United States Environmental Protection Agency

EPA 530-R-26-002

Resource Conservation and Recovery Act (RCRA)
Hazardous Waste Model Permit
Containers Module

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When EPA releases a new or revised model permit module, it replaces the corresponding module, including the corresponding module in the 1988 Model RCRA Permit for Hazardous Waste Management Facilities (Draft).

MODULE XI. CONTAINERS

{Permit Writer: The purpose of this Container Module is to reference and comply with federal regulations and guidance in the Model Permit Conditions for the design and operation of hazardous waste management units used for storage and treatment in containers.

Per 40 CFR 260.10, container means any portable device in which a material is stored, transported, treated, disposed of, or otherwise handled.

The model permit conditions in this module reference federal regulations and guidance. Permit Writers should confirm their regulatory citations and their authority's guidance for each permit condition and replace (or add to) the federal citations with state analogous regulatory citations and/or references as applicable. When jointly issuing permits, the federal Permit Writer will issue the federal portion of the permit citing the federal regulations while the state Permit Writer will cite the state analogous regulatory citation in the state's jointly issued portion of the permit.

State Permit Writers need to add or revise permit conditions for State regulatory requirements that are broader in scope, more specific, or otherwise different than the federal requirements.

Permit Writers can insert the title(s) of their regulatory authority's appropriate official(s) for or in addition to instances where the module uses "Director." When jointly issuing permits, the federal Permit Writer will cite the EPA Region's appropriate official in the federal portion of the permit, and the state will cite the state's appropriate official in the state's portion of the permit. Per 40 Code of Federal Regulation (CFR) 264.170(a), the Permittee of a hazardous waste treatment, storage, and disposal facility (TSDF) that stores hazardous waste in containers is subject to the regulations specified in 40 CFR part 264, subpart I. The federal requirements of 40 CFR 264.171, 264.172, 264.173, 264.174, 264.175, 264.176, 264.177, 264.178, and 264.179 apply to the Permittee, except as provided otherwise in this Module.

If the containers are storing hazardous waste with a volatile organic concentration greater than 500 parts per million by weight (ppmw), then these containers are subject to 40 CFR part 264, subpart CC requirements, and the Permit Writer should review the Permit Conditions in the RCRA Organic Air Emissions Standards (ROAES) Permit Module. The Permit Writer can either include Permit Conditions from the ROAES Permit Module into this Container Module or indicate that those requirements are addressed in a separate Module and insert the appropriate cross-reference.

Since there are often multiple container storage areas at larger TSDF, the Permit Writer can address all permitted container storage areas in a single Module or create an individual Module for each permitted container storage area. (TSDFs commonly have permitted as well as less than 90-day storage regulated under generators standards Parts 262 and Part 265. Permit writers must require these storage areas be clearly designated in the permit application and may choose to also identify storage areas regulated under the generator standards in the permit for clarity in identifying the permitted and less than 90-day generator storage areas.)

Per 40 CFR 261.7 (Residues of hazardous waste in empty containers), any hazardous waste remaining in an empty container is exempt from the RCRA regulations and is not subject to regulation under 40 CFR parts 261 through 268, 270, and 124 or to the notification requirements of RCRA Section 3010. The Permit Conditions in the Container Module should clearly define the requirements for rendering the hazardous waste container "empty". The Permit Writer should consider adding the definition of "empty" to Permit Condition I.D. Definitions in Module I of the Permit and referencing that definition in this Permit Module.

A container that held hazardous waste that is a compressed gas is considered empty when the pressure in the container approaches atmospheric. [Refer to 40 CFR 261.7(b)(2).]

If the Permittee expects to manage containers of hazardous waste pharmaceuticals, the Permittee is subject to 40 CFR 266.507 to determine when these containers are considered empty. [Refer to 40 CFR 261.7(c).]

Regulations for the design of a container storage and/or treatment unit ensure that hazardous waste will not escape the storage area, ensure the selection of a functional container which will hold hazardous waste that is compatible with the container itself and other waste in the container, and define a containment area designed to prevent releases from the container. "Release" means any spilling, leaking, pouring, emitting, emptying, discharging, injecting, pumping, escaping, leaching, dumping, or disposing of hazardous wastes or hazardous constituents into the environment, outside of permitted primary or secondary containment. This includes abandoning or discarding barrels, containers, and other closed receptacles containing hazardous waste or hazardous constituents. [Refer to 40 CFR 300.5.]

Information contained in the following documents provide additional guidance in drafting this Permit Module: Introduction to Containers (EPA/530/K-05/010); Permit Applicants' Guidance Manual for the General Facility Standards of 40 CFR 264 (OSWER Directive 9523.00-10); Hazardous Waste Treatment, Storage, and Disposal Facilities (TSDF) Regulations Version 8 (EPA 530-R-11-006); and RCRA Online 11909, 13190 and 14463.}

XI.A. INTRODUCTION

{Permit Writer: The Permit Application should clearly identify the physical form (liquid, solid, semi-solid, powder) that will be stored in the permitted container storage areas. If the hazardous waste is liquid, the Permittee must include the additional requirements and Permit Conditions for liquid hazardous waste that are described in this module.}

The Permittee operates a hazardous waste {insert storage, treatment and/or disposal} Facility which includes {storage/treatment in containers}, in {insert the number and type of container storage areas such as indoor, outdoor areas or list them by name in this permit condition or in a table}. The design and operation of the container management areas at the Facility can be found in Section {XXX} of the Approved Permit Application. {Section(s) {XXX} and {XXX} of Approved Permit Application} provides a detailed description of container management activities, design of the storage area, and inspection of container management activities, respectively, and is incorporated by reference into this Permit Module.

XI.B. APPLICABILITY

{Permit Writer: If the Facility expects to receive hazardous waste in containers from offsite generators, then the Permittee must identify, analyze, and document all hazardous wastes received as specified in the pre-acceptance waste characterization procedures of the Waste Analysis Plan, Section {XXX} of the Approved Permit Application, and ensure proper precautions are taken to prevent accidental ignition or reaction of ignitable or incompatible wastes in accordance with the information provided in Section {XXX}, Procedures to Prevent Hazards, of the Approved Permit Application. Permit Conditions XI.B.4. and XI.B.5. should be included in the Permit Module, if the Facility is seeking a Permit to store and/or treat hazardous wastes in containers received from offsite generators. [Refer to 40 CFR 264.172, 264.176 and 264.177.]

If the Permittee expects to receive hazardous waste from a foreign source, the Permittee shall (if importer) provide notice of such imports as specified in 40 CFR 264.12(a) and 264.71. Additional Permit Conditions regarding the import of hazardous waste are included in Module II, General Permit Conditions of this Permit. The Permit Writer should review the requirements in Module II of this Permit to ensure consistency between the modules and accurate cross-referencing. [Refer to 40 CFR 262.84.]}

XI.B.1. The Permittee is permitted to store and/or consolidate containers of hazardous waste in the storage area(s) identified for the specific waste in this Module. The Permittee must not exceed the maximum capacity for each individual container storage area identified and listed in

Table XI.B.1. Waste codes and waste quantities permitted to be stored within each individual permitted storage area are described in Table XI.B.1. [Refer to 40 CFR 264.170.]

Table XI.B.1. Container Storage Areas and Design Capacities

Location	Container Storage Area	Description of Hazardous Waste	Solid or Liquid	EPA Hazardous Waste Code	Capacity (Maximum Volume)	Capacity (Maximum Number of Containers)
Building 1	CSA-1	Ignitable Wastes	Liquid	D001, F001, F002, F003, F004 and F005	11,000 gallons	200 55-gallon drums
Building 2	CSA-2	Corrosive Wastes	Liquid	D002	11,000 gallons	200 55-gallon drums

XI.B.2. The Permittee may conduct {specify type of treatment} of hazardous waste in the container storage area(s) as specified in Table XI.B.2 and subject to the terms of this Permit.

Table XI.B.2 List of Permitted Treatment Activities in Hazardous Waste Container Storage Areas

Location	Container Storage Area	Description of Hazardous Waste	Type of Treatment	EPA Hazardous Waste Code	Capacity (Maximum Volume)	Capacity (Maximum Number of Containers)
Building 3	CSA-3	Acidic Wastes	Neutralization	D002	11,000 gallons	200 55-gallon drums
Building 24	CSA-4	TC Metals Wastes	Solidification	D004, D005, D008	11,000 gallons	200 55-gallon drums

XI.B.3. The Permittee is prohibited from storing, treating, or consolidating hazardous waste in containers or storage areas that are not identified in Tables XI.B.1 or XI.B.2.

XI.B.4. The Permittee indicated in Section {XXX} of the Approved Permit Application, that the Facility will {store and/or treat} hazardous waste in containers that have been received from offsite sources. The Permittee shall comply with the waste analysis requirements contained in Module II of this Permit, in Permit Conditions XI.B.5. and XI.D. and in the Approved Waste Analysis Plan, Section {XXX} of the Approved Permit Application. [Refer to 40 CFR 264.13.]

XI.B.5. The Permittee shall conduct pre-acceptance characterization of all waste received from offsite sources, as specified in the Approved Waste Analysis Plan, Section {XXX} of the Approved Permit Application, and in accordance with the waste analysis requirements specified elsewhere in this Permit. In addition, the Permittee shall ensure proper precautions are taken to prevent ignition or reaction of ignitable or incompatible wastes as specified in Permit Conditions XI.E., XI.F., and XI.H. [Refer to 40 CFR 264.13, 264.172, and 264.177.]

XI.C. CONDITION OF CONTAINERS

{Permit Writer: Containers typically used for storage of hazardous wastes are often used to transport hazardous wastes. EPA stated in RCRA Online 12500 that containers that meet the Department of Transportation (DOT) standards for the transportation of containerized materials are also acceptable for the storage of hazardous waste with the same constituents. DOT regulations specify the container(s) in which a hazardous material can be transported. Each DOT approved container type is embossed with the DOT's container code for that container type. For each storage area that the Permittee manages, the Approved Permit Application should have the DOT container codes listed based on the hazardous wastes managed in that storage area. Listing the waste codes managed and the associated DOT container codes for each storage area facilitates demonstration of compliance with the conditions of this Module. Permit Condition XI.C.3. was included in this Module to address this common industry practice and best management practice. If the Facility is not receiving wastes via tank or rail car, then Permit Condition XI.C.3. should be edited to delete the reference to 49 CFR part 179.

As specified in 40 CFR 262.31 and 262.32(a), all containers used for shipment of hazardous waste must be marked and labeled per DOT requirements. In addition, 40 CFR 262.32(b) requires that generators who ship hazardous waste in containers of 119 gallons or less must label each container with the following information: 1) the words "HAZARDOUS WASTE – Federal Law Prohibits Improper Disposal. If found, contact the nearest police or public safety authority or the U.S. Environmental Protection Agency"; 2) generator's name and address; 3) generator's EPA identification number; 4) manifest tracking number; and 5) EPA hazardous waste number(s). DOT also requires that all markings and labels be durable and legible. Permit Condition XI.C.4.

was included in this Module to address the DOT requirements discussed above and as a best management practice, especially if the Permittee is accepting wastes from offsite sources.}

XI.C.1. The Permittee shall maintain containers in good condition as evidenced by a lack of severe rusting, apparent structural defects, and other similar items. [Refer to 40 CFR 264.171.]

XI.C.2. If a container holding hazardous waste is not in good condition, such as severe rusting or apparent structural defects, or if the container begins to leak, the Permittee must, upon discovery, transfer the hazardous waste into a container which is in good condition or otherwise manage the hazardous waste in compliance with the conditions of this Permit. [Refer to 40 CFR 264.171.]

XI.C.3. All containers stored at the Facility must meet the applicable requirements specified in 49 CFR part 178—Specifications for Packaging, or 49 CFR part 179—Specifications for Tank Cars.

XI.C.4. All accepted and rejected containers stored or staged at the Facility must contain a label provided by the generator, transporter, or the Permittee (in consultation with the generator). If the container(s) arrives at the Facility with no label the Permittee must add the following information: 1) the words “HAZARDOUS WASTE” in all capitalized letters; 2) generator’s name and address; 3) generator’s EPA identification number; 4) manifest tracking number; 5) generator’s determined EPA hazardous waste code(s); and 6) appropriate DOT transportation hazard classification and marking. [Refer to 40 CFR 262.32 and 49 CFR part 172.]

XI.D. COMPATIBILITY OF WASTE WITH CONTAINERS

XI.D.1. The Permittee shall use containers made of or lined with materials that will not react with, and are otherwise compatible with, the hazardous waste to be stored, so that the ability of the containers to contain the waste is not impaired. [Refer to 40 CFR 264.172.]

XI.D.2. The Permittee shall ensure compliance with Permit Condition XI.D.1. by using the procedures (e.g., testing of waste and containers) and equipment as specified in the Approved Waste Analysis Plan, Section {XXX} of the Approved Permit Application. [Refer to 40 CFR 264.177.]

XI.D.3. In meeting the obligation set forth in Permit Condition XI.D.1., for all containers within a singular secondary containment system, the Permittee must ensure that the wastes managed in the single secondary containment area are compatible with all wastes within that containment system. [Refer to 40 CFR 264.172, 264.175, and 264.177(c).]

XI.E. MANAGEMENT OF CONTAINERS

{Permit Writer: 40 CFR 264.173(a) requires that a container holding hazardous waste must always be closed during storage except when it is necessary to add or remove wastes. EPA stated in the May 19, 1980, Federal Register (FR) Notice (45 FR 33199) that the purpose of this requirement is to minimize emissions of volatile wastes, to help protect ignitable and reactive wastes from sources of ignition or reaction, to help prevent spills, and to reduce the potential for mixing of incompatible wastes, and to prevent direct contact of personnel with waste. RCRA Online 14826 contains the most recent guidance from EPA on the closed container requirements found in 40 CFR 264.173. In general, inspectors will typically consider a container to be closed when it is sealed with the container's closure device to keep the hazardous waste and any associated air emissions inside the container. Individual states may have their own more specific definition of a closed container. The Permit Writer should consult with the current RCRA inspector for the Permittee to ensure that the Permit reflects their state specific requirements and interpretations for the containers used at the facility.

A minimum aisle space width is not specified in the Federal RCRA regulations. However, many states do specify an aisle width in their regulations. In the absence of a state-specific aisle width requirement, the Permit Writer should carefully review the Permit Application to determine what types of equipment may be necessary to meet an emergency and ensure that the aisle width is sufficient for the identified equipment's dimensions and operational requirements. For example, the Occupational Safety and Health Administration recommends a minimum of 3 feet of aisle width when using a pallet jack and up to 12 feet for a forklift.

To protect workers from potential injury and containers from damage due to falling when improperly stacked, Permit Condition XI.E.5. was included in this Model Permit Module as it is a best practice often used at large TSDFs that are storing a large number of hazardous waste containers at any given time.}

XI.E.1. The Permittee shall ensure containers holding hazardous waste are always kept closed except when actively adding or removing waste. [Refer to 40 CFR 264.173(a).]

XI.E.2. The Permittee shall not open, handle, or store a container holding hazardous waste in a manner that may rupture the container or cause the container to leak. [Refer to 40 CFR 264.173(b).]

XI.E.3. The Permittee shall maintain {XXX} feet in aisle space between rows of containers to allow for adequate, unobstructed movement of personnel, fire protection equipment, spill

control equipment, and decontamination equipment to any area of the container storage area. [Refer to 40 CFR 264.35.]

XI.E.4. Drums and containers in the permitted container storage areas identified in Tables XI.B.1. and XI.B.2. must be stored on pallets, containment pallets or other types of material handling platforms sufficient in height to prevent contact between the container and any waste releases and spills to the floor of the unit except for those containers with supports or lifting supports built into the construction of the container that support the base of the container above the containment floor. [Refer to 40 CFR 264.177(c).]

XI.E.5. Non-bulk containers and intermediate bulk containers may be stacked {2} - high on pallets on the floor if the containers are secured against movement and leaning by the force of gravity, or storage activity traffic, unless the size of the container impedes the safe movement and handling of the container within the storage area, or a stack height of {2} is unstable or maintained in an unsafe manner. [Refer to 40 CFR 264.173.]

XI.F. INSPECTIONS

{Permit Writer: 40 CFR 264.174 requires owners and operators of TSDF to conduct weekly inspections of hazardous waste container storage areas. Furthermore, 40 CFR 264.15(d) requires that Permittees document these weekly inspections. Office of Solid Waste and Emergency Response (OSWER) Directive 9523.00-10 provides examples of items to be included in a typical container inspection checklist. This guidance should be reviewed as part of the permit application review process to ensure that all critical items will be inspected. The Permit Writer may wish to add additional inspection items to the list provided in Permit Condition XI.F.3. In addition, there are additional inspection requirements for containers that are managing hazardous waste with a volatile organic compound (VOC) concentration of greater than 500 ppmw and do not meet any of the exemptions or exclusions specified in 40 CFR 264.1080. If the Facility will be managing containers that are subject to 40 CFR part 264 subpart CC requirements, then Permit Condition XI.F.2. should be included in this Permit Module or reference to the applicable Permit Condition(s) in Module {XXX}, ROAES should be included in this Section of the Module.}

XI.F.1. At least weekly, the Permittee must inspect all areas where containers are stored to detect leaking containers and deterioration of containers in accordance with the inspection criteria, forms, inspection schedule included in Section {XXX} of the Approved Permit Application. The inspection must include inspection of the storage areas secondary containment system. The secondary containment system inspection must include visual inspection of the

secondary containment structure for signs of corrosion, spillage or releases to the containment, damage to containment coatings, cracks or defects in the base or berms of the unit, and other factions. The Permittee must maintain the completed inspection forms for each inspection conducted in the Facility operating record. [Refer to 40 CFR 264.15(d) and 264.174.]

XI.F.2. The Permittee must inspect containers for compliance with 40 CFR part 264 subpart CC as specified in the RCRA Organic Air Emission Standards of this Permit.

XI.F.3. Records of all weekly inspections must be maintained by the Permittee in the Facility operating record and in accordance with the Inspection Plan provided in Section {XXX} of the Approved Permit Application. The Facility operating records must be available upon request. At a minimum but not limited to, weekly inspections for each container storage area must document the following:

XI.F.3.a. The date and time of the inspection.

XI.F.3.b. The name of the container area inspected.

XI.F.3.c. The name of the inspector.

XI.F.3.d. A notation of any observations made such as leaking, dented, rusting, aisle space obstructed, over-stacked, listing stacks, incompatible wastes present in containment.

XI.F.3.e. The date and nature of any repairs or remedial actions completed for noted observations.

[Refer to 40 CFR 264.15(d) and 264.73(b)(5).]

XI.G. CONTAINMENT

{Permit Writer: Per 40 CFR 264.175(c), permitted container storage areas that only store hazardous waste with no free liquids are not required to have a secondary containment system, provided that the following conditions are met: 1) the storage area is sloped or otherwise designed and operated to drain and remove liquids from run-on/precipitation; or 2) the containers are elevated or otherwise protected from contact with accumulated liquids. The practice of placing drums on pallets qualifies as a means of elevating containers above accumulated liquids. Note that this exemption does not apply to areas storing containers of hazardous waste with the following waste codes: F020, F021, F022, F023, F026, and F027. EPA Method 9095B, the Paint Filter Test should be used to determine if a hazardous waste contains

free liquids. Permit Conditions XI.G.8. and XI.G.9. are included in this Module to address the exemption from the secondary containment requirements. If the Permittee does not satisfy all the exemption criteria, then Permit Conditions XI.G.8. and XI.G.9. should be removed from the Permit.

If the Permittee stores hazardous waste with free liquids, then additional Permit Conditions regarding containment and secondary containment described in Permit Conditions XI.G.1. through XI.G.7. should be applied. [Refer to 40 CFR 264.175(b) to (d).]}

XI.G.1. The following container storage areas: {insert container storage areas managing liquids} must have a containment system designed and operated as described in Section {XXX} of the Approved Permit Application and as specified in 40 CFR 264.175(b). [Refer to 40 CFR 264.175(a).]

XI.G.2. The containment system for each of the container storage areas identified in Permit Condition XI.G.1. must have a base that underlies the containers which is free of cracks or gaps and is sufficiently impervious to contain leaks, spills, and accumulated precipitation until the collected material is detected and removed. [Refer to 40 CFR 264.175(b)(1).]

XI.G.3. The Permittee must ensure that the containment base for each of the container storage areas identified in Permit Condition XI.G.1. is sloped or the containment system is otherwise designed and operated to drain and remove liquids resulting from leaks, spills, or precipitation, unless the containers are elevated or are otherwise protected from contact with accumulated liquids. [Refer to 40 CFR 264.175(b)(2).]

XI.G.4. The containment system for each of the container storage areas identified in Permit Condition XI.G.1. must have sufficient capacity to contain 10 percent of the volume of containers or the total volume of the largest container, whichever is greater. Containers that do not contain free liquids need not be considered in this determination. [Refer to 40 CFR 264.175(b)(3).]

XI.G.5. The Permittee must prevent run-on into the containment system for each of the container storage areas identified in Permit Condition XI.G.1. unless the collection system has an excess capacity of the Facility location's maximum 24-hour rainfall event in addition to that required in Permit Condition XI.G.4. to contain any run-on which might enter the system. [Refer to 40 CFR 264.175(b)(4).]

XI.G.6. The Permittee shall remove spilled or leaked waste and accumulated precipitation from the sump or collection area upon discovery but no less than 24 hours of discovery to prevent overflow of the collection system. [Refer to 40 CFR 264.175(b)(5).]

XI.G.7. The Permittee must characterize spilled and/or leaked material, precipitation and/or accumulated liquids removed from the containment system in accordance with the procedures and methods specified in the Waste Analysis Plan, Section {XXX} of the Approved Permit Application and the requirements in 40 CFR 264.13. If material or liquid collected from a secondary containment system is determined to be hazardous waste, the Permittee shall manage this collected material or liquid as a hazardous waste in accordance with all applicable requirements of 40 CFR parts 262 through 266. [Refer to 40 CFR 264.175(b).]

XI.G.8. Per Section {XXX} of the Approved Permit Application, the following container storage areas {insert container storage area names} are used for containers holding EPA hazardous waste codes F020, F021, F022, F023, F026, and F027 which do not contain free liquid. The Permittee must have a containment system as specified in 40 CFR 264.175(d).

XI.G.9. Per Section {XXX} of the Approved Permit Application, the Permittee will not store any containers with free liquids at the Facility. Therefore, the secondary containment requirements specified under 40 CFR 264.175 do not apply for the life of this Permit. The Permittee must not {store or treat} containers of hazardous waste with free liquids as determined by EPA Method 9095B, or by observation, until an application for a Permit Modification has been submitted to the {Director} in accordance with Permit Condition I.B.2. of this Permit and the Permittee has received written approval from the {Director}. [Refer to 40 CFR 264.175(c) and 270.42.]

XI.H. SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

{Permit Writer: The Permit Writer should consult the National Fire Protection Association Codes 1, 30, and 101 for best management practices in the management of the storage of ignitable and reactive wastes. In addition, local ordinances and fire codes may dictate additional storage requirements for certain types of hazardous materials and wastes and should be reviewed when evaluating the information in the Permit Application and when drafting a Permit.}

XI.H.1. The Permittee must take precautions to prevent accidental ignition or reaction of ignitable or reactive waste. This waste must be separated and protected from sources of ignition or reaction including but not limited to open flames, smoking, cutting and welding, hot surfaces, frictional heat, sparks (static, electrical, or mechanical), spontaneous ignition (e.g., from heat-producing chemical reactions), and radiant heat. While ignitable or reactive waste is being

handled, the Permittee must confine smoking and an open flame to specially designated locations. “No Smoking” signs must be conspicuously placed wherever there is a hazard from ignitable or reactive waste. [Refer to 40 CFR 264.17(a).]

XI.H.2. The Approved Permit Application states that the Permittee {treats, stores or disposes ignitable or reactive waste, or mixes incompatible waste or incompatible waste and other materials}. The Permittee must take the precautions outlined below to prevent reactions. [Refer to 40 CFR 264.17(b).]

XI.H.2.a. The Permittee must the employ measures to prevent reactions which generate extreme heat or pressure, fire or explosions, or violent reactions as specified in Section {XXX} of the Approved Permit Application. [Refer to 40 CFR 264.17(b)(1).]

XI.H.2.b. The Permittee must prevent reactions which produce uncontrolled toxic mists, fumes, dust, or gases in sufficient quantities to threaten human health or the environment. [Refer to 40 CFR 264.17(b)(2).]

XI.H.2.c. The Permittee must prevent reactions which produce uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosions. [Refer to 40 CFR 264.17(b)(3).]

XI.H.2.d. The Permittee must prevent reactions which damage the structural integrity of the storage area or Facility. [Refer to 40 CFR 264.17(b)(4).]

XI.H.3. The Permittee must not locate containers holding ignitable hazardous waste within 50 feet (15 meters) of the Facility property line. The physical location of this 50-foot boundary must be permanently marked on Figure {XXX} from Section {XXX} of the Approved Permit Application and maintained in the Facility operating record while the Facility is in operation as specified in Permit Condition I.J.1.k. of this Permit. [Refer to 40 CFR 264.176.]

XI.H.4. The Permittee must prevent accidental ignition or reaction of ignitable hazardous waste using the procedures specified in Section {XXX} of the Approved Permit Application. The Permittee shall follow the procedures specified in the Waste Analysis Plan, Section {XXX} of the Approved Permit Application, regarding the identification of ignitable wastes. The Permittee must record the results of each waste analysis and trial test, and any documented information, in the operating record of the Facility as required in 40 CFR 264.73 and Permit Condition I.E.9. of of this Permit. [Refer to 40 CFR 264.17(c) and 264.176.]

XI.I. SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES

{Permit Writer: The following publications are useful references in determining which types of hazardous waste are incompatible with each other: A Method for Determining the Compatibility of Hazardous Waste (EPA-600/2 80-076), EPA Office of Water Incompatible Chemicals Storage (EPA 816-F-09-002), CAMEO Chemicals Software Suite and the DOT Segregation Table for Hazardous Materials found in 49 CFR 177.848.}

XI.I.1. The Permittee must ensure that the management of any incompatible hazardous waste at the Facility will not result in any leak, corrosion, compromise or failure of any secondary containment required by this Permit. [Refer to 40 CFR 264.175 and 264.177.]

XI.I.2. The Permittee must ensure that hazardous waste is not placed in an unwashed container that previously held an incompatible waste or material. The Permittee must follow the procedures specified in Section {XXX} of the Approved Permit Application which outline how the Facility will identify the previous contents of unwashed containers and how employees will be trained to recognize incompatible wastes. [Refer to 40 CFR 264.177.]

XI.I.3. Incompatible wastes, or waste incompatible with other materials must not be placed in the same container unless precautions to safely conduct such placement are followed as specified in 40 CFR 264.17(b) and an analysis of such placement has been made in accordance with the Waste Analysis Plan. [Refer to 40 CFR 264.177.]

XI.I.4. The Permittee shall ensure a storage container holding hazardous waste that is incompatible with any waste or other materials stored nearby in other containers, piles, open tanks, or surface impoundments, is separated from the other materials or protected from them by means of a dike, berm, wall, or other device, as specified in Section {XXX} of the Approved Permit Application. [Refer to 40 CFR 264.177(c).]

XI.J. CLOSURE

XI.J.1. At closure of each permitted container storage area identified in Tables XI.B.1. and XI.B.2., the Permittee must remove all hazardous waste and hazardous waste residues from the containment system and surrounding areas, in accordance with the procedures in the Closure Plan contained in Section {XXX} of the Approved Permit Application and 40 CFR 264.112 and 264.178.

XI.J.2. The Permittee must maintain at the Facility until closure is completed and certified by an independent, registered professional engineer licensed in the state of {insert state name}, all versions, including amendments, revisions, and modifications, of documentation demonstrating

compliance with the hazardous waste container storage area requirements specified in 40 CFR 264.178 and Permit Condition I.J.1.f. of this Permit.

XI.K. AIR EMISSION STANDARDS

{Permit Writer: Section 3004(n) of RCRA requires the development of standards to control air emissions from hazardous waste treatment, storage, and disposal facilities as necessary to protect human health and the environment. A separate Model Permit Module was prepared which addresses the RCRA Organic Air Emission Standards (ROAES) promulgated in 40 CFR part 264, subpart CC. The Permit Application should clearly indicate whether the containers addressed in this Permit Module are managing hazardous wastes with a VOC concentration greater than 500 ppmv and are subject to the requirements of 40 CFR part 264, subpart CC, provided that no exemptions from these requirements apply. The Permit Writer should carefully review the Permit Conditions in Module {XXX}. ROAES for use in preparing a site-specific permit. If the Permittee will be managing containers which are subject to 40 CFR part 264 subpart CC during the term of this Permit, then include Permit Condition XI.K.1. in this Module. Alternatively, if the Facility will not be storing any containers of hazardous waste with a VOC concentration greater than 500 ppmv, then delete Permit Condition XI.K.1. and use Permit Condition XI.K.2. instead.}

XI.K.1. The Permittee must manage all containers used to store {or treat} hazardous waste with a VOC concentration greater than 500 ppmv in accordance with the applicable requirements of 40 CFR part 264 subpart CC and the RCRA Organic Air Emission Standards for containers, in Module {XXX}, of this Permit. [Refer to 40 CFR 264.200.]

XI.K.2. The Permittee stated in Section {XXX} of the Approved Permit Application that they do not manage any containers at the Facility with a VOC concentration greater than 500 ppmv. As such the requirements of 40 CFR part 264 subpart CC do not apply for the duration of this Permit. The Permittee shall not store any containers subject to RCRA Organic Air Emission Standards, 40 CFR part 264, subpart CC, until a Permit Modification request is submitted to the {Director} in accordance with Permit Condition I.B.2. of this Permit and the Permittee has received written approval from the {Director}. [Refer to 40 CFR 264.200 and 270.42.]