

14-12-4 (11/86)-27a



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

**NOTICE OF COMPLETE APPLICATION**Applicant: General Electric Company, Buffalo Service Shop Date: \_\_\_\_\_Address: 175 Milens Road  
Tonawanda, NY 14150Permits applied for and application numbers 6NYCRR Part 373 Hazardous Waste  
Management FacilityEPA I.D. No. NYD067539940Project description and location. Town/City of Tonawanda County of Erie

The New York State Department of Environmental Conservation (NYSDEC) has reviewed the application to operate the facility located at the above address. The NYSDEC has made a tentative determination to issue a Part 373 permit which will authorize the applicant to store hazardous wastes such as ignitable wastes, corrosive wastes, EP Toxic wastes and PCB wastes received from customers and other General Electric repair facilities.

These wastes are shipped to authorized facilities for disposal. No on-site treatment or disposal of hazardous wastes will take place at the facility. A draft permit covering the NYS Hazardous Waste Management requirements has been prepared and is available for review.

## STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) DETERMINATION: (Check appropriate box)

- SEQR-1 Project is not subject to SEQR because it is an exempt, excluded or a Type II action.
- SEQR-2 Project is a Type I action and will not have a significant effect on the environment. A Negative Declaration is on file and a coordinated review with other agencies performed.
- SEQR-3 Project is an unlisted action and will not have a significant effect on the environment, a Negative Declaration is on file:  
 A—coordinated review performed  B—no coordinated review performed.
- SEQR-4 A draft environmental impact statement has been prepared on this project and is on file.
- SEQR-5 A final environmental impact statement has been prepared on this project and is on file.

SEQR LEAD AGENCY \_\_\_\_\_

## STATE HISTORIC PRESERVATION ACT (SHPA) DETERMINATION: (Check appropriate box)

- SHPA-1 Project is not subject to SHPA:  A—exempt permit type  B—federal review performed.
- SHPA-2 Project will not have an adverse impact and an assessment is on file.
- SHPA-3 A cultural resources survey has been prepared on this project and is on file.

## AVAILABILITY FOR PUBLIC COMMENT:

Applications may be reviewed at the address to the right. Comments on the project must be submitted to the Contact Person by no later than:

## CONTACT PERSON:

TO THE APPLICANT:

**1. THIS IS NOT A PERMIT**

- 2 This is to advise you that your application is complete and a review has commenced. Additional information may be requested from you at a future date, if deemed necessary, in order to reach a decision on your application.
- 3 Your project is classified MAJOR. Accordingly, a decision will be made within 90 days of the date of this Notice. If a public hearing is necessary, you will be notified within 60 days and the hearing will commence within 90 days of the date of this notice. If a hearing is held, the final decision will be made within 60 days after the hearing is completed.
- 4 Publication of this Notice in a newspaper is:  required  not required  
If required, please consult the accompanying transmittal letter for further instructions.

Mr. Anthony Hejmanowski  
General Electric Company  
175 Milens Road  
Tonawanda, New York 14150

Dear Mr. Hejmanowski:

RE: General Electric Company  
Buffalo Service Shop  
EPA I.D. No.: NYD067539940

Enclosed is a Notice of Complete Application for the above-referenced application. Also enclosed are the draft Part 373 Hazardous Waste Management Permit, Fact Sheet, Public Notice, and Radio Announcement.

The Public Notice will appear in the Environmental Notice Bulletin on \_\_\_\_\_ . You should arrange to have the Public Notice published in \_\_\_\_\_ (a daily or weekly major local newspaper of general circulation) and the Radio Announcement broadcast twice over a local radio station on that date. The Radio Announcement must be a paid announcement and must be broadcast during the morning and evening rush hour. Please provide me with copies of the Radio Announcement receipt and the Newspaper Notice receipt as proof of having met this requirement.

If you have any questions, please contact me at (716)847-4551.

Sincerely,

Paul Eismann  
Deputy Regional Permit Administrator  
NYSDEC Region 9

Enclosures

cc: w/enc: Chief, New York Permit Section, EPA Region II  
except draft P. Counterman, NYSDEC, Central Office  
permit J. Middelkoop, NYSDEC, Central Office  
Regional Hazardous Waste Engineer, Region 9

**PUBLIC NOTICE OF ISSUANCE OF A  
6NYCRR PART 373 HAZARDOUS WASTE MANAGEMENT PERMIT  
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

UPA No.:

Date:

The New York State Department of Environmental Conservation (NYSDEC) has reviewed the hazardous waste management permit application submitted by:

General Electric Company  
Buffalo Service Shop  
175 Milens Road  
Tonawanda, NY 14150

and has made a tentative determination to issue a 6NYCRR Part 373 permit to the facility.

Article 27 and 6NYCRR 621 require that the public be given forty-five days to comment on draft permits prepared under ECL. The public comment period begins on \_\_\_\_\_ and will extend through \_\_\_\_\_.

FACILITY DESCRIPTION

The General Electric Buffalo Service Shop is a 69,000 sq. ft. single building located on 5.3 acres of land at 175 Milens Road, Tonawanda, New York. The site location is above the 100 year flood water elevation. The facility consists of approximately 63,000 sq. ft. of one story manufacturing/service area and 6,000 sq. ft. of office area.

The General Electric Buffalo Service Shop is involved in the repair of industrial equipment including electric motors, transformers, turbines, pumps, compressors, etc. In the performance of these repair activities, the facility generates hazardous wastes. The General Electric Buffalo Service Shop also receives PCB liquids, solids and articles from customers and other General Electric Repair facilities for storage prior to shipment to qualified sites.

These wastes are stored in drums and tanks in designated hazardous waste storage areas until arrangements for disposal or treatment at other authorized hazardous waste management facilities are met.

The hazardous wastes stored include ignitable wastes, EP Toxic wastes and PCB waste.

TENTATIVE DETERMINATION

After review of the General Electric permit application, NYSDEC has found it to be complete. Based upon the complete application, NYSDEC has made a tentative determination to issue a 6NYCRR Part 373 permit to the facility for the purpose of operating a storage facility and has prepared a

**ERIE COUNTY**

**RADIO ANNOUNCEMENT**

60 SECONDS

The New York State Department of Environmental Conservation (DEC) has reviewed a permit application from General Electric to operate a hazardous waste storage facility in Tonawanda, New York. The DEC plans to issue a permit which will authorize the applicant to operate a facility to store hazardous wastes such as ignitable wastes, EP toxic wastes and PCB wastes generated by General Electric as well as from customers and other General Electric repair facilities. These wastes are stored in containers and tanks prior to shipment to authorized facilities for disposal or treatment. No on-site treatment or disposal of hazardous wastes takes place.

Copies of the draft permit are available for review at the New York State Department of Environmental Conservation Region 9 Office at 600 Delaware Avenue, Buffalo, New York.

Interested persons may submit written comments or request a public hearing on the draft permit no later than \_\_\_\_\_ to the Deputy Regional Permit Administrator, New York State Department of Environmental Conservation, 600 Delaware Avenue, Buffalo, New York. Further information may be obtained by calling Mr. Paul Eismann, Deputy Regional Permit Administrator, at (716) 847-4551.

**GENERAL ELECTRIC COMPANY  
BUFFALO SERVICE SHOP  
175 MILENS ROAD  
TONAWANDA, NY 14150  
6NYCRR PART 373 PERMIT  
FACT SHEET**

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

This fact sheet has been developed for the New York State Department of Environmental Conservation's (NYSDEC) draft Part 373 permit which the NYSDEC intends to issue to General Electric for its hazardous waste management facility located at 175 Milens Road, Tonawanda. This fact sheet was prepared in accordance with the requirements of 6NYCRR 373-1.4(f).

**A. PURPOSE OF THE PERMITTING PROCESS**

The purpose of the permitting process is to allow the NYSDEC, interested citizens and other governmental agencies the opportunity to evaluate the ability of the Permittee to comply with the applicable requirements promulgated under the ECL. NYSDEC is required to prepare a draft permit which sets forth in one concise document all the applicable requirements with which the Department intends to require the Permittee to comply during the five year duration of the permit. The public is given forty-five (45) days to review the application and comment on the draft permit conditions prior to NYSDEC taking any final permitting action on the application for a hazardous waste management permit.

**B. PROCEDURE FOR REACHING A FINAL DECISION**

Article 27 of the ECL and 6NYCRR Part 621 require that the public be given forty-five (45) days to comment on each draft permit prepared under the ECL. The comment period will begin on \_\_\_\_\_ and will end on \_\_\_\_\_. Any person interested in commenting on this draft permit must do so within this forty-five (45) day comment period.

All persons wishing to comment on any of the permit conditions should submit the comments in writing to Mr. Paul Eismann, Deputy Regional Permit Administrator, New York State Department of Environmental Conservation, Region 9, 600 Delaware Avenue, Buffalo, New York 14202. Comments should include all reasonably available references, factual grounds and supporting material.

NYSDEC will consider all written comments received during the public comment period, oral or written statements received during the public hearing, the requirements of the hazardous waste regulations of 6NYCRR Subpart 373-2 (Final Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities), and NYSDEC's permitting policies, in making a final permit decision.

D. CORRECTIVE ACTION PROGRAM

The 1984 Hazardous and Solid Waste Amendments (HSWA) to the Resource Conservation and Recovery Act (RCRA) added Section 3004(u) which requires corrective action for all releases of hazardous waste or constituents from any solid waste management unit (SWMU) at a treatment, storage, or disposal facility seeking a permit regardless of the time at which waste was placed in such unit. This corrective action requirement is also stipulated in New York State final status hazardous waste regulation 6NYCRR 373-2.6(1). The primary objective of the Corrective Action Program is the protection of human health and the environment from all releases of hazardous waste or constituents.

A SWMU is any discernible unit at which solid or hazardous wastes have been placed at any time, irrespective of whether the unit was intended for the management of solid or hazardous wastes. Such units include any area at a facility at which hazardous waste or constituents have been routinely and systematically released (e.g. a spill area contaminated by routine and systematic discharges from product or process units.) A SWMU does not include accidental spills from production areas and units in which wastes have not been managed (e.g. product storage areas).

The RCRA corrective action program consists of three phases:

1. The RCRA Facility Assessment (RFA) to identify releases or potential releases requiring further investigation.
2. The RCRA Facility Investigation (RFI) to fully characterize the extent of releases.
3. Corrective Measures (CM) to determine the need for and extent of remedial measures. This step includes the selection and implementation of appropriate remedies for all problems identified.

The RFA is a three stage process that includes the Preliminary Review (PR), the Visual Site Inspection (VSI) and the Sampling Visit (SV). The RFA is conducted to:

- Identify and gather information on releases at RCRA facilities;
- Evaluate SWMUs and other areas of concern for releases to all media (soil, surface water, groundwater, air, etc.) and regulated units for releases to media other than groundwater;
- Make preliminary determinations regarding releases of concern and the need for further actions and interim measures at the facility and
- Screen from further investigation those SWMUs which do not pose a threat to human health or environment.

The PR is a desk-top review of all of the available information on the individual SWMUs. During the PR and in subsequent phases of the RFA, all of the media that could potentially be affected by hazardous waste releases are examined. Based on this review, the SWMUs are characterized as to their release potentials.

Following this review, a VSI is conducted during which all of the SWMUs are examined to determine obvious spills or leakage, stained soil, stressed vegetation, unit deterioration, or any other conditions that may be indicative of a release. By means of these observations and the findings of the PR, sampling is recommended at those units where releases are suspected, but not verified. A sampling work plan is then prepared and a SV is conducted.

The last aspect of the RFA involves the regulatory agency preparing the RFA report which includes recommendations for further action at those units with demonstrated releases of hazardous waste or constituents. In some cases, interim corrective measures may be required at a unit where an immediate threat to human health or the environment exists.

If the RFA concludes that there is a need for further investigative work, the owner/operator is required to perform an RFI as a permit condition or as a condition of an Order on Consent. The purpose of the RFI is to determine the nature, extent and rate of migration of hazardous wastes or constituents in soils, groundwater, surface water, subsurface gas and/or air. Due to its very nature, the RFI usually involves a considerably greater level of effort than the RFA. Multi-media analyses should be used to determine the types of contaminants present, the boundaries of the contaminants (e.g., plumes), and the rate of contaminant movement. Once the chemical data is reviewed, a RFI report is prepared that provides a summation of the data and recommendations for any needed remediation.

The culmination of the Corrective Action Program is Corrective Measures (CM). The initial stage of the corrective measures phase is the preparation of a Corrective Measures Study (CMS). The CMS will address alternative remediation strategies that are technologically feasible and reliable and which effectively mitigate and minimize damage to and provides adequate protection of human health and the environment. An exposure assessment coupled with a public health/environmental assessment will be mechanisms used to develop cleanup target levels. Library search, scale models, or treatability studies are tools that may be utilized, if necessary, to assess the technical feasibility of remedial alternatives. The CMS report should provide a discussion of the alternative remediation strategies studied addressing technical, institutional, public health, and environmental issues, and the conceptual engineering on the alternative action selected by the facility.

F. BASIS FOR PERMIT CONDITIONS

The permit conditions are based on the requirements of 6NYCRR 373-1 (Hazardous Waste Treatment Storage and Disposal Facility Permitting Requirements) and 6NYCRR 373-2 (Final Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities).

All the attachments to the permit were taken from the Part 373 permit application submitted by General Electric and received by NYSDEC on April 28, 1986 as modified by subsequent amendments dated November 23, 1986, April 1, 1987, October 8, 1987, January 22, 1988, March 1988, June 16, 1988, July 20, 1988, September 16, 1988, September 30, 1988, October 24, 1988, March 31, 1989, June 26, 1989, June 28, 1989 and September 29, 1989. It is the NYSDEC's tentative determination that these attachments are consistent with 6NYCRR Subparts 373-1 and 373-2.

In addition, certain hazardous waste management activities which were not described in the application are prohibited by this permit. For example, the Permittee is not authorized to treat or dispose of any hazardous waste on site.

G. LEGAL REFERENCE FOR THIS PROPOSAL

Permitting requirements for facilities that treat, store or dispose of hazardous waste are promulgated under the New York State Environmental Conservation Law (pursuant to Article 19, Title 3; Article 23, Title 23; Titles 7 and 9).



DEC PERMIT NUMBER
FACILITY/PROGRAM NUMBER(S)



**PERMIT**  
Under the Environmental Conservation Law

EFFECTIVE DATE
EXPIRATION DATE(S)

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Article 15, Title 3; 6NYCRR 327, 328, 329: Aquatic Pesticides | <input type="checkbox"/> 6NYCRR 608: Water Quality Certification         | <input type="checkbox"/> Article 25: Tidal Wetlands   |
| <input type="checkbox"/> Article 15, Title 5: Protection of Water                      | <input type="checkbox"/> Article 17, Titles 7, 8: SPDES                  | <input type="checkbox"/> Article 27, Title 7; 6NYCRR 360: Solid Waste Management*               |
| <input type="checkbox"/> Article 15, Title 15: Water Supply                            | <input type="checkbox"/> Article 19: Air Pollution Control*              | <input checked="" type="checkbox"/> Article 27, Title 9; 6NYCRR 373: Hazardous Waste Management |
| <input type="checkbox"/> Article 15, Title 15: Water Transport                         | <input type="checkbox"/> Article 23, Title 27: Mined Land Reclamation    | <input type="checkbox"/> Article 34: Coastal Erosion Management                                 |
| <input type="checkbox"/> Article 15, Title 15: Long Island Wells                       | <input type="checkbox"/> Article 24: Freshwater Wetlands                 | <input type="checkbox"/> Article 36: Floodplain Management                                      |
| <input type="checkbox"/> Article 15, Title 27: Wild, Scenic and Recreational Rivers    | N—New, R—Renewal, M—Modification, C—Construct (*only), O—Operate (*only) | <input type="checkbox"/> Articles 1, 3, 17, 19, 27, 37; 6NYCRR 380: Radiation Control           |

PERMIT ISSUED TO <b>General Electric Company, Buffalo Service Shop</b>			
ADDRESS OF PERMITTEE <b>175 Milens Road, Tonawanda, NY 14150</b>			
AGENT FOR PERMITTEE/CONTACT PERSON <b>Mr. Anthony Hejmanowski</b>			TELEPHONE NUMBER <b>(716) 876-1200</b>
NAME AND ADDRESS OF PROJECT/FACILITY (If different from Permittee) <b>Same</b>			
LOCATION OF PROJECT/FACILITY <b>175 Milens Road</b>	COUNTY <b>Erie</b>	TOWN/CITY/VILLAGE <b>Tonawanda</b>	UTM COORDINATES
DESCRIPTION OF AUTHORIZED ACTIVITY <b>Operation of a hazardous waste storage facility for the storage of ignitable waste, corrosive waste, EP Toxic waste and PCB wastes. A maximum of 26,105 gallons in containers and 13,000 gallons in tanks are stored.</b>			

**GENERAL CONDITIONS**

**By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations and the conditions specified herein or attached hereto.**

- The permittee shall file in the office of the appropriate regional permit administrator, or other office designated in the special conditions, a notice of intention to commence work at least 48 hours in advance of the time of commencement and shall also notify him/her promptly in writing of the completion of the work.
- The permitted work shall be subject to inspection by an authorized representative of the Department of Environmental Conservation which may order the work suspended if the public interest so requires pursuant to ECL §71-0301 and SAPA §401(3).
- The permittee has accepted expressly, by the execution of the application, the full legal responsibility for all damages, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and has agreed to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from the said project.
- The Department reserves the right to modify, suspend or revoke this permit at any time after due notice, and, if requested, hold a hearing when:
  - the scope of the project is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations are found; or
  - the permit was obtained by misrepresentation or failure to disclose relevant facts; or
  - newly discovered information or significant physical changes are discovered since the permit was issued.
- The permittee is responsible for keeping the permit active by submitting a renewal application, including any forms, fees or supplemental information which may be required by the Department, no later than 30 days (180 days for SPDES or Solid or Hazardous Waste Management permits) prior to the expiration date.
- This permit shall not be construed as conveying to the applicant any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work or as authorizing the impairment of any rights, title or interest in real or personal property held or vested in a person not a party to the permit.
- The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way which may be required for this project.
- Issuance of this permit by the Department does not, unless expressly provided for, modify, supersede or rescind an order on consent or determination by the Commissioner issued heretofore by the Department or any of the terms, conditions, or requirements contained in such order or determination.
- Any modification of this permit granted by the Department must be in writing and attached hereto.

PERMIT ISSUANCE DATE	PERMIT ADMINISTRATOR	ADDRESS
AUTHORIZED SIGNATURE		Page 1 of _____

## MODULE I - STANDARD CONDITIONS

### A. EFFECT OF PERMIT

The Permittee must comply with all terms and conditions of this permit. This permit consists of the conditions contained herein (including those in any attachments) and the applicable regulations contained in 6NYCRR Parts 370 through 374 and 621 and 624. Applicable regulations are those which are in effect on the date of issuance of this permit.

The Permittee is allowed to store hazardous waste in accordance with the conditions of this permit. Any storage, treatment, or disposal of hazardous waste not authorized in this permit is prohibited unless exempt from 6NYCRR Part 373. Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of Federal, State or local laws or regulations. Compliance with the terms of this permit does not constitute a defense to any other law providing for protection of public health or the environment.

### B. PERMIT ACTIONS

This permit may be modified, revoked, or suspended for cause as specified in 6NYCRR 621.13. The filing of a request for a permit modification, revocation and reissuance, or suspension; or the notification of planned changes or anticipated noncompliance on the part of the Permittee does not stay the applicability or enforceability of any permit condition.

### C. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

### D. DUTIES AND REQUIREMENTS

- (1) Duty to Comply. The Permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the ECL Article 27, Title 9 and is grounds for enforcement action; permit suspension, revocation, or modification; or denial of a permit renewal application.
- (2) Duty to Reapply. If the Permittee wishes to continue an activity allowed by this permit after the expiration date of this Permit, the permittee shall submit a complete application for a new permit at least 180 days before this permit expires and shall obtain a new permit.

- (3) Need to Halt or Reduce Activity Not a Defense. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- (4) Duty to Mitigate. The Permittee shall take all steps to minimize or correct any adverse impact on human health or the environment resulting from noncompliance with this permit.
- (5) Proper Operation and Maintenance. The Permittee shall 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. Proper operation and maintenance includes, but is not limited to, effective performance, adequate funding, adequate operator staffing and training, and adequate process and laboratory controls, including appropriate quality assurance/quality control procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this permit.
- (6) Inspection and Entry. The Permittee shall allow the Commissioner, or an authorized representative, including authorized EPA representatives, upon the presentation of credentials and other documents as may be required by law to:
  - (a) Enter at reasonable times upon the Permittee's premises where a regulated activity is located or conducted or areas subject to corrective action pursuant to Module III of this permit, or where records must be kept under the conditions of this permit;
  - (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit, including any and all confidential data;
  - (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
  - (d) Sample or monitor, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the ECL, any substances or parameters at any location.

- (7) Duty to Provide Information. The Permittee shall furnish to the Commissioner, within a reasonable time, any relevant information which the Commissioner may request to determine whether cause exists for modifying, revoking and reissuing, or suspending this permit, or to determine compliance with this permit. The Permittee shall also furnish to the Commissioner, upon request, copies of records required to be kept by this permit.
- (8) Twenty-four Hour Reporting. The Permittee shall report to the Commissioner any non-compliance which may endanger human health or the environment. Any such information shall be reported orally within 24 hours from the time the Permittee becomes aware of the circumstances. This report shall include the following:
- (a) Information concerning the release of any hazardous waste or constituent which may cause endangerment to public drinking water supplies.
  - (b) Any information of a release or discharge of hazardous waste or of a fire or explosion at the facility, which could threaten the environment or human health.
  - (c)
    - (i) Name, address, and telephone number of the operator;
    - (ii) Name, address, and telephone number of the facility;
    - (iii) Date, time, and type of incident;
    - (iv) Name and quantity of materials involved;
    - (v) The extent of injuries, if any;
    - (vi) An assessment of actual or potential hazard to the environment and human health inside and outside the facility, where this is applicable; and
    - (vii) Estimated quantity and disposition of recovered material that resulted from the incident.

A written submission shall also be provided to the Commissioner within five days of the time the Permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the periods of noncompliance (including exact dates and times); whether the noncompliance has been corrected; and if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance (See Permit Condition D(4) of Module I). The Permittee need not comply with the five day written notice requirement if the Commissioner waives the requirement and the permittee submits a written report within 15 days of the time the permittee becomes aware of the circumstances.

The oral reports required above may be made by contacting the National Response Center 24-hour toll free number at (800) 424-8802 and the New York State 24-hour oil and hazardous material spill notification number, (800) 457-7362, or any designated telephone number which may subsequently replace the ones listed above.

- (9) Unmanifested Waste Report. A report must be submitted to the Commissioner within 2 days of receipt of unmanifested waste and include the information listed in 6NYCRR 372.4(c).
- (10) Manifest Discrepancy Report. If a significant discrepancy (as defined by 6NYCRR Part 372.4(b)(1)) in a manifest is discovered, the Permittee must attempt to reconcile the discrepancy. If not resolved within 15 days, the Permittee must submit a written report to the Commissioner. The report must include a copy of the manifest and must meet the information requirements of 6NYCRR Part 372.4(b)(5).
- (11) Additional Noncompliance Reporting. The Permittee shall report all instances of noncompliance (including release of hazardous waste, fire or explosion) not required to be reported under Module I, Condition D.(8) or (17). Such noncompliance shall be reported at the time monitoring reports are submitted. The reports shall contain the information listed in Module I, Condition D. (8)(c)(i-vii).
- (12) Anticipated Noncompliance. The Permittee shall give advance notice to the Commissioner of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Compliance with Permit Condition D(3) of Module I is still effective in this situation.
- (13) Other Information. Whenever the Permittee becomes aware that he failed to submit any relevant facts in the permit application, or submitted incorrect information in a permit application or in any report to the Commissioner, the Permittee shall immediately submit such facts or information.
- (14) Compliance Schedules. The Permittee must comply with the compliance schedule (Attachment X). Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
- (15) Annual Report. The Permittee shall submit an annual report covering facility activities during the calendar year in accordance with the requirements of 6NYCRR 373-2.5(e).

(16) Monitoring and Records.

- (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. The methods used to obtain a representative sample of the waste to be analysed must be the appropriate method from Appendix 19 of 6NYCRR Part 371 or an equivalent method approved by the Commissioner. Laboratory Methods must be those specified in Test Methods for Evaluating Solid Waste: Physical & Chemical Methods, EPA Publication SW-846, Third Edition, 1986 or later approved revisions, or an equivalent method, as specified in the Waste Analysis Plan (see Attachment I).
- (b) The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original chart recordings for continuous monitoring instrumentation, copies of all reports and records required by this permit, certification required by 6NYCRR Part 373-2.5(c)(2)(ix), and records of all data used to complete the application for this permit until closure certification of the facility is approved by DEC. For land disposal facilities, the monitoring data required under 6NYCRR Part 373-2.6(i) must be kept throughout the post-closure care period. (See also Module II, Condition L.2).
- (c) Records of monitoring information shall specify:
  - (i) The dates, exact place, and times of sampling or measurements;
  - (ii) The individuals who performed the sampling or measurements;
  - (iii) The dates analyses were performed;
  - (iv) The individual(s) who performed the analyses;
  - (v) The sampling techniques or methods used;
  - (vi) The analytical techniques or methods used; and
  - (vii) The results of such analyses.
- (d) The Permittee shall conduct a quality assurance program to ensure that the monitoring data are technically accurate and statistically valid. The quality assurance program shall be in accordance with Chapter One and applicable subsections of Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, EPA Publication SW-846, Third Edition, 1986 or later approved revisions, or equivalent methods approved by the Department.

(17) Monitoring Reports. Monitoring results must be reported at the intervals specified elsewhere in this permit.

- (18) Reporting Planned Changes. The Permittee shall give notice to the Commissioner as soon as possible of any planned physical alterations or additions to the permitted facility. See Module I Condition I.
- (19) Certification of Construction or Modification. The Permittee may not commence storage of hazardous waste at a newly constructed facility nor in a modified portion of an existing facility until:
- (a) The Permittee has submitted to the Commissioner by certified mail or hand delivery a letter signed by the Permittee and an independent registered professional engineer stating that the facility has been constructed or modified in compliance with the permit; and
  - (b)
    - (i) The Commissioner has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the permit; or
    - (ii) The Commissioner has either waived the inspection or has not, within 15 days, notified the Permittee of his or her intent to inspect.
- (20) Transfer of Permits. This permit may be transferred to a new owner or operator only if it is modified or revoked and reissued pursuant to 6NYCRR 373-1.6(a)(12)(iii) and 6NYCRR 373-1.7(a). Before transferring ownership or operation of the facility during its operating life, the Permittee shall notify the new owner or operator in writing of the requirements of 6NYCRR Part 373.
- E. SIGNATORY REQUIREMENT All reports or other information requested by the Commissioner shall be signed and certified as required by 6NYCRR 373-1.4(a)(5).
- F. CONFIDENTIAL INFORMATION The permittee may claim confidential any information required to be submitted by this permit in accordance with 6NYCRR 370.1(b). All documentation which the Permittee believes justifies its claim of confidentiality must be submitted in accordance with 6NYCRR Part 616 with any such claim of confidentiality.
- G. DOCUMENTS TO BE SUBMITTED PRIOR TO OPERATION Not Applicable.
- H. DOCUMENTS TO BE MAINTAINED AT THE FACILITY The Permittee shall maintain at the facility, until closure is completed and certified by an independent registered professional engineer, a copy of this permit and the following documents, amendments, revisions and modifications to these documents:
- (1) Waste Analysis Plan as required by 6NYCRR 373-2.2(e);

- (2) Personnel training documents and records as required by 6NYCRR 373-2.2(h)(4);
- (3) Contingency plan as required by 6NYCRR 373-2.4(d);
- (4) Closure plan as required by 6NYCRR 373-2.7(c);
- (5) Annually adjusted cost estimate for facility closure as required by 6NYCRR 373-2.8(c);
- (6) Operating record as required by 6NYCRR 373-2.5(c);
- (7) Inspection schedules as required by 6NYCRR 373-2.2(g)(2);
- (8) Assessment of existing tank systems integrity as required by 6NYCRR 373-2.10(b); and
- (9) Groundwater monitoring, testing and analytical data as required by 6NYCRR 373-2.6.

I. PERMIT MODIFICATIONS. The permit may be modified for cause as allowed under 6NYCRR 373-1.7 and 621.13. Modifications shall be requested in writing as required by 6NYCRR 621.12 and 621.13. Requests for modifications shall be submitted to the Regional Permit Administrator for approval and permit modification.

J. ALL REPORTS AND SUBMITTALS.

- (1) (a) All reports and submittals required by Module III, Corrective Action Requirements to be submitted to the Commissioner shall be sent to the following addressees:

- New York State Department of Environmental Conservation  
50 Wolf Road  
Albany, New York 12233-7251

Attention: Director, Bureau of Hazardous Waste Facility Management  
Division of Hazardous Substances Regulation

- New York State Department of Environmental Conservation  
Region 9  
Division of Solid and Hazardous Waste  
600 Delaware Avenue  
Buffalo, NY 14202

Attention: Regional Hazardous Substances Engineer



(b) All reports and submittals required by Module IV, Waste Minimization Requirements to be submitted to the Commissioner shall be sent to the following addressee:

- New York State Department of Environmental Conservation  
50 Wolf Road  
Albany, New York 12233-7253

Attention: Director, Bureau of Pollution Prevention  
Division of Hazardous Substances Regulation

(c) All other reports and submittals required by the permit to be submitted to the Commissioner shall be sent to the following addressees:

- New York State Department of Environmental Conservation  
50 Wolf Road  
Albany, New York 12233-7252

Attention: Director, Bureau of Hazardous Waste Facility Compliance  
Division of Hazardous Substances Regulation

- New York State Department of Environmental Conservation  
Region 9  
Division of Solid and Hazardous Waste  
600 Delaware Avenue  
Buffalo, NY 14202

Attention: Regional Hazardous Substances Engineer

(2) All plans, reports, and schedules required by the terms of this Permit are, upon approval by the Department, incorporated by reference into this Permit. Upon incorporation, the provisions of each such document shall be binding upon Permittee and have the same legal force and effect as the requirements of this Permit.

(3) Permittee shall submit plans and reports required by this Permit to the Department for review and comment. If the Department determines that any plan or report required by this Permit is deficient (in whole or in part), Permittee shall either promptly respond to the comments or make revisions to the submission consistent with the Department's comments. Within a reasonable time frame specified by the Department, a final plan or report shall be submitted to the Department for approval. Extensions of the due date for submittals may be granted by the Department based on the Permittee's documentation that sufficient justification for the extensions exists.

## MODULE II - GENERAL FACILITY CONDITIONS

- A. DESIGN AND OPERATION OF FACILITY The Permittee shall maintain and operate the facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water.

The Permittee is authorized to store only the hazardous wastes identified in Module V, Condition A and Module VI, Condition A.

B. REQUIRED NOTICES

- (1) The Permittee shall notify the Commissioner in writing at least four weeks in advance of the date the Permittee expects to receive hazardous waste from a foreign source, as required by 6NYCRR 372.5(d). Notice of subsequent shipments of the same waste from the same source is not required.
- (2) When the Permittee is to receive hazardous waste from an off-site source, (except when the generator is a subsidiary of a Permittee's parent company) he must inform the generator in writing that he has the appropriate permits for, and will accept, the waste the generator is shipping. The Permittee shall keep a copy of this written notice as part of the operating record [6NYCRR 373-2.2(d)(2)].

- C. GENERAL WASTE ANALYSIS Except as specifically provided otherwise in Module III of this permit, the Permittee shall comply with 373-2.2(e), follow the procedures described in the waste analysis plan, Attachment I, and conduct a quality assurance program as specified in Module I, Condition D.(16)(d).

The Permittee shall verify its waste analysis as part of the quality assurance program. The quality assurance program will be in accordance with current EPA practices (Test Methods for Evaluating Solid Waste: Physical/Chemical Methods SW-846, Third Edition, 1986 or later approved revisions) or equivalent methods approved by the Department, and ensure that the Permittee maintains proper functional instruments, uses approved sampling and analytical methods, as specified in 6NYCRR Part 371, Appendices 19, 20 and 21, assures the validity of sampling and analytical procedures and performs correct calculations. Any contract laboratory used by the Permittee to perform analyses pursuant to this permit must be certified by the New York State Department of Health through the Environmental Laboratory Approval Program for the appropriate category of analysis and must be acceptable to the Department. If the Permittee uses such a contract laboratory to perform analyses, then the Permittee shall inform the laboratory in writing that it must operate under the waste analysis conditions set forth in this permit.

- D. SECURITY The Permittee shall comply with the security provisions of 6NYCRR 373-2.2(f) and Attachment II.
- E. GENERAL INSPECTION REQUIREMENTS The Permittee shall comply with 373-2.2(g) and follow the inspection schedule, Attachment III. The Permittee shall remedy any deterioration or malfunction discovered by an inspection as required by 6NYCRR 373-2.2(g)(3). Records of inspections shall be kept as required by 6NYCRR 373-2.2(g)(4).
- F. PERSONNEL TRAINING The Permittee shall conduct personnel training as required by 6NYCRR 373-2.2(h)(1), (2), and (3). This training program shall follow the attached outline, Attachment IV. The Permittee shall maintain training documents and records as required by 6NYCRR 373-2.2(h)(4) and (5).
- G. GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTE The Permittee shall take precautions to prevent accidental ignition or reaction of ignitable or reactive waste as required by 6NYCRR 373-2.2(i) and as described in Attachment V.
- H. LOCATION STANDARDS Not Applicable.
- I. PREPAREDNESS AND PREVENTION
- (1) Required Equipment. At a minimum, the Permittee shall equip the facility with the equipment set forth in the contingency plan, Attachment VI and as required by 6NYCRR 373-2.3(c).
  - (2) Testing and Maintenance of Equipment. The Permittee shall test and maintain the equipment specified in the previous permit condition as necessary to assure its proper operation in time of emergency, as set forth in the Inspection Schedule (Attachment III).
  - (3) Access to Communications or Alarm System. The Permittee shall maintain access to the communications or alarm system as required by 6NYCRR 373-2.3(e), and in accordance with Attachment V.
  - (4) Required Aisle Space. At a minimum, the Permittee shall, in accordance with Attachment V, maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of the facility in an emergency as required by 6NYCRR 373-2.3(f) and to provide access for inspections as required by 6NYCRR 373-2.9(e). Aisle space in the container storage area shall be maintained in accordance with Attachment VIII.

- (5) Arrangements with Local Authorities. The Permittee shall attempt to make arrangements with State and local authorities as required by 6NYCRR 373-2.3(g). If State or local officials refuse to enter into preparedness and prevention arrangements with the Permittee, the Permittee must document this refusal in the operating record, and a copy of all correspondence sent to State and local authorities while attempting to meet this requirement should be included in the operating record.

J. CONTINGENCY PLAN

- (1) Implementation of Plan. The Permittee shall comply with 6NYCRR 373-2.4 and follow the contingency plan, Attachment VI. The Permittee shall immediately carry out the provisions of the contingency plan, Attachment VI, and follow the emergency procedures described by 6NYCRR 373-2.4(g) whenever there is a fire, explosion, or release of hazardous waste or constituents.
- (2) After any event requiring implementation of the contingency plan, the Permittee shall not resume hazardous waste management in the affected area until all equipment used during the contingency has been cleaned, recharged or replaced, as appropriate.
- (3) Copies of Plan. The Permittee shall comply with the requirements of 6NYCRR 373-2.4(d).
- (4) Amendments to Plan. The Permittee shall review and immediately amend, if necessary, the contingency plan as required by 6NYCRR 373-2.4(e).
- (5) Emergency Coordinator. The Permittee shall comply with the requirements of 6NYCRR 373-2.4(f) concerning the emergency coordinator.

K. MANIFEST SYSTEM The Permittee shall comply with the manifest requirements of 6NYCRR Part 372.

L. RECORDKEEPING AND REPORTING

- (1) Operating Record. The Permittee shall maintain a written operating record at the facility in accordance with the applicable portions of 6NYCRR 373-2.5(c).

- (2) Availability, Retention, and Disposition of Records. All records, including plans, must be made available to the DEC in accordance with 6NYCRR 373-2.5(d)(1). The retention period for all records is extended automatically during any unresolved enforcement action regarding the facility or as requested by the Commissioner. A copy of records of waste disposal locations and quantities under 6NYCRR 373-2.5(c)(2) must be submitted to the Commissioner and local land authority upon closure of the facility as required by 6NYCRR 373-2.5(d)(3). See Module I, Condition D.16(b).
- (3) Annual Report. The Permittee shall comply with the annual report requirements of 6NYCRR 373-2.5(e).

M. CLOSURE

- (1) Performance Standard. The Permittee shall close the facility as required by 6NYCRR 373-2.7(b) and in accordance with the closure plan, Attachment VII.
- (2) Amendment to Closure Plan. The Permittee shall amend the closure plan whenever necessary in accordance with 6NYCRR 373-2.7(c)(3).
- (3) Notification of Closure and Partial Closure. The Permittee shall notify the Commissioner at least 60 days prior to the date he expects to begin closure or partial closure of any hazardous waste management unit or facility, as required by 6NYCRR 373-2.7(c)(4)(i). This condition supercedes the requirement of 6NYCRR 373-2.7(c)(5).
- (4) Time Allowed for Closure. Within 90 days after receiving the final volume of hazardous waste, the Permittee shall treat or remove from the site all hazardous waste and shall complete closure activities in accordance with 6NYCRR 373-2.7(d) and the schedule specified in the closure plan, Attachment VII.
- (5) Disposal or Decontamination of Equipment, Structures and Soils. During the partial and final closure periods, all contaminated equipment, structures, and soils must be properly disposed of or decontaminated unless otherwise specified in 6NYCRR 2.11(f), 373-2.12(h), 373-2.13(h), or 373-2.14(g). By removing any hazardous waste or hazardous constituents during partial and final closure, the Permittee may become a generator of hazardous waste and must handle that waste in accordance with all applicable requirements of 6NYCRR Part 372.

- (6) Certification of Closure and Partial Closure. Within 60 days of completion of final closure of the facility or within 60 days of partial closure of any hazardous waste management unit, the Permittee shall submit to the Commissioner certifications by the Permittee and by an independent New York State registered professional engineer that the facility (or the hazardous waste management unit) has been closed in accordance with the specifications in the approved closure plan as required by 6NYCRR 373-2.7(f).
- (7) Survey Plat. Within 60 days after certification of closure of each disposal unit, the Permittee shall 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 6NYCRR Part 373-2.7(f).

N. GENERAL POST-CLOSURE REQUIREMENTS Not Applicable.

O. COST ESTIMATE FOR FACILITY CLOSURE The Permittee's most recent closure cost estimate, prepared in accordance with 6NYCRR 373-2.8(c)(1) is specified in Attachment VII.

- (1) The Permittee must adjust the closure cost estimate for inflation within 30 days after the closure of the firm's fiscal year and before submission of updated information to the Commissioner, as specified in 6NYCRR 373-2.8(d)(5) [and 373-2.8(f)(5)].
- (2) The Permittee must revise the closure cost estimate whenever there is a change in the facility's closure plans as required by 6NYCRR 373-2.8(c)(3).
- (3) The Permittee must keep at the facility the latest closure cost estimate as required by 6NYCRR 373-2.8(c)(4).

P. FINANCIAL ASSURANCE FOR FACILITY CLOSURE The Permittee shall demonstrate continuous compliance with 6NYCRR 373-2.8(d) or, when applicable, with 6NYCRR 373-2.8(f) or (g) by providing documentation of financial assurance to the Commissioner, in accordance with the wording in 6NYCRR 373-2.8(j), in at least the amount of the cost estimates required by Module II, Condition O. Changes in financial assurance mechanisms must be approved by the Commissioner pursuant to 6NYCRR 373-2.8(d).

**MODULE III - CORRECTIVE ACTION REQUIREMENTS**

(To be Inserted by Civil Technology Section)

#### MODULE IV - WASTE MINIMIZATION REQUIREMENTS

1. In accordance with 6NYCRR 373-2.5(c)(2)(ix), the Permittee must submit to the Commissioner, at least annually, a waste minimization certification signed by the owner or operator. This certification and all accompanying documentation shall be submitted on each anniversary date of the issuance of this permit. The Permittee must certify that:
  - a. A program is in place to reduce the volume and toxicity of hazardous waste generated to the degree determined by the Permittee to be economically practicable; and
  - b. The proposed method of treatment, storage or disposal is the most practicable method currently available to the Permittee which minimizes the present and future threat to human health and the environment.
2. The Permittee shall submit a Waste Reduction Impact Statement within 150 days of permit issuance. The Permittee shall include the following information in the Waste Reduction Impact Statement:
  - a. An identification of the annual amount and types of hazardous waste that are generated.
  - b. For each waste stream, an identification of the source of generation of these hazardous wastes.
  - c. An analysis of technically and economically feasible hazardous waste reduction techniques, including a description of any techniques that were implemented since 1984, at a minimum.
  - d. A program and schedule for implementing the feasible hazardous waste reduction techniques.
3. **Annual Report.** In conjunction with the annual certification required by Condition 1 above, the Permittee must submit an annual report to the Commissioner on the status of waste reduction techniques, including those which have been implemented during the previous year and those specified in the Waste Reduction Impact Statement required by Condition 2 above.



**MODULE V - STORAGE IN CONTAINERS**

**A. AUTHORIZED STORAGE AREA, WASTE TYPES AND STORAGE VOLUME.**

The Permittee may store the following wastes in containers at the facility, subject to the terms of this permit:

<u>AREA</u>	<u>WASTE MATERIAL</u>	<u>HAZ. WASTE NO.</u>	<u>CONTAINER VOLUME</u>	<u>NUMBER OF CONTAINERS</u>
PCB Work Area	Sludge (Oil/Water Separator, Cleaning Pits)	(Varies) D001; D002, D004 - D011	Various size electrical equipment & containers	Up to 20,000 gallons in various size containers & equipment
	Sludge/Waste Water (Water Wash Paint Booth)	(Varies) D001; D004-D011		
	Sludge (Metalizing Booth)	(Varies) D004-D011		
	Abrasive Blasting Fines	(Varies) D004-D011		
	Waste Oil (Motor/Lubricating Oil)	(Varies) D004-D011		
	Rags, Used Brushes, Other Debris Soaked with Flammable Solvent and Thinners	D001		
	Paint and Varnish Residue	D001		
	Flammable Solvent & Thinners	D001		
	Scrap Varnishes	D001		
	PCB Contaminated Solvents (From Flushing PCB Contaminated Transformers)	B002, B003		
PCB Contaminated Solids (Generated During PCB Related Work Activities)	B007			

<u>AREA</u>	<u>WASTE MATERIAL</u>	<u>HAZ. WASTE NO.</u>	<u>CONTAINER VOLUME</u>	<u>NUMBER OF CONTAINERS</u>
PCB Storage Area	PCB Contaminated Solvents	B002, B003	55-Gallon DOT approved containers	75
	PCB Contaminated Solids	B007		
	PCB Liquids	B001-B003		
	PCB Solids	B004 -B007		
RCRA Hazardous Waste Storage Area	Sludge (Oil/Water Separator, Cleaning Pits)	(Varies) D001, D002, D004-D011	55-Gallon DOT approved containers	36
	Sludge/Waste Water (Water Wash Paint Booth)	(Varies) D001; D004-D011		
	Sludge (Metalizing Booth)	(Varies) D004-D011		
	Abrasive Blasting Fines	(Varies) D004-D011		
	Waste Oil (Motor/Lubricating Oil)	(Varies) D004-D011		
	Rags, Used Brushes, Other Debris Soaked with Flammable Solvent and Thinners	D001		
	Paint and Varnish Residue	D001		
	Flammable Solvent & Thinners	D001		
	Scrap Varnishes	D001		

- B. CONTAINMENT. The Permittee shall [construct and] maintain the containment systems in accordance with the requirements of 6NYCRR 373-2.9(f) and as specified in the attached plans and specifications, Attachment VIII.
- C. CONDITION OF CONTAINERS. If a container holding hazardous waste is not in good condition (e.g., severe rusting, apparent structural defects, deterioration of liner) or if it begins to leak, the Permittee shall transfer the hazardous waste from such container to a container that is in good condition or otherwise manage the waste in compliance with the conditions of this permit. Each such occurrence shall be recorded in the inspection log and maintained as part of the operating record as described in Module I, Condition H.(6). If any leaking container threatens human health or the environment, it must be reported as specified in Module I, Condition D.(8), (i.e., 24-hour reporting).
- D. COMPATIBILITY OF WASTE WITH CONTAINERS. The Permittee shall assure that the ability of the container to contain or store the waste is not impaired as required by 6NYCRR 373-2.9(c) and in accordance with Attachment VIII.
- E. MANAGEMENT OF CONTAINERS. The Permittee shall manage containers as required by 6NYCRR 373-2.9(d).
- F. SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE. The Permittee shall not locate containers holding ignitable or reactive waste within 15 meters (50 feet) of the facility's property line.
- G. SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTE.
- (1) The Permittee shall not place incompatible wastes or incompatible wastes and materials in the same container.
  - (2) The Permittee shall not place hazardous waste in an unwashed container that previously held an incompatible waste or material.
  - (3) The Permittee shall separate containers of incompatible wastes as indicated in the attached plans, Attachment VIII, and as required by 6NYCRR 373-2.9(h)(3).

**MODULE VI - STORAGE/TREATMENT IN TANKS**

- A. (1) Authorized Tanks and Wastes. The Permittee is authorized to use the following tanks to store the following hazardous wastes in tanks subject to the terms of this permit:

<u>Tank</u>	<u>Capacity</u>	<u>Waste Description and EPA Hazardous Waste Number</u>	
T-1	5,000 gal.	Pyranol, > 25,000 ppm PCB's	B003
T-2	5,000 gal.	10CA Oil, < 25,000 ppm PCB's	B003
T-3	3,000 gal.	#2 Fuel Oil w/PCB's	B001
T-5	2,000 gal.	Scrap Oil	

- (2) The Permittee is prohibited from adding additional hazardous waste tanks or from storing or treating hazardous wastes that are not identified in Permit Condition VI.A(1) without permit modifications.

B. (1) DESIGN AND INSTALLATION OF NEW TANK SYSTEMS OR COMPONENTS

- (a) The Permittee shall design and install the following new tank systems: No's. T-1, T-2 and T-3 in accordance with 6NYCRR 373-2.10(c) and the attached plans and specifications, Attachment IX. Upon completion of construction and prior to commencing operation, the Permittee shall provide certification of construction in accordance with Module I, Condition D.19.
- (b) For new, modified or replacement hazardous waste tank systems or components [such as the secondary containment system] not authorized by VI.A.(1) which the Permittee proposes to construct in the future, the Permittee must, prior to construction, submit to the Commissioner an application to modify this permit including design plans, specifications and a written assessment of the tank systems' structural integrity as required by 6NYCRR 373-2.10(c) and obtain a permit modification.
- (c) For tank systems used to store or treat materials that are defined as hazardous waste in the future, the Permittee must obtain a written assessment of the existing tank system integrity within 12 months from the date the waste is defined as hazardous [6NYCRR 373-2.10(b)(3)]. The assessment shall be certified by an independent, qualified, professional engineer registered in the State of New York (6NYCRR 373-2.10(b)).

(2) Secondary Containment and Leak Detection.

(a) Tanks With Secondary Containment System:

The Permittee shall construct and maintain the secondary containment and leak detection systems in accordance with the requirements of 6NYCRR 373-2.10(d) and as specified in the attached plans and specifications, Attachment IX.

- (i) For tank systems that store or treat materials that are defined as hazardous waste in the future, the Permittee shall design and construct the secondary containment system within the time specified in 6NYCRR 373-2.10(d)(1)(iv).

- (3) Responses to Leaks or Spills and Disposition of Leaking or Unfit-for-Use Tank Systems. The Permittee must immediately remove from service any tank system or secondary containment system from which there has been a leak or spill or which is found to be leaking or unfit for use as a result of the leak test or assessment, and must satisfy the requirements of 6NYCRR 373-2.10(g) including the 24-hour notification and 30-day report to the Commissioner, containment of releases, repair of the system, and certification of major repairs by an independent, qualified, professional engineer registered in New York State. Examples of major repairs are: installation of an internal liner, repair of a ruptured tank or repair or replacement of a secondary containment vault.

C. GENERAL OPERATING REQUIREMENTS

- (1) The Permittee shall operate the tank systems authorized in Condition VI A(1) as specified in Attachment IX.
- (2) The Permittee shall not place hazardous wastes or treatment reagents in the tank system if they could cause the tank, its ancillary equipment, or a containment system to rupture, leak, corrode or otherwise fail. [6NYCRR 373-2.10(e)(1)].
- (3) The Permittee shall prevent spills and overflows from the tank or containment systems, as required by 6NYCRR 373-2.10(e)(2), and by the methods specified in Attachment IX.

D. SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTES

- (1) The Permittee shall not place ignitable or reactive waste in a tank unless the procedures described in Attachment IX and 6NYCRR 373-2.10(i)(1) are followed.
- (2) The Permittee shall document compliance with Module VI, Condition D.(1) as required by 6NYCRR 373-2.2(i) and place this documentation in the operating record (Module II, Condition L.(1)).
- (3) The Permittee shall maintain buffer zones around tanks as specified in Attachment IX and as required by 6NYCRR 373-2.10(i)(2).

E. SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES

- (1) The Permittee shall not place incompatible wastes in the same tank or place hazardous waste in a tank that previously held an incompatible waste or material unless the procedures specified in Attachment IX and 6NYCRR 373-2.2(i) are met.
- (2) The Permittee shall document compliance with Module VI, Condition E.(1) as required by 6NYCRR 373-2.2(i) and place this documentation in the operating record (Module II, Condition L.(1)).

F. INSPECTION SCHEDULES The Permittee shall perform inspections of the tank systems including the secondary containment systems, leak detection systems, and if applicable, cathodic protection systems, used to manage hazardous waste as described in 6NYCRR 373-2.10(f) and as specified in Attachment III. Documentation of all inspections must be placed in the operating record of the facility.

G. ADDITIONAL INSPECTION REQUIREMENTS FOR TANK SYSTEMS WITHOUT SECONDARY CONTAINMENT

Not Applicable.

H. SPECIAL CONDITIONS FOR ON-GROUND TANKS WITH SECONDARY CONTAINMENT SYSTEMS

Not Applicable.

I. CLOSURE AND POST CLOSURE CARE

- (1) At closure of the tank system, the Permittee shall follow the procedures in the Closure Plan, Attachment VII. [6NYCRR 373-2.10(h)].

**GENERAL ELECTRIC COMPANY  
BUFFALO SERVICE SHOP**

175 Milens Road  
Tonawanda, NY 14150

**EPA I.D. NO. NYD067539940  
6NYCRR PART 373 PERMIT**

**ATTACHMENT I**

**WASTE ANALYSIS PLAN**

**GENERAL ELECTRIC COMPANY  
BUFFALO SERVICE SHOP**

175 Milens Road  
Tonawanda, NY 14150

**EPA I.D. NO. NYD067539940  
6NYCRR PART 373 PERMIT**

**ATTACHMENT II**

**SECURITY**



**GENERAL ELECTRIC COMPANY  
BUFFALO SERVICE SHOP**

175 Milens Road  
Tonawanda, NY 14150

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6NYCRR PART 373 PERMIT**

**ATTACHMENT III**

**INSPECTIONS**

**GENERAL ELECTRIC COMPANY  
BUFFALO SERVICE SHOP**

175 Milens Road  
Tonawanda, NY 14150

**EPA I.D. NO. NYD067539940  
6NYCRR PART 373 PERMIT**

**ATTACHMENT IV**

**PERSONNEL TRAINING**

**GENERAL ELECTRIC COMPANY  
BUFFALO SERVICE SHOP**

175 Milens Road  
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**EPA I.D. NO. NYD067539940  
6NYCRR PART 373 PERMIT**

**ATTACHMENT V**

**PREPAREDNESS AND PREVENTION  
GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE  
OR INCOMPATIBLE WASTE**

**GENERAL ELECTRIC COMPANY  
BUFFALO SERVICE SHOP**

175 Milens Road  
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6NYCRR PART 373 PERMIT**

**ATTACHMENT VI**

**CONTINGENCY PLAN**

**GENERAL ELECTRIC COMPANY  
BUFFALO SERVICE SHOP**

175 Milens Road  
Tonawanda, NY 14150

**EPA I.D. NO. NYD067539940  
6NYCRR PART 373 PERMIT**

**ATTACHMENT VII**

**CLOSURE PLAN/CLOSURE COST ESTIMATE**

**GENERAL ELECTRIC COMPANY  
BUFFALO SERVICE SHOP**

175 Milens Road  
Tonawanda, NY 14150

**EPA I.D. NO. NYD067539940  
6NYCRR PART 373 PERMIT**

**ATTACHMENT VIII**

**CONTAINER STORAGE**

**GENERAL ELECTRIC COMPANY  
BUFFALO SERVICE SHOP**

175 Milens Road  
Tonawanda, NY 14150

**EPA I.D. NO. NYD067539940  
6NYCRR PART 373 PERMIT**

**ATTACHMENT IX**

**TANK STORAGE**

### Piping and Pumps

The piping for the flammable liquid storage tanks T-3 and T-4 will be isolated from the PCB liquid handling pipes and tanks by using double wall pipe for the flammable liquid piping in this area. This isolates the flammable liquid piping from the PCB liquid piping, and minimizes the length of piping for the flammable liquid.

The same pipelines will be used to empty and fill the respective tanks T-1, T-2, T-3, and T-4. Dry disconnect couplings and coupling adapters will be used to interchange between the suction and discharge side of the Roper pumps to empty and/or fill the tanks, as required.

Pumps P1, P2, P3, and P4 are each controlled by an electrically operated globe valve, which is interconnected to the start and stop of the pump. The globe valve will only open after the pump is started, and will shut when the pump is stopped. The gate valve is manually operated and serves as a backup for the globe valve. The 2-inch air release valves vent to the atmosphere within diked area of the facility.

### Fire Curtain

Drawing No. 968P-85.001-3, revised June 19, 1989: General Electric justifies the use of a non-combustible fire curtain as opposed to a three hour NFPA fire rated concrete block wall between the storage bay for Tanks T-1 and T-2 and the PCB loading/unloading area based on the following:

A fire curtain provides easy access and a clear view of the storage area that is not attainable with a wall and door. General Electric is of the opinion that this will result in a more immediate response which would occur if there were a wall blocking view of the tanks.

### Earthquake Fault Designs

The engineering drawings include earthquake fault design considerations for Tanks T-1, T-2, T-3, and T-4. The earthquake fault design provisions were taken into account in the structural design of the support pads for the tanks. A copy of a letter from the design engineer stating that the design was completed in conformance with earthquake fault design considerations is included with this application. Letter was submitted with Revisions of 6-29-89 and should be found in tank storage section of permit application.



**GENERAL ELECTRIC COMPANY  
BUFFALO SERVICE SHOP**

175 Milens Road  
Tonawanda, NY 14150

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6NYCRR PART 373 PERMIT**

**ATTACHMENT X**

**COMPLIANCE SCHEDULE**

**COMPLIANCE SCHEDULE**

<u>ACTIVITY</u>	<u>COMPLIANCE DATE</u>
Submittal of updated Contingency Plan including emergency coordinator list to DEC and to local authorities and hospitals.	Within 30 days of effective date of permit.

**GENERAL ELECTRIC COMPANY  
BUFFALO SERVICE SHOP**

175 Milens Road  
Tonawanda, NY 14150

**EPA I.D. NO. NYD067539940  
6NYCRR PART 373 PERMIT**

**ATTACHMENT XI**

**DRAWINGS**

**ATTACHMENT****TITLE**

I	Waste Analysis Plan
II	Security
III	Inspections
IV	Personnel Training
V	Preparedness and Prevention General Requirements for Ignitable, Reactive or Incompatible Waste
VI	Contingency Plan
VII	Closure Plan/Closure Cost Estimate
VIII	Container Storage
IX	Tank Storage
X	Compliance Schedule
XI	Drawings