



**California Environmental Protection Agency  
Department of Toxic Substances Control**

**HAZARDOUS WASTE FACILITY PERMIT**

**Facility Name:**

D/K Environmental  
3650 East 26<sup>th</sup> Street  
Vernon, California 90058

**Owner Name:**

The Pan Pacific Petroleum Company, Inc.  
9302 South Garfield Avenue  
South Gate, California 90280

**Operator Name:**

D/K Environmental  
3650 East 26<sup>th</sup> Street  
Vernon, California 90058

**EPA ID Number:**

CAT080033681

**Effective Date:10/1/2012**

**Expiration Date:9/30/2022**

Pursuant to California Health and Safety Code section 25200, this Resource Conservation and Recovery Act (RCRA)-equivalent Hazardous Waste Facility Permit is hereby issued to the D/K Environmental Facility. The Issuance of this Permit is subject to the terms and conditions set forth in Attachment A and the revised Part "B" Application (Operation Plan) dated March 25, 2009. The Attachment A consists of 26 pages.

*//Original signed by//*

---

Farshad T. Vakili, P.E.  
Team Leader  
Treatment and Storage Team  
Office of Permitting  
Department of Toxic Substances Control  
Date: 10/1/2012

**D/K Environmental  
3650 E. 26<sup>th</sup> Street  
Vernon, California 90058**

**HAZARDOUS WASTE FACILITY PERMIT**

**ATTACHMENT "A"**

**TABLE OF CONTENTS**

PART I. DEFINITIONS .....	3
PART II. DESCRIPTION OF THE FACILITY AND OWNERSHIP .....	4
1. OWNER OF FACILITY .....	4
2. OWNER OF REAL PROPERTY .....	4
3. OPERATOR OF FACILITY .....	4
4. LOCATION .....	4
5. DESCRIPTION OF FACILITY OPERATIONS .....	4
6. FACILITY HISTORY .....	4
7. FACILITY SIZE AND TYPE FOR FEE PURPOSES .....	5
8. CLOSURE COST ESTIMATE .....	5
PART III. GENERAL CONDITIONS .....	6
1. PERMIT APPLICATION DOCUMENTS .....	6
2. EFFECT OF PERMIT .....	6
3. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) .....	7
4. ENVIRONMENTAL MONITORING .....	7
5. ANNUAL HAZARDOUS WASTE REDUCTION AND MINIMIZATION CERTIFICATION .....	7
6. ACCESS .....	7
PART IV. PERMITTED UNITS AND ACTIVITIES .....	9
PART V. SPECIAL CONDITIONS .....	13
PART VI. CORRECTIVE ACTION .....	23
Figure 1. Site Location Map .....	25
Figure 2. Facility Unit Location Map .....	26

## **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.).

## **PART II. DESCRIPTION OF THE FACILITY AND OWNERSHIP**

1. Owner of Facility

D/K Environmental  
3650 East 26<sup>th</sup> Street  
Vernon, California 90058

2. Owner of Real Property

Pan Pacific Petroleum Company, Inc.  
9302 South Garfield Avenue  
South Gate, California 90280

3. Operator of Facility

D/K Environmental  
3650 East 26<sup>th</sup> Street  
Vernon, California 90058

4. Location

The Facility address is 3650 East 26<sup>th</sup> Street, Vernon, California 90058 (Latitude: 34-00-30 North, Longitude: 118-12-00 West). The Facility is located in an area zoned for commercial and industrial use. The Facility is surrounded by the Burlington Northern Santa Fe Railroad yard and Conway Coating Company on the north and west side; the U.S. Aluminum Company on the east side; and the Los Angeles Catch Basin on the south side (see Figure 1 for the Facility's location).

5. Description of Facility Operations

The Facility is an existing facility, which stores and transfers RCRA and non-RCRA hazardous waste. The hazardous waste management activities include consolidation and repackaging of off-site hazardous waste. The facility also conducts loading and unloading of hazardous waste from railcars and tank trucks and decontamination of the roll-off bins and railcars.

6. Facility History

Prior to 1961, the land that D/K Environmental occupies was vacant and undeveloped. During 1961 through 1978, Proler International operated a tin stripping business at the Facility. In 1978, Triple J Pacification purchased the Facility. Triple J Pacification submitted a Part "A" Application to United States Environmental Protection agency in July 1981. Triple J. Pacification, owned and

operated by Chem Tech Systems Inc., was issued a RCRA hazardous waste permit on June 29, 1987 by the California Department of Health Services. Triple J. Pacification, treated, stored, recycled, and transferred RCRA, non-RCRA, and non-hazardous waste received from off-site generators.

In November 1997, Chem-Tech Systems Inc. was sold to D/K Environmental (DKE). DKE continued to receive off-site waste and operated the facility under the existing permit until March 2006. In March 2006, DKE stopped receiving off-site waste for treatment and transferring, except for rail transfer activities. DKE began closure procedures that included treating, processing, and transferring all off-site waste that was in inventory, as well as decontaminating tanks, pipes, and process equipment and wipe sampling. On August 30, 2006, DTSC approved a Class 1 Permit Modification to increase the closure cost estimate and change the emergency coordinator.

In May 2008, DKE received formal approval of its closure plan from the DTSC. During March 2009, DKE completed the closure activities of the former off-site hazardous waste units. The report, entitled "Final Partial Closure Certification Report, Phase I, Tanks, Piping and Ancillary Equipment and Phase II, Concrete, Soil, Vapor and Soil Matrix Investigation with Follow-up corrective Measures" was submitted to the DTSC on May 11, 2011. DTSC acknowledged the Partial Closure Certification in a letter to DKE on November 10, 2011. DKE continues to operate rail transfer activities under a consent order, HWCA 2004-0437, issued on January 2007.

Upon issuance of this permit, DKE will become a RCRA Permitted Facility for transfer and storage activities for RCRA, and California regulated waste received from off-site generators.

7. Facility Size and Type for Fee Purposes

The Facility is categorized as a small storage 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 Estimates

The closure cost estimate approved on June 29, 2012 for the Facility is \$406,725.87.

### **PART III. GENERAL CONDITIONS**

#### **1. PERMIT APPLICATION DOCUMENTS**

The revised Part "A" Application dated September 18, 2009 and the revised Part "B" Application (Operation Plan) dated March 25, 2009 are 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, 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 the Permit in the time or manner specified herein will subject the Permittee to possible enforcement action including but not limited to penalties pursuant to Health and Safety Code section 25187.
- (f) Failure to submit any information required in connection with the Permit, or falsification and/or misrepresentation of any submitted

information, is grounds for revocation of this Permit (California Code of Regulations., title 22, §66270.43).

- (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)

A CEQA Initial Study and Negative Declaration have been prepared in accordance with the requirements of Public Resources Code section 21000 et seq. and the CEQA Guidelines; section et seq. of California Code of Regulations, title 14.

4. ENVIRONMENTAL MONITORING

The Permittee shall comply with the applicable environmental monitoring and response program requirements of California Code of Regulations, title 22, division 4.5, chapter 14, articles 6 and 17.

5. ANNUAL HAZARDOUS WASTE REDUCTION AND MINIMIZATION CERTIFICATION

The Permittee shall certify annually that it has a hazardous waste reduction and minimization program and method in place and shall keep the annual certification as part of its Operating Record in accordance with California Code of Regulations, title 22, section 66264.73(b)(9).

6. 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 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 - NAME**

Railcar Loading & Unloading

##### **UNIT 1 - LOCATION:**

Unit 1 consists of one rail track: Track 3, which is on the west side of Track 2 and at a minimum will be located 50 feet from the property line. Track 3 also contains a truck loading and unloading area, and a secondary containment sump located in the northeast corner of the facility. (See Figure 2 for the unit location)

##### **UNIT 1 - ACTIVITY TYPE:**

Storage of hazardous waste in containers (railcars)  
Hazardous waste transfer  
Hazardous waste loading and/or unloading  
Hazardous waste repackaging  
Railcar washing/rinsing

##### **UNIT 1 - ACTIVITY DESCRIPTION:**

Unit 1 is used to transfer wastes, which are brought to the Facility in various sizes of containers including cubic yard boxes, super sacks, covered roll-off bins, vacuum trucks, tank trucks and railcars.

Liquid hazardous wastes are transferred from a railcar to tank trucks or from tank trucks to rail tank car for storage then shipped off-site to an appropriate treatment and/or disposal. The liquid bulk waste can also be transferred from a rail tank car to another rail tank car.

Solid wastes are transferred, within 24 hours of receipt, from cubic yard boxes, super sacks, and/or covered roll-off bins into a gondola railcar for storage next to Track 3 prior to off-site shipment. The gondola railcar is kept covered except when adding or removing wastes. Plastic is used to cover the ground/area during transfer of solids. Plastic is later disposed of in accordance with the regulations.

Loading/unloading of railcars, tanker trucks, and roll-off bins are conducted for

consolidation and repackaging purposes at this Unit. In addition, this unit is also the location for rinsing and decontaminating the railcars. The empty rail tank car may be cleaned, if necessary, with pressured water or steam and detergent. Wastes generated from the railcar decontamination process are transferred via portable pump into containers/drums and stored within Unit 2 prior to shipping off-site to an appropriate facility.

UNIT 1 - PHYSICAL DESCRIPTION:

Unit 1 contains rail track spill pans that are piped to divert leaks or spills to its secondary containment sump. Unit 1 also has a bulk truck loading and unloading area (measuring 191 feet x 16 feet) located immediately west of Track 3 that also diverts flow into the concrete secondary containment sump. The railcar secondary containment sump lays parallel to and west of track 3 and its loading and unloading area. The railcar containment sump is 112.6 feet long by 10 feet wide, with a depth varying from 5.1 feet at the ends sloping 5.75 feet at the deepest point in the center along its length. Roll-off bins are transferred on the east of Track 3 only.

UNIT 1 - MAXIMUM CAPACITY:

Unit 1 is authorized to store up to 3 railcars in the following combinations:

- (a) For liquids only – Three (3) 25,000- gallon-rail tank cars,
- (b) For liquids and solids – One (1) 90-ton-rail-gondola-car and two (2) 25,000-gallon-rail tank cars.

UNIT 1 - WASTE TYPES:

Used oil, used antifreeze, oily water, aqueous solution, fuels blend, solid wastes and oily PCB waste

UNIT 1 - RCRA HAZARDOUS WASTE CODES:

D001, D002, D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, D043, F001, F002, F003, F004, F005, F006, F019, F037, F038, K048, K049, K050, K051, K052, K086, K087, K169, K170, K171, K172, U002, U019, U031, U037, U044, U052, U070, U071, U072, U077, U078, U159, U196

UNIT 1 - CALIFORNIA HAZARDOUS WASTE CODES:

121, 122, 123, 131, 132, 133, 134, 135, 141, 151, 161, 162, 171, 172, 181, 211, 212, 213, 214, 221, 222, 223, 241, 251, 252, 261, 271, 272, 281, 291, 331, 341, 342, 343, 351, 352, 411, 421, 431, 441, 451, 461, 471, 481, 491, 512, 513, 521, 551, 561, 571, 581, 591, 611, 612, 721, 722, 723, 724, 725, 726, 727, 728, 731, 741, 751

#### UNIT 1 - UNIT-SPECIFIC SPECIAL CONDITIONS:

1. The Permittee shall not store hazardous waste in the Railcars in excess of ninety (90) days from the date such hazardous waste arrives at the Facility.
2. The Permittee shall only rinse railcars that meet the definition of "empty" pursuant to California Code of Regulations, title 22, section 66261.7(p)(1)(B).

#### UNIT 1 - AIR EMISSION STANDARDS

This Unit is subject to the applicable requirements of California Code of Regulations, title 22, division 4.5, chapter 14, article 28.5.

#### Unit 2 - NAME

Container Storage Area

#### Unit 2 - LOCATION

This Unit is located behind the warehouse near the west property line. (See Figure 2 for the unit location).

#### Unit 2 – ACTIVITY TYPES:

Storage of hazardous waste in containers

#### Unit 2 – ACTIVITY DESCRIPTION

This Unit is used for storing hazardous waste generated from transfer activities and railcar decontamination processes prior to manifesting and shipping off-site to an appropriate disposal facility. All the generated hazardous wastes are stored in drums/containers or totes.

#### Unit 2 – PHYSICAL DESCRIPTION

The Container Storage Unit is covered by a roof, its containment measures approximately 640 square feet (40 feet long x 16 feet wide) and it is surrounded by 2-inch-high berm.

## Unit 2 – MAXIMUM CAPACITY

This Unit can hold up to 48, 55 gallon drums or any size container (i.e. drum, tote) not to exceed 2,640-gallons total capacity.

## Unit 2 - WASTE TYPES:

Used oil, used antifreeze, oily water, aqueous solution, fuels blend, solid wastes and oily PCB waste

## Unit 2 - RCRA HAZARDOUS WASTE CODES:

D002, D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, D043, F001, F002, F003, F004, F005, F006, F019, F037, F038, K048, K049, K050, K051, K052, K086, K087, K169, K170, K171, K172, U002, U019, U031, U037, U044, U052, U070, U071, U072, U077, U078, U159, U196

## Unit 2 - CALIFORNIA HAZARDOUS WASTE CODES:

121, 122, 123, 131, 132, 133, 134, 135, 141, 151, 161, 162, 171, 172, 181, 211, 212, 213, 214, 221, 222, 223, 241, 251, 252, 261, 271, 272, 281, 291, 331, 341, 342, 343, 351, 352, 411, 421, 431, 441, 451, 461, 471, 481, 491, 512, 513, 521, 551, 561, 571, 581, 591, 611, 612, 721, 722, 723, 724, 725, 726, 727, 728, 731, 741, 751

## Unit 2 - UNIT-SPECIFIC SPECIAL CONDITIONS:

1. The Permittee shall maintain a minimum of 30 inch-aisle space between two rows of pallets. All containers shall be placed on pallets during the storage period.
2. The Permittee shall not store any D001 ignitable waste or D003 reactive waste.
3. Containers/drums holding hazardous wastes shall be labeled appropriately and shall always be closed during transfer and storage.

## AIR EMISSION STANDARDS

This Unit is subject to the applicable requirements of California Code of Regulations, title 22, division 4.5, chapter 14, article 28.5.

### **PART V. SPECIAL CONDITIONS**

1. The Permittee shall not accept the following categories of waste at the Facility: biohazards, explosive, radioactive, dioxins, reactive (D003) waste and pesticides (D012-D017)
2. 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 law or regulation.
3. The Permittee shall take all measures necessary to prevent any spills of hazardous waste into the drainage systems.
4. The Permittee shall not store any hazardous waste beyond one year unless the Permittee proves to DTSC that such storage is solely for the purpose of accumulating certain quantities as are necessary to facilitate proper recovery, treatment or disposal pursuant to California Code of Regulations, title 22, section 66268.50.
5. The Facility shall not be designated as the 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.
6. The Permittee shall not stack containers holding hazardous waste more than two containers high.
7. The drums/containers must be "empty" as that term is defined in California Code of Regulations, title 22, section 66261.7(b) before the emptied drums/containers exit this Facility. Any drum/container that meets the "empty" definition and standard in section 66261.7(b) is no longer subject to hazardous waste regulations.
8. The Permittee shall collect all rainwater and washwater accumulated within the authorized units and determine whether it is hazardous waste; if it is hazardous waste, the Permittee shall manage it accordingly.
9. Any non-hazardous waste or exempt material that is stored in a unit authorized by this Permit for management of hazardous waste shall be subject to the conditions of this Permit, including volume calculation, compatibility and inspection, when hazardous waste is also stored within the area.
10. 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 pursuant to California Code of Regulations, title 22, section 66263.18.

11. In the event that any cracks, gaps or tears are detected in a hazardous waste management unit or a secondary containment system or device, 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 crack, gap or tear is found. Within seven days of discovery of the problem, the Permittee shall notify DTSC in writing of the corrective measures that have been taken.
12. 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.
13. 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.13(b)(3).

- (2) The Permittee may only accept a used oil shipment containing more than 1,000 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.13(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) through analytical testing in accordance with the test methods specified in California Code of Regulations, title 22, section 66279.90(b) including updated and approved versions of the test methods specified in section 66279.90(b) which have been approved by EPA, or by complying with the procedures in paragraphs V.13(b)(3)(A)(ii) through (v), 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 may, pursuant to California Code of Regulations, title 22, section 66264.13, arrange with the generator to provide a copy of the Generator's Waste Profile Worksheet (GWPW) and the analytical results for the halogen content used to rebut the presumption. This information and the accompanying manifest shall be cross-referenced to provide the necessary referencing and descriptive information to ensure that the appropriate analytical results are easily identified should the results become separated from the manifest and/or the GWPW.

- (iii) The Permittee shall review the information provided under paragraph V.13(b)(3)(A)(ii), pursuant to California Code of Regulations, title 22, section 66264.13(a)(2)(B) and verify and record in the operating record pursuant California Code of Regulations, title 22, section 66264.73, that (1) the information provided is less than 365 days old; (2) the information is based on a representative sample of the waste as determined through the inspection required in section 66264.13 (a)(5); and (3) the analytical test data used to rebut the presumption was prepared and analyzed by a laboratory certified in accordance with the Environmental Laboratory Accreditation Program by using test methods specified in California Code of Regulations, title 22, section 66279 .90(b).;
  - (iv) The Permittee shall obtain for its review a written certification from the generator that the generator repeats the waste testing and certification process outlined in paragraph V.13(b)(3)(A)(iii) at least every 365 days;
  - (v) After reviewing the documents obtained under paragraphs V.13(b)(3)(A)(ii) and (iv), the Permittee shall place the documents into its operating record. These documents shall demonstrate that the rebuttable presumption can be rebutted pursuant to California Code of Regulations, title 22, section 66279.10(b), (b)(1) and (2).
- (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 and when the transporter provides fingerprint test data for each generator using USEPA's 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.13(b)(3)(C)(ii).
- (ii) The Permittee shall obtain the fingerprint test data referenced in paragraph V.13(b)(3)(C) from the transporter; and
  - A) For any generator whose used oil has a concentration that exceeds 1,000 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 1,000 ppm total halogens.
- (D) Option 4. For used oil received from multiple generators 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 1,000 ppm total halogens, the Permittee shall receive and have proper documentation prior to acceptance and follow the procedure in Option 1.

- (E) Option 5. For used oil received from multiple generators and when the transporter cannot provide fingerprint data or retained samples as discussed in Options 3 and 4 above, 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) to demonstrate that the rebuttable presumption is rebutted pursuant to California Code of Regulations, title 22, section 66279.10(b).
- (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.

14. Used Oil - PCBs Testing

- (a) The Permittee shall collect and retain a representative sample from each truck unloading used oil at the Facility or the Compton 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 outgoing used oil shall be tested for PCBs 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 storage container for PCBs in accordance with the procedures in paragraph V.14(b)(1) or the Permittee shall comply with the requirements in paragraph V.14(b)(2), which provide for the receiving facility to test the used oil for PCBs.
  - (1) If the Permittee is performing the tests for PCBs in used oil, the Permittee shall test the used oil for PCBs using all of the following procedures:
    - (A) The Permittee shall obtain a representative sample of the used oil from the container to be emptied using the sampling procedure specified in Section III of the DTSC-approved Standardized Permit Application. No additional loads of used oil shall be added to the storage container once the sample is taken and used oil shall not be unloaded until the PCB test specified below is completed.
    - (B) 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.

- (C) If the used oil does not contain PCBs at a concentration of 2 ppm or greater, the container contents may be emptied and released for shipment. The used oil may then be delivered to an authorized used oil transfer or treatment facility.
- (D) If the used oil contains PCBs at a concentration of 2 ppm or greater, a second sample shall be obtained and tested. The second sample shall be obtained using sampling equipment that is new or has been cleaned using (i) the permanganate cleanup procedure (EPA Method 3665A); or (ii) an appropriate decontamination procedure that has been approved in writing by DTSC for use at the Facility.
- (E) If the second test result required in paragraph V.14(b)(1)(D) of the used oil in the storage container confirms that the used oil contains PCBs at a concentration of 2 ppm or greater, the retained sample from each tanker truck that was unloaded into the storage container shall be tested.
- (F) If all the retained samples for shipments unloaded into the storage container show less than 5 ppm of PCBs, the Permittee may manage the container contents as used oil.
- (G) If any retained sample is at or above the 5 ppm limit for PCBs, the entire contents of the storage container 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 94-469). The storage container shall be decontaminated to remove all PCBs residues prior to reuse or 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 94-469). Any waste generated as a result of decontamination of the storage container shall be managed as PCBs-contaminated hazardous waste.
- (H) If any sample shows a PCB concentration of 5 ppm or greater, the Permittee shall provide the written test results to DTSC within seven days of obtaining the test results.

- (l) 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 storage container from which the sample is taken.
- (2) If the Permittee elects to have the receiving facility test the used oil for PCBs and the receiving facility agrees to test the used oil for PCBs in accordance with paragraph V.14, the Permittee shall provide written instructions to the receiving facility that directs it to test the used oil for PCBs to ensure that the used oil load does not contain PCBs at a concentration of 2 ppm or greater. The instructions shall, at a minimum, direct the receiving facility to do all the following:
  - (A) Take a sample for PCBs testing directly from the Permittee's used oil load and test the Permittee's used oil load separately from any other load.
  - (B) Do not unload the truck or commingle the Permittee's used oil load with any other used oil at the receiving facility until PCBs testing indicates that the Permittee's load does not contain PCBs at a concentration of 2 ppm or greater.
  - (C) Use EPA test method 8082 or other similar methods approved by the United States Environmental Protection Agency or DTSC to test the used oil.
  - (D) Write the manifest number on the written test results for the used oil load that was tested.
  - (E) Provide the Permittee with written test results within 24 hours after the test has been performed. The written test results shall clearly show whether or not the used oil load contains PCBs at a concentration of 2 ppm or greater.
  - (F) Reject the load if the test results show that the used oil contains PCBs at a concentration of 2 ppm or greater.
  - (G) Provide a signed certification, under penalty of perjury, for each set of test results, to the Permittee stating that the receiving facility has followed all of the Permittee's written instructions for each used oil load received from the Permittee.
- (c) (1) If the load is rejected under paragraph V.14(b)(2)(F), the Permittee shall test, in accordance with paragraph V.14(b)(2)(C), each

retained sample from each tanker truck that unloaded into the PCBs-contaminated storage container that was subsequently emptied and transported to the receiving facility. If all the retained samples show less than 5 ppm of PCBs, the Permittee may manage the storage container contents as used oil. If the Permittee sends this used oil back to the same receiving facility that previously tested and rejected the load, the Permittee is not required to direct the receiving facility to test the same load again in accordance with the above instructions.

- (2) If any retained sample is at or above the 5 ppm limit for PCBs, the entire load from the PCB-contaminated transport vehicle (i.e., tanker trailer), any waste remaining in any other transport vehicle that transported the PCB-contaminated load, and any remaining waste in the PCBs-contaminated storage container (including any subsequent loads placed into the storage container) 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 94-469). Any transport vehicles and the storage container that held the PCBs-contaminated hazardous waste shall be decontaminated to remove all PCB residues prior to reuse. Any waste generated as a result of decontamination of the transport vehicles and storage container shall be managed as a PCBs-contaminated waste.
  - (d) The Permittee shall immediately notify DTSC of any rejected load by e-mail and in writing and provide the written test results to DTSC within seven days of obtaining the test results. The Permittee shall comply with the requirements of Health and Safety Code section 25160.6 for any rejected load.
  - (e) The Permittee shall keep all documentation for PCBs testing for at least three years, including but not limited to; (1) the written instructions to the receiving facility; (2) the written test results provided by the receiving facility that show that the used oil load has been tested for PCBs in accordance with paragraph V.14(b)(2) or test results obtained by the Permittee in accordance with paragraph V.14(b)(1); (3) test results for retained samples that were conducted in accordance with paragraph V.14(b)(1)(E) and paragraph V.14(c); and (4) the certifications required by paragraph V.14(b)(2)(G). The Permittee shall make the documentation available for inspection upon DTSC's request.
15. Prior to any transfer operation, the Permittee shall check the dip stick in the opened manway on the receiving truck to prevent overfilling. During transfer operations and/or when a hose is disconnected from a tanker truck, tanker

trailer, or a container, the Permittee shall place a bucket or a drip pan under the hose's decoupling point to contain any release of hazardous waste.

16. This permit upon its effective date shall terminate any authorization provided to the Permittee by Consent Order Docket #HWCA 2004-0437.

|

## **PART VI - CORRECTIVE ACTION**

1. On July 1, 1988, Ecology and Environment, Inc. prepared a RCRA Facility Assessment (RFA) for the Facility. The RFA identified a total of 27 Solid Waste Management Units (SWMU) and two Areas of Concern (AOC). The Facility was required to conduct corrective action under a Unilateral Order (No. 09-89-0022) issued by the USEPA on March 29, 1989 to address these SWMU's and AOC's. DKE, then known as Chem-Tech Systems Inc., addressed the SWMU's and AOC's in a report entitled, *Subsurface Investigations at Chem-Tech Systems Incorporated Triple J Treatment Center, Located at 3650 East 26th street, Vernon, CA CAT080033681, March 19, 1990*. On July 23, 1990 the USEPA and Chem-Tech signed an Order of Stipulation, agreeing that all aspects of the Unilateral Order had been resolved and that no further action need be taken.
2. 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 SWMU's 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.
3. 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 SWMU's 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.
4. 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.

5. 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.

|



