

Georgia Department of Natural Resources

205 Butler Street, S.E., Suite 1162, Atlanta, Georgia 30334

Lonice C. Barrett, Commissioner

Environmental Protection Division

Harold F. Reheis, Director

404/656-2833

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TO: Mary Mageeche
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DATE: March 3, 1997

FAX #: 407/893-3124

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including this cover sheet

FROM: Lavern Ajanaku
GA EPD
Hazardous Waste Management Branch

PHONE #: (404) 656-2833

SUBJECT: Corrective Action Order
Chem Con, Valdosta, GA.

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COMMENTS:

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205 Butler Street, Suite 1162, Atlanta, Georgia 30334

Joe D. Tanner, Commissioner
Environmental Protection Division
Harold F. Reheis, Director
404/656-2833

April 17, 1995

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RETURN RECEIPT REQUESTED

Mr. Michael Downey
Facility Manager
Chemical Conservation of Georgia, Inc.
1612 James Rogers Circle
Valdosta, Georgia 31601

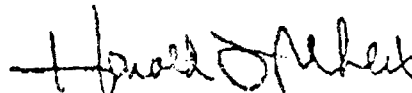
Re: Consent Order EPD-HW-1150

Dear Mr. Downey:

Enclosed please find an executed copy of Consent Order EPD-HW-1150 between the Georgia Environmental Protection Division (EPD) and Chemical Conservation of Georgia, Inc. Please note the Order provides conditions for operation of the tank farm and a schedule for investigation of releases from solid waste management units at the facility.

Should you have any questions, please contact Ms. LaVern Ajanaku or Mr. Michael Laney of my staff at 404/656-2833.

Sincerely,



Harold F. Reheis
Director

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STATE OF GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

IN RE: CHEMICAL CONSERVATION #
 OF GEORGIA, INC. #
 1612 James P. Rodgers Circle # ORDER NO. EPD-HW-1150
 Valdosta, Georgia 31601 #

RESPONDENT

CORRECTIVE ACTION ORDER

WHEREAS, Chemical Conservation of Georgia, Inc. (hereinafter "Respondent") generates, treats, and stores hazardous waste in containers and tanks at its facility located at 1612 James P. Rodgers Circle, Valdosta, Georgia (hereinafter "facility"); and

WHEREAS, Respondent is subject to the provisions of the Georgia Hazardous Waste Management Act, O.C.G.A. § 12-8-60 et seq., as amended (hereinafter the "Act"); the Rules of the Georgia Department of Natural Resources, Environmental Protection Division (hereinafter "EPD"), Chapter 391-3-11, as amended (hereinafter the "Rules"); Hazardous Waste Facility Permit Number HW-020(S) (hereinafter the "Permit"); and the requirements of Consent Agreement Number EPD-HW-465, Consent Order Number EPD-HW-586 and Consent Order Number EPD-HW-606; and

WHEREAS Respondent has installed a groundwater monitoring network for the facility, which is monitored in accordance with a schedule agreed upon by the Environmental Protection Division (hereinafter referred to as "EPD"); and

WHEREAS, during this monitoring, hazardous constituents (1,1-Dichloroethane, 1,1-Dichloroethylene, 1,2-Dichloroethylene, Tetrachloroethylene, Trichloroethylene,

Benzene, 1,1,1-Trichloroethane, Toluene, and Vinyl Chloride) as defined in § 261 of the Rules have been detected in the groundwater on the Facility's property; and

WHEREAS, Respondent has additionally identified the presence of several hazardous constituents beneath the northern portion of the facility's tank farm containment area; and

WHEREAS, pursuant to Consent Order Number EPD-HW-606 between the Respondent and EPD, the Respondent submitted a Contamination Assessment Plan to address remediation of the contamination beneath the tank farm; and

WHEREAS, Section 12-8-71(b) of the Act empowers the Director of the Environmental Protection Division (hereinafter referred to as the "Director") to require corrective action for releases of hazardous waste or hazardous constituents;

NOW THEREFORE, before the taking of any testimony and without adjudicating the merits of the parties' positions in this matter, the parties hereby resolve by agreement and upon the Order of the Director of EPD and the Consent of the Respondent as follows:

1. Within one hundred twenty (120) days of the date of execution of this Order, Respondent shall submit a RCRA Facility Investigation (RFI) Workplan which is designed to determine the vertical and horizontal extent and the source of the release documented by the facility's current groundwater monitoring system. The workplan shall include a schedule of implementation and reporting with a description of the specific actions necessary to determine the nature and extent of the release, including actual or potential receptors and applicable background concentrations. The RFI workplan shall address all releases which extend beyond the facility property boundary unless Respondent demonstrates to the Director's satisfaction that, despite Respondent's best efforts, Respondent was unable to obtain permission to undertake actions required by the workplan.
2. Upon approval of the RFI Workplan required by Condition number 1 above, the Respondent shall conduct the investigation in accordance with the schedules and specifications contained in the approved workplan.

3. The Respondent shall complete and submit a RCRA Facility Investigation (RFI) Report in accordance with the schedule contained in the RFI Workplan required by Condition number 1 above. The RFI Report shall provide a summary of all activities undertaken during the investigation to implement the approved workplan. The report shall provide the following:
 - a. A complete narrative description of the nature and extent of the release identified during the investigation as well as providing this information on topographic and potentiometric maps (of appropriate scale), as applicable.
 - b. The source(s) of the release.
 - c. Migration pathways, actual or potential receptors and background concentrations.
 - d. The report shall also address all releases which extend beyond the facility property boundary.
4. Upon notification by the Director, based on the results of the RFI report required by Condition number 3 above, that remediation is needed, the Respondent shall submit a Corrective Action (CA) plan in accordance with a schedule to be determined by the Director. The CA plan must include, but is not limited to, the following:
 - a. Detailed plans, specifications and a narrative description of the corrective measures to be undertaken to remediate contaminated soil, surface water and groundwater within and beyond the facility's boundary emanating from those releases identified by the RFI Report required by Condition number 3 above.
 - b. Procedures to mitigate and/or remove the sources of contamination.
 - c. A description of a groundwater monitoring program capable of demonstrating the effectiveness of the corrective action program in remediating the contaminated groundwater and maintenance of the monitoring program.
 - d. Procedures to monitor background water quality representative of groundwater not affected by Respondent's operations (past and present).
 - e. A sampling and analysis plan.
 - f. A cost estimate for completion of the corrective action.

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8. Respondent shall complete and submit a Tank Farm Contamination Assessment Report within sixty (60) days of approval of the Tank Farm Contamination Assessment Workplan required in Condition number 6 above. The report shall provide a summary of all activities undertaken during the assessment of the contamination beneath the tank farm. The report shall provide a complete description of the nature and extent of the soil contamination, migration pathways, actual or potential receptors and background concentrations.
9. The Director shall review the Tank Farm Contamination Assessment Report(s) required by Condition number 8 above, and upon determination that the report is complete, shall notify Respondent of the need for further investigative actions and/or corrective action.
10. Upon determination by the Director that the Tank Farm Contamination Assessment Report required by Condition number 8 above is complete and that corrective action is required, Respondent shall submit a Tank Farm Corrective Action Plan, in accordance with a schedule to be approved by the Director, which describes the corrective measures necessary to remediate contamination beneath the tank farm. The Tank Farm Corrective Action Plan shall include, at a minimum, the information set forth in Condition number 4.a through 4.g. The Director may consider at his discretion a schedule for submittal of the Tank Farm Corrective Action Plan that coincides with the CA Plan that may be required pursuant to Condition number 4 above.
11. Upon approval by EPD of the Tank Farm Corrective Action Plan required by Condition number 10 above, Respondent shall implement the approved plan in accordance with the schedules and specifications contained therein.
12. Until remediation beneath the tank farm is complete or until the tanks in the tank farm no longer require relocation to accommodate contamination investigations or remediation (as addressed in the approved Tank Farm Contamination Assessment Workplan required by Condition number 6 above and the approved Tank Farm Corrective Action Plan required by Condition number 10 above), whichever comes first (hereinafter the "Tank Compliance Period"), the currently permitted tanks and those which are specifically identified in Condition number 15 below that are or will be located in the tank farm shall be regulated pursuant to the conditions and requirements set forth in Condition numbers 14 through 28 below, except as provided in Condition 13 below. The conditions and requirements for the hazardous waste storage tanks located in the tank farm contained herein shall supersede those set forth in the permit for the duration of the Tank Compliance Period. Respondent shall comply with all other permit conditions as specified in the permit.
13. If Hazardous Waste Facility Permit HW-020(S) is revoked or suspended or expires, the authorization provided herein to manage waste in tanks in the tank farm shall be likewise revoked, suspended or expire. In the event that Hazardous Waste Facility Permit HW-020(S) expires and EPD authorizes the facility by consent order to continue operations under the terms and conditions of the expired permit, then

the authorization provided herein to manage waste in tanks in the tank farm shall be reinstated for the duration of that consent order. If, subsequent to expiration of Hazardous Waste Facility Permit HW-020(S), a hazardous waste facility permit is issued, then the authorization provided herein to manage waste in tanks in the tank farm shall be reinstated as provided in this Order.

14. Hazardous waste storage in tanks located in the tank farm not specifically authorized in this Order is prohibited.
15. Those tanks which are identified by the tank configuration diagram, required by Condition number 19.a below, as "storage tanks" that comply with the applicable requirements set forth herein constitute tanks authorized for storage pursuant to this Order, unless Respondent is otherwise notified by EPD within the sixty (60) day period specified in Condition number 19 below.
16. The Respondent is authorized to store a total of 140,000 gallons of the hazardous waste identified below in tanks as authorized by Condition numbers 12 and 15, subject to the terms of this Order. The Respondent is prohibited from storing hazardous waste that is not identified below or authorized by EPD pursuant to Condition number 17 below:

D001	U002	U159
D004 THROUGH D011	U031	U161
D018 THROUGH D043	U112	U220
F001 THROUGH F003	U140	U226
F005	U154	U228
		U239

17. Upon written approval from EPD, Respondent shall be allowed to store additional, expressly identified, waste codes in tanks authorized for hazardous waste storage by Condition number 15 above.
18. The Respondent shall not place hazardous waste in any tank system if the waste could cause the tank, its ancillary equipment, or the containment system to rupture, leak, corrode or otherwise fail. Storage of incompatible wastes in any tank authorized for storage herein is prohibited.
19. No less than sixty (60) days prior to the installation or relocation of any tank within the tank farm, Respondent must submit to EPD a tank management plan which includes, at a minimum, the following information:
 - a. A tank configuration diagram which identifies the proposed location of all tanks within the tank farm and the status of those tanks (ie, storage tank, generator tank, product tank, etc.).
 - b. The dimension and capacity of each tank.

- c. A description of feed systems, safety cutoff, bypass systems and pressure controls (e.g., vents) for each tank that will hold hazardous waste.
- d. A diagram of piping, instrumentation and process flow for each tank that will hold hazardous waste.
- e. A detailed description of how the tank system will be installed in compliance with § 264.192 (b) through (e) for each tank that will hold hazardous waste.
- f. A description of controls and practices to prevent spills and overflows from the tank system, as required under § 264.194(b) for each tank that will hold hazardous waste.
- g. A description of how operating procedures and tank system and facility design will achieve compliance with the requirements of §§ 264.198 and 264.199 for each tank that will hold hazardous waste.
- h. A schedule and a description of the procedures, as well as a sample inspection log, for the following:
 - i. inspecting overfill controls;
 - ii. inspecting aboveground portions of the tank system to detect corrosion or release of waste;
 - iii. gathering data from monitoring and leak detection equipment to ensure that the tank system is being operated according to its design;
 - iv. inspecting the construction materials and the area immediately surrounding the externally accessible portion of the tank system, including the secondary containment system to detect erosion or signs of releases of hazardous waste (e.g., wet spots, dead vegetation); and
 - v. cathodic protection systems, if present.
- i. A demonstration, by means of a survey made by a Georgia Registered Surveyor, of compliance with the requirements for the maintenance of protective distances between the tank and any public ways, streets, alleys, or an adjoining property line that can be built upon, as required in Tables 2-1 through 2-6 of the National Fire Protection Association's "Flammable and Combustible Liquids Code" for each tank that will hold hazardous waste.
- j. A closure cost estimate for closing the tank systems, pursuant to the procedures set forth in the Partial Closure Plan dated April 12, 1993. If said

plan is superseded, the Respondent shall base the cost estimates on the approved, revised closure plan.

20. Respondent shall comply with § 264.192, which sets minimum standards for the design and installation of new tank systems or components, whenever installing new tank systems or relocating existing tank systems or components; except that, all reports, certifications and statements required by those sections, in addition to being kept on file at the facility, shall be submitted in accordance with the following schedule:
 - a. Respondent shall submit the written assessment required by § 264.192(a) of the Rules no later than sixty (60) days prior to the installation or relocation of the tank, tank system or component.
 - b. No less than fifteen (15) days prior to storage of any hazardous waste in any newly installed or relocated tank system within the tank farm, the Respondent must submit written statements and certifications, by those persons required to supervise the installation of the tank system in accordance with §§ 264.192(b) through (f), that attest that the tank system was properly installed and that repairs required pursuant to §§ 264.192(b) and (d), were performed. Those statements and certifications must also be kept at the facility in accordance with § 264.192(g).
21. The Respondent shall design, construct, operate, and maintain the tank systems, including the secondary containment system, in accordance with the approved, detailed procedures, plans, specifications and schedules required by Condition numbers 19 and 20 above and in accordance with §§ 264.191.
22. Within ninety (90) days of written notification by EPD, based on EPD's determination that the tanks in the tank farm no longer require relocation to accommodate contamination investigations and/or remediation, the Respondent shall submit for EPD approval a Secondary Containment Assessment, reviewed by an independent, qualified, registered, professional engineer and certified, in accordance with § 270.11(d) of the Rules, that attests to the secondary containment's compliance with §§ 264.193 (b) through (f) of the Rules (for all tanks and components in which the Respondent is authorized to store hazardous waste pursuant to this Order, and all generator accumulation tanks). This assessment must describe how the containment system complies with §§ 264.193 (b) through (f) of the Rules, addressing each section individually. The Secondary Containment Assessment must be kept on file at the facility. The period of time between the execution of this Order and EPD approval of a Secondary Containment Assessment is hereby designated the "Secondary Containment Compliance Period".

23. Within thirty (30) days of the date of execution of this Order, the Respondent shall submit for approval by the Director the following, which, upon approval, will apply to all tank systems in which the Respondent is authorized to store hazardous waste pursuant to this Order and all generator tank systems for the duration of the Secondary Containment Compliance Period defined in Condition number 22 above:
- a. A schedule and procedures to provide an assessment of the overall condition of all tank systems, other than non-enterable underground tanks, by an independent, qualified registered professional engineer, or a statement indicating that a leak test that meets the requirements of § 264.191(b)(5) will be performed.
 - b. Procedures to provide a leak test or other integrity assessment for ancillary equipment.
24. The schedules and procedures required in 23.a. and b. above for assessment of the systems' integrity and leak tests shall reflect the following:
- a. The schedule and procedures for the integrity assessments shall be adequate to detect obvious cracks, leaks, and corrosion or erosion that may lead to cracks and leaks.
 - b. The frequency of integrity assessments must be based on the following:
 - i. The material of construction of the tank and its ancillary equipment;
 - ii. The age of the system;
 - iii. The type of corrosion or erosion protection used;
 - iv. The rate of corrosion or erosion observed during the previous inspection; and
 - v. The characteristic of the waste being stored or treated.
 - c. The Respondent shall remove the stored waste from the tanks, if necessary, to allow the condition of all internal tank surfaces to be assessed.
 - d. The procedures and tests required in Condition number 23.a., and b. shall be conducted no less than annually, with the first being conducted within thirty (30) days of approval by EPD of the procedures and/or statements required by Condition number 23 above.
25. The Respondent shall comply with the following for the duration of the Secondary Containment Compliance Period:

- a. All tanks systems, in which the Respondent is authorized to store hazardous waste pursuant to this Order, and all generator tank systems shall be provided with temporary secondary containment that is:
 - (i) Capable of detecting and collecting releases and accumulated liquids until the collected material is removed.
 - (ii) Sloped or otherwise designed or operated to drain and remove liquids resulting from leaks, spills, or precipitation. Spilled or leaked waste and accumulated precipitation must be removed from the secondary containment system within twenty-four (24) hours and in as timely a manner as necessary to protect human health and the environment.
 - (iii) Provided with leak detection. All tanks and tank systems must be raised to allow for visual leak detection or must be provided with an alternate leak detection system approved by EPD, that is capable of detecting releases within twenty-four (24) hours.
 - b. Section 264.193(i)(4) of the Rules, regarding record keeping of assessments and tests conducted pursuant to Condition number 23 above.
 - c. Section 264.193(i)(5) of the Rules, regarding leaking or unfit- for-use tank systems and components.
26. Upon conclusion of the Secondary Containment Compliance Period, the Respondent shall comply with §§ 264.193(a) through (f) of the Rules, which pertains to containment and detection of releases, to ensure that all tanks containing hazardous waste have adequate secondary containment and release detection.
27. Respondent shall comply with the following:
- a. Sections 264.194, 264.195, 264.196, 264.198 and 264.199 of the Rules, regarding operating and inspection requirements and special requirements for ignitable, reactive and incompatible wastes. Additionally, upon approval by EPD, Respondent must operate the tank systems and conduct inspections in accordance with the practices, procedures and schedules required by Condition number 19 above.
 - b. Section 264.196(e)(2) and (3) of the Rules, regarding repair of the tank system after a leak or spill from a tank or secondary containment system. Additionally, the Respondent shall submit to the Director, all certifications of major repairs to correct leaks within seven days of returning the tank system to use.

37. Notwithstanding compliance with the terms of this Order, Respondent may be required to take further action as necessary, including additional groundwater monitoring assessment and/or remediation to achieve compliance with the Georgia Hazardous Waste Management Act, or other applicable state or federal laws.

This Order shall not constitute a finding or adjudication of violation of any state or federal laws or rules or permit requirements by the Respondent, nor does the Respondent through the signing of this Order make any admission of fact or of any violations of state or federal laws or rules or of any liability of any third party.

It is so ORDERED, CONSENTED, and AGREED to this 28th day of March, 1995.

GEORGIA ENVIRONMENTAL PROTECTION DIVISION

BY: Harold F. Reheis

Harold F. Reheis
Director

CHEMICAL CONSERVATION OF GEORGIA

BY: Wm. H. Johnson

TITLE: Vice President / General Manager

DATE: March 21, 1995

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Environmental Protection Div.
Hazardous Waste Mgmt. Branch