration of the Post-Closure Care period of the landfills. A Groundwater Corrective Measures Program was submitted to NYSDEC in March 1988. The Corrective Measures Program has three objectives; to define the extent of concentrations in the Primary Aquifer (PA) and Secondary Transient Zone (STZ) in specific areas; to relate concentrations in the PA and STZ to

potential sources in the landfill; and to evaluate the rate and direction of constituent migration from specific areas.

(5) Leachate Collection and Removal

- a. Landfill No. 1 – Southeast Ravine and Landfill No. 3 contain passive under-drains that convey accumulated leachate to the plant process sewer.
- b. Landfill No. 6 has an existing leachate collection system that discharges into the Leachate Collection System (LTS). The LTS is a double walled high density polyethylene (HDPE) pipeline which conveys leachate to Momentive’s on-site Waste Treatment Plant head works. Inspection manholes extend up above grade at regular intervals. These manholes are visually inspected on a quarterly basis to verify the system’s integrity. Liquid found in these manholes is removed and transported for proper treatment. Momentive hydrostatically pressure tests the carrier pipe between the Landfill No. 6 pump house and MH-A-1A on a biennial basis (once every two years) using a NYSDEC approved procedure.

(6) Leak Detection Between Liners

- a. Landfill No. 1 – Southeast Ravine and Landfill No. 3 do not have double-liner systems. Therefore, this item is not applicable.
- b. For Landfill No. 6, samples from the Primary and Secondary Leachate Collection Systems (PLCS, SLCS) are collected on a schedule established in the O&M Manual. Operating conditions of each system are also monitored on an ongoing basis to assure proper operation.

(7) Landfill No. 6 Groundwater Monitoring

- a. Landfill No. 6: Applicability

Momentive complies with groundwater monitoring requirements set forth in 6 NYCRR 373-2.6.

Momentive will modify the groundwater monitoring program so as to maintain compliance with any future changes in 6 NYCRR 373-2.6 within ninety (90) days of the effective date of such changes.

Momentive maintains and follows the Detection Monitoring Program as established in the “Operations and Maintenance Manual, Closed Regulated and Non-Regulated Units.”

B. POST-CLOSURE ACTIVITIES FOR SURFACE IMPOUNDMENTS (373-2.7 (g)(1), 373-2.7 (h), 373-2.11(f))

(1) General Procedures

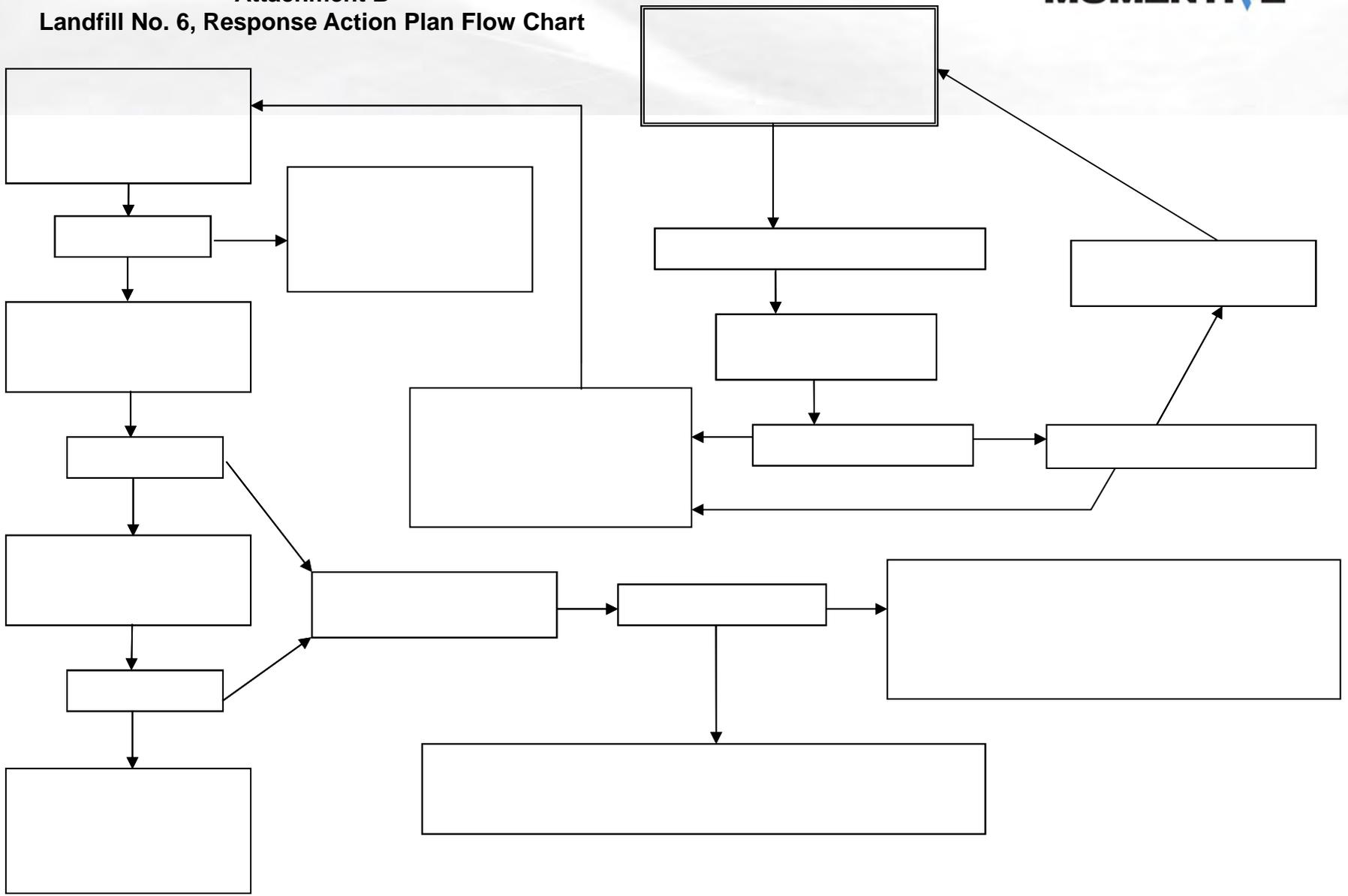
This Post-Closure Plan describes the activities that will be performed to monitor the impoundments throughout the post-closure care period. These activities will develop documentation and promote actions to protect human health and the environment.

Since all waste inventory was removed during closure of Lagoon No. 2 and Lagoon No. 3, no post-closure plans are presented for these lagoons. The other closed ponds will be monitored and maintained throughout the post-closure care period. Activities consist of periodic inspections, groundwater monitoring and maintenance of all observable features. Inspection items for the ponds are the cover surfaces, the gas vent risers and adjacent run-off diversion ditches. Detailed monitoring and maintenance procedures for surface impoundments can be found in the O&M Manual. Groundwater monitoring wells within this area are monitored and maintained as part of the overall site-monitoring program described in Section IX of this permit application.

(2) Reporting

Significant deficiencies observed during quarterly inspections or as a result of spot inspections will be reported to the NYSDEC within three working days. Significant deficiencies will be considered those which cannot readily be corrected utilizing standard maintenance methods and materials, or those that pose a potential threat to human health or the environment.

Attachment B
Landfill No. 6, Response Action Plan Flow Chart



SECTION VIII: CLOSURE AND FINANCIAL ASSURANCE**A. CLOSURE****(1) Performance Standard (373-2.7(b))**

Momentive will conduct partial or final closure of the facility as required by 40 CFR 264.111, 6NYCRR 373-2.7 (b) and 373-2.9 (i). The closure plan incorporates performance criteria in a manner that:

- a) Minimizes the need for further maintenance, and
- b) Controls, minimizes or eliminates, to the extent necessary to protect human health and environment, post-closure escape of hazardous waste, hazardous waste constituents, leachate, contaminated rainfall, or decomposition products to the ground or surface water or to the atmosphere.

(2) Amendment to Closure Plan (373-2.7(c)(3))

Momentive will amend the Closure Plan in the event of the following:

- a) changes in operating plans or facility design affect the closure plan,
- b) there is a change in the expected year of closure,
- c) unexpected events in conducting partial or final closure activities require a modification of the approved closure plan, or
- d) Momentive requests alternative requirements to a regulated unit under 373-2.6(a)(6), 373-2.7(a)(3) and/or 373-2.8(a)(4).

(3) Notification of Closure and Partial Closure (373-2.7(c)(4))

Momentive shall notify the Commissioner at least 60 days prior to the expected date of the initiation of closure or partial closure of any hazardous waste management unit or the facility.

(4) Time Allowed for Closure (373-2.7(d))

Momentive's schedule for closing the hazardous waste storage and treatment facilities on site will depend upon sampling results and the number of concurrent activities that can be accomplished. Some activities, such as site restoration and decontamination, will be on-going during the course of closure.



However, Momentive does anticipate that final closure activities will take longer than 180 days. Momentive will request the necessary extensions in accordance with 6 NYCRR 373-2.7(d) at the time of closure.

A schedule for the closure of each of the hazardous waste storage and treatment facilities is as follows:

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**TABLE VIII-1
Hazardous Waste Storage and Treatment Facilities Closure Schedule**

Concrete Areas to be Closed	Dimension (ft)		Area (sf)	Thickness (ft)	Volume Concrete (cf)	Volume Concrete (cy)	Volume Underlying 2-ft Soil (cy)	Concrete Demo ¹ (hrs)	Concrete Removal & Loading ² (hrs)	Man Hours Required (hours)		Assumed Equipment Rental (Days)			
										Total Concrete Demo and Removal (hrs)	Soil Removal ³ (hrs)	Crew Size - Concrete Demo and Removal (# men)	Crew Size - Soil Removal (# men)	Concrete Demo & Removal (days)	Soil Removal (days)
Container Transfer Areas															
Area B30	23	48	1104	0.5	552	20	82	33	5	39	2				
Area B71	63	59.5	3749	0.67	2511	93	278	112	25	137	8				
Area B76	39	45	1755	0.67	1176	44	130	53	12	64	4				
Area B78	60.5	60	3630	0.67	2432	90	269	109	24	133	8				
Area R2/MCS	66	57.5	3795	0.67	2543	94	281	114	25	139	8				
Area FB	50	37.5	1875	0.67	1256	47	139	56	12	69	4				
Area APS	58	12	696	0.67	466	17	52	21	5	25	2				
Area B24	26	52	1352	0.67	906	34	100	41	9	50	3				
Area T538	51.5	14.5	747	0.67	500	19	55	22	5	27	2				
Total Container Transfer Areas	437	386	18702	6	12070	457	1386	561	122	683	42	3	1	29	5
RKI Feed Pad			2497	0.7	1748	65	185	75	17	92	6	1	1	10	1
Drum Storage Structure															
Storage Bays	201.25	41.67	8386	0.67	5619	208	621	252	56	307	19				
Berm (or Apron)	201.25	32	6440	0.67	4315	160	477	193	43	236	14				
Total Drum Storage Structure								445	98	543	33	4	1	16	4
Miscellaneous Units															
Landfill #6 Truck Wash	28	75	2100	0.67	1407	52	156	63	14	77	5				
API Pad	58	12	696	0.67	466.32	17	52	21	5	25	2				
Total Miscellaneous Units												1	1	1	1
FBI#2 Foundation	62.1	62.1	3856	0.7		100	286	116	27	142	9	1	1	15	1
RKI Foundation	100.1	100.1	10020	0.7		260	742	301	69	370	22	2	1	20	3
Tank Containment Areas															
Tanks 26A, 26B	45	60	2700	0.5	1350	50	200	81	13	94	6				
Tanks 15, 26C	22	11	242	0.5	121	4	18	7	1	8	1				
Tanks 28A, 28B	45	60	2700	0.5	1350	50	200	81	13	94	6				
Tanks 39, 40	52	50	2600	0.5	1300	48	193	78	13	91	6				
Tanks 61, 62	41	58	2378	0.5	1189	44	176	71	12	83	5				
Tanks 250, 251, 252	24	45	1080	0.5	540	20	80	32	5	38	2				
Tanks 506D	40	20	800	0.5	400	15	59	24	4	28	2				
Tank 538	15	40	600	0.5	300	11	44	18	3	21	1				
Tank 509	20	35	700	0.5	350	13	52	21	3	24	2				
Tanks 539A, 539B	60	95	5700	0.5	2850	106	422	171	28	199	13				
Cadigan's Tomb	20	20	400	0.5	200	7	30	12	2	14	1				
Tank 599A	16	36	576	0.5	288	11	43	17	3	20	1				
Total Tank Containment Areas								614	101	716	46	3	1	32	6

Notes:

- 0.03 work hours required to demolish 1 square foot of concrete pad/containment system
- 0.267 work hours to remove and load 1 cubic yard of demolished concrete pad/containment system
- 0.03 work hours to remove 1 cubic yard of soil

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(5) Closure Activities

Momentive has developed the following closure procedures for container storage areas, tanks, trailers, and bulk storage containers and the on-site incinerators. However, plant operations are dynamic and hazardous waste management units will be used for different wastes over the lifetime of the plant. If necessary, the closure plan will be revised and resubmitted to the Commissioner at least 60 days before closure is initiated.

a. Container Storage Areas Closure Plan Procedures (373-2.7(c)(2), 373-2.9(i))

Container storage areas, including transfer areas, the RKI Feed Pad, and the Drum Storage Structure (1 Year Pad), are identified in Section IV-B of the RCRA Permit Application. The maximum inventory level for each structure is also identified in Section IV-B.

To close the container storage areas, the stored wastes will be disposed of by following the management protocols used during operation of the facility. These wastes will either be incinerated onsite or disposed of properly off site. For the purpose of the closure plan estimate, Momentive has assumed that wastes will be disposed of by incineration.

Once the wastes are disposed, each of the container storage areas, including curbing and sumps, will be inspected. If residues are observed, the residue will be removed and disposed of properly. During closure, run-on and run-off from the container storage areas will be controlled as described in Section IV-B of the RCRA Permit Application.

The curbing and sumps for each containment storage area will be swept and the base and walls will be washed with a material that is compatible with the former contents of the containment area. In most cases, the containment area will be pressure washed with water. The wash water will be disposed of at the on-site Wastewater Treatment Plant (WWTP) or disposed of properly off site.

If the structure is to remain intact, samples of the rinse water will be collected after the final rinse is completed. These samples will be analyzed for the contaminants characteristic of the waste stream previously stored in the area per the EPA methods specified in Table IX-3. If a constituent in the wash water exceeds the level specified in 6NYCRR Part 703, the area will be re-washed and re-analyzed as appropriate.

Costs for removing affected concrete and/or soil are not included in the financial assurance estimate because there are no known areas of contaminated concrete and underlying soils. Stringent procedures

regulated and overseen by NYSDEC are in place to prevent contamination of concrete pads, foundations, and underlying soils. For example, both the DSS and RKI Feed Pad have chemical resistant coatings on the foundation, berms, and concrete diking and have compatible water stops at joints in the pads.

b. Tank Closure Plan Procedures (373-2.7(c)(2), 373-2.10(h))

Hazardous waste tanks are identified in Section IV-C of the RCRA Permit Application. The working capacities for these tanks are also identified in Section IV-B.

To close the tanks, auxiliary equipment, trailers, and bulk storage containers, their contents will be disposed of by following the management protocols used during operation of the facility. These wastes will either be incinerated on-site or disposed of properly off site. For the purpose of the closure plan estimate, Momentive has assumed that wastes will be disposed of by incineration.

Once these structures are emptied, they will be triple rinsed using a quantity of suitable solvent. Auxiliary discharge control equipment or piping will also be rinsed by circulating the solvent through the system. The used solvent will either be incinerated on-site or disposed of properly off site. For the purpose of the closure plan estimate, Momentive has assumed that wastes will be disposed of by incineration. The tanks, trailers, and bulk storage containers will then be rinsed with a sufficient amount of water to remove residual solvents. The rinse water will be treated in the Wastewater Treatment Plant, incinerated on-site, or disposed of properly off site, depending on its solvent content. Following these decontamination procedures, the tanks and auxiliary equipment may either be dismantled or salvaged for reuse.

Liquids in the hazardous waste tank secondary containment areas will also be removed. Each containment area will be swept and the base and walls will be washed with a material that is compatible with the former contents of the hazardous waste tank. In most cases, the containment area will be pressure washed with water. A sample of the final rinse water will be collected and analyzed for the contaminants characteristic of the waste stream previously stored in the tank. Test methods are listed in Table IX-3 in the Corrective Action Plan in Section IX. If a constituent in the wash water exceeds the level specified in 6NYCRR Part 703, the washed area will be re-washed and re-analyzed as appropriate. The wash water removed from the secondary containment will be treated on site.

The secondary containment may be removed or left in place for reuse. If the containment is to be removed, the structure will be dismantled and disposed of properly in an on-site or off-site landfill.

Costs for removing affected concrete and/or soil are not included in the financial assurance estimate because there are no known areas of contamination of concrete and underlying soils. Stringent procedures regulated and overseen by NYSDEC are in place to prevent contamination of concrete pads, foundations, and underlying soils.

c. Incinerators Closure Procedure (373-2.7(c))

The on-site incinerators will be used to dispose of the hazardous and non-hazardous waste generated during closure activities. Following incineration of these wastes, piping and pumps that have been contaminated by hazardous waste will either be triple rinsed with a suitable solvent or disposed of properly off site. The solvent used during rinsing operations will be disposed of in accordance with applicable regulations. Following the solvent rinsing, the piping will be purged and allowed to dry to remove remaining solvent.

Once the hazardous wastes that are to be incinerated on-site have been disposed of properly, the slag and ash will be removed from the combustion chamber. Then the incinerators will be run for a minimum of two hours using fuel oil or natural gas to burn away traces of organic residue.

After the incinerators have been shutdown, the scrubber systems will be flushed with water, and the water will be treated in the on-site Wastewater Treatment Plant.

The incinerators will then be dismantled. The refractory, piping and pumps that have been contaminated by hazardous waste, including (but not limited to) scrubber sludges, will be disposed of properly.

Decontaminated equipment, clean metal, piping and equipment used for service water, primary air, etc. will be sent off-site as scrap or salvaged for reuse.

d. Decontamination Area

Momentive will choose a decontamination area for cleaning dismantled equipment and equipment used for closure activities. The decontamination area will minimize potential escape of hazardous constituents to surrounding areas. Contaminated equipment to be decontaminated will be cleaned with a high pressure, low volume wash

water. Detergent may be used, if necessary, to get equipment clean. Decontaminated materials may be disposed as non-hazardous waste or salvaged for reuse.

When the use of the decontamination area is completed, wash water in the decontamination area will either be pumped to, or transported to, the facility's Wastewater Treatment Plant. The components of the pump assembly including pumps and hoses will be rinsed by pumping wash water through the pump system components. The rinse water will be transported to the plant's WWTP for disposal. A sample of the final rinse water will be collected and analyzed in accordance with the appropriate analyte list available in the Corrective Action Plan in Section IX. If a constituent in the wash water exceeds the level specified in 6NYCRR Part 703, the washed area will be re-washed and re-analyzed as appropriate.

e. Rinsate (Rinse Water) Management

Rinse water will be treated in the Wastewater Treatment Plant, incinerated on site, or disposed properly off-site. The financial assurance estimate assumes rinse water will be treated in the Wastewater Treatment Plant. The Wastewater Treatment Plant will be continually operating over the 30-year Post-Closure period and is the most practical disposal option for rinse water. The financial assurance estimate includes disposal of 81,000 gallons of rinse water in the Wastewater Treatment Plant and use of a vector truck to deliver collected rinse water at the inflow to the Wastewater Treatment Plant. These costs are included in the Equipment Decontamination costs.

f. Health and Safety Costs

Health and Safety (H&S) costs associated with closure of tank areas, container storage areas, incinerators and decontamination of equipment during closure activities are included in the financial assurance estimate. This includes costs to provide appropriate monitoring equipment and personal protection equipment (PPE) to provide a safe working environment during closure. H&S costs are based on man-days required to conduct the closure activities and current unit costs described below, assuming eight-hour days. Fieldwork associated with closure is likely to be performed wearing different levels of PPE according to risks and potential exposure pathways associated with specific tasks. Based on knowledge of the site and anticipated closure tasks, the financial assurance estimate assumes that 75 percent of fieldwork associated with closure of container storage areas will be performed in Level D PPE, and 25 percent performed in Level C PPE. The estimate assumes 50 percent of fieldwork associated with closure of the tanks systems and incinerators and 50 percent of fieldwork for decontamination of equipment during

closure activities will be performed wearing Level D PPE and 50 percent performed wearing Level C PPE. Level C and Level D PPE cost estimates include expendable PPE based on typical usage per man-day with unit prices obtained from Ben Meadows'® Third Edition 2011 catalog. Estimated costs for H&S equipment do not include costs for some standard Level D PPE including long pants, hard hats, and steel-toed boots. Third party contract workers should be equipped with these items.

Air monitoring will be conducted during closure activities. The financial assurance estimate assumes air quality in the work zone will be monitored for organic and inorganic vapors using a Thermo Environmental TVA1000B Toxic Vapor Analyzer (TVA) that incorporates both a photoionization detector and flame-ionization detector to detect fugitive gases.

(6) Partial Closure Activities

Partial closure may also be undertaken if a container storage area identified in Section IV-B, a hazardous waste tank, or an incinerator is taken out of service before the facility, itself, is closed. Partial closure, should this occur, will follow final closure procedures. Partial closure of an incinerator system component, before the closure of the entire incinerator, will generally follow the final closure procedures for the portion of the incinerator being closed.

(7) Disposal or Decontamination of Equipment (373-2.7(e))

Hazardous waste management equipment and structures will be decontaminated by removing hazardous waste and residues from them, as described above. Wipe samples will be collected for laboratory analysis to facilitate proper management of the equipment and structures. Cleaned equipment may be either salvaged for reuse, or disposed of properly, depending upon the condition and value of the equipment.

(8) Certification of Closure and Partial Closure (373-2.7(f)(1))

Within 60 days of completion of final closure of the facility, or within 60 days of partial closure of hazardous waste management units, Momentive will submit to the Commissioner certifications by Momentive and by an independent New York State registered professional engineer that the facility or hazardous waste management unit has been closed in accordance with the specifications in the approved Closure Plan as required by 6 NYCRR 373-2.7(f).

(9) Survey Plat (373-2.7 (f)(2))

Within 60 days after certification of closure of each landfill cell, Momentive will submit to the local zoning authority or the authority with jurisdiction over land



use, and to the County Clerk in the County in which the facility is located and to the Commissioner, a survey plat indicating the locations and dimensions of landfill cells or other disposal areas with respect to permanently surveyed benchmarks, as required by 6 NYCRR 373-2.7(f).

B. GENERAL POST CLOSURE REQUIREMENTS

(1) Post-Closure Care Period (373-2.7(g))

All landfills are closed and in various stages of Post-Closure. It is anticipated that the remaining Momentive facility HWMUs will remain in operation in their current form throughout the life of the production facilities.

Post-closure care will be in accordance with 6NYCRR 373-2.7(g) for the Hazardous Waste Management Units (HWMU) or Solid Waste Management Units (SWMU). Post-closure care will begin after closure of the unit and continue for 30 years after that date. The table below describes the post-closure care periods for each of the applicable areas on site.

**TABLE VIII-2
POST CLOSURE PERIODS**

FACILITY	BEGIN POST CLOSURE PERIOD	END POST CLOSURE PERIOD
Container Storage Area(s)	NA	NA
Storage Tanks	NA	NA
Incinerators	NA	NA
Miscellaneous Unit(s)	NA	NA
Shot Pond	1988	2018
East Tailing Pond	1988	2018
West Tailing Pond	1987	2017
Landfill No. 3	1991	2021
Landfill No. 1 - Southeast Ravine Section	1991	2021
Landfill No. 6 - North Plateau	2003	2033

NA - Not Applicable

(2) Post-Closure Activities (373-2.7(g)(2), 373-2.7(h)(2)(ii))

a. Section IX, Corrective Action, of this application describes the post closure groundwater monitoring plan. Momentive has instituted a remedial program in accordance with Civil Action No. 83-CV-77 and the resulting Consent Decree between New York State and GE Silicones (now Momentive). Momentive is currently managing this remedial program in accordance with a July 8, 2005 letter to the New York State Department of Environmental Conservation (NYSDEC) regarding “proposed modification to groundwater remedial systems, General Electric Advanced Materials – Silicones, Waterford, New York.” NYSDEC provided formal approval of this remedial program in a letter dated

January 6, 2006. The approved remedial program provides the necessary protection of human health and the environment required under 6 NYCRR 373-2.6(a)(6).

b. Maintenance Activities

- 1) The applicable security measures described in Section V of this application will be continued for the closed regulated units as part of the post closure activities.
- 2) The applicable inspection procedures described in Section V of this application will be continued as part of post closure activities.
- 3) The closed regulated units will continue to be managed as described in Section IV-A of this permit application. The closed regulated units discussed in Section IV-A are as follows:
 - Landfill No. 1,
 - Landfill No. 3,
 - Landfill No. 6,
 - East Tailings Pond,
 - West Tailings Pond,
 - Lagoons No. 2,
 - Lagoon No. 3, and
 - Shot Pond.

c. Optimized Groundwater and Leachate Treatment Process during Post-Closure Period

During the post-closure period, the existing WWTP would be modified since only a fraction of the plant would be needed. In Post Closure, the SPDES permit and the effluent standards would be modified because process wastewater will no longer be generated. The exact effluent standards would be established by the NYSDEC at the time of closure. The initial capital costs for converting the WWTP is included in the financial assurance estimates.

(3) Post-Closure Plan Amendment (373-2.7(h))

The EHS Manager or designee is responsible for updating the Post-Closure Plan during plant operation. Momentive will modify the plan in the event that there are changes in operating plans or facility design that affect the Post-Closure Plan, or events occur during the active life of the facility that affect the post-closure plan. The EHS Manager will ensure that the Post-Closure Plan is revised in a timely manner.



The EHS Manager or designee will be responsible for updating the Post-Closure Plan after final plant closure. If major amendments to the Post-Closure Plan are required, the provisions of 6 NYCRR 373 and 40 CFR 264 will be addressed.

- (4) Post-Closure Notices (373-2.7(i))
 - a. No later than 60 days after certification of closure of each hazardous waste disposal unit, Momentive will submit to the local zoning authority, or the authority with jurisdiction over local land use, and to the County Clerk in the County in which the facility is located, and to the Commissioner a record of type, location, and quantity of hazardous waste disposed within each cell or disposal unit, in accordance with 6 NYCRR 373-2.7(i)(1).
 - b. Within 60 days of certification of closure of the first hazardous waste disposal unit and the last hazardous waste disposal unit, Momentive will do the following:
 - 1) Record a notification on the deed to the facility property in accordance with 6 NYCRR 373-2.7(i)(2)(i).
 - 2) Submit a certification to the Commissioner that a notification, in accordance with 6 NYCRR 373-2.7(i)(2)(ii), has been recorded.
 - c. If necessary, Momentive will request and obtain a permit modification of the Post-Closure Plan prior to removal of hazardous waste, hazardous waste residues, liners, or contaminated soils, in accordance with 6 NYCRR 373-2.7(i)(3).
- (4) Post-Closure Document Management 373-2.7(h)(2)(iii), 373-2.7(h)(1) & (3)
 - a. During plant operation, post closure contacts should be made with the EHS Manager. After final plant closure, the following position can be contacted concerning the post closure activities of all other facilities at the Momentive Waterford Plant:

Manager - Environmental Programs
Global Environmental, Health and Safety
Momentive Performance Materials
260 Hudson River Road
Waterford, NY 12188
 - b. A copy of the Post Closure Plan is maintained in the Waterford Plant EHS offices. Momentive will continue to furnish the Commissioner with a copy of the approved Post-Closure Plan, as specified in (373-2.7(h)(3)).



(5) Certification of Completion of Post-Closure Care (373-2.7(j))

Momentive will certify that the post closure care period was performed in accordance with the specifications in the Post Closure Plan.

C. COST ESTIMATE FOR FACILITY CLOSURE AND POST CLOSURE

The most recent closure and post-closure cost estimates for the Momentive facility were prepared in accordance with 6 NYCRR 373-2.8(c)(1) and (e)(1) and are provided in Attachment A.

- (1) Momentive will adjust the closure cost estimate for inflation within 60 days prior to the anniversary date of the establishment of the trust fund for financial assurance, as specified in 6 NYCRR 373-2.8(c)(2).
- (2) Momentive will revise the closure and post-closure cost estimate whenever there is a change in the facility's closure and Post Closure Plan as required in 6 NYCRR 373-2.8(c)(3) and 373-2.8(e)(3).
- (3) Momentive maintains the latest closure and post-closure cost estimate at the facility, as required by 6 NYCRR 373-2.8(c)(4) and 373-2.8(e)(4).

D. FINANCIAL ASSURANCE FOR FACILITY CLOSURE

Momentive demonstrates continuous compliance with 6 NYCRR 373-2.8(d) or, when applicable, with 6 NYCRR 373-2.8(f), (g) and (h), by providing documentation of financial assurance, as required by 6 NYCRR 373-2.8(j), in at least the amount of the cost estimates described in Section VIII-B. Changes in financial assurance mechanisms must be approved by the Commissioner pursuant to 6 NYCRR 373-2.8(d) and 373-2.8(e). Attachment B presents information concerning financial assurance.

E. LIABILITY REQUIREMENTS

Momentive demonstrates continuous compliance with the requirements of 6 NYCRR 373-2.8(h) and the documentation requirements of 6 NYCRR 373-2.8(j), including requirements to have and maintain liability coverage for sudden and accidental occurrences in the amount of at least \$1 million, exclusive of legal defense costs.

F. INCAPACITY OF OWNERS OR OPERATORS, GUARANTORS OF FINANCIAL INSTITUTIONS

Momentive will comply with 6 NYCRR 373-2.8(i), if it becomes necessary.

G. FINANCIAL ASSURANCE MECHANISMS**(1) Financial Assurance for Closure and Post-Closure (373-2.8(d)(f) & (g))**

Momentive has satisfied the requirements of 6 NYCRR 373-2.8(d)(5) and 40 CFR 264.143 by securing an irrevocable standby letter of credit and standby trust fund. Attachment B to this section includes the letter of credit and associated trust agreement.

(2) Liability Requirements (373-2.8(h))

Momentive Waterford has satisfied the requirements of 6 NYCRR 373-2.8(h)(6) and 40 CFR 264.147 by the liability insurance option. Attachment B to this section includes liability insurance coverage information.

**TABLE VIII-3
ESTIMATED MAXIMUM INVENTORY OF HAZARDOUS WASTES¹**

ITEM	UNITS	VOLUME TOTAL
Containers (55-gal drums)	3,960	217,800 gal
Tankers (1,000 to 6,500-gal each)	11	84,000 gal
Tanks (4,950 to 20,153 gal working capacity each)	19	197,325 gal
	TOTAL	499,125 gal

Notes:

- (1) The basis for these volume estimates are available in Sections IV-B and IV-C. These volume totals are the basis of the closure costs.

ATTACHMENT A**COST ESTIMATES FOR CLOSURE AND
POST CLOSURE CARE OF REGULATED UNITS**

The tables on subsequent pages of this attachment show the basis for each estimate and summarize costs for closing regulated hazardous waste management units at Momentive according to the unit closure plans.

The estimates are presented in 2012 dollars. They have been developed assuming no salvage value for materials. Final closure of the Momentive facility is expected to take 14 months.

Burning the wastes in the Rotary Kiln Incinerator (RKI) is expected to take up to three months. Therefore, the cost for operating the on-site RKI is included for three months. During this time, the WWTP will also be operational; after the hazardous waste is incinerated, the WWTP will be modified for long term operation. The costs for operating the incinerator and the waste treatment facility include staff labor and equipment costs such as maintenance, routine parts replacement, personal protective equipment, fuel, expendables, and wastewater treatment aids. Operating costs also include health and safety-related expenses.

The following contingency items are included in the following tables:

- Although soils underlying container storage areas (including transfer areas, the RKI Feed Pad, and the Drum Storage Structure (1 Year Pad), tanks, miscellaneous units, and the incinerators are not currently suspected of being impacted, Momentive has included costs for remediating these areas as contingency.
- The table for additional site restoration provides contingency for excavations and backfill that may be necessary during closure activities.
- A line-item for 20% contingency has been included for each cost summary.

Additionally, 15% is included for engineering services such as design, project management, supervision, insurance, and other costs that may accrue during the closure period.

KEY TO ABBREVIATIONS IN CLOSURE AND POST-CLOSURE COST ESTIMATE TABLES

Abbreviation	Meaning
AC	Acre
AN	Analysis of a Sample
EA	Each
CY	Cubic Yards
GAL	Gallons
HR	Hours
LF	Linear Feet
LS	Lump Sum
MO	Month
SF	Square Feet
SY	Square Yards
Ton	US Short Ton



A summary of estimated closure costs is provided below.

**TABLE VIII-A-1
SUMMARY OF ESTIMATED CLOSURE ACTIVITY COSTS^{1,2}**

Summary of Closure Costs Closure Activity Financial Assurance Estimate	
Waste Disposal	\$3,410,000
Container Storage Areas	\$104,000
Tank Systems	\$838,000
FBI #2	\$293,000
RKI	\$418,000
Miscellaneous Units	\$14,495
Site Restoration	\$205,000
Equipment Decontamination	\$41,000
Site Preparation and Characterization	\$15,000
Capital Costs for WWTP Optimization	\$746,000
Engineering and Administration: Administrative and Miscellaneous Costs ³	\$911,000
Final Survey Plat Map	\$6,500
CLOSURE TOTAL	\$7,004,495

The total estimated cost for closure activities is \$7.0 million.

Notes:

- (1) Hazardous wastes will be incinerated on-site at closure. Estimated costs include operation of incinerators, associated air emission control equipment, and wastewater treatment facilities until all wastes are treated. Cost estimates include labor, utilities, maintenance, and supplies, and are derived from current operating data.
- (2) Closure costs are presented in the following tables for both clean closure and in the event that impacted soils are identified under the tank containment areas. Momentive has used the contingency cost estimates for the purpose of this summary table.
- (3) Based upon 15% of total.

**TABLE VIII-A-2
COST ESTIMATE: WASTE DISPOSAL**

Item Description	Quantity¹	Units	Unit Cost	Subtotal
Wastewater Treatment Plant Operations ²	3	MO	\$135,782	\$407,347
Incineration Operations ²	3	MO	\$658,333	\$1,974,999
Operators and Engineers to run WTP ³	3	MO	\$89,790	\$269,370
Operators and Engineers to run WWTP	3	MO	\$29,631	\$88,892
Utilities Engineer to Generate Steam	3	MO	\$5,601	\$16,803
Natural Gas (makes steam)	3	MO	\$17,583	\$52,750
Electrical	3	MO	\$7,930	\$23,790
Misc Utilities (water, sewer, nitrogen, etc.)	3	MO	\$2,975	\$8,925
Subtotal				\$2,842,876
Contingency (20%)				\$568,575
TOTAL				\$3,411,452

Notes:

- (1) Basis: (1) burning 2 drums an hour of solid waste for 3 months (conservative estimate since permitted to burn 3 drums an hour), (2) burning 3 gallons a minute of slurry, silanes, APS, and NPS of liquid waste (conservative estimate since able to burn well in excess of 9 gallons a minute), and (3) since no process vents are being burned during closure, the RKI has an increased capacity.
- (2) Includes operators for wastewater treatment plant and incinerators and technicians for wastewater laboratory.
- (3) Includes Health and Safety related items.

**TABLE VIII-A-3
CLOSURE COSTS: CONTAINER STORAGE AREAS^{1,2}**

Item Description	Quantity	Units	Unit Cost	Subtotal	Notes
Container Storage Areas: Closure without Corrective Actions					
includes Transfer Areas, RKI Feed Pad, Drum Storage Structure (1 Year Pad)					
Cost to burn inventory and waste materials generated during closure is included in WTP operations table.					
Inspect container storage areas and remove residues					
Labor, Technician	84	HR	\$58	\$4,872	
Tools	1	LS	\$500	\$500	To be reused between areas
Pressure Wash 3X					
Pressure wash contractors	84	HR	\$82	\$6,880	1 hour each event x 3 events x 3 staff
Pump Truck	42	HR	\$55	\$2,310	1 hour each event x 3 events
High pressure blaster & scarifyer	42	HR	\$115	\$4,830	1 hour each event x 3 events
Test Rinsate					
Labor, Technician	28	HR	\$85	\$2,380	8260, 8270 & metals per Site-Specific List ^{3,4}
Sampling and analysis	30	LS	\$410	\$12,300	
10% QA Sample Analysis	3	LS	\$410	\$1,230	2 samples per area + 2 extra for drum storage structure
Health and Safety	1	LS	\$1,577	\$1,577	
P.E. Certification					
Labor, P.E.	80	HR	\$113	\$12,240	
Travel and Expenses	1	LS	\$1,000	\$1,000	
Subtotal				\$50,118	
Contingency (20%)				\$10,024	
Task Total				\$60,142	
Transfer Areas: Closure with Evaluation of Concrete and Soils					
Documentation samples					
Labor, Technician	24	HR	\$85	\$2,040	8260, 8270 & metals per Site-Specific List
Sampling and analysis	24	EA	\$410	\$9,840	
10% QA Sample Analysis	5	EA	\$410	\$2,050	49 total samples
Health and Safety	1	EA	\$422	\$422	
P.E. Certification					
Labor, P.E.	48	HR	\$153	\$7,344	
Travel and Expenses	1	LS	\$500	\$500	
Subtotal				\$22,196	
Contingency (20%)				\$4,439	
Task Total				\$26,636	



TABLE VIII-A-3 Continued

Item Description	Quantity	Units	Unit Cost	Subtotal	Notes
RKI Feed Pad: Closure with Evaluation of Concrete and Soils					
Documentation samples					8260, 8270 & metals per Site-Specific List
Labor, Technician	8	HR	\$85	\$6806	
Sampling and analysis	4	LS	\$410	\$1,640	4 samples @ RKI Feed Pad
10% QA Sample Analysis	2	LS	\$410	\$820	
Health and Safety	1	EA	\$144	\$144	
P.E. Certification					
Labor, P.E.	16	HR	\$153	\$2,448	
Travel and Expenses	1	LS	\$500	\$500	
Subtotal				\$6,232	
Contingency (20%)				\$1,246	
Task Total				\$7,479	
Drum Storage Structure (1 Year Pad): Closure with Evaluation of Concrete and Soils					
Documentation samples					8260, 8270 & metals per Site-Specific List
Labor, Technician	8	HR	\$85	\$680	
Sampling and analysis	6	LS	\$410	\$2,460	
10% QA Sample Analysis	4	LS	\$410	\$1,640	
Health and Safety	1	LS	\$168	\$168	
P.E. Certification					
Labor, P.E.	16	HR	\$153	\$2,448	
Travel and Expenses	1	LS	\$500	\$500	
Subtotal				\$7,896	
Contingency (20%)				\$1,579	
Task Total				\$9,475	
Container Area Closure Total				\$103,732	

Notes:

- (1) 11 transfer areas, RKI, and Drum Storage Structure = 13 Container Storage Areas
- (2) All costs are estimated
- (3) Site Specific list may be found in Section IX of the RCRA Permit Application.
- (4) Unit cost for sampling and analysis includes shipping fees.

**TABLE VIII-A-4
CLOSURE COSTS: TANK SYSTEMS
19 Tanks, 10 Trailers, 12 Containment Areas**

Tank Systems: Closure with Evaluation of Concrete & Soils

Item Description	Quantity	Units	Unit Cost	Subtotal	Notes
Cost to burn inventory and waste materials generated during closure is included in WTP operations table.					
Remove waste from tanks/trailers					
Labor, Technician	928	HR	\$85	\$78,880	
Triple Rinse w/ solvent					eg toluene
Labor, Technician	464	HR	\$58	\$26,912	
Solvent	21,200	GAL	\$3.00	\$63,600	10% tank/Trailer volume
Triple Rinse w/ water					
Labor, Technician	464	HR	\$58	\$26,912	
Dismantle Tank and ancillaries ⁴					8260 or 8270 as per Site-Specific List ⁵
Labor, Technician	1216	HR	\$58	\$70,528	
Heavy Equipment	1	LS	\$37,000	\$37,000	
Roll Off w Tarp & Bows	3	MO	\$600	\$1,800	1.5 months for 2 roll offs
Wipe samples	155	EA	\$155	\$24,025	3 samples per tank/trailer, 2 samples of ancillary per tank
Recycle metals (no salvage credit taken)					
Pressure wash containment					
Pressure wash contractors	96	HR	\$82	\$7,862	8 hr/tank containment
Pump Truck	96	HR	\$55	\$5,280	
High pressure blaster and scarifyer	96	HR	\$115	\$11,040	
Test containment rinsate					
					8260, 8270 & metals per Site-Specific List
Labor, Technician	48	HR	\$85	\$4,080	
Sampling and analysis	12	EA	\$410	\$4,920	1 per tank containment
Documentation samples					8260, 8270 & metals per Site-Specific List
Labor, Technician	48	HR	\$85	\$4,080	
Sampling and analysis	24	EA	\$410	\$9,840	2 samples/area
Analytical QA/QC (10%)	4	EA	\$410	\$1,640	36 samples
Health and Safety	1	EA	\$15,268	\$15,268	
P.E. Certification					
Labor, P.E.	348	HR	\$153	\$53,244	
Travel and Expenses	15%	EA	\$53,244	\$7,987	
Subtotal				\$454,898	
Contingency (20%)				\$90,980	
TOTAL				\$545,877	

All costs are estimated

TABLE VIII-A-4 Continued

Tank Systems: Closure with Evaluation of Concrete & Soils

Item Description	Quantity	Units	Unit Cost	Subtotal	Notes
Triple Rinse w/solvent					
Labor, Technician	464	HR	\$58	\$26,912	
Solvent	21,200	GAL	\$3.00	\$63,600	10% tank/Trailer volume
Triple Rinse w/ water					
Labor, Technician	464	HR	\$58	\$26,912	
Treat Rinsate in WWTP	81,000	GAL	\$0.00268	\$217	
Vactor Trucks to Transport Rinse Waters to WWTP	1	EA	\$4,783	\$4,783	
Pressure wash containment					
Pressure wash contractors	152	HR	\$82	\$12,449	
Pump Truck	152	HR	\$55	\$8,360	
High pressure blaster and scarifyer	152	HR	\$115	\$17,480	
Test containment rinsate					8260, 8270 & metals per Site Specific List
Labor, Technician	76	HR	\$85	\$6,460	
Sampling and analysis	19	EA	\$410	\$7,790	1 per tank 8260, 8270 & metals per Site-Specific List
Documentation Samples					
Labor, Technician	48	HR	\$85	\$4,080	
Sampling and analysis	36	EA	\$410	\$14,760	3 samples/area
Analytical QA/QC (10%)	9	EA	\$410	\$3,690	72 samples
Health and Safety	1	LS	\$1,000	\$1,000	
P.E. Certification					
Labor, P.E.	228	HR	\$153	\$34,884	
Travel and Expenses	1	LS	\$1,000	\$1,000	
Subtotal				\$2,43,204	
Contingency (20%)				\$48,641	
TOTAL Contingency Activities				\$291,844	
TOTAL				\$837,722	

Notes:

- (1) 19 Tanks, 10 Trailers, 12 Containment Areas
- (2) Working tank volume used in volume calculations
- (3) All costs are estimated
- (4) Trailers to be salvaged, not scrapped; no credit taken for salvage
- (5) Site Specific list may be found in Section IX of the RCRA Permit Application

**TABLE VIII-A-5
CLOSURE COSTS: FIXED BOX INCINERATOR #2**

Item Description	Quantity	Units	Unit Cost	Subtotal	Notes
Triple Rinse Equipment					e.g., IWS recirculator pumps and some piping
Solvent for rinsing	500	GAL	\$3.00	\$1,500	e.g., toluene
Labor, Technician	96	HR	\$58	\$5,568	
Used solvent disposal	0	GAL		\$0	to be burned in RKI
Purge and Dry					
Labor, Technician	64	HR	\$58	\$3,712	
Tools	1	LS	\$500	\$500	
Dispose of residual materials					
Soot and ash	26	Ton	\$150	\$3,900	est. 1 load @ 26 tons each at least 2 hours
Burnout with clean fuel					
Fuel oil	720	GAL	\$2.50	\$1,800	4 hours to heat up FBI @ 2 gal/min + 2 hours to burn operator time included in WWTP operational costs
Labor, Technician	0	HR	\$69	\$0	
Flush scrubbers & duct work with water					
Labor, Technician	160	HR	\$58	\$9,280	
Dismantle					
Packing: Pressure wash contractors	32	HR	\$56	\$1,781	
Packing: Pump Truck	16	HR	\$55	\$880	
Packing: Sampling and analysis	5	EA	\$410	\$2,050	
Disposal of packing as solid waste	90	EA	\$65	\$5,850	est. 9 loads @ 10 tons each
Labor, Technician	960	HR	\$58	\$55,680	
Crane & operator	30	DAY	\$1,320	\$39,600	crane available on site
Tools	1	EA	\$1,000	\$1,000	
Direct disposal of 50% at HWLF	60	CY	\$470	\$28,200	e.g., fiberglass, firebox, pumps, small piping
Brick	78	LS	\$150	\$11,700	3 loads of brick @ 26 tons each
Decontaminate remaining 50% equipment					
Labor, Technician	400	HR	\$58	\$23,200	
Equipment costs are included in Table VIII-A-8 Decontaminate Equipment					
Sample wash water	4	LS	\$410	\$1,640	8260, 8270, & metals as per Site-Specific List ²
Wipe samples for equipment	100	EA	\$155	\$15,500	8260, 8270 & metals per Site-Specific List
Documentation samples					
Labor, Technician	4	HR	\$85	\$340	
Sampling and analysis	6	EA	\$410	\$2,460	8260, 8270 & metals per Site - Specific List
Analytical QA/QC (10%)	12	EA	\$410	\$4,920	115 samples



TABLE VIII-A-5, Continued

Health and Safety	1	LS	\$9,501	\$9,501
P.E. Certification				
Labor, P.E.	80	HR	\$153	\$12,240
Travel and Expenses	1	LS	\$1,000	\$1,000
Subtotal				\$243,802
Contingency (20%)				\$48,760
TOTAL				\$292,562

Notes:

- (1) All costs are estimated
- (2) Site Specific list may be found in Section IX of the RCRA Permit Application

**TABLE VIII-A-6
CLOSURE COSTS: RKI**

Item Description	Quantity	Units	Unit Cost	Subtotal	Notes
Triple rinse piping and pumps					
Solvent for rinsing	1000	GAL	\$3.00	\$3,000	e.g., toluene
Labor, Technician	160	HR	\$58	\$9,280	
Used solvent disposal	1000	GAL	\$1.50	\$1,500	
Purge and dry					
Labor, Technician	96	HR	\$58	\$5,568	
Tools	1	EA	\$500	\$500	
Dispose of residual materials					
Clinker, soot and ash	78	Ton	\$150	\$11,700	est. 3 loads @ 26 tons each at least 2 hours
Burnout with clean fuel					
Fuel oil	1,080	GAL	\$2.50	\$2,700	4 hours to heat up FBI @ 3 gal/min + 2 hours to burn
Labor, Technician	0	HR	\$69	\$0	operator time included in WWTP operational costs
Flush scrubbers & duct work with water					
Labor, Technician	160	HR	\$58	\$9,280	
Dismantle					
Packing: Pressure wash contractors	16	HR	\$56	\$890	
Packing: Pump Truck	16	HR	\$55	\$880	
Packing: Sampling and analysis	5	LS	\$410	\$2,050	
Disposal of packing as solid waste	234	LS	\$65	\$15,210	est. 9 loads @ 10 tons each
Labor, Technician	1,280	HR	\$58	\$74,240	
Crane & operator	40	DAY	\$1,320	\$52,800	crane available on site
Tools	1	LS	\$1,000	\$1,000	
Roll Off w Tarp & Bows	2	MO	\$600	\$1,200	
Brick	312	LS	\$150	\$46,800	est. 12 loads @ 26 tons each
Direct disposal of 50% at HWLF	78	CY	\$470	\$36,660	e.g., fiberglass, firebox, pumps, small piping
Decontaminate remaining 50% of equipment					
Labor, Technician	400	HR	\$58	\$23,200	
Equipment costs are included in Table VIII-A-8 Decontaminate Equipment					
Sample wash water	4	EA	\$410	\$1,640	8260, 8270, & metals as per Site-Specific List ²
Wipe samples for equipment	100	LS	\$155	\$15,500	8260 or 8270 as per Site-Specific List



TABLE VIII-A-6, Continued¹

Documentation samples						
Labor, Technician	8	HR	\$85	\$680		
Sampling and analysis	8	EA	\$410	\$3,280	8260, 8270, & metals as per Site-Specific List ²	
Analytical QA/QC (10%)	12	EA	\$410	\$4,920	115 samples	
Health and Safety	1	LS	\$10,726	\$10,726		
P.E. Certification						
Labor, P.E.	80	HR	\$153	\$12,240		
Travel and Expenses	1	LS	\$1,000	\$1,000		
Subtotal				\$348,445		
Contingency (20%)				\$69,689		
TOTAL				\$418,134		

Notes:

(1) All costs are estimated

(2) Site Specific list may be found in Section IX of the RCRA Permit Application

**TABLE VIII-A-7
CLOSURE COSTS: MISCELLANEOUS UNITS¹**

Item Description	Quantity	Units	Unit Cost	Subtotal	Notes
Landfill #6 Truck Wash					
Inspect area and remove residues					
Labor, Technician	77	HR	\$58	\$4,466	
Tools	0	LS	\$500	\$0	Tools from container storage areas
Pressure Wash 3X				\$0	
Pressure wash contractors	9	HR	\$82	\$738	1 hour each event x 3 events x 3 staff
Pump Truck	3	HR	\$55	\$165	1 hour each event x 3 events
High pressure blaster & scarifier	3	HR	\$115	\$345	1 hour each event x 3 events
Test Rinsate					8260, 8270 & metals per Site Specific List ²
Labor, Technician	2	HR	\$85	\$170	
Sampling and analysis	2	LS	\$410	\$820	2 samples per area
10% QA Sample Analysis	1	LS	\$410	\$410	
Health and Safety	1	LS	\$250	\$250	
P.E. Certification				\$0	
Labor, P.E.	2	HR	\$113	\$226	
Travel and Expenses	0	LS	\$1,000	0	Travel during container storage closure activities
Subtotal				\$7,590	
Contingency (20%)				\$1,518	
Task Total				\$9,108	
API Pad					
Inspect area and remove residues					
Labor, Technician	25	HR	\$58	\$1,450	
Tools	0	LS	\$500	\$0	Tools from container storage areas
Pressure Wash 3X				\$0	
Pressure wash contractors	9	HR	\$82	\$738	1 hour each event x 3 events x 3 staff
Pump Truck	3	HR	\$55	\$165	1 hour each event x 3 events
High pressure blaster & scarifier	3	HR	\$115	\$345	1 hour each event x 3 events
Test Rinsate					8260, 8270 & metals per Site-Specific List ^{3,4}
Labor, Technician	1	HR	\$85	\$85	
Sampling and analysis	2	LS	\$410	\$820	2 samples per area
10% QA Sample Analysis	1	LS	\$410	\$410	
Health and Safety	1	LS	\$250	\$250	
P.E. Certification				\$0	
Labor, P.E.	2	HR	\$113	\$226	
Travel and Expenses	0	LS	\$1,000	0	Travel during container storage closure activities
Subtotal				\$4,489	
Contingency (20%)				\$898	
Task Total				\$5,387	
Total Miscellaneous Units				\$14,495	

Notes:

- (1) All costs are estimated
- (2) Site-Specific List may be found in Section IX of the RCRA Permit Application

**TABLE VIII-A-8
ADDITIONAL SITE RESTORATION¹**

Item Description	Quantity²	Units	Unit Cost³	Subtotal
Cap with 2' Clay (incl. labor)	5,213	CY	\$17.00	\$89,000
Topsoil, 6" deep, furnish and place	7,820	SY	\$9.65	\$75,000
Seeding, utility mix with mulch and fertilizer, hydro or air	70	thousand SF	\$100	\$7,000
TOTAL				\$205,200

Notes:

¹All costs are estimated

²Volumes are for 7 acres; sufficient for container storage areas (estimated at 1,400 CY of fill) and other storage areas

³Costs are as installed

**TABLE VIII-A-9
COST ESTIMATE: DECONTAMINATE EQUIPMENT**

Item Description	Quantity	Units	Unit Cost	Subtotal
Clean residue off equipment				
Labor, Technician	200	HR	\$58	\$11,600
High Pressure Washer	1	LS	\$5,000	\$5,000
Test Final Rinsate				
Labor, Technician	16	HR	\$85	\$1,360
Sampling and analysis	12	EA	\$410	\$4,920
Treat Rinsate in WWTP	81,000	GAL	\$0.00268	\$216.79
Vactor Trucks to Transport	1	EA	\$9,500	\$9,500
Rinse Water to WWTP				
Health and Safety	1	EA	\$1,222	\$1,222
Subtotal				\$33,819
Contingency (20%)				\$40,583
TOTAL				\$40,583

Notes:

Decontamination of heavy equipment, tools, and other equipment to be reused during closure activities

All costs and quantities are estimated

**TABLE VIII-A-10
COST ESTIMATE: POST CLOSURE PERPETUAL CARE**

Post-Closure Care	Years Remaining
Landfill #1	30
Landfill #3	30
Shot Pond	30
Landfill No. 6 N. Plateau	30
East Tailings Pond	30
West Tailings Pond	30

**TABLE VIII-A-11
COST ESTIMATE: POST CLOSURE LANDFILL 1 SOUTHEAST RAVINE**

Item	Units	Quantity		Unit Cost	Subtotal
		Per Quarter	Per Year		
Quarterly Inspections					
Labor, Technician	HR	8	32	\$69.00	\$2,208
Labor, Engineer	HR	4	16	\$85.00	\$1,360
Misc. Expenses	LS	\$150	\$600	\$1.00	\$600
Contingency Inspection (based upon 1x/5 years)	HR	\$0	1	\$69	\$69
Maintenance					
Mowing, 4x/year	AC		8	\$500	\$4,000
Seed and Fertilize	SF		7,000	\$0.05	\$350
Erosion Repair	CY		300	\$15.00	\$4,500
Labor, Technician	HR		80	\$69.00	
Fence Replacement	LF		52.8	\$38.00	\$2,006
Leachate Treatment	GAL		52,560	\$0.0044	\$233
Groundwater Monitoring					
Well Replacement (1 every 4 years)	LS*		1	\$1,000.00	\$1,000
CURRENT ANNUAL COST (2012 DOLLARS)					\$21,846
CONTINGENCY (20%)					\$4,369
TOTAL ANNUAL COST					\$26,216

* Total well replacement cost: \$4,000

The perpetual care post-closure cost for this unit is provided in Table VIII-A-17

**TABLE VIII-A-12
COST ESTIMATE: POST CLOSURE LANDFILL 6 NORTH PLATEAU**

Item	Units	Quantity		Unit Cost	Subtotal
		Per Quarter	Per Year		
Quarterly Inspections					
Labor, Technician	HR	8	32	\$69.00	\$2,208
Labor, Engineer	HR	2	8	\$85.00	\$680
Misc. Expenses	LS	\$150	1	\$600.00	\$600
Contingency Inspection (based on 1x/5 years)	HR**	\$0	1	\$69.00	\$69
Quarterly LTS Manhole Inspections					
Labor, Technician	HR	16	64	\$69.00	\$4,416
Vacuum truck services	LS	1	4	\$2,000.00	\$8,000
Misc LTS repairs	LS		1	\$2,500.00	\$2,500
Treatment of collected water	Gallons	7,000	28000	\$0.0489	\$1,368
Annual Benchmark Survey	LS		1	\$1,500.00	\$1,500
Maintenance					
Mowing, 4x/year	AC		6	\$500.00	\$3,000
Seed and Fertilize	SF		5,000	\$0.05	\$250
Erosion Repair	CY		200	\$15.00	\$3,000
Labor, Technician	HR		80	\$69.00	\$5,520
Annual Maintenance					
Labor, Technician	HR		24	\$69.00	\$1,656
Labor, Fitter	HR		24	\$69.00	\$1,656
Labor, Engineer	HR		6	\$85.00	\$510
Heavy Equipment to pull pumps (inc operator)	LS		1	\$1,500.00	\$1,500
Jet Rod Truck	LS		1	\$2,500.00	\$2,500
Pump replacement	LS		1	\$2,500.00	\$2,500
Probe replacement	LS		1	\$1,800.00	\$1,800
PLC & misc repairs	LS		1	\$1,000.00	\$1,000
LTS - Bi-annual Pressure Testing					
Labor, Technician	HR		16	\$69.00	\$1,104
Labor, Engineer	HR		16	\$79.00	\$1,264
Labor, Fitter	HR		16	\$69.00	\$1,104
Certifying Engineer, including report	LS		0.5	\$3,500.00	\$1,750
Vacuum truck services	LS		0.5	\$2,000.00	\$1,000
Misc. Parts & Equipment (CSE, etc.)	LS		0.5	\$700.00	\$350
Electrical usage	LS		1	\$717.00	\$717
Supplemental Pump System (cleanouts)					
Labor, Technician	HR		60	\$69.00	\$4,140
Generator rental, misc. parts	LS		1	\$500.00	\$500
Leachate					
Leachate treatment	Gallons		419,460	\$0.0044	\$1,860



TABLE VIII-A-12, Continued

CURRENT ANNUAL COST (2012 DOLLARS)	\$62,029
CONTINGENCY (20%)	\$12,406
TOTAL ANNUAL COST	\$74,435

**TABLE VIII-A-13
COST ESTIMATE: POST CLOSURE SHOT POND**

Item	Units	Quantity		Unit Cost	Subtotal
		Per Quarter	Per Year		
Quarterly Inspections					
Labor, Technician	HR	4	16	\$69.00	\$1,104
Labor, Engineer	HR	2	8	\$85.00	\$680
Misc. Expenses	LS	\$50	\$200	\$1.00	\$200
Contingency Inspection (based on 1x/5 years)	HR	\$0	1	\$69	\$69
Maintenance					
Mowing, 4x/year	AC		1.2	\$500	\$600
Seed and Fertilize	SF		1,000	\$0.05	\$50
Erosion Repair	CY		40	\$15.00	\$600
Labor, Technician	HR		80	\$69	\$5,520
Fence Replacement	LF		22.8	\$38.00	\$866
Groundwater Monitoring					
Well Replacement (1 every 4 years)	LS*		1	\$1,000.00	\$1,000
Sampling and analysis	LS	4	16	\$1,000.00	\$16,000
CURRENT ANNUAL COST (2012 DOLLARS)					\$26,689
CONTINGENCY (20%)					\$5,338
TOTAL ANNUAL COST					\$32,027

* Total well replacement cost: \$4,000

The post-closure care cost for this unit is provided in Table VIII-A-17

Leachate treatment is part of the Landfill #4 system

**TABLE VIII-A-14
COST ESTIMATE: POST CLOSURE EAST TAILINGS POND**

Item	Units	Quantity		Unit Cost	Subtotal
		Per Quarter	Per Year		
Quarterly Inspections					
Labor, Technician	HR	4	16	\$69.00	\$1,104
Labor, Engineer	HR	2	8	\$85.00	\$680
Misc. Expenses	LS	\$50	\$200	\$1.00	\$200
Contingency Inspection (based on 1x/5 years)	HR		1	\$69	\$69
Maintenance					
Mowing, 4x/year	AC		1	\$263.10	\$263
Seed and Fertilize	SF		900	\$0.05	\$45
Erosion Repair	CY		30	\$15.00	\$450
Labor, Technician	HR		80	\$69	\$5,520
Fence Replacement	LF		22.8	\$38.00	\$866
CURRENT ANNUAL COST (2012 DOLLARS)					\$9,434
CONTINGENCY (20%)					\$1,887
TOTAL ANNUAL COST					\$11,321

Costs of groundwater monitoring are included in the site-wide groundwater program
The post-closure care cost for this unit is provided in Table VIII-A-16
Leachate treatment is part of the Landfill #4 system

**TABLE VIII-A-15
COST ESTIMATE: POST CLOSURE WEST TAILINGS POND**

Item	Units	Quantity		Unit Cost	Subtotal
		Per Quarter	Per Year		
Quarterly Inspections					
Labor, Technician	HR	4	16	\$69.00	\$1,104
Labor, Engineer	HR	2	8	\$85.00	\$680
Misc. Expenses	LS	\$50	\$200	\$1.00	\$200
Contingency Inspection (based on 1x/5 years)	HR		1	\$69	\$69
Maintenance					
Mowing, 4x/year	AC		1	\$263.10	\$263
Seed and Fertilize	SF		900	\$0.05	\$45
Erosion Repair	CY		30	\$15.00	\$450
Labor, Technician	HR		80	\$69	\$5,520
Fence Replacement	LF		22.8	\$38.00	\$866
CURRENT ANNUAL COST (2012 DOLLARS)					\$9,434
CONTINGENCY (20%)					\$1,877
TOTAL ANNUAL COST					\$11,321

Costs of groundwater monitoring are included in the site-wide groundwater program
The post-closure care cost for this unit is provided in Table VIII-A-17
Leachate treatment is part of the Landfill #4 system

**TABLE VIII-A-16
COST ESTIMATE: POST CLOSURE LANDFILL 3**

Item	Units	Quantity		Unit Cost	Subtotal
		Per Quarter	Per Year		
Quarterly Inspections					
Labor, Technician	HR	16	64	\$69.00	\$4,416
Labor, Engineer	HR	4	16	\$85.00	\$1,360
Misc. Expenses	LS	\$150	\$600	\$1.00	\$600
Contingency Inspection (based on 1x/5 years)	HR		\$69	\$69	\$69
Maintenance					
Mowing, 4x/year	AC		17	\$263.10	\$4,473
Seed and Fertilize	SF		15,000	\$0.05	\$750
Erosion Repair	CY		600	\$15.00	\$9,000
Labor, Technician	HR		80	\$69.00	\$5,520
Fence Replacement	LF		105	\$38	\$3,990
Leachate Treatment	GAL		1,153,515	\$0.00443	\$5,114
CURRENT ANNUAL COST (2012 DOLLARS)					\$39,319
CONTINGENCY (20%)					\$7,864
TOTAL ANNUAL COST					\$47,183

* Total well replacement cost: \$4,000

The post-closure care cost for this unit is provided in Table VIII-A-17

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ATTACHMENT B
FINANCIAL ASSURANCE MECHANISMS



Raymond D. Hiley

Counsel – Environmental, Health and Safety
One Plastics Avenue
Pittsfield, MA 01201

Tel: (413) 448-4826

Fax: (866) 292-4158

Email: Raymond.hiley@momentive.com

February 1, 2008

VIA FEDERAL EXPRESS

Bureau of Program Management
Division of Solid & Hazardous Materials
625 Broadway
Albany, NY 12233-7250
Attention: Aida M. Potter, P.E.

**Re: MPM Silicones, LLC
RCRA Facility ID No. NYD 002080034
Financial Assurance Pursuant to 6 NYCRR 373-2**

Dear Ms. Potter;

Attached please find a copy of the executed trust agreement and letter of credit for MPM Silicones, LLC's facility in Waterford, NY. These documents are being submitted pursuant to 6 NYCRR 373-2.8(h). Please do not hesitate to contact me if you have any questions. Thank you for your assistance in this matter.

Very truly yours,

Raymond D. Hiley

cc: Kirsten Pink

STANDBY TRUST AGREEMENT

Trust Agreement, the "Agreement," entered into as of December 20, 2007 by and between MPM Silicones, LLC, a New York limited liability company, the "Grantor," and JPMorgan Chase Bank, N.A., a national banking association, the "Trustee."

Whereas the New York State Department of Environmental Conservation, "NYSDEC," an agency of the New York State Government, has established certain regulations applicable to the Grantor, requiring that an owner or operator of a hazardous waste management facility or group of facilities must demonstrate financial responsibility for bodily injury and property damage to third parties caused by sudden accidental occurrences arising from operations of the facility or group of facilities.

Whereas, the Grantor has elected to establish a standby trust into which the proceeds from a letter of credit may be deposited to assure all or part of such financial responsibility for the facilities identified herein.

Whereas, the Grantor, acting through its duly authorized officers, has selected the Trustee to be the trustee under this agreement, and the Trustee is willing to act as trustee.

Now, therefore, the Grantor and the Trustee agree as follows:

Section 1. *Definitions.* As used in this Agreement:

- (a) The term *Grantor* means the owner or operator who enters into this Agreement and any successors or assigns of the Grantor.
- (b) The term *Trustee* means the Trustee who enters into this Agreement and any successor Trustee.
- (c) The term *Commissioner* means the Commissioner of the New York State Department of Environmental Conservation or the Commissioner's duly appointed designee.

Section 2. *Identification of Facilities.* This agreement pertains to the facilities identified on attached schedule A.

Section 3. *Establishment of Fund.* The Grantor and the Trustee hereby establish a standby trust fund, hereafter the "Fund," for the benefit of any and all third parties injured or damaged by sudden accidental occurrences arising from operation of the facility(ies) covered by this guarantee, in the amounts of \$1 million per occurrence and \$2 million annual aggregate for sudden accidental occurrences, exclusive of legal defense costs, except that the Fund is not established for the benefit of third parties for the following:

- (a) Bodily injury or property damage for which MPM Silicones, LLC is obligated to pay damages by reason of the assumption of liability in a contract or agreement. This

exclusion does not apply to liability for damages that MPM Silicones, LLC would be obligated to pay in the absence of the contract or agreement.

(b) Any obligation of MPM Silicones, LLC under a workers' compensation, disability benefits, or unemployment compensation law or any similar law.

(c) Bodily injury to:

(1) An employee of MPM Silicones, LLC arising from, and in the course of, employment by MPM Silicones, LLC; or

(2) The spouse, child, parent, brother or sister of that employee as a consequence of, or arising from, and in the course of employment by MPM Silicones, LLC.

This exclusion applies:

(i) Whether MPM Silicones, LLC may be liable as an employer or in any other capacity; and

(ii) To any obligation to share damages with or repay another person who must pay damages because of the injury to persons identified in paragraphs (1) and (2).

(d) Bodily injury or property damage arising out of the ownership, maintenance, use, or entrustment to others of any aircraft, motor vehicle or watercraft.

(e) Property damage to:

(1) Any property owned, rented, or occupied by MPM Silicones, LLC;

(2) Premises that are sold, given away or abandoned by MPM Silicones, LLC if the property damage arises out of any part of those premises;

(3) Property loaned MPM Silicones, LLC;

(4) Personal property in the care, custody or control of MPM Silicones, LLC;

(5) That particular part of real property on which MPM Silicones, LLC or any contractors or subcontractors working directly or indirectly on behalf of MPM Silicones, LLC are performing operations, if the property damage arises out of these operations.

In the event of combination with another mechanism for liability coverage, the fund shall be considered primary coverage.

The Fund is established initially as consisting of the proceeds of the letter of credit deposited into the Fund. Such proceeds and any other property subsequently transferred to the Trustee is referred to as the Fund, together with all earnings and profits thereon,

less any payments or distributions made by the Trustee pursuant to this Agreement. The Fund shall be held by the Trustee, IN TRUST, as hereinafter provided. The Trustee shall not be responsible nor shall it undertake any responsibility for the amount or adequacy of, nor any duty to collect from the Grantor, any payments necessary to discharge any liabilities of the Grantor established by NYSDEC.

Section 4. *Payment for Bodily Injury or Property Damage.* The Trustee shall satisfy a third party liability claim by drawing on the letter of credit described in Schedule B and by making payments from the Fund only upon receipt of one of the following documents:

(a) Certification from the Grantor and the third party claimant(s) that the liability claim should be paid. The certification must be worded as follows, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted:

CERTIFICATION OF VALID CLAIM

The undersigned, as parties MPM Silicones, LLC and [insert name and address of third party claimant(s)], hereby certify that the claim of bodily injury and/or property damage caused by a sudden accidental occurrence arising from operating MPM Silicones, LLC's hazardous waste treatment, storage, or disposal facility should be paid in the amount of \$[]

Signature _____ Grantor

Signature(s) _____ Claimant(s)

(b) A valid final court order establishing a judgment against the Grantor for bodily injury or property damage caused by sudden accidental occurrences arising from the operation of the Grantor's facility or group of facilities.

Section 5. *Payments Comprising the Fund.* Payments made to the Trustee for the Fund shall consist of the proceeds from the letter of credit drawn upon by the Trustee in accordance with the requirements of 6 NYCRR 373-2.8(j)(10) and Section 4 of this Agreement.

Section 6. *Trustee Management.* The Trustee shall invest and reinvest the principal and income, in accordance with general investment policies and guidelines which the Grantor may communicate in writing to the Trustee from time to time, subject, however, to the provisions of this Section. In investing, reinvesting, exchanging, selling, and managing the Fund, the Trustee shall discharge his or her duties with respect to the trust fund solely in the interest of the beneficiary and with the care, skill, prudence, and diligence under the circumstances then prevailing which persons of prudence, acting in a like capacity and familiar with such matters, would use in the conduct of an enterprise of a like character and with like aims; except that:

(a) Securities or other obligations of the Grantor, or any other owner or operator of the facilities, or any of their affiliates as defined in the Investment Company Act of 1940, as amended, 15 U.S.C. 80a-2(a), shall not be acquired or held, unless they are securities or other obligations of the Federal or a State government;

(b) The Trustee is authorized to invest the Fund in time or demand deposits of the Trustee, to the extent insured by an agency of the Federal or a State government; and

(c) The Trustee is authorized to hold cash awaiting investment or distribution uninvested for a reasonable time and without liability for the payment of interest thereon.

Section 7. Commingling and Investment. The Trustee is expressly authorized in its discretion:

(a) To transfer from time to time any or all of the assets of the Fund to any common, commingled, or collective trust fund created by the Trustee in which the Fund is eligible to participate, subject to all of the provisions thereof, to be commingled with the assets of other trusts participating therein; and

(b) To purchase shares in any investment company registered under the Investment Company Act of 1940, 15 U.S.C. 80a-1 et seq., including one which may be created, managed, underwritten, or to which investment advice is rendered or the shares of which are sold by the Trustee. The Trustee may vote such shares in its discretion.

Section 8. Express Powers of Trustee. Without in any way limiting the powers and discretions conferred upon the Trustee by the other provisions of this Agreement or by law, the Trustee is expressly authorized and empowered:

(a) To sell, exchange, convey, transfer, or otherwise dispose of any property held by it, by public or private sale. No person dealing with the Trustee shall be bound to see to the application of the purchase money or to inquire into the validity or expediency of any such sale or other disposition;

(b) To make, execute, acknowledge, and deliver any and all documents of transfer and conveyance and any and all other instruments that may be necessary or appropriate to carry out the powers herein granted;

(c) To register any securities held in the Fund in its own name or in the name of a nominee and to hold any security in bearer form or in book entry, or to combine certificates representing such securities with certificates of the same issue held by the Trustee in other fiduciary capacities, or to deposit or arrange for the deposit of such securities in a qualified central depository even though, when so deposited, such securities may be merged and held in bulk in the name of the nominee of such depository with other securities deposited therein by another person, or to deposit or arrange for the deposit of any securities issued by the United States Government, or any agency or

instrumentality thereof, with a Federal Reserve Bank, but the books and records of the Trustee shall at all times show that all such securities are part of the Fund;

(d) To deposit any cash in the Fund in interest-bearing accounts maintained or savings certificates issued by the Trustee, in its separate corporate capacity, or in any other banking institution affiliated with the Trustee, to the extent insured by an agency of the Federal or State government; and

(e) To compromise or otherwise adjust all claims in favor of or against the Fund.

Section 9. Taxes and Expenses. All taxes of any kind that may be assessed or levied against or in respect of the Fund and all brokerage commissions incurred by the Fund shall be paid from the Fund. All other expenses incurred by the Trustee in connection with the administration of this Trust, including fees for legal services rendered to the Trustee, the compensation of the Trustee to the extent not paid directly by the Grantor, and all other proper charges and disbursements to the Trustee shall be paid from the Fund.

Section 10. Advice of Counsel. The Trustee may from time to time consult with counsel, who may be counsel to the Grantor, with respect to any question arising as to the construction of this Agreement or any action to be taken hereunder. The Trustee shall be fully protected, to the extent permitted by law, in acting upon the advice of counsel.

Section 11. Trustee Compensation. The Trustee shall be entitled to reasonable compensation for its services as agreed upon in writing from time to time with the Grantor.

Section 12. Successor Trustee. The Trustee may resign or the Grantor may replace the Trustee, but such resignation or replacement shall not be effective until the Grantor has appointed a successor trustee and this successor accepts the appointment. The successor trustee shall have the same powers and duties as those conferred upon the Trustee hereunder. Upon the successor trustee's acceptance of the appointment the Trustee shall assign, transfer, and pay over to the successor trustee the funds and properties then constituting the Fund. If for any reason the Grantor cannot or does not act in the event of the resignation of the Trustee, the Trustee may apply to a court of competent jurisdiction for the appointment of a successor trustee or for instructions. The successor trustee shall specify the date on which it assumes administration of the trust in a writing sent to the Grantor, the Commissioner and the present Trustee by certified mail, return receipt requested, 10 days before such change becomes effective. Any expenses incurred by the Trustee as a result of any of the acts contemplated by this Section shall be paid as provided in Section 9.

Section 13. Instructions to the Trustee. All orders, requests, certifications of valid claims, and instructions to the Trustee shall be in writing, signed by such persons as are designated in the attached Exhibit A or such other designees as the Grantor may designate by amendments to Exhibit A. The Trustee shall be fully protected in acting

without inquiry in accordance with the Grantor's orders, requests, and instructions. The Trustee shall have the right to assume, in the absence of written notice to the contrary, that no event constituting a change or a termination of the authority of any person to act on behalf of the Grantor or the Commissioner hereunder has occurred. The Trustee shall have no duty to act in the absence of such orders, requests, and instructions from the Grantor and/or Commissioner, except as provided for herein.

Section 14. *Amendment of Agreement.* This Agreement may be amended by an instrument in writing executed by the Grantor, the Trustee, and the Commissioner, or by the Trustee and the Commissioner if the Grantor ceases to exist.

Section 15. *Irrevocability and Termination.* Subject to the right of the parties to amend this Agreement as provided in Section 14, this Trust shall be irrevocable and shall continue until terminated at the written agreement of the Grantor, the Trustee, and the Commissioner, or by the Trustee and the Commissioner, if the Grantor ceases to exist. Upon termination of the Trust, all remaining trust property, less final trust administration expenses, shall be paid to the Grantor.

The Commissioner will agree to termination of the Trust when the owner or operator substitutes alternative financial assurance as specified in section 373-2.8 or 373-3.8.

~~Section 16. *Immunity and indemnification.* The Trustee shall not incur personal liability of any nature in connection with any act or omission, made in good faith, in the administration of this Trust, or in carrying out any directions by the Grantor and the NYSDEC Commissioner issued in accordance with this Agreement. The Trustee shall be indemnified and saved harmless by the Grantor or from the Trust Fund, or both, from and against any personal liability to which the Trustee may be subjected by reason of any act or conduct in its official capacity, including all expenses reasonable incurred in its defense in the event the Grantor fails to provide such defense.~~

Section 17. *Choice of Law.* This Agreement shall be administered, construed, and enforced according to the laws of the State of New York.

Section 18. *Interpretation.* As used in this Agreement, words in the singular include the plural and words in the plural include the singular. The descriptive headings for each Section of this Agreement shall not affect the interpretation of the legal efficacy of this Agreement.

In Witness Whereof the parties have caused this Agreement to be executed by their respective officers duly authorized and their corporate seals to be hereunto affixed and attested as of the date first above written. The parties below certify that the wording of this Agreement is identical to the wording specified in 6 NYCRR 373-2.8(j)(13) as such regulations were constituted on the date first above written.

MPM SILICONES, LLC (Grantor)

Signature: [Handwritten Signature]

Name: Steven Delarge

Title: Chief Financial Officer

Attest: [Handwritten Signature]

JPMORGAN CHASE BANK, N.A. (Trustee)

Signature: [Handwritten Signature]

Attest: _____

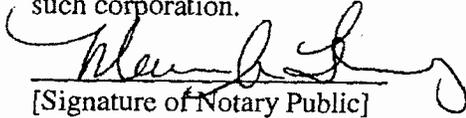
Name: _____

Title: _____

Larissa R. Urcia
Vice President

State of New York
County of Saratoga

On this 14th day of December, 2007 before me personally came Steven Delange, to me known who, by me duly sworn, did depose and say that (s)he resides in Clifton Park NY, that (s)he is the CEO of Momentive Performance MHS, the corporation described in and which executed the within Trust Agreement; and that he signed his name thereto by authority of such corporation.


[Signature of Notary Public]

MAUREEN A. FLEMING
Notary Public, State of New York
No. 01FL6135993
Qualified in Saratoga County
Commission Expires Oct. 31, 2009

State of _____
County of _____

On this ___ day of _____, 2007 before me personally came _____, to me known who, by me duly sworn, did depose and say that (s)he resides in _____, that (s)he is the _____ of _____, the corporation described in and which executed the within Trust Agreement; and that he signed his name thereto by authority of such corporation.

[Signature of Notary Public]

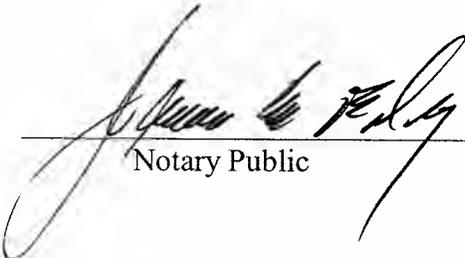
State of New York)

ss:

County of New York)

On the 10th of January, 2008, before me, James M. Foley, a Notary Public, personally appeared Larissa R. Urcia, an Vice President of JPMorgan Chase Bank, N.A., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal,



Notary Public

James M. Foley
Notary Public, State of New York
No. 01FO6348400
Qualified in New York County
Commission Expires August 31, 2010

**SCHEDULE A
TO TRUST AGREEMENT**

EPA ID Number:

#NYD002080034

Name and Address of Facility:

MPM Silicones, LLC
260 Hudson River Road
Waterford, NY

Amount of Liability Coverage

For sudden accidental occurrences - \$1 million per occurrence, \$2 million annual aggregate.

**SCHEDULE B
TO TRUST AGREEMENT**

LETTER OF CREDIT

COPY

JPMorgan Chase Bank, N.A.
c/o JPMorgan Treasury Services
Global Trade Services
10420 Highland Manor Drive
Tampa, FL 33610

DEC 18, 2007
OUR L/C NO.: TPTS-273658

IRREVOCABLE STANDBY LETTER OF CREDIT

JPMORGAN CHASE BANK, N.A., AS TRUSTEE
ATTENTION: LARISSA URZIA, VICE PRESIDENT
ESCROW SERVICES

JPMORGAN CHASE BANK, N.A.
4 NEW YORK PLAZA, 21ST FLOOR
NEW YORK, NY 10004

COMMISSIONER OF NYSDEC
ATTN: DIVISION OF SOLID & HAZARDOUS MATERIALS
625 BROADWAY
ALBANY, NY 12233-7250

RE APPLICANT: MPM SILICONES, LLC
187 DANBURY ROAD
WILTON, CT 06897

DEAR SIR OR MADAM:

WE HEREBY ESTABLISH OUR IRREVOCABLE STANDBY LETTER OF CREDIT NO. TPTS-273658 IN THE FAVOR OF JPMORGAN CHASE BANK, N.A. AS TRUSTEE, AT THE REQUEST AND FOR THE ACCOUNT OF MPM SILICONES, LLC, 187 DANBURY ROAD WILTON, CT 06897, FOR THIRD-PARTY LIABILITY AWARDS OR SETTLEMENTS UP TO ONE MILLION U.S. DOLLARS (\$1,000,000) PER OCCURRENCE AND THE ANNUAL AGGREGATE AMOUNT OF TWO MILLION U.S. DOLLARS (\$2,000,000), FOR SUDDEN ACCIDENTAL OCCURRENCES, EXCLUSIVE OF LEGAL DEFENSE COSTS, AVAILABLE UPON PRESENTATION OF A SIGHT DRAFT BEARING REFERENCE TO THIS LETTER OF CREDIT NO. TPTS-273658.

THIS LETTER OF CREDIT IS EFFECTIVE AS OF DECEMBER 18, 2007 AND SHALL EXPIRE ON DECEMBER 18, 2008, BUT SUCH EXPIRATION DATE SHALL BE AUTOMATICALLY EXTENDED FOR A PERIOD OF AT LEAST ONE YEAR ON DECEMBER 18, 2008 AND ON EACH SUCCESSIVE EXPIRATION DATE, UNLESS, AT LEAST 120 DAYS BEFORE THE CURRENT EXPIRATION DATE, WE NOTIFY YOU, THE COMMISSIONER OF THE NYSDEC, ATTENTION DIVISION OF SOLID & HAZARDOUS WASTE MATERIALS, 625 BROADWAY, ALBANY, NY 12233-7250, AND MPM SILICONES, LLC BY CERTIFIED MAIL,

COPY

JPMorgan Chase Bank, N.A.
c/o JPMorgan Treasury Services
Global Trade Services
10420 Highland Manor Drive
Tampa, FL 33610

DEC 18, 2007
OUR L/C NO.: TPTS-273658

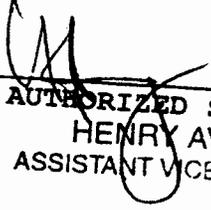
RETURN RECEIPT REQUESTED, THAT WE HAVE DECIDED NOT TO EXTEND THIS LETTER OF CREDIT BEYOND THE CURRENT EXPIRATION DATE.

WHENEVER THIS LETTER OF CREDIT IS DRAWN ON UNDER AND IN COMPLIANCE WITH THE TERMS OF THIS CREDIT, WE SHALL DULY HONOR SUCH DRAFT UPON PRESENTATION TO US.

WE CERTIFY THAT THE WORDING OF THIS LETTER OF CREDIT IS IDENTICAL TO THE WORDING SPECIFIED IN 6 NYCRR 373-2.8(J)(10) AS SUCH REGULATIONS WERE CONSTITUTED ON THE DATE SHOWN IMMEDIATELY BELOW.

THIS CREDIT IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS 2007 REVISION, INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO. 600.

ALL CORRESPONDENCE AND ANY DRAWINGS PRESENTED IN CONNECTION WITH THIS LETTER OF CREDIT MUST ONLY BE PRESENTED TO US AT JPMORGAN CHASE BANK, N.A., C/O JPMORGAN TREASURY SERVICES, 10420 HIGHLAND MANOR DRIVE, 4TH FLOOR, TAMPA, FLORIDA 33610, ATTENTION: STANDBY LETTER OF CREDIT DEPARTMENT. CUSTOMER INQUIRY NUMBER IS 800-634-1969 CHOOSE OPTION 1. CUSTOMER INQUIRY E-MAIL ADDRESS IS: GTS.CLIENT.SERVICES@JPMCHASE.COM



AUTHORIZED SIGNATURE
HENRY AVELINO
ASSISTANT VICE PRESIDENT

EXHIBIT A TO TRUST AGREEMENT

Persons Authorized to Provide Orders, Requests, and Instructions to Trustee

Jonathan Rich

Steven DeLarge

Gregory P. Rustowicz

Such other persons as MPM Silicones, LLC may designate in writing

ATTACHMENT D

Permit Modification Log

