California Environmental Protection Agency
Department of Toxic Substances Control

DRAFT HAZARDOUS WASTE FACILITY PERMIT

Facility Name: CleanTech Environmental, Inc.
5820 Martin Road
Irwindale, California 91706

Owner Name: Agritec International, Ltd., dba
CleanTech Environmental, Inc.
5820 Martin Road
Irwindale, California 91706

Operator Name: Agritec International, Ltd., dba
CleanTech Environmental, Inc.
5820 Martin Road
Irwindale, California 91706

EPA ID Number: CAL 000330453

Effective Date:

DRAFT

Expiration Date:

Pursuant to California Health and Safety Code section 25200, this Calfornia-Only Hazardous Waste Facility Permit is hereby issued to the CleanTech Environmental, Inc. facility located at 5820 Martin Road, Irwindale, Los Angeles County, California.

The Issuance of this Permit is subject to the terms and conditions set forth in Attachment A and the Part B Application (Operation Plan) dated October 17, 2011. The Permit consists of 33 pages, including this cover page and Attachment A.

_____

Edward Nieto, P.E.
Supervising Hazardous Substances Engineer I
Used Oil and Tanks Team
Department of Toxic Substances Control

Date: _____

CLEANTECH ENVIRONMENTAL, INC.
5820 Martin Road
Irwindale, California 91706

DRAFT HAZARDOUS WASTE FACILITY PERMIT

ATTACHMENT A

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PART I. DEFINITIONS

All terms used in this Permit shall have the same meaning as those terms have in the California Health and Safety Code, division 20, chapter 6.5 and California Code of Regulations, title 22, division 4.5, unless expressly provided otherwise by this Permit.

1. **"DTSC"** as used in this Permit means the California Department of Toxic Substances Control.

2. **"Facility"** as used in this Permit means all contiguous land and structures, other appurtenances, and improvements on the land used for the treatment, transfer, storage, resource recovery, disposal or recycling of hazardous waste. A hazardous waste facility may consist of one or more treatment, transfer, storage, resource recovery, disposal or recycling operational units or combinations of these units.

   For the purpose of implementing corrective action under California Code of Regulations, title 22, division 4.5, a hazardous waste facility includes all contiguous property under the control of the owner or operator required to implement corrective action.

3. **"Permittee"** as used in this Permit means the Owner and Operator.

4. **"RCRA" as** used in this Permit means the Resource Conservation and Recovery Act (42 U.S.C. §6901 et seq.).

5. **"RCRA hazardous waste"** as used in this Permit has the same definition as in Health and Safety Code section 25120.2.

6. **"Non-RCRA hazardous waste"** as used in this Permit has the same definition as in Health and Safety Code section 25117.9, and includes non-RCRA wastewater.

7. **"Used oil"** as used in this Permit has the same definition as in Health and Safety Code section 25250.1(a)(1).

8. **"Transfer"** as used in this Permit has the same definition as in California Code of Regulations, title 22, section 66260.10.

PART II. DESCRIPTION OF THE FACILITY AND OWNERSHIP

1. Owner of Facility

Agritec International, Ltd., dba
CleanTech Environmental, Inc.
5820 Martin Road
Irwindale, California 91706

2. Owner of Real Property

Nicholas & Shirley Barron Living Trust
5820 Martin Road
Irwindale, California 91706

3. Operator of Facility

Agritec International, Ltd., dba
CleanTech Environmental, Inc.
5820 Martin Road
Irwindale, California 91706

4. Location

The CleanTech Environmental, Inc. facility (Facility) is located at 5820 Martin Road in the City of Irwindale in Los Angeles County, California (Figure 1) at latitude 34° 7' 13" N and longitude 117° 56' 20" W. The Facility is located on a site approximately 248 feet by 175 feet (0.98-acre area) and its corresponding legal description is as follows:

"*Parcel 2 of Parcel Map No. 16282, as per map filed in Book 172, Pages 76 to 78 inclusive of Parcel Maps, in the office of the county recorder of said county*."

The Los Angeles County Assessor's Parcel Number for this site is 8533-11-41.

5. Description of Facility Operations

The Facility's operations consist of collecting used oil, waste antifreeze, non-RCRA wastewater, and oil-contaminated solid waste from offsite generators (gas stations, oil changers, auto repair shops, etc.) and consolidating the waste in tanks. The used oil is treated by blending, gravity separation, and by adding a chemical reagent if necessary, to remove metals and enhance dehydration, to meet the recycled oil standards. The Facility would then certify the treated used oil as "recycled oil."

The Facility also collects drums of used oil, waste antifreeze, and non-RCRA wastewater and stores them in a drum storage area. The liquid waste in containers may then be pumped into the appropriate storage/treatment tanks. Additionally, the Facility collects drums of solid waste including solid waste contaminated with oil, oil/water separation sludge, contaminated soil with oil, contaminated containers, etc., and places the drums into the drum storage area.

Consolidated waste antifreeze, non-RCRA wastewater, and oil-contaminated solid waste are shipped offsite to a recycling, treatment, or disposal facility.

6. Facility History

Agritec International, Ltd., dba CleanTech Environmental, Inc., proposes to construct and operate a non-RCRA permitted Used Oil Recycling Facility at 5820 Martin Road in Irwindale, Los Angeles County, California. The CleanTech Environmental facility will be authorized to accept, store, and recycle used oil. The facility will also accept and store waste antifreeze, non-RCRA wastewater and solid waste contaminated with oil. All tanks and drum storage areas will be located within a warehouse building and in a concrete containment area.

CleanTech Environmental, Inc. submitted a Permit Application to DTSC on September 1, 2010. The Permit Application underwent numerous DTSC reviews and required revisions by CleanTech Environmental, Inc. On November 10, 2011, DTSC determined that CleanTech Environmental, Inc.'s Permit Application was technically complete.

7. Facility Size and Type for Fee Purposes

The Facility is categorized as a small treatment facility pursuant to Health and Safety Code section 25205.1, and for purposes of Health and Safety Code sections 25205.2 and 25205.19.

8. Closure Cost Estimate

The closure cost estimate as approved by DTSC on November 10, 2011, is $266,452.

PART III. GENERAL CONDITIONS

1. PERMIT APPLICATION DOCUMENTS

The Part A Application and the Part B Application (Operation Plan), "Agritech International, Ltd., dba CleanTech Environmental, Inc., Irwindale Facility Part B Application" dated October 17, 2011 that was submitted to DTSC by the Permittee is hereinafter referred to as the "Permit Application" and is hereby made a part of this Permit by reference.

2. EFFECT OF PERMIT

(a) The Permittee shall comply with the terms and conditions of this Permit and the provisions of the Health and Safety Code and California Code of Regulations (Cal. Code Regs.), title 22, division 4.5. The issuance of this Permit by DTSC does not release the Permittee from any liability or duty imposed by federal or state statutes or regulations or local ordinances, except the obligation to obtain this Permit. The Permittee shall obtain the permits required by other governmental agencies, including but not limited to, those required by the applicable land use planning, zoning, hazardous waste, air quality, water quality, and solid waste management laws for the construction and/or operation of the Facility.

(b) The Permittee is permitted to store hazardous wastes in accordance with the terms and conditions of this Permit. Any management of hazardous wastes not specifically authorized in this Permit is strictly prohibited.

(c) Compliance with the terms and conditions of this Permit does not constitute a defense to any action brought under any other law governing protection of public health or the environment, including, but not limited to, one brought for any imminent and substantial endangerment to human health or the environment.

(d) DTSC's issuance of this Permit does not prevent DTSC from adopting or amending regulations that impose additional or more stringent requirements than those in existence at the time this Permit is issued and does not prevent the enforcement of these requirements against the Permittee.

(e) Failure to comply with any term or condition set forth in this Permit in the time or manner specified herein is grounds for revocation of this Permit (Cal. Code Regs., tit. 22, §66270.43), and will subject the Permittee to enforcement action and penalties pursuant to Health and Safety Code sections 25187 and 25189.2(b).

(f) Failure to submit any information or document required in connection with the Permit, or falsification or misrepresentation of any submitted

information or document is grounds for revocation of this Permit (Cal. Code Regs., tit. 22, §66270.43), and will subject the Permittee to enforcement action and penalties pursuant to Health and Safety Code sections 25187 and 25189.2(a).

(g) In case of conflicts between the Operation Plan and the Permit, the Permit conditions take precedence.

(h) This Permit includes and incorporates by reference any conditions of waste discharge requirements issued to the Facility by the State Water Resources Control Board or any of the California Regional Water Quality Control Boards and any conditions imposed pursuant to section 13227 of the Water Code.

3. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

DTSC has prepared a Negative Declaration in accordance with the requirements of Public Resources Code section 21000 et seq. and the CEQA Guidelines, California Code of Regulations, title 14, section 15070, et seq. .

4. ACCESS

(a) DTSC, its contractors, employees, agents, and/or any United States Environmental Protection Agency representatives are authorized to enter and freely move about the Facility for the purposes of interviewing Facility personnel and contractors; inspecting records, operating logs, and contracts relating to the Facility; reviewing progress of the Permittee in carrying out the terms of Part VI of the Permit; conducting such testing, sampling, or monitoring as DTSC deems necessary; using a camera, sound recording, or other documentary-type equipment; verifying the reports and data submitted to DTSC by the Permittee; or confirming any other aspect of compliance with this Permit, Health and Safety Code, division 20, chapter 6.5, and California Code of Regulations, title 22, division 4.5. The Permittee shall provide DTSC and its representatives access at all reasonable times to the Facility and any other property to which access is required for implementation of any provision of this Permit, Health and Safety Code, division 20, chapter 6.5, and California Code of Regulations, title 22, division 4.5, and shall allow such persons to inspect and copy all records, files, photographs, documents, including all sampling and monitoring data, that pertain to work undertaken pursuant to the entire Permit or undertake any other activity necessary to determine compliance with applicable requirements.

(b) Nothing in this Permit shall limit or otherwise affect DTSC's right to access and entry pursuant to any applicable State or federal laws and regulations.

PART IV. PERMITTED UNITS AND ACTIVITIES

This Permit authorizes operation only of the facility units and activities listed below. The Permittee shall not treat, store or otherwise manage hazardous waste in any unit other than those specified in this Part IV. Any modifications to a unit or activity authorized by this Permit require the written approval of DTSC in accordance with the permit modification procedures set forth in California Code of Regulations, title 22, division 4.5.

Unit #1

UNIT NAME:

Drum Storage Area

LOCATION:

The Drum Storage Area is located at the east end of the warehouse, directly adjacent to the north containment wall of Multi-Compartment Tank (See Figure 2).

ACTIVITY TYPE:

Storage in Containers

ACTIVITY DESCRIPTION:

This Unit is used to store both liquid waste (used oil, non-RCRA oily wastewater, and waste antifreeze) and solid waste contaminated with oil (oily rags, oil contaminated soil, cat litter used to absorb small spills at gas stations, etc.) in drums and other containers compatible with the waste material. Analysis of the solid waste contaminated with oil is conducted before the waste is collected. This Unit is also used for storage of solid hazardous waste in a 10 to 15 cubic yard roll-off bin. The Permittee may consolidate hazardous waste of the same waste type in containers.

PHYSICAL DESCRIPTION:

This Unit (See Figure 2) consists of a 62 feet 5 inches by 55 feet by 5.5 inch thick reinforced concrete pad with a shallow 2.5-inch “drive-over” berm. To the east and west of this area are the warehouse walls. The south side has a 24-inch containment wall and to the north are roll-up doors with the 2.5-inch drive-over berm. There is one 16 feet long by 3 feet wide by 3 feet deep sump (Sump No. 1) with a capacity of 1,077 gallons to catch any spills from transfer or loading/unloading operations. This area also slopes toward the west into a concrete channel which is piped to Sump No. 1. Any liquid in Sump No. 1 is pumped to the Holding Tank (Unit #4). A concrete sealant is applied to the entire exposed interior surface area. Hazardous waste will be stored in 5 to 55 gallons drums, 250 or 330 gallon totes, cubic yard boxes, and a 10 to 15 cubic yard roll-off bin. The most common size of the container used to store hazardous waste is 55 gallons.

MAXIMUM CAPACITY:

The total maximum permitted storage capacity is 42,240 gallons, inclusive of all drums, totes, cubic yard boxes, and the roll-off bin.

WASTE TYPES:

See Table #7

CALIFORNIA HAZARDOUS WASTE CODES:

See Table #7

UNIT-SPECIFIC SPECIAL CONDITIONS:

1. Any solid hazardous waste stored by Permittee must have passed the paint filter test (EPA Method 9095) to ensure that the solid hazardous waste does not contain any “free liquids” as defined in California Code of Regulations, title 22, section 66260.10.

2. The Permittee shall maintain a minimum aisle space of 30 inches in this Unit to allow for movement of emergency equipment and personnel.

3. The Permittee shall consolidate only waste of the same waste type (e.g., used oil with used oil, waste antifreeze with waste antifreeze, soil with soil, etc.) in containers.

Unit #2

UNIT NAME:

Multi-Compartment Tank

LOCATION:

The Multi-Compartment Tank is located to the south of the Drum Storage Area (See Figure 2).

ACTIVITY TYPE:

Storage in Tank

ACTIVITY DESCRIPTION:

Used oil, waste antifreeze, and non-RCRA wastewater are brought to the Facility in tanker trucks and unloaded into the appropriate tanks as listed in Table 4 and Table 5. Only used oil and non-RCRA wastewater are stored in Tanks #1A, #1B and #1C. There is no treatment allowed in any of these tanks. Tank #1A is used to store used oil. Tanks #1B and #1C store either used oil or non-RCRA wastewater. If the Permittee wish to convert the usage of Tank #1B or #1C from storage of used oil to storage non-RCRA wastewater, the Permittee shall follow the Change in Usage permit condition in the Unit Specific Special Conditions below.

PHYSICAL DESCRIPTION:

This Unit consists of one 20,000-gallon hazardous waste storage tank divided into 3 compartments (Tank #1A, Tank #1B, and Tank #1C) and the land on which it is situated. The entire tank measures 34 feet 8 inches long with a 9 feet 10 inch diameter and is constructed of steel. Tanks #1A and #1C are 7,000 gallons and Tank #1B is 6,000 gallons. The Unit is enclosed by the warehouse walls on three sides and a 20-inch high and 8-inch thick containment wall on the fourth. There are two 4-inch pipes connecting this secondary containment area with the secondary containment area of the Tank Storage and Treatment Area to provide one common secondary containment system with a capacity of 40,310 gallons. The foundation of this Unit is constructed of a reinforced concrete slab 8 inches thick and measures 55 feet by 16 feet 6 inches.

MAXIMUM CAPACITY:

The total maximum permitted storage capacity is 20,000 gallons. The maximum permitted storage capacity of each individual tank is shown in Table 4.

WASTE TYPES:

See Table #4

CALIFORNIA HAZARDOUS WASTE CODES:

See Table #4

UNIT-SPECIFIC SPECIAL CONDITIONS:

1. The Permittee shall store only used oil and non-RCRA wastewater in the tanks as specified in Table 4.

2. Change in Tank Usage

This Permit authorizes the change in usage of tanks designated for the storage of used oil in Tanks #1B and #1C to the storage of non-RCRA wastewater and vice-versa only under the following conditions.

(a) Prior to a change in usage from storage of used oil to storage of non-RCRA wastewater, the Permittee shall send a notice of change of usage letter to DTSC at least seven (7) days prior to the date of planned change in usage of any individual tank or tanks. The same notification is required when non-RCRA wastewater tanks are scheduled to be changed back to used oil storage tanks.

(b) The Permittee shall completely empty the wastes from the tank and then pressure wash and/or steam clean the inside of the tank to remove all visible waste residues before the usage is changed.

(c) The Permittee shall retain at the Facility copies of self-certification reports of every change in tank service usage. These reports shall list the tank number, date(s) of change in service, the method used to clean the tank (pressure wash and/or steam clean), and visual inspection procedures implemented to verify that the tank cleaning standard has been met. The Permittee shall certify under penalty of perjury that the report is true and correct.

(d) The Permittee shall indicate in the Operating Log the change in service of a tank.

3. The tank integrity assessment certification made by an independent, qualified, professional engineer pursuant to California Code of Regulations, title 22, section 66270.16 is required for each the tanks authorized by this Permit. Except as specified in Condition No. 4 below, the certification is valid for five years from the date of the tank assessment, unless a leak or damage is detected in a tank. The Permittee shall submit a new tank integrity assessment certification no later than five years from the date of the previous certification.

4. Where a leak or damage is detected in a tank, a new tank integrity assessment certification for this tank shall be submitted to DTSC for approval within 60 days of the repair or replacement. The affected tank shall not be put back into service until the Permittee receives written permission from DTSC.

5. In the event of a leaking tank, the leaking tank shall be emptied immediately and taken out of service until it is repaired or replaced pursuant to California Code of Regulations, title 22, section 66264.196.

Unit #3

UNIT NAME:

Tank Storage and Treatment Area

LOCATION:

The Tank Storage and Treatment Area is located in the middle of the southern portion of the warehouse building, adjacent to Drum Storage Area and Mulit-Compartment Tank to the east, and the Holding Tank to the West (See Figure 2).

ACTIVITY TYPE:

Storage and Treatment in Tanks

ACTIVITY DESCRIPTION:

Used oil, waste antifreeze, and non-RCRA wastewater are brought to the Facility in tanker trucks and unloaded into the appropriate tanks as listed in Table 4 and Table 5. The used oil may then be treated by blending, gravity separation, precipitation and/or dehydration to meet recycled oil purity standards in Health and Safety Code section 25250.1(a)(3). Used oil meeting the purity standards shall be recorded into the operating record. The tank is locked down. No additional used oil shall be added to the tank. Treated used oil that cannot meet the purity standards is managed as used oil.

PHYSICAL DESCRIPTION:

This Unit consists of 8 hazardous waste storage/treatment tanks (See Table 5) and the land on which they are situated. Each tank measures 34 feet 8 inches long with a 9 feet 10 inch diameter is constructed of steel. The tanks are enclosed within a 24-inch high, 8-inch thick wall on two sides, a 14-inch wall on the third side, and the warehouse wall on the fourth to provide a combined secondary containment capacity of 40,310 gallons. The foundation of this Unit is constructed of a reinforced concrete slab 8 inches thick and measures 90 feet by 60 feet. There is a 2 feet wide by 2 feet long by 6 inch deep sump near the north wall. Any liquid in the sump is manually pumped to the Holding Tank (Unit #4).

MAXIMUM CAPACITY:

The total maximum permitted storage capacity is 160,000 gallons. The maximum permitted storage capacity of each individual tank is shown in Table 5. The maximum permitted treatment capacity is shown in Table 6.

WASTE TYPES:

See Table #5

CALIFORNIA HAZARDOUS WASTE CODES:

See Table #5

UNIT-SPECIFIC SPECIAL CONDITIONS:

1. Treatment processes for treating used oil shall be limited to blending, gravity separation, precipitation, and dehydration.

2. Dehydration shall be limited to adding an emulsifier, Emulsion Control ECO 70BC, or a similar product, to the used oil, mixing and allowing any water to gravity- separate from the used oil. Any water removed shall be pumped into the non-RCRA wastewater tanks (Tank #1B, Tank #1C, or Tank #4).

3. After treatment, the used oil shall be tested to determine whether it meets the recycled oil purity standards listed in Table 9. Treated oil meeting the recycled oil purity standards in Table 9 shall be recorded into the operating record as "recycled oil." The tank shall then be locked down. No additional used oil shall be added to the tank except as provided for in Unit-Specific Special Condition 4 below.

4. The mixture of any used oil with "recycled oil" shall be considered to be used oil and must be managed as used oil unless testing of the mixture demonstrates that the mixture meets the recycled oil purity listed in Table 9. The mixture meeting the recycled oil purity standards in Table 9 shall be recorded into the operating record as "recycled oil." The tank shall then be locked down. No additional used oil shall be added to the tank.

5. Treated used oil that cannot meet the recycled oil purity standards listed in Table 9 shall be managed as used oil in accordance with the requirements of this Permit.

6. The Permittee shall store only used oil, waste antifreeze and non-RCRA wastewater in the tanks as specified in Table 5.

7. The tank integrity assessment certification made by an independent, qualified, professional engineer pursuant to California Code of Regulations, title 22, section 66270.16 is required for each of the tanks authorized by this Permit. Except as specified in Condition No. 8 below, the certification is valid for five years from the date of the tank assessment, unless a leak or damage is detected in a tank. The Permittee shall submit a new tank integrity assessment certification no later than five years from the date of the previous certification.

8. Where a leak or damage is detected in a tank, a new tank integrity assessment certification for this tank shall be submitted to DTSC for approval within 60 days of the repair or replacement. The affected tank shall not be put back into service until the Permittee receives written permission from DTSC.

9. In the event of a leaking tank, the leaking tank shall be emptied immediately and taken out of service until it is repaired or replaced pursuant to California Code of Regulations, title 22, section 66264.196.

Unit #4

UNIT NAME:

Holding Tank

LOCATION:

This Holding Tank is located at the east of the Tank Storage and Treatment Area (See Figure 2)

ACTIVITY TYPE:

Storage in Tank

ACTIVITY DESCRIPTION:

This Unit is used for the storage of liquid waste from process spills collected from any of the various sumps located in the process areas. This Unit also stores liquids collected from material spills, floor cleaning wastes, rainwater collection, etc.

PHYSICAL DESCRIPTION:

This Unit consists of one 7,000-gallon poly storage tank and the land on which it is situated. The tank is 10 feet high and 12 feet in diameter. The tank is totally enclosed by 20-inch containment walls. The secondary containment area of this Unit is connected to the secondary containment area of the Tank Storage and Treatment Area by two 4-inch pipes. The foundation of this Unit is constructed of a reinforced concrete slab 8 inches thick and measures 15 feet by 15 feet.

MAXIMUM CAPACITY:

Total maximum permitted storage capacity is 7,000 gallons.

WASTE TYPES:

Non-RCRA Wastewater

CALIFORNIA HAZARDOUS WASTE CODES:

133, 134, 135, 223, 343, 612

UNIT-SPECIFIC SPECIAL CONDITIONS:

1. The tank integrity assessment certification made by an independent, qualified, professional engineer pursuant to California Code of Regulations, title 22, section 66270.16 is required for each the tanks authorized by this Permit. Except as specified in Condition No. 2 below, the certification is valid for five years from the date of the tank assessment, unless a leak or damage is detected in a tank. The Permittee shall submit a new tank integrity assessment certification no later than five years from the date of the previous certification.

2. Where a leak or damage is detected in a tank, a new tank integrity assessment certification for this tank shall be submitted to DTSC for approval within 60 days of the repair or replacement. The affected tank shall not be put back into service until the Permittee receives written permission from DTSC.

3. In the event of a leaking tank, the leaking tank shall be emptied immediately and taken out of service until it is repaired or replaced pursuant to California Code of Regulations, title 22, section 66264.196.

Unit #5

UNIT NAME:

Loading/Unloading Area

LOCATION:

The Loading/Unloading Area is located north of the Tank Storage and Treatment Area (See Figure 2)

ACTIVITY TYPE:

Storage in Containers

ACTIVITY DESCRIPTION:

This Unit is used to transfer liquid waste from and to transport vehicles (tanker trucks, tanker trailers, etc) to the appropriate tanks in the Tank Storage and Treatment Area (Unit #3). This Unit is also used for transferring of liquid waste from transport vehicle to transport vehicle (i.e., tanker truck to tanker truck, tanker truck to tanker trailer, etc.). Sampling of any drums brought to the Facility may also be done in this Unit. The Permittee may consolidate hazardous waste of the same waste type in containers.

PHYSICAL DESCRIPTION:

This Unit consists of a 19 feet by 90 feet by 5.5 inch thick reinforced concrete pad with a shallow 2.5-inch “drive-over” berm. To the east of the Unit is the warehouse wall. To the south is the 20 inch containment wall of the Tank Storage and Treatment Area. The west side has a 2.5-inch “drive-over” berm and to the north are two roll-up doors with 2.5-inch drive-over berm. There are two 16 feet long by 3 feet wide by 3 feet deep sumps (Sump No. 2 and Sump No. 3) in this area. Each sump has a capacity of 1,077 gallons. The Loading/Unloading Area is graded toward the sumps to collect any spills that potentially could occur during transfer operations. The contents of the sumps are manually pumped to the Holding Tank (Unit #4).

MAXIMUM CAPACITY:

Total maximum permitted storage capacity is 14,000 gallons or 2 tanker trailers or trucks, whichever is less.

WASTE TYPES:

See Table #8

CALIFORNIA HAZARDOUS WASTE CODES:

See Table #8

PART V. SPECIAL CONDITIONS

1. Used Oil - Total Halogen Testing

(a) The Permittee shall determine, prior to accepting used oil, whether the used oil contains more than 1,000 ppm total halogens by testing each shipment of used oil for total halogens as specified in California Code of Regulations, title 22, section 66279.90(a) in accordance with California Code of Regulations, title 22, section 66279.10(a)(4).

(b) (1) When the Permittee has determined that a used oil shipment contains more than 1,000 ppm total halogens, the Permittee:

(A) shall reject the load pursuant to Health and Safety Code section 25160.6 and any other applicable requirements; or

(B) may seek to demonstrate that the rebuttable presumption under California Code of Regulations, title 22, section 66279.10(a), should be rebutted pursuant to California Code of Regulation, title 22, section 66279.10(b).

If the Permittee seeks to rebut the presumption by demonstrating that the used oil does not in fact contain halogenated hazardous waste pursuant to California Code of Regulations, title 22, section 66279.10(b), (b)(1) and (b)(2), the Permittee shall follow the applicable procedures in paragraph V.1(b)(3).

(2) The Permittee may only accept a used oil shipment containing more than 1000 ppm total halogens and manage it as used oil when the rebuttable presumption has been rebutted pursuant to California Code of Regulations, title 22, section 66279.10(b), (b)(1) and (b)(2) using the procedures in paragraph V.1(b)(3) or based on California Code of Regulations, title 22,section 66279.10(b)(3), (b)(4), or (b)(5).

(3) The Permittee shall use the following options for rebutting the rebuttable presumption pursuant to California Code of Regulations, title 22, section 66279.10(b), (b)(1) and (b)(2).

(A) Option 1. For used oil received from a single generator and when the generator provides a Waste Profile Sheet. The Permittee may not use this option when the generator is a commercial oil change operation, auto repair shop, or collection center where the used oil may have come from different sources.

(i) The Permittee may rebut the rebuttable presumption pursuant to California Code of Regulations, title 22, section 66279.10(b), (b)(1) and (b)(2) only through analytical testing in accordance with the test methods specified in California Code of Regulations, title 22, section 66279.90(b) or by complying with the procedures in paragraphs V.1(b)(3)(A)(ii) through (vii), which are the only other means of demonstrating that the used oil does not contain halogenated hazardous waste for purposes of California Code of Regulations, title 22, section 66279.10(b), (b)(1) and (b)(2) and this Permit;

(ii) The Permittee shall obtain from the transporter a copy of the Generator's Waste Profile Worksheet (GWPW), attached to the manifest;

(iii) The Permittee shall review this documentation and confirm in the operating log that the GWPW: A) is less than 365 days old, B) is based on a representative sample of the waste; and C) was analyzed by a laboratory certified in accordance with the Environmental Laboratory Accreditation Program by using the test methods specified in California Code of Regulations, title 22, section 66279.90(b);

A) The Permittee shall obtain a written certification from the generator that the generator repeats the waste testing and certification process outlined in paragraph V.1(b)(3)(A)(iii) at least every 365 days;

B) The Permittee shall review the documentation discussed above and enter into the operating log the reason that the rebuttable presumption can be rebutted pursuant to California Code of Regulations, title 22, section 66279.10(b),(b)(1) and (b)(2);

C) The Permittee shall confirm in the operating log that the GWPW is on file at the Facility; and

D) The Permittee shall maintain copies of all documentation required in paragraphs V.1(b)(3)(A)(ii) through (vi) at the Facility.

(B) Option 2. For used oil received from a single generator and when the generator does not provide a Waste Profile Sheet, the Permittee may rebut the presumption only through analytical testing in accordance with the test methods specified in California Code of Regulations, title 22, section 66279.90(b) accompanied by a determination that the rebuttable presumption is rebutted pursuant to California Code of Regulations, title 22, section 66279.10(b), (b)(1) and (b)(2).

(C) Option 3. For used oil received from multiple generators (Consolidated Loads) and when the transporter provides fingerprint test data for each generator using EPA Test Method 9077.

(i) The Permittee may only rebut the rebuttable presumption through analytical testing in accordance with the test methods specified in California Code of Regulations, title 22, section 66279.90(b) or by demonstrating that the used oil does not contain halogenated hazardous waste by satisfying the requirement in paragraph V.1(b)(3)(C)(ii).

(ii) The Permittee shall obtain the fingerprint test data referenced in paragraph V.1(b)(3)(C) from the transporter; and

A) For any generator whose used oil has a concentration that exceeds 1000 ppm total halogens, the Permittee shall receive and have on file proper documentation and follow the procedures in Option 1 above; and

B) The finger print test data shall demonstrate that the used oil collected from all the other generators has concentrations at or below 1000 ppm total halogens.

(D) Option 4. For used oil received from multiple generators (Consolidated Loads) and when the transporter cannot provide fingerprint data for each generator using EPA Test Method 9077, but the transporter has collected individual samples from each generator and retained the samples along with the load.

(i) The Permittee may rebut the rebuttable presumption only through analytical testing in accordance with the test methods specified in California Code of Regulations, title 22, section 66279.90(b) or by

demonstrating that the used oil does not contain halogenated hazardous waste by satisfying the requirements in A) and B) below.

A) The Permittee shall obtain the individual retained samples from the transporter and test the retained samples using EPA Test Method 9077; and

B) For any generator whose used oil has a concentration that exceeds 1000 ppm total halogens, the Permittee shall receive and have proper documentation on file prior to acceptance and follow the procedure in Option 1 above.

(E) Option 5. For used oil received from multiple generators (Consolidated Loads) and when the transporter cannot provide fingerprint data or retained samples as discussed in Options 3 and 4 above, the Permittee may rebut the rebuttable presumption only through analytical testing in accordance with the test methods specified in California Code of Regulations, title 22, section 66279.90(b) accompanied by a determination that the rebuttable presumption is rebutted pursuant to California Code of Regulations, title 22, section 66279.10(b), (b)(1) and (b)(2).

(c) Used oil shall not be intentionally mixed with other hazardous waste, including household hazardous waste and hazardous waste from a conditionally exempt small quantity generator.

2. <u>Used Oil - PCBs Testing</u>

(a) The Permittee shall collect and retain a representative sample from each truck unloading used oil at the Facility. The Permittee shall retain the sample until the PCBs testing specified below is completed and documented. Each retained sample shall identify the specific shipment of used oil it represents.

(b) All used oil in Tanks #1A, #1B, 1C, #2, #3, and #6 to #9 shall be tested for PCBs, prior to unloading, to ensure that the used oil load does not contain PCBs at a concentration of 2 ppm or greater. The Permittee shall test the used oil from each tank for PCBs using all of the following procedures:

(1) The Permittee shall obtain a representative sample of the used oil from the tank to be emptied using the sampling procedure specified in Section III of the approved Part B Application. No additional loads of used oil shall be added to the tank once the sample is

taken and used oil shall not be unloaded until the PCB test specified below is completed.

(2) The Permittee shall test the used oil sample for PCBs using EPA test method 8082 or other similar methods approved by the United States Environmental Protection Agency or DTSC.

(3) If the used oil does not contain PCBs at a concentration of 2 ppm or greater, the tank contents may released for shipment offsite to an authorized used oil transfer or treatment facility as used oil. If the used oil meets all the recycled oil purity standards in Table 9, the tank contents may be shipped offsite as “recycled oil.”

(4) If the used oil contains PCBs at a concentration of 2 ppm or greater, a second sample shall be obtained and tested after cleaning the sampling equipment using the permanganate cleanup procedure.

(5) If the second test result required in paragraph V.2(b)(4) of the used oil in the tank confirms that the used oil contains PBCs at a concentration of 2 ppm or greater, the retained sample from each tanker truck that was unloaded into the tank shall be tested. The tank contents shall not be managed as “recycled oil.”

(6) If all the retained samples for shipments unloaded into the tank show less than 5 ppm of PCBs, the Permittee may manage the tank contents as used oil.

(7) If any retained sample is at or above the 5 ppm limit for PCBs, the entire contents of the tank shall be shipped to a facility permitted to accept PCBs-contaminated hazardous waste pursuant to all applicable requirements, including those of the Toxic Substances Control Act (TSCA, Public Law [Pub.L] 94-469). The tank shall be decontaminated to remove all PCBs residues prior to reuse. Any waste generated as a result of decontamination of the tank shall be managed as PCBs-contaminated hazardous waste. The Permittee shall immediately notify the transporter of the PCB-contaminated load that the used oil received was contaminated and the transporter should take immediate corrective action to clean the transport vehicle.

(8) If any sample shows a PCB concentration of 5 ppm or greater, the Permittee shall immediately notify DTSC by email and telephone and provide the written test results to DTSC within seven days of the test results.

(9) The result of the PCB testing specified in this section shall be valid only if no additional loads of used oil are added to the tank from which the sample is taken. If additional loads of used oil are added to the tank, a new sample shall be taken and the PCB testing conducted again.

3. Non-RCRA Wastewater

(a) Prior to accepting shipments of non-RCRA wastewater, the Permittee shall require and obtain a generator profile and certification that verifies the waste is non-RCRA hazardous waste. Waste profiling shall be completed either by generators prior to shipment to the Facility or by transporters of loads that qualify for use of consolidated manifests prior to acceptance at the Facility.

(b) The Permittee shall maintain the profiles and certifications required in paragraph V.3(a) for at least three years.

4. The Permittee is prohibited from conducting any hazardous waste transfer, storage, treatment or other management activity unless it is specifically described in this Permit or otherwise authorized by DTSC.

5. The Permittee shall not transfer, store, treat or otherwise manage any RCRA hazardous waste.

6. The Permittee shall maintain an Operating Record at the Facility which documents all hazardous waste activities at the Facility, including the quantities and types of hazardous waste transferred to and from the Facility, the dates of arrival and departure of shipment, and the manifest document numbers.

7. In the event any cracks, gaps or tears are detected in any hazardous waste management units, repairs shall be initiated as soon as possible and completed within one week of discovery of the problem. The Permittee shall notify DTSC within 24 hours whenever a containment crack, gap or tear is found. Within seven days of discovery of the problem, the Permittee shall notify DTSC in writing of corrective measures that have been taken.

8. Containers holding hazardous wastes shall be stored only in the authorized areas designated in Part IV of this Permit. Any non-hazardous waste that is stored in a designated hazardous waste storage area as provided by this Permit shall be subject to the conditions of this Permit, including volume calculations, compatibility and inspections.

9. All rainwater and washwater accumulated at the Facility shall be collected, tested, and managed in accordance with any Waste Discharge Requirements

issued by the California Regional Water Quality Control Board or managed as hazardous waste.

10. Household hazardous waste collected by the Facility shall be limited to used oil, waste antifreeze, non-RCRA wastewater, and oily debris (solid waste contaminated with oil).

11. Only employees of the Permittee who are fully trained in the Facility's operations and procedures are allowed to handle the transfer and storage operations at the Facility.

12. The Permittee shall not mix different waste streams together in containers, tanks, tanker trailers or tanker trucks.

13. If a hazardous waste separates into phases (i.e., oily water into oil and water) pursuant to Health and Safety Code section 25123.5(b)(2)(B), the Permittee shall manage all phases of the hazardous waste as hazardous waste after separation.

14. Any of the Permittee's transfer activities conducted pursuant to California Code of Regulations, title 22, section 66263.18 shall be conducted only in the Drum Storage Area (Unit #1) and the Loading/Unloading Area (Unit #4).

15. The Facility shall not be a designated Treatment, Storage, or Disposal Facility on the manifests for any exempt transfer activities conducted pursuant to California Code of Regulations, title 22, section 66263.18.

16. For the purpose of calculating the permitted maximum capacity limitations for storage and for secondary containment, all containers in the authorized units are assumed to be full, and all hazardous waste that is stored or located in an authorized unit shall be included in the calculation for that unit, including any hazardous waste that is covered by the transfer facility exemption under California Code of Regulations, title 22, section 66263.18.

17. The Permittee shall conduct sampling activities only within an authorized unit or within a secondary containment system or device of a loading and unloading area designated in the permit.

18. The Permittee may transfer only similar and compatible waste from container to container, container to tanker truck, and tanker truck to container for the purpose of consolidation.

19. Prior to any transfer operation, the Permittee shall take measures to prevent overfilling of the truck and any release of hazardous waste from the transfer operation. During transfer operations and/or when a hose is disconnected from a tanker truck, tanker trailer, or a tank, the Permittee shall place a bucket, a drip pan, or similar device under the hose's decoupling point to contain any release of

hazardous waste.

20. Authority To Construct Facility

(a) No later than sixty (60) calendar days prior to commencing the construction of any permitted unit, the Permittee shall submit to DTSC a schedule detailing the dates and length of time required for the planned construction.

(b) No later than sixty (60) calendar days after completing construction of any permitted unit and at least fourteen (14) calendar days before the Permittee commences any hazardous waste management activities in the permitted unit, the Permittee shall submit to DTSC an engineer's certification stating that the permitted unit has been constructed in accordance with the approved Permit Application.

(c) The Permittee shall obtain approval from DTSC of regarding any deviations from the construction plans provided in the approved Permit Application at least fourteen (14) calendar days prior to any construction activities. If the deviations constitute any changes requiring a Class 2 or 3 permit modification as determined by California Code of Regulations, Title 22, Chapter 20, Appendix I, the Permittee shall obtain a permit modification prior to commencement of construction.

(d) No later than one hundred and twenty (120) calendar days after completing construction of the Facility, the Permittee shall submit to DTSC as-built drawings of the Facility.

(e) The Permittee shall notify DTSC in writing at least fourteen (14) calendar days before the Permittee commences any hazardous waste management activities to allow DTSC the opportunity to inspect the Facility. If DTSC declines to inspect or fails to respond to the Permittee's written notification, the Permittee may commence the permitted hazardous waste management activities at the Facility at the end of the 14-day period.

21. The Permittee shall comply with all applicable financial assurance requirements for liability and closure in accordance with California Code of Regulations, title 22, section 67800.5. The Permittee shall demonstrate to DTSC that it has established the financial assurance mechanism and in the amount as approved by DTSC at least 60 days before the date on which hazardous waste is first received for transfer, treatment, storage of disposal.

22. The total amount of hazardous waste that the Permittee is authorized to treat or recycle in any one month in accordance with the terms of this Permit shall be less than 1,000 tons.

PART VI. CORRECTIVE ACTION

The Permittee submitted a Phase I Environmental Assessment (EA), dated November 7, 2011, to identify potentially contaminated areas at the Facility which may require further investigation or remediation. The EA concluded that no corrective action was needed at the Facility at this time. DTSC reviewed the EA and concurred with the conclusion of the EA.

1. In the event the Permittee identifies an immediate or potential threat to human health and/or the environment, discovers new releases of hazardous waste and/or hazardous constituents, or discovers new Solid Waste Management Units (SWMUs) not previously identified, the Permittee shall notify DTSC orally within 24 hours of discovery and notify DTSC in writing within 10 days of such discovery summarizing the findings including the immediacy and magnitude of any potential threat to human health and/or the environment.

2. DTSC may require the Permittee to investigate, mitigate and/or take other applicable action to address any immediate or potential threats to human health and/or the environment and newly identified SWMUs or releases of hazardous waste and/or hazardous constituents. If and when corrective action is required at the Facility, the Permittee shall conduct corrective action under either a Corrective Action Consent Agreement or an Enforcement Order for Corrective Action issued by DTSC pursuant to Health and Safety Code sections 25187 and 25200.10.

3. To the extent that work being performed pursuant to Part VI of the Permit must be done on property not owned or controlled by the Permittee, the Permittee shall use its best efforts to obtain access agreements necessary to complete work required by this Part of the Permit from the present owner(s) of such property within 30 days of approval of any workplan for which access is required. “Best efforts” as used in this paragraph shall include, at a minimum, a certified letter from the Permittee to the present owner(s) of such property requesting access agreement(s) to allow the Permittee and DTSC and its authorized representatives access to such property and the payment of reasonable sums of money in consideration of granting access. The Permittee shall provide DTSC with a copy of any access agreement(s). In the event that agreements for the access are not obtained within 30 days of approval of any workplan for which access is required, or of the date that the need for access becomes known to the Permittee, the Permittee shall notify DTSC in writing within 14 days thereafter regarding both efforts undertaken to obtain access and its failure to obtain such agreements. In the event DTSC obtains access, the Permittee shall undertake approved work on such property. If there is any conflict between this permit condition on access and the access requirements in any agreement entered into between DTSC and the Permittee, this permit condition on access shall govern.

4. Nothing in Part VI of the Permit shall be construed to limit or otherwise affect the Permittee’s liability and obligation to perform corrective action including corrective action beyond the facility boundary, notwithstanding the lack of access. DTSC may determine that additional on-site measures must be taken to address releases beyond the Facility boundary if access to off-site areas cannot be obtained.

Table 1 - Minimum Screening Requirements per Truck Load of Used Oil

Constituents	Method/Field Analysis	Rational	Acceptable Range
Flash point	Pensky-Martens or Setaflash Closed Cup Test	to determine if used oil is ignitable	Equal to or greater than 100 ^{o}F
Halogens	Chlor-DTech or other test kits approved by DTSC	to determine if used oil is contaminated with chlorinated solvent	< 1,000 ppm
Color	Visual of coliwasa tube	to determine the presence of foreign substances such as gasoline	light brown to black

Table 2 - Minimum Screening Requirements per Truck Load of Waste Antifreeze

Constituents	Method/Field Analysis	Rational	Acceptable Range
pH	pH paper or meter	to determine if antifreeze exhibits corrosivity	2 <pH< 12.5
Specific gravity	Hydrometer	to determine the specific gravity of ethylene glycol	1.0 - 1.2
Color	Visual of coliwasa tube	to determine the presence of oil and gasoline	Yellow, pink, or green

Table 3 - Minimum Screening Requirements per Truck Load of Non-RCRA Wastewater

Constituents	Method/Field Analysis	Rational	Acceptable Range
halogens	Chlor-DTech or other test kits approved by DTSC	to determine if non-RCRA wastewater is contaminated with chlorinated solvent	< 1,000 ppm
pH	pH paper or meter	to determine if the water phase exhibits corrosivity	2 <pH< 12.5

Table 4 – Multi-Compartment Tank and Allowable Waste Streams

Tank Number	Permitted Storage Capacity (Gallons)	Length	Diameter	Allowable Waste Stream (Common Name)	Allowable Waste Codes
Tank #1A	7,000	34 feet 8 inches	9 feet 10 inches	Used Oil	221, 612
Tank #1B	6,000	Above dimensions for Tank #1A is for all 3 compartments.		Used Oil or Non-RCRA Wastewater	133, 134, 135, 221, 223, 343, 612
Tank #1C	7,000			Used Oil or Non-RCRA Wastewater	133, 134, 135, 221,223, 343, 612
Total Permitted Capacity	20,000				

Table 5 - Tanks in Tank Storage and Treatment Area and Allowable Waste Streams

Tank Number	Permitted Storage Capacity (Gallons)	Length	Diameter	Allowable Waste Stream (Common Name)	Allowable Waste Codes
Tank #2	20,000	34 feet 8 inches	9 feet 10 inches	Used Oil	221, 612
Tank #3	20,000	34 feet 8 inches	9 feet 10 inches	Used Oil	221, 612
Tank #4	20,000	34 feet 8 inches	9 feet 10 inches	Non-RCRA Wastewater	133, 134, 135, 223, 343, 612
Tank #5	20,000	34 feet 8 inches	9 feet 10 inches	Waste Antifreeze	133, 134, 343, 612
Tank #6	20,000	34 feet 8 inches	9 feet 10 inches	Used Oil	221, 612
Tank #7	20,000	34 feet 8 inches	9 feet 10 inches	Used Oil	221, 612
Tank #8	20,000	34 feet 8 inches	9 feet 10 inches	Used Oil	221, 612
Tank #9	20,000	34 feet 8 inches	9 feet 10 inches	Used Oil	221, 612
Total Permitted Capacity	160,000				

Table 6 – Maximum Treatment Capacity per Tank per Batch

Tank Number	Maximum Permitted Treatment Capacity (Gallons) per Batch
Tank #2	20,000
Tank #3	20,000
Tank #6	20,000
Tank #7	20,000
Tank #8	20,000
Tank #9	20,000
Total Treatment Capacity	160,000

Table 7 - Allowable Waste Streams for Drum Storage Area

Waste Stream Number	California Waste Code	Common Name of Waste
1	221, 612	Used Oil
2	133, 134, 135, 223, 343, 612	Non-RCRA Wastewater
3	133, 134, 135, 612	Waste Antifreeze
4	222, 223, 241, 352, 491	Unspecified Oil-containing Solid Waste (Oily Debris) and sludge waste (Organic contaminated solid waste)
5	512, 513	Contaminated Drums (empty containers less than 30 gallons, or other empty containers 30 gallons or more)
6	612	Household hazardous waste

Table 8 - Allowable Waste Streams for Loading/Unloading Area

Waste Stream Number	California Waste Code	Common Name of Waste
1	221, 612	Used Oil
2	133, 134, 135, 223, 343, 612	Non-RCRA Wastewater
3	133, 134, 135, 612	Waste Antifreeze

Table 9 – Purity Standards for Recycled Oil

Testing Parameter	Purity Standard
Flashpoint	Minimum of 100 degrees Fahrenheit
Total Lead	50 mg/kg or less
Total Arsenic	5 mg/kg or
Total Chromium	10 mg/kg or less
Total Cadmium	2 mg/kg or less
Total Halogens	1000 mg/kg or less total halogens listed in Appendix VIII of Part 261 of Subchapter 1 of Title 40 of the Code of Federal Regulations
Total PCBs	Less than 2 mg/kg

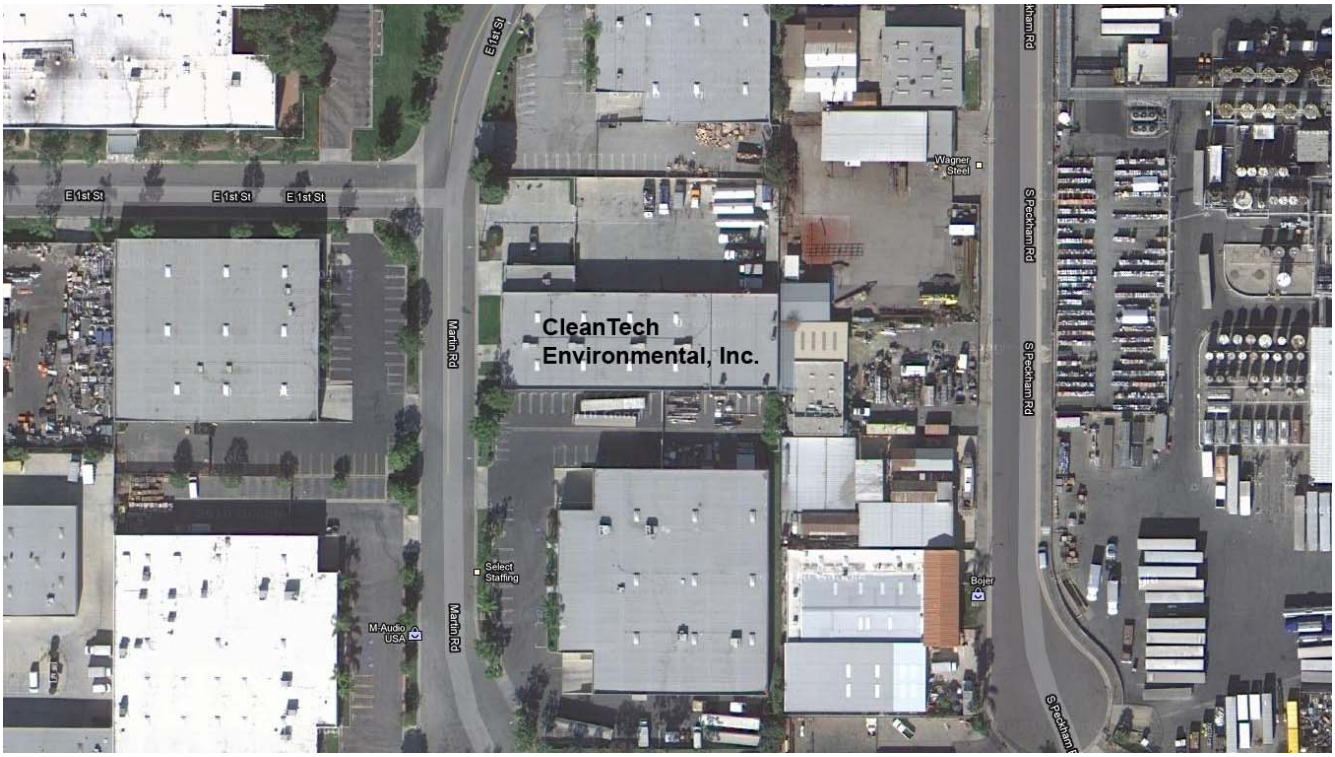

Figure 1. Location of CleanTech Environmental, Inc. Facility

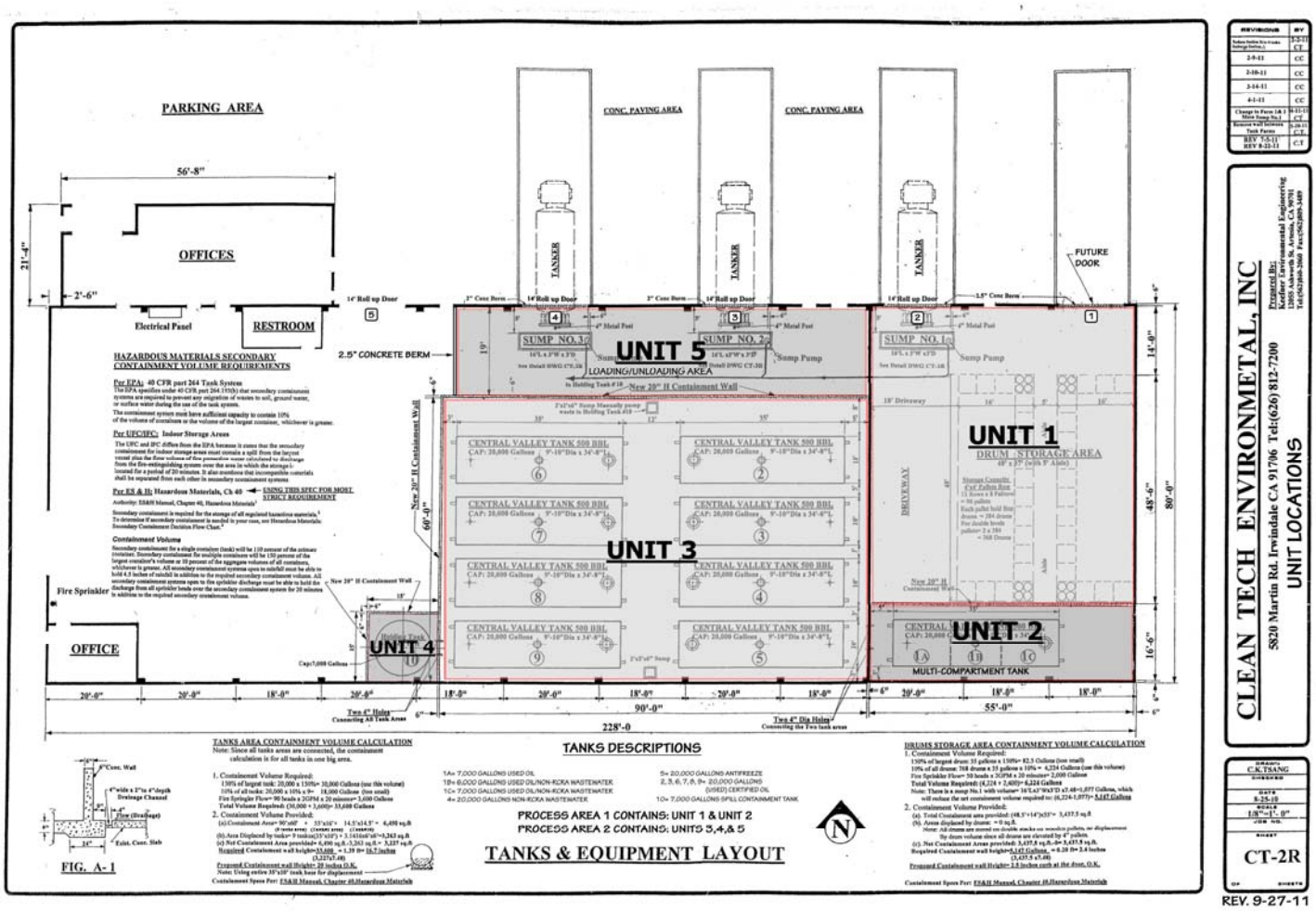

Figure 2. Facility Site Plan