

Bill's  
DAP

RESPONSE TO A FIRST NOTICE OF DEFICIENCY  
FOR  
A HAZARDOUS WASTE FACILITY PERMIT APPLICATION  
FOR  
CHEMICAL CONSERVATION CORPORATION  
SUBMITTED NOVEMBER 1, 1995

1. *Fuel Blending Process, Page 8 states: "CCC may use this process to remove and blend wastes other than fuels."*

**Comment:** *This paragraph explains how CCC will blend fuels. In a separate paragraph, explain the other wastes CCC intends to blend. How will the facility prevent cross contamination if the blending equipment (i.e., blending tank, shredder, tank storage system, grinder/pump) will be used for various hazardous waste streams?*

**Response:** The statement in quotations paraphrased in paragraph 1 above will be deleted from page 8 of the permit application.

The first three comments in the First Notice of Deficiency letter refer to statements found in pages 7 through 10 of the permit application. The narrative contained in these pages satisfies a request in section I.D.2. of DEP Form 62-730.900(2)(a) (the permit application questionnaire and instructions booklet) to provide a brief description of the facility operation. (This description has been amended to address some of these comments, and to correct some typographical errors.)

where is it?

2. *Hazardous Wastewaters Treatment Process, Page 9 states: "CCC wants to construct and operate a process to treat acidic wastewaters contaminated with metal and organic constituents. The process consists of a tank storage system to store treated and non-treated wastewaters, a neutralization system to adjust the pH, a filter press to remove precipitated solids and an air stripper to remove organic contaminants from wastewaters."*

**Comments:** *How will CCC demonstrate the wastewater has been adequately treated? Has CCC contacted the air program to determine if an air permit will be needed for the air stripper? If so, has an application been made?*

**Response:** Testing parameters to determine the regulatory status of treated wastewater are outlined in page 190 of the permit application. They are part of the waste evaluation procedures included in the waste analysis plan.

Ps. 190 - the goal of the facility is to treat characteristic

Could  
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occur

The procedures indicate that the treatment effluent will be analyzed for the physical and toxicity characteristics exhibited by the wastewater before treatment. The procedures for evaluation of wastes for shipment in the waste analysis plan will be amended to include the method that will be used to establish the constituents and physical characteristics for which the wastewater will be tested.

CCC has not contacted the air program to determine if an air permit will be needed for the air stripper, and an application has not been made with respect to discharges from the treatment equipment. In case an air permit is required to operate the air stripper, CCC will prepare and submit an application to obtain an air permit. Subpart R of the permit application describes how the facility will comply with requirements in Subpart AA of the 40 CFR Part 264, which addresses emissions from process vents. The vent where the air stripper exhausts vapors is classified as a process vent. However, a separate set of requirements enacted by an air protection program may also apply to the process vent.

3. *Hazardous Wastewaters Treatment Processes, Page 9, states: "Inbound waste streams will be segregated in the following streams for storage in the tank storage unit: acidic wastewaters having listed hazardous waste codes, non-acidic wastewaters having listed hazardous waste codes and non-acidic wastewaters designated only with characteristic hazardous waste codes."*

**Comment:** What procedure will be in place to assure that listed waste are not inadvertently mixed with waste that are characteristic only.

**Response:** Upon arrival of a waste load at the facility, hazardous waste labels on waste containers are inspected to make sure that the proper hazardous waste codes and the DOT hazard class are shown on the label. Containers are then segregated in groups for delivery to the appropriate waste management area at the facility. Waste to be processed in the wastewater treatment system is transferred to the consolidation pad where it will be pumped into tanks located inside the wastewater tank storage unit. Waste contained in drums showing only characteristic hazardous waste codes in their labels will be pumped into tanks that have been designated to store characteristic hazardous wastes. If listed waste codes appear in the label, the waste in the drum to which the label is affixed will be pumped into tanks storing listed hazardous wastes.

OK - still concerned with the profiling procedures. Ex: Since CCC does not require analyticals on their incoming wastewater streams how can they be sure they will not accidentally mix listed / non-listed HW. together.

The wastewater treatment system description process that begins in page 297 of the permit application will be amended to include the procedure described in the previous paragraph, to assure that listed wastes are not inadvertently mixed with characteristic wastes.

4. *Contingency Plan and Emergency Procedures, Page 75 states: "Figure II.A.4.b-4 shows the container storage unit, where every row is labeled with a SGC. However, the permit gives CCC the flexibility of relocating and replacing the SGCs depending on the distribution and quantities of waste types that are stored in the unit at any given time. The only condition when relocating and replacing SGCs is that reactive and ignitable materials are stored outside the 50-foot property set back line and that no more than one SGC is assigned to a cell."*

**Comment:** *Provisions for altering the layout should be included in the operating portion, not contingency plan portion of the application. If this intended to be a factor in situations where the contingency plan will be implemented, then the condition which requires relocation of SGC's should be specified.*

*Further, if the cells are to be segregated by SGC's then appropriate signs or other acceptable method should also be included to clarify location of RCRA coded waste within each SGC. Please provide the procedure by which you have determined appropriate RCRA codes to be included in each SGC.*

**Response:** The intent for including the sentences cited in paragraph 4 in the contingency plan was to warn first responders that they may not find hazardous material types at the locations shown in Figure II.A.4.b-4. However, the comment about posting signs indicating the type of hazardous materials that every cell is storing at all times is a good suggestion, and it will be implemented at CCC facility.

The description of the SGC relocating and replacing issue is more elaborate in the contingency plan than the one in page 225 (see the last two sentences in the fourth paragraph), where a description of the operation of the container storage unit with respect to segregation and separation of incompatible wastes is provided. The reason for the difference in the extension of the description is because the contingency plan is intended for persons who may have more difficulty in understanding the issue.

Hazardous waste codes are not good indicators of compatibility of wastes. In many cases the waste shows characteristics that are different from the ones implied by the listed waste codes that are assigned to the waste. Often, the major reason for the difference in characteristics is due to the difference in volume and characteristics between the contaminated matrix and the contaminants. The resulting waste mixture is designated with the listed codes because of the "mixture rule", but the characteristics of the mixture differ from ones exhibited by the contaminants. Therefore, hazardous waste codes cannot be used to indicate

the characteristic of a waste, except when they are used to identify ignitable/oxidizing, corrosive, and reactive materials. But even in those cases the use of a RCRA code to assess compatibility may be misleading, as is the case of D001 coded waste, which is used to identify ignitables and oxidizers; most ignitables have a high organic content and they are incompatible with oxidizers. Also, it is difficult to determine the resulting characteristic of a waste showing multiple codes that belong to wastes that have different characteristics by just observing the waste codes. However, a DOT hazard class is assigned based on the actual characteristics of a waste. Tables in page 77 of the application show hazard classes and hazardous waste codes belonging to every SGC, however, they only apply when the materials are in virgin form, which is not the case in many instances.

CCC plans to amend the permit application in the first two pages referenced above to state that a sign showing the SGC and the corresponding hazard classes for the waste currently stored in every cell will be posted at a location that is clearly visible for first responders, and for operators laboring at the unit.

5. *Contingency Plan and Emergency Procedures, Page 99 states: "Releases confined to the cell where the spill occurs are considered minor spills, which do not present a hazard to human health or the environment as long as they are collected within a reasonable short period of time after the spill takes place, and in accordance with proper emergency procedures. Minor spills will not activate the implementation of the emergency procedures in the contingency plan."*

**Comment:** Please quantitatively define minor, medium and major spills. Also, propose procedures for documenting incidents occurring at the facility.

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Comments for paragraphs 5 and 6 pertain to the same issue as it applies to different management areas at the facility. Instead of providing a response that is going to be very similar for both comments, please let us respond to both comments next after paragraph 6 and its corresponding comment has been paraphrased below.

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6. *Contingency Plan and Emergency Procedures, Page 101 states: "Minor spills that may occur in the tanker loading area will be contained by berms and curbs built on the parking lot. Releases inside and to the outside's of the tank farm's secondary containment will be collected and decontaminated in the manner described in the section addressing the container storage unit." Similar situation identified for the Wastewater Tank Storage Unit.*

**Comment:** Please address what CCC will be considered a minor spill for both the Waste Fuel Tank Storage Unit and the Wastewater Tank Storage Unit. How will CCC handle the reporting requirements for the spills which may occur during the loading activities outside the tank farms?

**Response:** The comments request to quantify minor, medium and major spills. They also request to propose procedures for reporting and recording spill incidents occurring at the facility. In addition, the plan needs to provide a criteria for implementation of the contingency plan. The last three issues: reporting and recording of spills, and the criteria for implementation of the plan are regulatory requirements; whereas the classification of spills in magnitude or categories is not. CCC plans to delete the system described in the permit application that classifies spills in minor, medium and major, and to replace it with methods addressing the three regulatory requirements mentioned above. There is not one method than can provide a one-size-fits-all type of solution for these requirements; a different method needs to be developed for every requirement. The deletion of the present spill classification system from the permit application will reduce the number of methods, and the level of confusion created by them.

CCC proposes to use the reportable quantities table in the 40 CFR Section 302.2 (SARA) to develop methods for reporting, recording and responding to spill incidents. The contingency plan will be implemented when spills inside the container storage unit equal or exceed in magnitude their reportable quantities and affect cells having more than one SGC type, or areas without a secondary containment system. A spill in the tanker loading area will require the implementation of the contingency plan only when its volume is such that it overruns the berms surrounding the loading area.

Spills at the facility will be documented when they exceed 20% of their reportable quantities. Spills will be reported to the Department whenever the contingency plan is implemented or when they equal or exceed their reportable quantities. Releases from spills whose magnitudes equal or exceed their reportable quantities will be reported to the National Response Center. Releases are defined in the 40 CFR Section 302.3. Reporting and recording procedures described in this paragraph will apply to any storage, treatment and loading area at the facility.

7. *Design and Operation of the Facility, Pages 115-119 discuss the proposed waste storage specifications using the Storage Group Codes established by DOT.*

**Comment:** As stated above, if the cells are to be segregated by SGC's then appropriate signs or other acceptable method should be also included to clarify the location of RCRA coded waste within each SGC.

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This comment and the one for paragraph 8 below both refer to the same issue. Therefore, the response provided after the paragraphs shown below will address comments for paragraphs 7 and 8.

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8. *Waste Analysis Plan, Page 172 states: "CCC is a hazardous waste transporter subject to the DOT regulations with respect to description, marking, labeling, placarding and packaging of hazardous waste, which are regulated by DOT as hazardous materials during transportation." ..... "Segregation and separation of the wastes during transportation and storage is determined in accordance with the hazard class shown in the DOT description."*

**Comment:** *As stated above, if the cells are to be segregated by SGC's then appropriate signs or other acceptable method should be also included to clarify location of RCRA coded waste within each SGC.*

**Response:** The response addressing comment for paragraph 4 indicates that signs showing the SGC and the corresponding hazard classes for the waste currently stored in every cell will be posted at a location that is clearly visible for first responders, and for operators laboring at the unit. It also addresses the issue of assigning RCRA codes to wastes stored in the cells based on compatibility. The pages in the permit application that are mentioned in paragraphs 7 and 8 will be amended to reflect the use of the signs described at the beginning of this paragraph.

9. *Waste Analysis Plan, Page 172 states: "A discussion on "transfer waste" is outside the scope of this plan."*

**Comment:** *Since all materials stored within the confines of the facility will be addressed in the permit, please include to identify, profile and track the transfer waste. Also, the citation for transfer facility requirements should be F.A.C. Section 62-730.171.*

**Response:** Section 5 of the Waste Analysis Plan in the permit application will be amended to describe how the facility identify, profile and track transfer waste, and the citation for transfer facility requirements will be changed to the one indicated above.

10. *Waste Analysis Plan, Waste Material Profile form, pages 173 & 174:*

**Comment:** *Does CCC accept generator knowledge to satisfy the profile requirements?*

**Response:** CCC accepts generator knowledge to satisfy profile requirements since it is the most relevant source for certain waste types. However, every profile is reviewed in accordance with the rationale described in section 5.2 of the plan to ensure that the composition and other parameters shown on the profile are the appropriate ones for the type of waste described in it. Sometimes, like in the case of F006 wastes only a complete profile is required; in most cases MSDSs and test results are required to support parameters contained in the profile.

The procedures indicate that the treatment effluent will be analyzed for the physical and toxicity characteristics exhibited by the wastewater before treatment. Such characteristics are established with the use of a computerized data management system that records and tracks the codes and the volume of every waste that is pumped into a storage tank, and the volume of wastes present in the tank when waste is pumped in. The system assigns codes to every waste that is pumped out of a tank using codes that belong to wastes that were pumped into the tank in the same order as they were received. In other words, codes assigned to wastes flowing out of a tank are transferred from wastes flowing into the tank in a first-waste-in-first-waste-out basis. The procedures for evaluation of wastes for shipment in the waste analysis plan will be amended to include the method that will be used to establish the constituents and physical characteristics for which the wastewater will be tested.

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