

# PUBLIC NOTICES



This page intentionally blank.



**MARYLAND DEPARTMENT OF THE ENVIRONMENT  
LAND AND MATERIALS ADMINISTRATION  
NOTICE OF INFORMATIONAL MEETING AND PUBLIC HEARING**

ISSUE DATES: May 2 and May 9, 2022

[NOTE – CORRECTED NOTICE – ORIGINAL NOTICE GAVE THE FACILITY ADDRESS AS “7210 Windsor Mill Road ...21226” RATHER THAN THE CORRECT “7210 Windsor Boulevard ... 21244”]

On February 11 and February 18, 2022, the Maryland Department of the Environment (MDE), Land and Materials Administration published a public notice of tentative determination in the Baltimore Sun to renew a Controlled Hazardous Substance (CHS) facility permit previously issued to Baltimore Gas and Electric Company (BGE). The permit would allow BGE to continue to operate a CHS storage facility at 7210 Windsor Boulevard, Baltimore, MD 21244. The public notice offered an opportunity for any interested party to request a public hearing on the tentative determination.

MDE has received a request for a public hearing. In response to the request, MDE has scheduled an informational meeting, to be followed immediately by a public hearing. The informational meeting will begin at 7:00 pm on June 2, 2022 at the Dogwood Elementary School, 7215 Dogwood Road, Baltimore, MD 21244 (Windsor Mill area of Baltimore County). MDE will provide an interpreter for hearing impaired persons, if requested at least five workdays before the hearing date.

The informational meeting will provide information about facility operations and the draft permit renewal. The purpose of the public hearing is to provide a public forum for the submission of comments on the Department’s tentative determination to renew the permit. Comments may also be submitted in writing until close of business on June 7, 2022. Written comments should be addressed to: Ms. Kaley Laleker, Director, Land and Materials Administration, 1800 Washington Boulevard, Suite 610, Baltimore, Maryland 21230-1719.

Any supporting material which accompanies correspondence must be included in its entirety and may not be incorporated by reference, unless it is already part of the administrative record in the same proceeding, or it consists of State or Federal statutes and regulations, United States Environmental Protection Agency (EPA) documents of general applicability, or other generally available reference materials. Commenters must make supporting material not already included in the administrative record available to the Director.

The permit application, a fact sheet, and the draft permit are on file at MDE's offices and may be reviewed during normal business hours upon appointment. Contact information for the purpose of scheduling an appointment appears at the end of this notice. Copies of documents may be obtained at a reasonable charge. The draft permit and related information are also available for review at the Woodlawn Branch of the Baltimore County Public Library, 1811 Woodlawn Drive, Woodlawn, MD 21207.

The draft permit and fact sheet have also been posted on MDE's website. These documents are available from a link at <https://mde.maryland.gov/programs/land/HazardousWaste/Pages/index.aspx>.

For further information regarding this notice, to schedule an appointment to review the administrative record, or to request that an interpreter for hearing impaired persons be provided at the hearing, contact Mr. Edward Hammerberg at (410) 537-3315, or [ed.hammerberg@maryland.gov](mailto:ed.hammerberg@maryland.gov).



**MARYLAND DEPARTMENT OF THE ENVIRONMENT  
LAND AND MATERIALS ADMINISTRATION**

**NOTICE OF TENTATIVE DETERMINATION**

**OPPORTUNITY FOR PUBLIC COMMENT  
AND  
OPPORTUNITY TO REQUEST A PUBLIC HEARING**

ISSUE DATES: February 11 and 18, 2022

[NOTE – CORRECTED NOTICE – ORIGINAL NOTICE GAVE THE FACILITY ADDRESS AS “7210 Windsor Mill Road ... 21226” RATHER THAN THE CORRECT “7210 Windsor Boulevard ... 21244”]

The Land and Materials Administration of the Maryland Department of the Environment (MDE) has completed the review of an application for renewal of a Control Hazardous Substance (CHS) facility permit. The permit would authorize Baltimore Gas and Electric Company (BGE) to continue to operate a CHS storage facility at 7210 Windsor Boulevard, Baltimore, MD 21244. This notice provides additional information about the draft CHS permit, and describes opportunities for public review and comment on the permit.

BACKGROUND

MDE received the application for the permit renewal on April 12, 2018. The applicant submitted additional information to MDE on April 3 and May 5, 2019 in response to comments made by MDE.

Based upon the application meeting all applicable regulations, MDE has made a tentative determination to issue the permit and, accordingly, has prepared a draft permit that the MDE proposes to issue to the applicant. The permit establishes conditions on facility operations in conformance with Code of Maryland Regulations (COMAR) 26.13. The draft permit includes Standard Conditions, General Facility Conditions, and Specific Conditions regarding storage of wastes containing polychlorinated biphenyls (PCBs). The wastes are stored in tanks and containers prior to shipment offsite for final disposition.

OPPORTUNITIES FOR PUBLIC REVIEW AND COMMENT

The permit application, a fact sheet, and the draft permit are on file at MDE’s offices and may reviewed during normal business hours upon appointment. Contact information for the purpose of scheduling an appointment appears at the end of this notice. Copies of documents may be

obtained at a reasonable charge. The draft permit and related information are also available for review at the Woodlawn Branch of the Baltimore County Public Library, 1811 Woodlawn Drive, Woodlawn, MD 21207.

The draft permit and fact sheet will also be posted on MDE's website. These documents will be available from a link at  
<<https://mde.maryland.gov/programs/land/HazardousWaste/Pages/index.aspx>>.

All persons, including the permit applicant, who believe that any condition of the draft permit is inappropriate or that the Department's tentative decision to prepare a draft permit is inappropriate, shall raise all reasonably ascertainable issues and submit all reasonably available arguments and factual grounds supporting their position, including all supporting material, by the close of the public comment period. Comments shall be submitted in writing.

Written comments on the Department's tentative determination will be accepted until the close of business on March 28, 2022 and should be addressed to: Ms. Kaley Laleker, Director, Land and Materials Administration, 1800 Washington Boulevard, Suite 610, Baltimore, Maryland 21230-1719.

Any supporting material which accompanies correspondence must be included in its entirety and may not be incorporated by reference, unless it is already part of the administrative record in this proceeding, or it consists of State or Federal statutes and regulations, U.S. Environmental Protection Agency (EPA) documents of general applicability, or other generally available materials. Commenters must make supporting material not already included in the administrative record available to the Director.

#### OPPORTUNITY TO REQUEST A PUBLIC HEARING

During the public comment period, any interested person may request a hearing on this matter. A request for a public hearing shall be in writing, and shall state the nature of the issues proposed to be raised in the hearing. Requests for a public hearing should be addressed to: Ms. Kaley Laleker, Director, Land and Materials Administration, 1800 Washington Boulevard, Suite 610, Baltimore, Maryland 21230-1719 and will be accepted until the close of business on March 28, 2022.

For further information regarding this notice or to schedule an appointment to review the administrative record, contact Mr. Edward Hammerberg at (410) 537-3314, or  
<[ed.hammerberg@maryland.gov](mailto:ed.hammerberg@maryland.gov)>.

# FACT SHEET



This page intentionally blank.





## **FACT SHEET FOR DRAFT PERMIT**

This Fact Sheet has been developed for a Controlled Hazardous Substance (CHS) Permit renewal that the Maryland Department of the Environment (MDE) Land and Materials Administration is proposing to issue to:

Baltimore Gas and Electric Company  
7210 Windsor Boulevard  
Baltimore, Maryland 21244  
EPA ID No. MDD980832067

The permit would renew a CHS permit previously issued to the facility for the temporary storage of hazardous waste containing polychlorinated biphenyls (PCBs). This fact sheet was prepared in accordance with the requirements of Code of Maryland Regulations (COMAR) 26.13.07.20E.

### **A. Purpose of the Permitting Process**

The purpose of the permitting process is to afford MDE, interested citizens, and other governmental agencies the opportunity to evaluate the ability of the applicant to comply with the applicable hazardous waste management requirements promulgated under the Environment Article, Annotated Code of Maryland §7-201 through §7-268, prior to operation of the facility. The applicant's ability is re-evaluated whenever MDE receives an application for renewal of, or a major modification to, an existing permit.

MDE is required to prepare a draft permit which sets forth in one concise document all the applicable requirements with which the agency requires the applicant to comply during the ten-year duration of the permit.

### **B. Permitting Procedures**

The following is an outline of the sequential permitting process for CHS facility permits as required by Maryland's Environment Article:

1. MDE receives an application for a CHS permit. It publishes a notice twice in two consecutive weeks at the applicant's expense informing the public of the receipt of the application, and the availability of the application material for public review. The notice also offers an opportunity for anyone to request an informational meeting.
2. An informational meeting is held if requested by the public or if MDE, at its discretion, deems that such a meeting will be beneficial. MDE will publish a notice of the informational meeting at the applicant's expense, if it is not included in the earlier notice of application received. MDE requires the applicant to attend the meeting or the permit may be denied.

3. Following a detailed evaluation of the permit application, MDE prepares a tentative determination. This will include a proposal to issue or deny the permit and an explanation of the proposed action. If the tentative determination is to issue a permit, a draft permit is prepared.
4. MDE issues a notice at the applicant's expense informing the public of the tentative determination, allowing citizens 45 days to provide comments or to request a public hearing. The Department may schedule a public hearing at this stage and include an announcement of it in this public notice. The public hearing provides a means for citizens to comment on the tentative determination in a public forum. Alternatively, persons may choose to submit their comments in writing to MDE before the end of the comment period. As a matter of policy MDE requires applicants to attend public hearings or the permit may be denied.
5. MDE prepares a final determination if comments opposing the tentative determination are received during public comment period or the public hearing, or if the Department intends to make a final determination that is "substantively different" from the tentative determination. Otherwise, the publicized tentative determination becomes a final decision. The notice of final determination is advertised twice - once per week in two consecutive weeks. The final determination notice will include information on appeal procedures.

#### **C. Action by MDE**

The Department is issuing a notice of tentative determination to renew CHS Permit Number A-181 allowing BGE to continue to operate a hazardous waste storage facility. Written comments on the tentative determination or requests for a public hearing will be accepted until the close of business on **Date** \_\_\_\_\_, and should be addressed to Ms. Kaley Laleker, Director, Land and Materials Administration, Maryland Department of the Environment, 1800 Washington Blvd., Suite 610, Baltimore, MD 21230-1719.

The permit application, the draft permit, and other pertinent information relating to the Department's tentative determination are on file at the offices of

**Solid Waste Program  
Land and Materials Administration  
Maryland Department of the Environment  
1800 Washington Blvd., Suite 610  
Baltimore, MD 21230-1719**

A copy of the draft permit is also available for public review on the Maryland Department of the Environment's website from a link under the heading "Are there any proposed actions currently open for public comment?" at <https://mde.maryland.gov/programs/land/HazardousWaste/Pages/index.aspx>.

In addition, a copy of the draft permit is also available for public review at the Woodlawn Branch of the Baltimore County Public Library, 1811 Woodlawn Drive, Woodlawn, MD 21207.

To obtain more information or to make an appointment to review the documents at the offices of MDE, interested parties may contact Mr. Albert Simkins, Project Engineer at (410) 537-3314. Arrangements can be made for obtaining copies of the documents at a reasonable cost.

#### **D. Facility Description**

Baltimore Gas and Electric is seeking to renew a CHS Facility Permit to allow continued operation of a hazardous waste storage facility. Activities to be permitted include temporary storage of hazardous waste under secure conditions prior to off-site shipment for final treatment.

The CHS storage facility is located at 7210 Windsor Boulevard, Baltimore MD 21244. The facility has two identified storage areas: Storage Area #1 (also referred to as the Culling Area) and Storage Area #2. The Culling Area is a staging area where PCB-contaminated equipment from BGE's operations is tested, characterized, and sorted for appropriate storage. Storage Area #2 is equipped with a four-level steel rack system for storing PCB-contaminated materials.

The facility also has two CHS storage tanks, one aboveground inside the building and one in a below-grade vault. The below-grade tank is located under a canopy at the loading dock. The tanks are used for the storage of PCB-contaminated dielectric fluid.

The facility is used for temporary storage of hazardous waste containing polychlorinated biphenyls (PCBs). All waste is ultimately shipped to permitted off-site facilities for final treatment or disposal. The two container areas have a combined capacity of 45,000 gallons and the two tanks have a combined capacity of 1,476 gallons. The storage areas and the tanks have the required secondary containment volume capacity in the event of leaks or spills.

#### **E. Permit Organization**

The permit is divided into five parts and eight attachments. The main body of the permit consists of the following sections:

| <u>Section</u> | <u>Topic</u>   |
|----------------|--|
| Part I         | Standard Conditions  |
| Part II        | General Facility Conditions                                      |
| Part III       | Specific Conditions for Storage of Hazardous Waste in Containers |
| Part IV        | Specific Conditions for Storage of Hazardous Waste in Tanks      |
| Part V         | List of Attachments, Signature                                   |

Parts I and II contain conditions that generally apply to all hazardous waste facilities. Parts III and IV pertain specifically to the BGE PCB waste storage facility. Part V is a list of attachments that are included with the permit and a signature line to be completed if the permit is issued.

The attachments present detailed, facility specific information from the permit application, and are considered an enforceable part of the permit. The attachments are as follows:

|              |   |
|--------------|---|
| Attachment 1 | Waste Analysis Plan and Unknown Identification Protocol |
| Attachment 2 | Procedures to Prevent Hazards                           |
| Attachment 3 | Personnel Training                                      |
| Attachment 4 | Contingency Plan  |
| Attachment 5 | Closure Plan  |
| Attachment 6 | Facility Description                                    |
| Attachment 7 | Process Description and Container Management            |
| Attachment 8 | Part A Permit Application                               |

## **F. Summary of the Permit Conditions**

This section of the fact sheet presents tables for Parts I-IV of the draft permit that summarize the conditions in the draft permit. The regulatory authority for each permit condition is specified in the column titled "Regulation". All citations refer to regulations as codified in Title 26, Subtitle 13 of the Code of Maryland Regulations (COMAR 26.13), unless otherwise specified. The column titled "Permit Attachments" in the tables addressing Parts II and III specify where in the permit attachments additional details on facility operations of each permit condition can be found.

PART I  
 STANDARD CONDITIONS

Part I of the permit sets forth the standard procedural conditions that are applicable to all hazardous waste management facilities.

| <u>Permit Condition</u> | <u>Subject</u>                             | <u>Regulation COMAR 26.13</u>                               |
|-------------------------|--|---|
| I.A                     | Effect of Permit                           | 07.09   |
| I.B                     | Permit Actions                             | 07.11 & .12   |
| I.C                     | Severability                               | 07.05   |
| I.D                     | Definitions                                | 01.03, 02.02 and 02.03                                      |
| I.E                     | Signatory Requirements                     | 07.02B, 07.03 & 07.04L                                      |
| I.F.                    | Documents to be maintained at the Facility |   |
| I.F.1                   | Waste Analysis Plan                        | 05.02D  |
| I.F.2                   | Inspection Schedules and Logs              | 05.02F(2) and (4)   |
| I.F.3                   | Procedures to Prevent Hazards              | 05.02E, 05.02F and 05.03                                    |
| I.F.4                   | Personnel Training                         | 05.02G(4) and (5)   |
| I.F.5                   | Contingency Plan                           | 05.04   |
| I.F.6                   | Closure Plan                               | 05.07   |
| I.F.7                   | Operating Record                           | 05.05D  |
| I.F.8                   | Copy of Current Version of COMAR           | 07.05A  |
| I.F.9                   | Copy of the Permit and Permit Application  | 07.05A  |
| I.F.10                  | Other Documents                            | .07.05  |
| I.G.                    | Duties and Requirements                    |   |
| I.G.1                   | Duty to Comply                             | 07.04B  |
| I.G.2                   | Duty to Reapply                            | 07.04C  |
| I.G.3                   | Permit Expiration                          | (State Government Article, Annotated Code of MD §10-226(b)) |
| I.G.4                   | Need to Halt or Reduce Activity            | 07.04D  |

| <u>Permit Condition</u> | <u>Subject</u>                                | <u>Regulation COMAR 26.13</u>         |
|-------------------------|---|---------------------------------------|
| I.G.5                   | Duty to Mitigate                              | 07.04E                                |
| I.G.6                   | Proper Operation and Maintenance              | 07.04F                                |
| I.G.7                   | Duty to Provide Information                   | 07.04I                                |
| I.G.8                   | Inspection and Entry                          | 07.04J                                |
| I.G.9                   | Monitoring and Records                        | 05.05E(2) and 07.04K                  |
| I.G.10                  | Reporting Planned Changes                     | 07.04M(1) and (2)                     |
| I.G.11                  | Transfer of Permit                            | 07.04M(3), 07.10 and 05.02C(2)        |
| I.G.12                  | Notification                                  | 07.04M(6), 07.15D, 05.04G(4) and (10) |
| I.G.13                  | Anticipated Non-Compliance                    | 07.04M(2)                             |
| I.G.14                  | Other Non-compliance                          | 07.04M(7)                             |
| I.G.15                  | Other Information                             | 07.04M(8)                             |
| I.H                     | Certification of Construction or Modification | 07.15C                                |
| I.I                     | Permit Fee                                    | 07.21                                 |
| I.J                     | Compliance Schedules                          | 07.04M(5) and 07.07D                  |

PART II  
 GENERAL FACILITY CONDITIONS

Part II of the permit sets forth general conditions for this facility with which the Permittee must comply.

| <u>Permit Condition</u> | <u>Subject</u>                   | <u>Regulation COMAR 26.13.</u> | <u>Permit Attachment</u> |
|-------------------------|----------------------------------|--------------------------------|--------------------------|
| II.A                    | Design and Operation of Facility | 05.03B                         | 2, 6, and 7              |
| II.B                    | General Waste Analysis           | 05.02D                         | 1                        |
| II.C                    | General Inspection Requirements  | 05.02F                         | 2                        |
| II.D                    | Personnel Training               | 05.02G                         | 3                        |

| <u>Permit Condition</u> | <u>Subject</u>  | <u>Regulation COMAR 26.13.</u>         | <u>Permit Attachment</u> |
|-------------------------|---|--|--------------------------|
| II.E                    | Preparedness and Prevention   | 05.03                                  | 2, 4, and 7              |
| II.F                    | Contingency Plan  | 05.04                                  | 4                        |
| II.G                    | Record Keeping and Reporting  | 05.05D, E, F and H                     | 2 – 4                    |
| II.H                    | Closure Requirements  | 05.07                                  | 5                        |
| II.I                    | Cost Estimate for Facility Closure                                  | 05.08                                  | 5                        |
| II.J                    | Financial Requirements  | 05.08                                  | —                        |
| II.K                    | Liability Requirements  | 05.08                                  | —                        |
| II.L                    | Incapacity of Owner/Operator, Guarantors, or Financial Institutions | 05.08                                  | —                        |
| II.M                    | General Requirements for Ignitable, Reactive or Incompatible Wastes | 05.02H                                 | 2                        |
| II.N                    | Security  | 05.02E                                 | 2                        |
| II.O                    | Manifest System   | 05.05B, C & G                          | —                        |
| II.P                    | Floodplain Standard   | 05.02-1B, and 07.02D(26) and (27)      | 6                        |
| II.Q                    | Waste Minimization and Source Reduction                             | 05.05F(4)(j) and (k); and 05.05D(2)(i) | —                        |

PART III  
 STORAGE IN CONTAINERS

Part III of the permit sets forth specific conditions for storage of hazardous waste in containers at the hazardous waste facility with which the Permittee must comply.

| <u>Permit Condition</u> | <u>Subject</u>                  | <u>Regulation COMAR 26.13.</u> | <u>Permit Attachment</u> |
|-------------------------|---------------------------------|--------------------------------|--------------------------|
| III.A                   | General Management Requirements | .07.01A and .09.03             | 2, 6, and 7              |
| III.B                   | Permitted Storage Areas         | 05.09 and .07.01A              | 6 and 7                  |
| III.C                   | Maximum Volume of Waste Allowed | .05.09H                        | 7                        |

| <u>Permit Condition</u> | <u>Subject</u>                                | <u>Regulation COMAR 26.13.</u> | <u>Permit Attachment</u> |
|-------------------------|---|--------------------------------|--------------------------|
| III.D                   | Permitted and Prohibited Waste Identification | 05.02D                         | 6 and 7                  |
| III.E                   | Placement Requirements                        | 05.09                          | 7                        |
| III.F                   | Condition of Containers                       | 05.09B                         | 2                        |
| III.G                   | Containment Systems                           | 05.09H                         | 6 and 7                  |
| III.H                   | Compatibility of Wastes with Containers       | 05.09C                         | 2                        |
| III.I                   | Management of Containers                      | 05.09D and 05.02I(2)           | 7                        |
| III.J                   | Inspection Schedules and Procedures           | 05.09E                         | 2                        |
| III.K                   | Closure                                       | 05.07, 05.09I                  | 5                        |

PART IV  
 STORAGE IN TANKS

Part IV of the permit sets forth specific conditions for treatment of hazardous waste with which the Permittee must comply.

| <u>Permit Condition</u> | <u>Subject</u>                                  | <u>Regulation COMAR 26.13.</u> | <u>Permit Attachment</u> |
|-------------------------|---|--------------------------------|--------------------------|
| IV A                    | Permitted Storage Tanks                         | 05.10                          | (All)                    |
| IV B                    | Permitted and Prohibited Waste Identification   | 05.02D, 07.01A and 07.02D(14)  | 1                        |
| IV C                    | Containment System                              | 05.10-4                        | 7                        |
| IV D                    | Operating Requirements                          | 05.10C                         | 7                        |
| IV.E.                   | Periodic, Detailed Tank Assessment Requirements | 05.10D                         | 7                        |
| IV F                    | Inspection Schedules and Procedures             | 05.10D                         | 2                        |
| IV G                    | Response to Leaks or Spills                     | .05.10-6                       | 4 and 7                  |
| IV H                    | Record Keeping and Reporting                    | 05.10-6A(6), A8                | 2                        |
| IV I                    | Closure   | 05.10-7                        | 5                        |



PART V  
ATTACHMENTS

Permit Attachments 1 to 8 include sections of BGE's permit renewal application and are an enforceable part of this permit. The following table cross-references these Permit Attachments to the appropriate sections in the application.

| <u>Attachment<br/>Number</u> | <u>Title</u>  | <u>ApplicationSection</u> |
|------------------------------|---|---------------------------|
| 1                            | Waste Analysis Plan and<br>Unknown Identification<br>Protocol | Section 3                 |
| 2                            | Procedures to Prevent Hazards                                 | Section 5 and Appendix F  |
| 3                            | Personnel Training  | Section 7 and Appendix H  |
| 4                            | Contingency Plan  | Section 6 and Appendix G  |
| 5                            | Closure Plan  | Section 8                 |
| 6                            | Facility Description  | Section 2                 |
| 7                            | Process Information and<br>Container Management               | Section 4                 |
| 8                            | Part A Permit Application                                     | Section 1                 |

This page intentionally blank.

DRAFT PERMIT



This page intentionally blank.

# Maryland Department of the Environment

## Solid Waste Program

### *Controlled Hazardous Substance (CHS) Permit*



**CHS PERMIT A-181**  
**EPA ID No. MDD980832067**

**Permittee:** Baltimore Gas and Electric Company  
P.O. Box 1475  
Baltimore, MD 21203

**Facility Location:** Baltimore Gas and Electric Company  
7210 Windsor Boulevard  
Baltimore, MD 21244

This page intentionally blank.

**MARYLAND DEPARTMENT OF THE ENVIRONMENT  
Solid Waste Program**

**Controlled Hazardous Substance (CHS) Permit Number A-181  
Baltimore Gas and Electric Company  
7210 Windsor Boulevard  
Baltimore, Maryland 21244**

---

**TABLE OF CONTENTS**

|   |    |
|---|----|
| Overview.....   | ii |
| CHS Permit A-181 .....  | 1  |
| Part I – Standard Conditions.....   | 3  |
| Part II – General Facility Conditions.....                                      | 11 |
| Part III – Special Conditions for Storage of Hazardous Waste in Containers..... | 17 |
| Part IV – Special Conditions for Storage of Hazardous Waste in Tanks .....      | 23 |
| Part V – List of Permit Attachments; Signature .....                            | 31 |

**ATTACHMENTS**

- 1 Waste Analysis Plan and Unknown Waste Protocol
- 2 Procedures to Prevent Hazards
- 3 Personnel Training
- 4 Contingency Plan
- 5 Closure Plan
- 6 Facility Description
- 7 Process Description and Container Management
- 8 Part A Application

**MARYLAND DEPARTMENT OF THE ENVIRONMENT**  
**Solid Waste Program**

**Controlled Hazardous Substance (CHS) Permit Number A-181**

**OVERVIEW**

This permit allows Baltimore Gas and Electric Company (BGE) to operate a hazardous waste storage facility. The permitted storage facility is in a building at BGE's Rutherford Business Center property located at 7210 Windsor Boulevard, Baltimore, Maryland, 21244. The permit authorizes BGE to store specified hazardous wastes at the facility for periods of time longer than 90 days, subject to specified requirements.

BGE generates waste that contains polychlorinated biphenyls (PCBs) in connection with the operation of its electrical transmission and distribution system. Such wastes are consolidated and temporarily stored at the facility that is the subject of this permit. The wastes are eventually shipped from the facility for final disposition at appropriate facilities off site.

The permit authorizes storage of a maximum of 45,000 gallons of hazardous waste in containers, and a maximum of 1,476 gallons of hazardous waste in tanks. The container storage areas and the tanks have been provided with secondary containment structures of the required volumes to capture waste in the event of leaks or spills.

Containers of hazardous waste may be stored in two storage areas: Storage Area #1 (also referred to as the Culling Area) and Storage Area #2. The Culling Area is a staging area where PCB-contaminated equipment from BGE's operations is tested and sorted out for appropriate storage. Storage Area #2 is equipped with a four-level steel rack system for storing PCB-contaminated materials.

The permit also authorizes use of two tanks for storage of hazardous waste. One of these tanks is an above-ground storage tank inside the storage facility building. The other tank is in a below-grade vault, which is located beneath a canopy of the building.

BGE has demonstrated that it has in place personnel training programs, contingency plans, and appropriate safeguards and security measures in accordance with the hazardous waste regulatory requirements of Code of Maryland Regulations (COMAR) 26.13.





**CONTROLLED HAZARDOUS SUBSTANCE  
FACILITY PERMIT**

**Permit Number:** A-181

**EPA ID Number:** MDD980832067

**Effective Date:**

**DRAFT**

**Expiration Date:**

Pursuant to the Provisions of Environment Article, §7-232, Annotated Code of Maryland, and regulations promulgated thereunder, the Maryland Department of the Environment, Land Management Administration, (MDE) hereby authorizes the

**Baltimore Gas and Electric Company  
P.O. Box 1475  
Baltimore, MD 21203**

hereinafter referred to as "the Permittee" to operate a controlled hazardous substance storage and treatment facility located in BGE's Rutherford Business Center at:

**7210 Windsor Boulevard  
Baltimore, MD 21244**

in accordance with the following standard, general and special conditions including the attachments made part hereof, and the provisions of Code of Maryland Regulations (COMAR) 26.13 Disposal of Controlled Hazardous Substances.

The geographic locations of the BGE hazardous waste storage area are as follows:

The Rutherford Business Center is located at the above address with the coordinates 39° 20' 04" North Latitude and 76° 45' 11" West Longitude.

This permit is based on the assumption that the information submitted in the permit application received by the Department on April 12, 2018, and its revision and amendment, dated March 26, 2019, (hereafter referred to as the application) is accurate and that the facility

will be operated as specified in the application. Any inaccuracies found in this information may be grounds for possible enforcement action, and

1. Modification of the permit in accordance with COMAR 26.13.07.11 (Modification, Withdrawal, or Revocation and Reissuance of Permit); or
2. Termination of the permit in accordance with COMAR 26.13.07.12 (Termination of Permits).

The Permittee shall inform the Department of any deviation from or changes in the information submitted in the application which would affect the Permittee's ability to comply with the applicable regulations or permit conditions.

**PERMIT CONTINUES ON PAGE 3**

**PART I**  
**STANDARD CONDITIONS**

**I.A. EFFECT OF PERMIT**

The Permittee is allowed to manage hazardous waste in accordance with the conditions of this permit. Any management of hazardous waste not authorized in this permit is prohibited except as otherwise authorized by COMAR 26.13. 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 State or local laws or regulations. Compliance with the terms and conditions of this permit does not constitute a defense to any action brought under Section 7003 of the Resource Conservation and Recovery Act (RCRA) (42 USC §6973), Section 106(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 USC §9606(a) commonly known as CERCLA), or any other law governing protection of public health or the environment.

**I.B. PERMIT ACTIONS**

This permit may be modified, revoked and reissued, or terminated for cause as specified in COMAR 26.13.07.11 and 12. The filing of a request for a permit modification, revocation and re-issuance, or termination or the notification of planned changes or anticipated noncompliance on the part of the Permittee, does not stay the applicability or enforceability of any permit conditions.

**I.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.

**I.D. DEFINITIONS**

For the purpose of this permit, terms used herein shall have the same meaning as those in COMAR 26.13 unless this permit specifically states otherwise; where terms are not otherwise defined, the meaning associated with such terms shall be as defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.

**I.E. SIGNATORY REQUIREMENTS**

All permit applications (including requests for permit modifications), reports and other information requested by the Department shall be signed and certified as required by COMAR 26.13.07.02B, 07.03 and .07.04L.

**I.F. DOCUMENTS TO BE MAINTAINED AT THE FACILITY SITE**

The Permittee shall maintain at the facility, until closure is completed and certified by an independent registered professional engineer, the following documents and amendments, revisions, and modifications to these documents:

- I.F.1. Waste analysis plan required by COMAR 26.13.05.02D and this permit. (Permit Attachment 1);
- I.F.2. Procedures to Prevent Hazards required by COMAR 26.13.05.02E, .02F, .03, and this permit. (Permit Attachment 2);
- I.F.3. Inspection schedules and logs required by COMAR 26.13.05.02F(2) and (4) and this permit. (Permit Attachment 2);
- I.F.4. Personnel training documents and records required by COMAR 26.13.05.02G(4) and (5) and this permit. (Permit Attachment 3);
- I.F.5. Contingency Plan required by COMAR 26.13.05.04 and this permit. (Permit Attachment 4);
- I.F.6. Closure Plan required by COMAR 26.13.05.07 and this permit. (Permit Attachment 5);
- I.F.7. Operating record required by COMAR 26.13.05.05D and this permit;
- I.F.8. A copy of COMAR 26.13 and its updates;
- I.F.9. A complete copy of this permit and its attachments, and the application as defined on page one of this permit; and
- I.F.10. All other documents required by subsequent parts of this permit.

**I.G. DUTIES AND REQUIREMENTS**

- I.G.1. Duty to Comply. The Permittee shall comply with all conditions of this permit, except to the extent and for the duration such noncompliance is authorized by an emergency permit. Any other permit noncompliance constitutes a violation of COMAR and is grounds for enforcement action, permit termination, revocation and re-issuance, modifications, or denial of a permit renewal application. (COMAR 26.13.07.04B)
- I.G.2. Duty to Reapply. If the Permittee wishes to continue an activity regulated by this permit after the expiration date of the permit, the Permittee shall submit a complete application for a new permit at least 180 days before this permit expires, in accordance with COMAR 26.13.07.04C.

- I.G.3. Permit Expiration. This permit and all conditions therein will remain in effect beyond the permit's expiration date if the Permittee has submitted a timely complete application and, through no fault of the Permittee, the Department has not issued a new permit (State Government Article, §10-226(b), Annotated Code of Maryland).
- I.G.4. Need to Halt or Reduce Activity Not a Defense. It shall not be a defense for the Permittee in an enforcement action to argue that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit (COMAR 26.13.07.04D).
- I.G.5. Duty to Mitigate. In the event of noncompliance with the permit, the Permittee shall:
- I.G.5.a. Take all reasonable steps to minimize releases to the environment; and
  - I.G.5.b. Carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment (COMAR 26.13.07.04E).
- I.G.6. 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 effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facility or similar systems to maintain compliance with the conditions of this permit (COMAR 26.13.07.04F).
- I.G.7. Duty to Provide Information. The Permittee shall furnish to the Department, within a reasonable time, any relevant information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The Permittee shall also furnish to the Department, upon request, copies of records required to be kept by this permit (COMAR 26.13.07.04I).
- I.G.8. Inspection and Entry. The Permittee shall allow the Department, or an authorized representative, upon the presentation of credentials and other documents as may be required by law to:
- I.G.8.a. Enter at reasonable times upon the Permittee 's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
  - I.G.8.b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

I.G.8.c. Inspect at reasonable times any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

I.G.8.d. Sample or monitor substances or parameters at any location, at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized (COMAR 26.13.07.04J).

I.G.9. Monitoring and Records.

I.G.9.a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. The method used to obtain a representative sample of the waste to be analyzed must be the appropriate method from COMAR 26.13.02.20 or an equivalent method approved by the Department. Laboratory methods must be those specified in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (SW-846, 3rd ed.), Standard Methods for the Examination of Water and Wastewater (23rd ed., 2017) or an equivalent method as specified in the attached Waste Analysis Plan, Permit Attachment 1 (Section 3 and Appendix B of the Permit Application). (COMAR 26.13.07.04K(1))

I.G.9.b. The Permittee shall retain records of all monitoring information, including all maintenance records and copies of all reports and records required by this permit, and records of all data used to complete the application for this permit for a period of at least three (3) years from the date of the sample, measurement, report, and record. These periods may be extended by request of the Department at any time and are automatically extended during the course of any unresolved enforcement action regarding this facility. (COMAR 26.13.07.04K(2)).

I.G.9.c. Records of monitoring information shall specify:

- 1) The dates, exact place, and times of sampling or measurements;
- 2) The individuals who performed the sampling or measurements;
- 3) The dates analyses were performed;
- 4) The individuals who performed the analyses;
- 5) The analytical techniques or methods used; and
- 6) The results of such analyses (COMAR 26.13.07.04K(3)).

I.G.10. Reporting Planned Changes. The Permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility or any planned alterations to the permitted activity. This notice must

include a description of all incidents of noncompliance reasonably expected to result from the proposed changes. (COMAR 26.13.07.04M(1) and M(2)).

I.G.11. Transfer of Permit. This permit may be transferred to a new owner or operator only if it is modified or revoked and reissued pursuant to COMAR 26.13.07.10. 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 COMAR 26.13 and provide the new owner with a copy of this permit (COMAR 26.13.07.04M(3), 26.13.07.10, and 26.13.05.02C(2)).

I.G.12. Notification.

I.G.12.a. The Permittee shall report to the Department any noncompliance, which may endanger health or the environment, orally within 24 hours and in writing within 5 days from the time the Permittee becomes aware of the circumstances (COMAR 26.13.07.04M(6)).

I.G.12.b. Oral and written reports required by Permit Condition I.G.12.a shall include the following:

- 1) Information concerning release of any hazardous waste that may endanger a public drinking water supply source; and
- 2) Any information of a release or discharge of hazardous waste, or of a fire or explosion at the facility which could threaten human health or the environment outside the facility, with the description of the occurrence and its cause including:
  - i) The name, address, and telephone number of the owner or operator;
  - ii) The name, address, and telephone number of facility;
  - iii) The date, time, and type of incident (for example, a release, fire or explosion);
  - iv) The name and quantity of each material involved;
  - v) The extent of injuries, if any;
  - vi) An assessment of actual or potential hazard to the environment and human health outside the facility, where this is applicable; and
  - vii) The estimated quantity and disposition of recovered material that resulted from the incident. (COMAR 26.13.07.15D)

I.G.12.c. In addition to the information required by Permit Condition I.G.12.b, the Permittee shall include in the written report of noncompliance required by Permit Condition I.G.12.a:

- 1) A description of the noncompliance and its cause;
- 2) The period of noncompliance, including exact dates and times, and if the noncompliance has been corrected or the anticipated time it is expected to continue; and
- 3) Steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. (COMAR 26.13.07.04M(6)).

I.G.12.d. The Permittee may submit the written report required by Permit Condition I.G.12.a within 15 days of becoming aware of the circumstances requiring notification, if the Department approves the later deadline. (COMAR 26.13.07.15D(2)(g))

I.G.12.e. If the Permittee determines that the facility has had a release, fire or explosion which could threaten human health, or the environment, outside the facility, or, if the release exceeds the Reportable Quantities set forth in COMAR 26.13.05.04G(4), the Permittee shall immediately notify:

- 1) the local designated on-scene coordinator, if any;
- 2) the National Response Center at (800) 424-8802;
- 3) the Department's Solid Waste Program, Compliance Division at (410) 537-3315, during working hours;
- 4) the Department's Emergency Response Division at 1-866-633-4686;
- 5) the local Fire Department, Baltimore County Fire Department, by dialing 911 or calling (410) 887-1350;
- 6) the Baltimore County Police Station by dialing 911 or calling (410) 887-1340; and
- 7) other appropriate local authorities, if the facility's Emergency Coordinator determines that evacuation of local areas may be advisable. (COMAR 26.13.05.04G(4))

I.G.12.f. In the oral notification report required by Permit Condition I.G.12.e, the Permittee shall include:

- 1) The name and telephone number of reporter;



- 2) The name and address of the facility;
- 3) The time and type of incident (for example release, fire or explosion);
- 4) The name and quantity of materials involved, to the extent known;
- 5) The extent of injuries, if any; and
- 6) The possible hazards to human health, or the environment, outside the facility. (COMAR 26.13.05.04G(4)(b))

I.G.12.g. If an incident occurs which requires the Permittee to implement the Emergency Procedures/ Contingency Plan of Permit Attachment 4, the Permittee shall make a written submission to the Department within 15 days of the incident (COMAR 26.13.05.04G(10)). This submission shall include the information items (i) through (vii) listed under Permit Condition I.G.12.b(2).

I.G.13. Anticipated Non-Compliance. The Permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in non-compliance with the permit (COMAR 26.13.07.04M(2)).

I.G.14. Other Non-Compliance. The Permittee shall report other instances of noncompliance not otherwise required to be reported by Part I of this permit at the time monitoring reports are submitted. The reports shall contain the information listed in Permit Condition I.G.12.b (COMAR 26.13.07.04M(7)).

I.G.15. Other Information. Whenever the Permittee becomes aware that the Permittee failed to submit any relevant facts in the permit application, or submitted incorrect information in a permit application or in any report to the Department, the Permittee shall promptly submit such facts or information to the Department and state the reason for the omission or inaccuracy (COMAR 26.13.07.04M(8)).

## **I.H. CERTIFICATION OF CONSTRUCTION OR MODIFICATION**

The Permittee may not manage hazardous waste at a new facility or a modified portion of the facility until:

- I.H.1. The Permittee has submitted to the Department, by certified mail or hand delivery, a letter signed by the Permittee and a registered professional engineer stating that the facility has been constructed or modified in compliance with this permit; and

I.H.2. Either:

I.H.2.a. The Department has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of this permit; or

I.H.2.b. Within 15 days of the date of the submission of the letter required by Permit Condition I.H.1, the Permittee has not received notice from the Department of the Department's intent to conduct the inspection described in Permit Condition I.H.2.a (COMAR 26.13.07.15C).

**I.I. PERMIT FEE**

Payment of the permit fee for this facility is a prerequisite to issuing this permit. Failure to pay the permit fee in a timely manner constitutes grounds for permit revocation. As specified in COMAR 26.13.07.21, the permit fee is based on the size of the facility, nature and quantity of CHS, and the anticipated costs of regulatory activities such as permit preparation, inspections, monitoring, and program development. During the existence of this permit, the permit fee is \$12,827.20 per year, in addition to the cost of public notices. An application fee, if submitted with the permit application, will be credited towards the first year's annual permit fee.

**I.J. COMPLIANCE SCHEDULES**

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 deadline specified in the compliance schedule (COMAR 26.13.07.04M(5) and 26.13.07.07D).

**PERMIT CONTINUES ON PAGE 11**

## **PART II GENERAL FACILITY CONDITIONS**

### **II.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 nonsudden release of hazardous waste constituents to air, soil, surface water or ground-water which could threaten human health or the environment.

### **II.B. GENERAL WASTE ANALYSIS**

The Permittee shall follow the procedures described in the attached Waste Analysis Plan, Permit Attachment 1 (Section 3 of the Permit Application). The Permittee shall verify its waste analysis as part of its quality assurance program, in accordance with current EPA practices (Test Methods for Evaluating Solid Waste: Physical/Chemical Methods SW-846, 3rd ed.) or equivalent methods approved by the Department; and at a minimum, maintain proper functional instruments, use approved sampling and analytical methods, verify the validity of sampling and analytical procedures, and perform correct calculations. If the Permittee uses a contract laboratory to perform analyses, then the Permittee shall inform the laboratory in writing that the contract laboratory must operate under the waste analysis conditions set forth in this permit.

### **II.C. GENERAL INSPECTION REQUIREMENTS**

The Permittee shall comply with COMAR 26.13.05.02F and shall follow the Inspection Schedule, as described in Procedures to Prevent Hazards, Permit Attachment 2 (Section 5.0 of the Permit Application). The Permittee shall remedy any deterioration or malfunction discovered by an inspection as required by COMAR 26.13.05.02F(3). Records of inspections shall be kept as required by COMAR 26.13.05.02F(4).

### **II.D. PERSONNEL TRAINING**

The Permittee shall conduct personnel training as required by COMAR 26.13.05.02G. This Training Program shall follow the Training Plan, Permit Attachment 3 (Section 7 of the Permit Application). The Permittee shall maintain documents and records as required by COMAR 26.13.05.02G(4) and (5).

### **II.E. PREPAREDNESS AND PREVENTION**

II.E.1. Required Equipment. At a minimum, the Permittee shall equip the facility with the equipment set forth in Procedures to Prevent Hazards, Permit Attachment 2 (Section 5 of the Permit Application), and Contingency Plan, Permit Attachment 4 (Section 6 of the Permit Application), as required by COMAR 26.13.05.03 and 04.

II.E.2. Testing and Maintenance of Equipment. The Permittee shall test and maintain the equipment specified in Permit Condition II.E.1, as necessary, to assure its proper operation in time of emergency, as required by COMAR 26.13.05.03D.

- II.E.3. Access to Communications or Alarm System. The Permittee shall maintain access to the communications or alarm system as required by COMAR 26.13.05.03E.
- II.E.4. Required Aisle Space. The Permittee shall maintain a minimum two-foot aisle space between rows of drums and ready access to all drums located against walls for inspection purposes as required by COMAR 26.13.05.02I and .03F.
- II.E.5. Arrangements with Local Authorities. The Permittee shall maintain arrangements with local authorities as required by COMAR 26.13.05.03H. If local officials refuse to enter into or renew existing preparedness and prevention arrangements with the Permittee, the Permittee shall document this refusal in the operating record and immediately notify the Department in writing of the refusal.

## **II.F. CONTINGENCY PLAN**

- II.F.1. Implementation of Plan. The Permittee shall immediately carry out the provisions of the Contingency Plan, Permit Attachment 4 (Section 6 of the Permit Application), and follow the emergency procedures described by COMAR 26.13.05.04G whenever there is an imminent or actual fire, explosion, or release of hazardous waste or constituents which threatens or could threaten human health or the environment (COMAR 26.13.05.04B(2)).
- II.F.2. Amendments to Plan. The Permittee shall review and immediately amend, if necessary, the Contingency Plan, Permit Attachment 4 (Section 6 of the Permit Application) as required by COMAR 26.13.05.04E.
- II.F.3. Copies of Plan. The Permittee shall maintain a copy of the Contingency Plan, Permit Attachment 4 (Attachment 6 of the Permit Application) and all revisions at the facility, and shall submit copies to local police and fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services, as required by COMAR 26.13.05.04D.
- II.F.4. Emergency Coordinator. The Permittee shall comply with requirements of COMAR 26.13.05.04F that, at all times, there shall be at least one employee either on the facility premises or on-call (that is, available to respond to an emergency by reaching the facility within a short period of time) to function as emergency coordinator with the responsibility for coordinating all emergency response measures. The emergency coordinator shall have the qualifications and authority specified in COMAR 26.13.05.04F.
- II.F.5. Emergency Procedures. The Permittee shall comply with the requirements of COMAR 26.13.05.04G. (Emergency Procedures), and incorporate these procedures in the material available to the Emergency Coordinator referred to in Permit Condition II.F.4.

## **II.G. RECORD KEEPING AND REPORTING**

- II.G.1. Operating Record. The Permittee shall maintain a written operating record at the facility in accordance with COMAR 26.13.05.05D and COMAR 26.13.05.20. These regulations prescribe in detail the information which shall be recorded as it becomes available, and maintained in the Operating Record until closure of the facility.
- II.G.2. Biennial Hazardous Waste Report. The Permittee shall comply with all applicable biennial report requirements of COMAR 26.13.05.05F. This report shall be submitted to the Department by March 1<sup>st</sup> of each even numbered year.
- II.G.3. Availability, Retention and Disposition of Records. The Permittee shall retain records and make them available in accordance with COMAR 26.13.05.05E.
- II.G.4. Additional Reports. The Permittee shall submit any required additional reports in accordance with COMAR 26.13.05.05H.

## **II.H. CLOSURE REQUIREMENTS**

- II.H.1. Performance Standard: The Permittee shall close the facility as required by COMAR 26.13.05.07B, and in accordance with the Closure Plan, Permit Attachment 5 (Section 8 of the Permit Application).
- II.H.2. Amendment to Closure Plan: The Permittee shall amend the Closure Plan, Permit Attachment 5 (Section 8 of the Permit Application), in accordance with COMAR 26.13.05.07C whenever necessary. A written request to the Department for a permit modification is required to amend the closure plan.
- II.H.3. Notification of Closure: The Permittee shall notify the Department at least 45 days prior to the date the Permittee expects to begin final closure (COMAR 26.13.05.07C(4)(a)(ii)).
- II.H.4. Time Allowed for Closure: 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 COMAR 26.13.05.07D and the schedules specified in the Closure Plan, Permit Attachment 5 (Attachment 8 of the Permit Application).
- II.H.5. Disposal or Decontamination of Equipment: The Permittee shall decontaminate and/or dispose of all facility equipment as required by COMAR 26.13.05.07E and the Closure Plan, Permit Attachment 5 (Section 8 of the Permit Application).
- II.H.6. Certification of Closure: The Permittee shall certify that the facility has been closed in accordance with the specifications in the Closure Plan and required by COMAR 26.13.05.07F. The certification shall be signed by The Permittee and an independent registered professional engineer.

## **II.I. COST ESTIMATE FOR FACILITY CLOSURE**

- II.I.1 Annual Adjustment. The Permittee shall adjust the Closure Cost Estimate, Permit Attachment 5, (Section 8 of the Permit Application) for inflation, annually in accordance with the requirements of 40 CFR 264.142(b), which have been incorporated by reference in COMAR 26.13.05.08.
- II.I.2 Adjustment for Changed Conditions. The Permittee shall revise the Closure Cost Estimate whenever there is a change in the facility's Closure Plan, as required by 40 CFR 264.142(c).
- II.I.3 Availability. The Permittee shall keep at the facility the latest Closure Cost Estimate as required by 40 CFR 264.142(d).

## **II.J. FINANCIAL REQUIREMENTS**

The Permittee shall maintain continuous compliance with COMAR 26.13.05.08 by providing financial assurance, as required by 40 CFR 264.143, in at least the amount of the cost estimates required by Permit Condition II.I. Changes in financial assurance mechanisms must be approved by Department.

## **II.K. LIABILITY REQUIREMENTS**

The Permittee shall comply with the requirements of COMAR 26.13.05.08 and the documentation requirements of 40 CFR 264.147, including the requirements to have and maintain liability coverage for sudden accidental occurrences in the amount of at least \$1 million per occurrence with an annual aggregate of at least \$2 million, exclusive of legal defense costs.

## **II.L. INCAPACITY OF OWNER/OPERATOR, GUARANTORS, OR FINANCIAL INSTITUTIONS**

The Permittee shall comply with 40 CFR 264.148, whenever necessary.

## **II.M. GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTES**

- II.M.1. The Permittee shall take precautions in accordance with COMAR 26.13.05.02H(1) to prevent accidental ignition or reaction of ignitable or reactive waste. This waste shall be separated and protected from sources of ignition or reaction. While such waste is being handled, the Permittee shall confine smoking and open flame to specially designated locations. "No Smoking" signs shall be conspicuously placed wherever there is a hazard from ignitable or reactive waste.
- II.M.2. When required, treatment, storage, or disposal of ignitable or reactive waste, and mixture or commingling of incompatible wastes, or incompatible wastes and materials shall be conducted so as not to:

II.M.2.a. Generate extreme heat or pressure, fire or explosion, or violent reaction;

II.M.2.b. Produce uncontrolled toxic mist, fumes, dusts, or gasses in sufficient quantities to threaten human health or the environment;

II.M.2.c. Produce uncontrolled flammable fumes or gasses in sufficient quantities to pose a risk of fire or explosions;

II.M.2.d. Damage the structural integrity of the device or facility containing the waste; or

II.M.2.e. Through other like means threaten human health or the environment.  
(COMAR 26.13.05.02H(2))

II.M.3. When required to comply with the Permit Condition II.M.1 or II.M.2, the Permittee shall document that compliance (COMAR 26.13.05.02H(3)).

## **II.N. SECURITY**

The Permittee shall comply with the requirements of COMAR 26.13.05.02E.

## **II.O. MANIFEST SYSTEM**

The Permittee shall comply with all applicable requirements of COMAR 26.13.05.05.

## **II.P. FLOODPLAIN STANDARD**

The Permittee shall provide the Department with identification of whether the facility is located within a 100-year flood plain, as required by COMAR 26.13.07.02D(26). A facility located in a 100-year flood plain (defined as any land area which is subject to a 1% or greater chance of flooding in any given year from any source) is required to demonstrate to the Department that procedures are in effect which will cause the waste to be removed safely, before flood waters can reach the facility, to a location where wastes will not be vulnerable to flood waters, as required in COMAR 26.13.05.02-1B.

## **II.Q. WASTE MINIMIZATION AND SOURCE REDUCTION**

II.Q.1. Program Development and Implementation. The Permittee shall develop and conduct a Waste Minimization/Source Reduction Program, in accordance with §7-205 of the Environmental Article, Annotated Code of Maryland and COMAR 26.13.05.05F(4)(j) and (k). The Permittee as a generator may not dispose of a controlled hazardous substance unless the Permittee demonstrates to the satisfaction of the Department that:

II.Q.1.a. Recovery possibilities have been considered; and

II.Q.1.b. The controlled hazardous substance cannot be reasonably treated further to reduce the volume of or the hazard that the controlled hazardous substance poses to the environment.

II.Q.2. Reporting. By March 1 of each even-numbered year, The Permittee shall submit a report to the Department that:

II.Q.2.a. Describes the efforts undertaken during the preceding year to reduce the volume and toxicity of the waste generated; and

II.Q.2.b. Describes the changes in volume and toxicity of waste actually achieved during the preceding year in comparison to previous years.

II.Q.3. Annual Certification – Waste Minimization.

II.Q.3.a. At least annually, the Permittee shall prepare a certification that the Permittee has a program in place to reduce the volume and toxicity of hazardous waste that the Permittee generates, as specified in COMAR 26.13.05.05D(2)(i).

II.Q.3.b. The Permittee shall maintain the certification required by Permit Condition II.N.3.a in the facility operating record until closure of the facility.

**PERMIT CONTINUES ON PAGE 17**



**PART III – SPECIAL CONDITIONS FOR  
STORAGE OF HAZARDOUS WASTES IN CONTAINERS**

**III.A. GENERAL MANAGEMENT REQUIREMENTS**

- III.A.1. The Permittee shall manage hazardous waste in containers in accordance with the terms and conditions of this permit.
- III.A.2. The Permittee shall not store a container of hazardous waste for a period of time longer than one year unless the Permittee demonstrates to MDE that such storage is solely for the purpose of accumulation of such quantities of hazardous waste as are necessary to facilitate proper recovery, treatment, or disposal.

**III.B. PERMITTED STORAGE AREAS**

- III.B.1. Except as otherwise provided in COMAR 26.13.03.05E, the Permittee may store containers of hazardous waste for periods longer than 90 days only in Storage Area #1 and Storage Area #2.
- III.B.2. Additional information on the permitted storage areas identified in Permit Condition III.B.1 is provided in Section III.F of this permit, Permit Attachment 6, Facility Description (Section 2 of the Permit Application); and Permit Attachment 7, Process Description and Container Management (Section 4 of the Permit Application). Table III.1 in Permit Condition III.C lists the storage buildings and permitted waste volume in each building.

**III.C. MAXIMUM WASTE VOLUME ALLOWED**

Table III.1 identifies the aggregate maximum volume of hazardous waste that may be stored in the storage areas identified in Permit Condition III.B.1.

**Table III.1  
Capacity Limits-Maximum Waste Volume Allowed**

| <b>Storage Area</b> | <b>Secondary Containment (gal)</b> | <b>Max. Volume Allowed (gal)</b> |
|---------------------|------------------------------------|----------------------------------|
| #1                  | 746                                | 2,980                            |
| #2                  | 12,626                             | 42,020                           |

**III.D. PERMITTED AND PROHIBITED WASTES IDENTIFICATION**

III.D.1. The Permittee may store the hazardous wastes identified in Table III.2 in containers within the storage locations listed in Permit Condition III.B, subject to the terms and conditions of this permit:

**Table III.2 – Hazardous Wastes Authorized for Storage**

| Hazardous Waste Code | Description  |
|----------------------|--|
| M001                 | Waste containing more than 500 ppm of PCB                |
| MT01                 | Waste containing between 50-500 ppm PCB                  |
| MX01                 | Spill clean-up debris containing more than 50 ppm of PCB |

III.D.2. Except as provided in COMAR 26.13.03.05E, the Permittee is prohibited from storing for periods of time longer than 90 days any Controlled Hazardous Substance that is not identified in Permit Condition III.D.1.

**III.E. PLACEMENT REQUIREMENTS**

III.E.1. The Permittee may store CHS in containers for periods of time in excess of 90 days in Storage Area #1 and Storage Area #2 identified in Permit Condition III.B.

III.E.2. The Permittee may:

III.E.2.a. Store the wastes identified in Permit Condition III.D in steel 55-gallon drums, DOT-approved 85-gallon overpack drums, reusable steel boxes, DOT-approved pallet boxes, or other containers that are compatible with the waste, non-leaking, and capable of containing the waste being stored; and

III.E.2.b. Store, as containers, undrained, nonleaking transformers or equipment that are designated as waste and that contain PCBs at a concentration of 500 ppm or more.

**III.F. CONDITION OF CONTAINERS**

If a container holding hazardous waste is not in good condition (e.g., severe rusting, apparent structural defects), or if it begins to leak, the Permittee shall transfer the hazardous waste from the container to a container that is in good condition, or shall otherwise manage the waste in compliance with the conditions of this permit.

### **III.G. CONTAINMENT SYSTEMS**

III.G.1. The Permittee shall:

- III.G.1.a. Maintain containment systems in the permitted hazardous waste container storage areas in accordance with the requirements of COMAR 26.13.05.09H(1)(a) and (b);
- III.G.1.b. Ensure that the containment system for each permitted container storage area where waste PCBs are stored provides a containment volume equal to at least two times the internal volume of the largest PCB Article or PCB Container or 25 percent of the total internal volume of all PCB Articles or PCB Containers stored there, whichever is greater, as specified in 40 CFR 761.65(b)(1)(ii); and
- III.G.1.c. Maintain the containment systems in accordance with the plans and specifications in Permit Attachment 6 Facility Description (Section 2 of the Permit Application).

III.G.2. The Permittee shall:

- III.G.2.a. Repair or reseal the containment surfaces as necessary to comply with COMAR 26.13.05.09H(1)(a); and
- III.G.2.b. Remove any spilled or leaked waste from the containment system in a timely manner, in accordance with COMAR 26.13.05.09H(3), in order to maintain the design capacity.

### **III.H. COMPATIBILITY OF WASTES WITH CONTAINERS**

The Permittee shall ensure that the ability of each container to contain the waste is not impaired as required by COMAR 26.13.05.09C.

### **III.I. MANAGEMENT OF CONTAINERS**

- III.I.1. The Permittee shall manage containers as required by COMAR 26.13.05.09D.
- III.I.2. The Permittee shall maintain sufficient aisle space between containers in accordance with COMAR 26.13.05.02I(2).

### **III.J. INSPECTIONS SCHEDULES AND PROCEDURES**

- III.J.1. In addition to complying with the general facility inspection requirements of Permit Condition II.C, the Permittee shall inspect the permitted hazardous waste container storage areas at least weekly:
  - III.J.1.a. To detect any structural or equipment deterioration, malfunction, leakage, deterioration of containers, or deterioration of the containment system; and

- III.J.1.b. In accordance with the inspection schedule included in Permit Attachment 2 Procedures to Prevent Hazards (Section 5 of the Permit Application).
- III.J.2. The Permittee shall remove any leaked or spilled waste:
- III.J.2.a. In as timely a manner as is necessary to prevent overflow of the secondary containment system; and
- III.J.2.b. Within 1 hour of discovery, unless the Department approves a later deadline.
- III.J.3. Upon discovery of any cracks, crevices or deterioration in containment dikes and floors of the storage rooms, the Permittee shall either:
- III.J.3.a. Remove all CHS containers from the damaged area, isolate the damaged area through the use of spill containment equipment, refrain from using the damaged area for CHS storage until the area has been properly repaired, and complete repairs of the cracks, crevices or deterioration no later than 45 days after the time of discovery, or a later deadline acceptable to the Department; or
- III.J.3.b. Within 24 hours of the discovery, provide an alternate means of secondary containment within the damaged area that will prevent contact of hazardous waste with the damaged area of secondary containment.
- III.J.4. The Permittee shall restock any shortage in first aid supplies, personnel protection equipment, and spill control and containment supplies no later than 48 hours after discovery.

### **III.K. CLOSURE**

- III.K.1. At closure, the Permittee shall remove all hazardous waste and hazardous waste residues from the storage areas, and close the facility in accordance with the approved detailed closure plan as described in Permit Condition III.K.2. Permit Attachment 5 Closure Plan (Section 8 of the Permit Application) is a general closure plan showing the minimum topics to be included in the detailed closure plan.
- III.K.2. At least 90 days prior to the intended beginning of closure, the Permittee shall submit a detailed closure plan including a sampling and analysis plan to the Department for review and approval.
- III.K.3. The detailed closure plan required by Permit Condition III.K.2 shall include at least the following elements:
- III.K.3.a. The steps necessary to perform partial and/or final closure of the facility at any point during its active life;

- III.K.3.b. A description of how each container storage unit will be closed;
  - III.K.3.c. A description of how final closure of the facility will be conducted, identifying the maximum extent of operations during the active life of the facility;
  - III.K.3.d. An estimate of the maximum inventory of hazardous wastes that was ever onsite over the active life of the facility and a description of the methods used to remove, transport, treat, store, or dispose of all hazardous wastes;
  - III.K.3.e. A detailed description of the steps needed to remove or decontaminate all hazardous waste residues and contaminated containment system components, equipment, structures, and soils;
  - III.K.3.f. A description of methods employed to decontaminate structures and equipment that will remain on site after closure;
  - III.K.3.g. Identification of decontamination agents to be used, including chemical and physical specifications of the agents;
  - III.K.3.h. Specific safety measures to be taken to control spread of contamination during the closure activity and to protect human health and the environment;
  - III.K.3.i. A detailed description of other activities necessary during the closure period;
  - III.K.3.j. A schedule for closure of each storage unit and for the final closure of the facility; and
  - III.K.3.k. A description of how all hazardous waste and hazardous waste residues will be removed from the containment systems.
- III.K.4. The sampling and analysis plan required by Permit Condition III.K.2, shall, at a minimum, include the following components to verify the effectiveness of decontamination activities:
- III.K.4.a Type and number of samples (rinsewater, surface wipes, core, soil, groundwater, etc.) to be collected;
  - III.K.4.b. A listing and justification of sampling and analytical methods employed, with the Permittee required to select and propose these methods, as appropriate for the constituent in question, in accordance with:

- 1) Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (EPA Document Number SW-846, latest edition); or
  - 2) Equivalent methods acceptable to the Department
- III.K.4.c. A description of quality assurance and quality control (QA/QC) procedures associated with the selected sampling and analysis methods;
- III.K.4.d. A definition and justification of a Target Compound List (TCL) for which the verification samples will be analyzed;
- III.K.4.e. Identification and justification of a threshold level for each compound on the TCL list that determines a “clean” or “contaminated” condition;
- III.K.4.f. Information on the number of samples to be taken, sample locations, and the media or substances to be sampled; and
- III.K.4.g. For cleanup and sampling for PCB’s, a demonstration that the Permittee will follow the procedure recommended in 40CFR 761 Subpart G.
- III.K.5. The Permittee shall decontaminate the storage areas, including the loading/unloading and staging areas and the equipment that is to remain onsite after closure, in accordance with the detailed closure plan submitted by the Permittee and approved by MDE in accordance with Permit Conditions III.K.2 through III.K.4.
- III.K.6. Within 60 days of the completion of the closure activities, the Permittee shall submit a:
- III.K.6.a. Closure report containing results of the activities conducted in compliance with each component of the approved closure plan, including, but not limited to, the verification results demonstrating a clean closure of the storage areas, and a certification of closure as required by COMAR 26.13.05.07F; or
  - III.K.6.b. Written request to extend the 60-day deadline including the reason for the request and a proposed timeline for completion.
- III.K.7. If the Permittee is unable to demonstrate a clean closure in accordance with Permit Condition III.K.6, the Permittee shall inform the Department within 60 days of the completion of the closure activities, and propose measures to achieve closure performance standards, such as submission of a post-closure care plan for the Department’s review and approval.

**PART IV-SPECIFIC CONDITIONS FOR  
STORAGE OF HAZARDOUS WASTE IN TANKS**

**IV.A. PERMITTED STORAGE TANKS**

- IV.A.1 This Part of the permit establishes conditions on management of hazardous waste in tanks in which the Permittee is authorized to store waste for periods of time longer than 90 days.
- IV.A.2. The Permittee may store the listed hazardous wastes identified in Permit Condition IV.B for periods of time in excess of 90 days in the tank systems described in Permit Condition IV.A.3, subject to the terms of this permit
- IV.A.3. This permit authorizes storage of hazardous waste for periods of time in excess of 90 days in the following two tank systems:

IV.A.3.a. Tank 642 (above-ground tank, nominal capacity 1,090 gallons)

|  |
|--|
| <u>Tank Characteristics</u>  |
| Location: <u>inside Waste PCB Storage Facility, in Pit #2</u>  |
| Description: <u>vertical, cylindrical above-ground steel tank with dished top and bottom</u>   |
| Dimensions:<br><u>overall height approx. 9'-4½", including legs;</u><br><u>tank height 8'-0"</u><br><u>outside diameter, 5'-0";</u><br><u>height of tank shell 6'-5"</u> |
| Material of construction: <u>mild carbon steel</u>   |
| Nominal thickness: <u>top, bottom: 3/16"; shell: 7 Gauge (0.188 inches)</u>  |
| Manufacturer: <u>Highland Tank Company</u>   |
| Date of manufacture: <u>circa September 1992</u>   |
| High level alarm: <u>Visual and audible alarm, set to alarm when liquid level reaches 90% of tank capacity</u>   |

IV.A.3.b. Tank 814 (below grade, double-walled holding tank, nominal capacity 550 gallons)

| <u>Tank Characteristics</u>   |
|---|
| Location: <u>under the loading dock canopy within the loading dock of the PCB Storage Facility, in Pit #2</u>                       |
| Description: <u>rectangular, above-ground, double-walled steel tank, located within a vault that provides tertiary containment.</u> |
| Dimensions: <u>80" long by 50" wide by 32" high (inner wall dimensions)</u>   |
| Material of construction: <u>mild carbon steel</u>  |
| Nominal thickness: <u>inner and outer walls: 12 Gauge (0.1046 inches)</u><br><u>top: 7 gauge (0.1793 inches)</u>                    |
| Manufacturer: <u>Highland Tank Company</u>  |
| Date of manufacture: <u>circa September 2015</u>  |
| High level alarm: <u>Visual and audible alarm, set to alarm when liquid level reaches 90% of tank capacity</u>                      |

(Note: More detailed information on the permitted tanks is provided in Permit Attachment 6, Process Description and Container Management. (Section 4 of the Permit Application))

IV.A.4. The Permittee shall maintain the facility and manage hazardous waste in tanks in accordance with conditions of this permit and the specification and descriptions presented in permit attachments.

#### **IV.B. PERMITTED AND PROHIBITED WASTE IDENTIFICATION**

IV.B.1. The Permittee may store a maximum of 981 gallons of hazardous waste in the aboveground tank (Tank 642) and a maximum of 495 gallons in the vaulted tank (Tank 644), subject to the terms and conditions of this permit and as follows:

| Tank Type    | Capacity (Gallons) | Allowed Waste Volume (gallons) (90% of tank capacity) | Description of Waste and Waste Codes Authorized for Storage                          |
|--------------|--------------------|---|--|
| Above ground | 1,090              | 981   | PCB (50 to 500) ppm-contaminated dielectric fluid (waste code MT01)                  |
| Vaulted      | 550                | 495   | PCB-contaminated dielectric fluid from leaking equipment (waste codes M001 and MT01) |

Total: 1476



IV.B.2. Except as otherwise authorized by COMAR 26.13.03.05E, the Permittee is prohibited from storing in tanks hazardous waste that is not identified in Permit Condition IV.B.1.

#### **IV.C. CONTAINMENT SYSTEMS**

The Permittee shall maintain the secondary containment systems for the tanks in accordance with the provisions of Permit Attachment 7, Process Description and Container Management (Section 4 of the Permit Application) and COMAR 26.13.05.10-4B.

#### **IV.D. OPERATING REQUIREMENTS**

IV.D.1. The Permittee shall not place hazardous waste in a tank system if it could cause the tank, its ancillary equipment, or a containment system to rupture, corrode, leak, or otherwise fail. (COMAR 26.13.05.10C(1))

IV.D.2. The permittee shall:

IV.D.2.a. Prevent spills and overfills from tank and containment systems:

- 1) as required by COMAR 26.13.05.10C(2); and
- 2) by using the audible and visual alarms described in Permit Attachment 7;

IV.D.2.b. Maintain tank high-level alarms in an operational condition at all times;

IV.D.2.c. Conduct transfers into or out of a tank in a controlled manner that allows the operator to stop the flow of waste promptly if a high-level or other warning alarm is actuated, or in the event of a spill or leak; and

IV.D.2.d. Begin transferring waste into a tank only after verifying that the tank has adequate remaining capacity to accommodate the waste, through evaluation of inventory records or other means.

IV.D.3. The Permittee shall maintain the tanks identified in Permit Condition IV.A.3 in accordance with the plans and specifications in Permit Attachment 7, Process Description and Container Management (Section 4 of the Permit Application).

IV.D.4. Minimum tank shell thickness.

IV.D.4.a. Unless otherwise approved by the Department, the Permittee shall maintain the following tank shell thicknesses:

- 1) for Tank 642 (above-ground tank, nominal capacity 1,090 gallons), 0.116 inches; and
- 2) for Tank 644 (below grade, vaulted holding tank, nominal capacity 550 gallons), 0.116 inches.

IV.D.4.b. As specified in Permit Condition IV.E., the Permittee shall periodically evaluate each permitted hazardous waste tank to determine whether the tank has adequate shell thickness to prevent the tank from rupturing, collapsing, leaking, or otherwise failing.

IV.D.5. If in any tank assessment, the Permittee finds a shell thickness less than 0.116 inches, the Permittee shall stop using the tank immediately and either:

IV.D.5.a. take necessary measures to repair or replace the tank, or

IV.D.5.b. demonstrate to the Department that the tank can still withstand the stresses produced by the maximum volume of the waste authorized for storage, and present the technical data and calculations that support an alternate minimum shell thickness less than 0.116 inches at which the repair or replacement of the tank will be necessary.

IV.D.6. The Permittee may not add or remove waste from a tank during power outages unless a backup system for electricity is available.

#### **IV.E. PERIODIC, DETAILED TANK ASSESMENT REQUIREMENTS**

IV.E.1. For each tank, the Permittee shall conduct a thorough exterior tank assessment inspection once every three years and a thorough internal tank assessment inspection once every five years, as described in Permit Attachment 2, Procedures to Prevent Hazards (Section 5 of the Permit Application).

IV.E.2. The Permittee shall determine, through the assessments required by Permit Condition IV.E.1:

IV.E.1.a. whether there is any evidence of corrosion, leaks, coating failure, or other indicators of compromised tank integrity,

IV.E.1.b. whether the tank meets the minimum shell thickness specified in Permit Condition IV.D.4, and

IV.E.1.c. whether corrective measures are required to assure the integrity of the tank systems.

IV.E.2. The Permittee shall notify the Department before a tank assessment inspection required by Permit Condition IV.E.1 is to be conducted, with the notification being made at least 15 days in advance of the scheduled date of the assessment inspection. This notification may be made by communicating via letter, email message, or

telephone communication with Department staff that have direct regulatory responsibilities with respect to the facility.

IV.E.3. The Permittee shall:

IV.E.3.a. prepare a report for each tank assessment inspection conducted in accordance with Permit Condition IV.E.1, documenting:

- 1) the inspection procedures and observations, and
- 2) the need for any corrective measures required to prevent release of the waste being stored;

IV.E.3.b. include, as part of each tank assessment inspection report, an evaluation of whether the current frequency at which the inspection is conducted needs to be increased to ensure that problematic conditions are detected before they lead to compromised tank system integrity, based on the observed changes since the previous tank assessment inspection was conducted,

IV.E.3.c. submit a copy of the report required by Permit Condition IV.E.3.a to the Department no later than 60 days after the date that the field work associated with the tank assessment inspection begins, unless a later deadline is agreed to by the Department; and

IV.E.3.d. maintain copies of the reports required by Permit Condition IV.E.3.a as part of the facility operating record required by Permit Condition I.E.7

IV.E.4. If, through a tank assessment inspection required by Permit Condition E.4, the Permittee discovers a condition that indicates an immediate threat to the ability of a tank system to contain waste, the Permittee shall notify the Department and take appropriate action to address the situation.

#### **IV.F. INSPECTION SCHEDULES AND PROCEDURES**

IV.F.1. The Permittee shall inspect the tank system in accordance with the inspection schedule in Permit Attachment 2, Procedures to Prevent Hazards (Section 5 of the Permit Application), and shall comply with Permit Conditions IV.F.2, IV.F.3 and IV.F.4 in conducting those inspections.

IV.F.2. The Permittee shall:

IV.F.2.a. inspect the overflow controls, in accordance with the schedule in Permit Attachment 2, Procedures to Prevent Hazards (Section 5 of the Permit Application); and

IV.F.2.b. inspect the liquid sensors located in the secondary containment sumps

of the tanks monthly to ascertain that the sensors are working properly. (COMAR 26.13.05.10D(1)).

IV.F.3. The Permittee shall inspect the following components of the tanks system once each operating day: (COMAR 26.13.05.10D(2))

IV.F.3.a. External portions of the tank system to detect corrosion or releases of waste;

IV.F.3.b. Data gathered from monitoring or leak detection equipment to ensure that the tank system is being operated according to its design;

IV.F.3.c. Level of waste in the tanks;

IV.F.3.d. Construction materials and the area immediately surrounding the externally accessible portion of the tank system, including the secondary containment, to detect erosion or signs of releases of hazardous waste (e.g. wet spots, stains).

IV.F.4. For the storage tank in the vault, the Permittee shall:

IV.F.4.a. Before placing any leaking electric equipment on the collection pan that is located over the tank, inspect the drain pipe and the funnel underneath, to make sure that they are not clogged, and are free of any obstructions;

IV.F.4.b. Remove the collection pan once a month and make sure that waste liquid is accumulating in the vault; and

IV.F.4.c. Inspect the liquid sensor located in the secondary containment sump once a month and make sure it is in proper working order.

IV.F.5. The Permittee shall document compliance with Permit Conditions IV.F.2, IV.F.3, and IV.F.4 and place this documentation in the operating record of the facility. (COMAR 26.13.05.10D(5))

#### **IV.G. RESPONSE TO LEAKS OR SPILLS**

For a tank system or secondary containment system from which there has been a leak or spill, or which is unfit for use, the Permittee shall, as required by COMAR 26.13.05.10-6:

IV.G.1. Immediately remove the tank system from service;

IV.G.2. Immediately stop the flow of hazardous waste into the tank system or secondary containment system;

IV.G.3. Inspect the system to determine the cause of release;

- IV.G.4. Remove waste from the tank system or secondary containment system in accordance with the deadlines and requirements of COMAR 26.13.05.10-6A(4);
- IV.G.5. Contain visible releases to the environment by immediately conducting a visual inspection of the release and, based on that inspection:
- IV.G.3.a. Act to prevent further migration of the leak or spill to soils or surface water; and
  - IV.G.3.b. Remove and properly dispose of any visible contamination of the soil or surface water;
- IV.G.6. Close the tank system in accordance with the requirements of COMAR 26.13.05.10-7 and Permit Condition IV.I, unless the Permittee satisfies the requirements of COMAR 26.13.05.10-6A(7)(b)-(d); and
- IV.G.7. Before returning to service a tank that has been repaired in accordance with COMAR 26.13.05.10-6A(7) and for which the repair has been extensive, such as installation of an internal liner or repair of a ruptured primary containment or secondary containment vessel:
- IV.G.7.a. Obtain a certification by an independent, qualified, registered professional engineer in accordance with COMAR 26.13.07.03D that the repaired system is capable of handling hazardous wastes without release for the intended life of the system; and
  - IV.G.7.b. Submit the certification required by Permit Condition IV.G.7.a to the Department not later than 5 days before the tank system is returned to use.

#### **IV.H. RECORD KEEPING AND REPORTING**

- IV.H.1. The Permittee shall report to the Department, within 24 hours after detection, when a leak or spill occurs from the tank system or the secondary containment system to the environment. The Permittee shall follow notification and reporting requirements of Permit Conditions I.G.12 and I.G.13 upon detection of release of hazardous waste to the environment (COMAR 26.13.05.10-6A(6)).
- IV.H.2. Within thirty days of detecting a release to the environment from the tank system or the secondary containment system, the Permittee shall report the following information to the Department: (COMAR 26.13.05.10-6A(6)(b))
- IV.H.2.a. Likely route of migration of release;
  - IV.H.2.b. Characteristics of the surrounding soil (including soil composition, geology, and hydrology);
  - IV.H.2.c. Results of any monitoring or sampling conducted in connection with

the release, except that if sampling or monitoring data relating to the release are not available within 30 days, the Permittee shall provide the Department with a schedule of when the results will be available;

IV.H.2.d. Proximity of down-gradient drinking water, surface water, and populated areas; and

IV.H.2.e. A description of response actions taken or planned.

IV.H.3 The Permittee shall submit to the Department all certifications required under Permit Condition IV.G.5 not later than five days before returning the tank system to use. (COMAR 26.13.05.10.6A(9))

IV.H.4. The Permittee shall obtain, and keep on file at the facility, the written statements by those persons required to certify the design and installation of the tank system. (COMAR 26.13.05.10-3B(11))

IV.H.5. The Permittee shall keep on file at the facility, the written assessment of the tank system's integrity. (COMAR 26.13.05.10-2b)

IV.H.6. The Permittee shall maintain at the facility a record of inspections conducted in accordance with Permit Conditions IV.E. and IV.F.

#### **IV.I. CLOSURE**

The Permittee shall comply with the closure requirements of Permit Condition III.J, substituting "tank systems" for "storage areas" and "tank" for "container storage unit".

**PART V-LIST OF PERMIT ATTACHMENTS and SIGNATURE****V.A. PERMIT ATTACHMENTS**

The following Permit Attachments are enforceable parts of this permit. Permit Attachments, numbered 1 through 8, include sections and attachments of the Permittee's application that carry their own number or letter designations. The following list indicates specific parts of the application included in each Permit Attachment. Each Permit Attachment includes a title page that also shows the number of pages in that Attachment. Permit Attachments are intended to provide further details of permit conditions. However, if there is a discrepancy between a permit condition and the contents of a Permit Attachment, the permit condition shall prevail.

| <u>Permit Attachment Number &amp; Title</u>                | <u>No. of Pages</u> | <u>Application Pages and Permit Application Attachment Numbers</u> |
|--|---------------------|--|
| 1. Waste Analysis Plan and Unknown Identification Protocol | 4                   | Section 3  |
| 2. Procedures to Prevent Hazards                           | 24                  | Section 5 and Appendix F   |
| 3. Personnel Training                                      | 22                  | Section 7 and Appendix H   |
| 4. Contingency Plan  | 74                  | Section 6 and Appendix G   |
| 5. Closure Plan  | 4                   | Section 8  |
| 6. Facility Description                                    | 24                  | Section 2  |
| 7. Process Description and Container Management            | 14                  | Section 4  |
| 8. Part A Permit Application                               | 10                  | Section 1  |

**V.B. PERMIT SIGNATURE**

**DRAFT**

---

Kaley Laleker, Director  
Land and Materials Administration

---

Date Signed