

Effective Date: November 1, 2011
Expiration Date: November 1, 2021

Permit No.: WA1 891 406 349
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**PERMIT
FOR THE STORAGE AND TREATMENT
OF DANGEROUS WASTE**

Department of Ecology
PO Box 47600
Olympia, Washington 98504-7600
Telephone: (360) 407-6700

Issued in accordance with the applicable provisions of the Hazardous Waste Management Act, Chapter 70.105 Revised Code of Washington (RCW), and the regulations promulgated thereunder in Chapter 173-303 Washington Administrative Code (WAC).

ISSUED TO: Bonneville Power Administration – Ross Complex
5411 NE Hwy 99
Vancouver, Washington 98663
WA1 891 406 349

This Permit is effective November 1, 2011 and will remain in effect until November 1, 2021, unless revoked and reissued, or terminated under WAC 173-303-830 or continued in accordance with WAC 173-303-806(7) or as provided at condition 1.2.3.1 of this Permit.

ISSUED BY: WASHINGTON DEPARTMENT OF ECOLOGY



Southwest Regional Office Section Manager
Hazardous Waste & Toxics Reduction Program
Washington Department of Ecology

10-27-11

Date

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INTRODUCTION

Permittee: Bonneville Power Administration – Ross Complex

EPA/state identification number: WA1 891 406 349

Pursuant to:

Chapter 70.105 Revised Code of Washington (RCW), the Hazardous Waste Management Act of 1976, as amended, and regulations codified in Chapter 173-303 Washington Administrative Code (WAC); and the Solid Waste Disposal Act (SWDA), as amended

A Permit is issued to Bonneville Power Administration – Ross Complex (hereinafter called the Permittee), to operate a dangerous waste storage and treatment facility located at 5411 NE Hwy 99, Vancouver, Washington, 98663, latitude 45 degrees, 39 minutes and 41 seconds and longitude 122 degrees, 39 minutes and 29 seconds. Pursuant to RCW 70.105D.030(1)(d), the Washington State Department of Ecology (Ecology) is designated by the Washington State Legislature to carry out all State programs authorized by the United States Environmental Protection Agency (EPA) pursuant to the federal Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Section 6901 et. seq., as amended. Pursuant to Section 3006 of RCRA, 42 U.S.C. Section 6926, the hazardous waste program in the State of Washington and revisions to that program were authorized as specified by EPA. Ecology has authority to issue this Permit in accordance with the authorized program and with RCW 70.105.130 and is responsible for enforcement of all conditions of this Permit.

The Permittee must comply with all terms and conditions set forth in this Permit, including all of the "ATTACHMENTS INCORPORATED BY REFERENCE."

Chapter 173-303 WAC state regulations specified in the Permit are those state regulations in effect on the date of permit issuance

The Permittee must also comply with requirements identified at WAC 173-303-810(8)(a)(i) through (iv) that are not included in the Permit, including but not limited to, self implementing statutory and regulatory requirements.

This Permit is based upon the administrative record, as required by WAC 173-303-840. The Permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts or the Permittee's misrepresentation of any relevant facts at any time are grounds for the termination, revocation and reissuance, or modification of this Permit and/or initiation of an enforcement action, including criminal proceedings.

The Department will enforce all conditions of this Permit. Any challenge of a permit condition must be appealed to the Pollution Control Hearings Board in accordance with WAC 173-303-845.

The Agency has the authority to enforce any condition in this Permit that is based on federal regulations for which the State of Washington's dangerous waste management program is authorized.

ATTACHMENTS INCORPORATED BY REFERENCE

The following documents are incorporated by reference into this Permit. Except for Chapter 173-303 WAC, these documents are from the Bonneville Power Administration – Ross Complex, Dangerous Waste Permit Application (date July 15, 2011). These incorporated documents are enforceable conditions of this Permit.

Part A of Permit Application - Dangerous Waste Permit Forms, including Attachments A-1 through A-3 and Photographs – Section XVII.

Section C of Permit Application - Waste Analysis, including Tables, Figures, and Attachments C-2 through C-5.

Section D of Permit Application - Process Information, including Table, Figures, and Attachments D-1 through D-3.

Attachment E-1 of the Permit Application - Explanation of Significant Difference

Section F of Permit Application – Procedures to Prevent Hazards, including Tables, Figures, and Attachments F-1 through F-4.

Section G of Permit Application – Contingency Plan, including Tables, Figures, and Attachments G-1 through G-5.

Section H of Permit Application – Personnel Training, including Table, Figures and Attachments H-1 through H-2.

Section I of Permit Application - Closure Plan and Financial Assurance, including Tables, Figures, and Attachment I-1 through I-2.

Chapter 173-303 WAC (June 30, 2009).

DEFINITIONS

All definitions in WAC 173-303-040 are incorporated by reference into this Permit. If any definition in WAC 173-303-040 differs from the following definition in this Permit, the Permit's definition prevails.

Any term used in this Permit which has not been defined in the Permit or in WAC 173-303-040 shall have the same meaning as set forth in Title 40 CFR Parts 260, 264, 270, and 124. All other terms shall have their standard, technical meaning.

Some terms are specifically defined in Part 2, Corrective Action, for the purposes of that section of the Permit only.

For this Permit, except where a specific definition applies under Part 2, Corrective Action, the following definitions apply:

"Agency" means the United States Environmental Protection Agency, Region 10.

"Days" means calendar days unless otherwise defined for a condition or section of this Permit.

1. STANDARD CONDITIONS

1.1. EFFECT OF PERMIT

- 1.1.1. The Permittee is authorized to store and treat dangerous waste in accordance with the conditions of this permit which include applicable requirements of Chapter 173-303 WAC specified in the permit, and any self-implementing regulations in Chapter 173-303 WAC, and self-implementing statutory provisions and related regulations which are automatically applicable to the Permittee's dangerous waste management activities according to the Hazardous Waste Management Act, as amended, or other laws.
- 1.1.2. Any storage, treatment, or disposal of dangerous waste that requires a permit under Chapter 173-303 WAC is prohibited at this facility unless that activity is authorized by this permit, including any temporary authorization by the Department under WAC 173-303-830(4)(e).
- 1.1.3. Conducting an activity at the facility that requires a permit under Chapter 173-303 WAC and is not authorized by this permit or a temporary authorization under WAC 173-303-830(4)(e) is subject to enforcement of all applicable state and federal laws and regulations.
- 1.1.4. The Permittee is authorized to continue to manage newly regulated dangerous wastes or to continue to use newly regulated dangerous waste management units subject to all limits, conditions and procedures in WAC 173-303-830(4)(g)(i)(A) through (E). For this condition to apply, the unit must have been in existence as a dangerous waste facility with respect to the newly listed or identified waste or newly regulated waste management unit on the effective date of the final rule listing or identifying the wastes, or regulating the unit according to WAC 173-303-830(4)(g)(i)(A).
- 1.1.5. Pursuant to WAC 173-303-810(8), compliance with this permit during its term constitutes compliance for the purpose of enforcement with Chapter 173-303 WAC for waste management activities covered under this permit except as provided for in WAC 173-303-810(8)(a)(i) through (iv). Compliance with this permit does not constitute a defense to any order issued or any action brought under other state or federal laws or regulations.
- 1.1.6. The Permittee is subject to requirements in Chapter 173-303 for any activity not authorized by this permit or for activities not subject to a permit under Chapter 173-303 WAC, including but not limited to generator and transporter requirements at WAC 173-303-170 through -270.
- 1.1.7. Issuance of this permit does not convey any property rights of any sort or any exclusive privilege.
- 1.1.8. Issuance of this permit does not authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local law or regulations.

1.2. PERMIT ACTIONS

1.2.1. Permit Modification, Revocation, Re-issuance, and Termination

- 1.2.1.1. The Department may modify, revoke and reissue, or terminate this permit if there is cause as specified in WAC 173-303-830(3) and (5).
 - 1.2.1.1.1. When a permit is modified only the conditions subject to modification are reopened. All other aspects of the existing permit remain in effect for the duration of the permit.
 - 1.2.1.1.2. If a permit is revoked and reissued the entire permit is reopened and subject to revision and the permit is reissued as a new permit. The Permittee

must comply with all conditions of the existing permit until a new final permit is reissued.

1.2.1.1.3. If the Department tentatively decides to terminate the permit it will issue a notice of intent to terminate and follow procedures in WAC 173-303-840(2).

1.2.1.2. Permit modifications at the request of the Permittee must comply with procedures and other requirements of the three-tiered modification system specified in WAC 173-303-830(4).

1.2.1.3. The filing of a request by the Permittee for a permit modification, revocation and re-issuance, termination, notification of planned changes, or anticipated noncompliance does not stay any permit condition.

1.2.2. Transfer of Permit

1.2.2.1. In accordance with WAC 173-303-810(14)(c), this permit is not transferable to any person except after notice to the Department.

1.2.2.2. This permit may be transferred to a new owner or operator only if it has been modified or revoked and reissued in accordance with WAC 173-303-830(2)(a) and (b) or WAC 173-303-830(3) to identify the new permittee and incorporate such other requirements as may be necessary.

1.2.2.3. Before transferring ownership or operation of the Facility, the Permittee must notify the new owner or operator in writing of the requirements of this permit and Chapter 173-303 WAC in accordance with WAC 173-303-290(2).

1.2.3. Duty to Reapply and Permit Continuation

1.2.3.1. If the Permittee wishes to continue an activity regulated by the permit after its expiration date, the Permittee must apply for and obtain a new permit. In addition, the Permittee must apply for and obtain a new permit if corrective action or closure required by this permit has not or will not be completed by the permit's expiration date. Department review of any application for a permit re-issuance will consider improvements in the state of control and measurement technology, as well as changes in applicable regulations.

1.2.3.1.1. To continue an activity allowed by this permit after the permit's expiration date or to complete corrective action, the Permittee must submit to the Department a new permit application at least 180 days before this permit's expiration date, unless the Department grants a later date provided that such date will never be later than the expiration date of the effective permit.

1.2.3.1.2. In accordance with WAC 173-303-806(7), if the Permittee submits a timely, complete application and the Department has not made a final permit determination as set forth in WAC 173-303-840, this permit will remain in effect beyond the permit's expiration date until the Department does make a final permit determination (issuing or denying a new permit).

1.2.3.2. If the Permittee fails to submit a timely, complete application as required under Permit Condition 1.2.3.1 then those permit terms and conditions necessary to conduct and complete corrective action will remain in effect beyond the permit's expiration date until the Department terminates the terms and/or conditions or the permit is revoked and reissued.

1.3. DUTIES AND REQUIREMENTS

1.3.1. Duty to Comply

The Permittee must comply with all conditions of this permit except to the extent, and for the duration, such noncompliance is authorized by an Emergency Permit issued under WAC 173-303-804. Other than as authorized by an Emergency Permit, any permit noncompliance constitutes a violation of Chapter 173-303 WAC and/or Chapter 70.105 RCW and is grounds for: a) enforcement action; b) termination of permit; c) revocation and re-issuance of permit; d) modification of permit; or e) denial of a permit renewal application.

1.3.2. Need to Halt or Reduce Activity Not a Defense

If any enforcement action is taken because of Permittee's noncompliance with this permit, the necessity to halt or reduce the permitted activity to maintain compliance with the conditions of this permit is not a defense for the Permittee.

1.3.3. Duty to Mitigate

The Permittee must take all steps required by the Department to minimize or correct any adverse impact on the environment resulting from noncompliance with this permit. That the Permittee took such mitigation is not a defense to enforcement for noncompliance with the permit.

1.3.4. Proper Operation and Maintenance

The Permittee must at all times properly operate and maintain all facilities and systems of treatment and control which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures (this includes quality assurance and quality control). This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this permit.

1.3.5. Duty to Provide Information

The Permittee must furnish to the Department, within a reasonable time, any information which the Department requests to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or for determining compliance with this permit. The Permittee must also furnish to the Department, upon request, copies of records required to be kept by this permit.

1.3.6. Inspection and Entry

1.3.6.1. Pursuant to WAC 173-303-810(10), the Permittee must allow authorized representatives of the Department upon the presentation of credentials to:

1.3.6.1.1. Enter upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

1.3.6.1.2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

1.3.6.1.3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

1.3.6.1.4. Sample or monitor, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by Chapter 173-303 WAC any substances or parameters at any location.

1.3.7. Reporting Planned Changes

1.3.7.1. In accordance with WAC 173-303-810(14)(a), the Permittee must give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Such physical alterations or additions must be in compliance with the permit. The Permittee must not manage dangerous waste in the new or physically changed portions of the facility until:

1.3.7.1.1. The Permit has been modified or the Permittee has obtained a temporary authorization for the physical change and for any change in the way waste is managed.

1.3.7.1.2. The Permittee has submitted to the department by certified mail or hand delivery a letter signed by the Permittee and a registered professional engineer stating the facility has been constructed or modified in compliance with the permit, and either

1.3.7.1.3. The Department has inspected the modified or newly constructed facility and finds it in compliance with the permit, or

1.3.7.1.4. Within fifteen days of the date of the submission of the certified letter as specified in Permit Condition 1.5.7.1.1, the Permittee has not received notice from the Department of its intent to inspect.

1.3.8. Reporting Noncompliance with the Permit and Reporting Emergencies

1.3.8.1. The Permittee must meet requirements for immediate reporting and written submissions in WAC 173-303-810(14)(f) for noncompliance which may endanger health or the environment.

1.3.8.2. In accordance with WAC 173-303-810(14)(g), the Permittee must report instances of noncompliance not reported under WAC 173-303-810(14)(d), (e), and (f) (as specified in permit conditions 1.4.8.1, 1.4.10, and 1.4.11.1) at the time of the next monitoring report or within six months of the date of noncompliance, whichever is sooner.

1.3.8.3. The Permittee must give advance notice to the Department as soon as possible of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements. Such changes require a permit modification pursuant to WAC 173-303-830 before they can be implemented.

1.3.8.4. In the event of spills, releases and other emergencies, the Permittee must meet requirements for reporting and written submissions in Section G of the Permit Application.

1.3.9. Reporting Relevant Facts and Incorrect Information

Pursuant to WAC 173-303-810(14)(h), if the Permittee becomes aware that he/she failed to submit any relevant facts in the permit application, or submitted incorrect information in the permit application or in any report to the Department, the Permittee must promptly submit the relevant and correct information.

1.3.10. Reporting Compliance Schedules

Reports of permit compliance or noncompliance or any progress reports on interim and final permit requirement contained in any compliance schedules must be submitted no later than 14 days following each scheduled compliance date.

1.3.11. Other Reporting

1.3.11.1. Monitoring Reports: Monitoring results must be reported at intervals specified elsewhere in this permit.

1.3.11.2. The following reports are required:

- a. Manifest discrepancy report as specified at WAC 173-303-370(4).
- b. Unmanifested waste report as specified at WAC 173-303-390(1).
- c. Annual report as specified at WAC 173-303-390(2).
- d. Additional reports as specified at WAC 173-303-390(3).

1.3.12. Information Repository.

The Permittee must establish and maintain an information repository at any time the Department requires based on the factors set forth in WAC 173-303-281(6)(b). The information repository will be governed by the provisions in WAC 173-303-281(6)(c) through (f).

1.4. MONITORING AND RECORDS

1.4.1. Samples and measurements taken for the purpose of monitoring must be representative of the monitored activity.

1.4.2. As provided at WAC 173-303-810(11)(c), the Permittee must retain records of all monitoring information for a minimum of three years from the date of the sample, measurement, report or application. The record retention period may be extended by request of the Department at any time.

1.4.2.1. The Permittee must maintain specific monitoring records for longer than three years when that is specified in other parts of this permit.

1.4.2.2. The Permittee must maintain records from all ground water monitoring wells and associated ground water surface elevations for the active life and post closure period of the facility.

1.4.3. Pursuant to WAC 173-303-810(11)(d), records of monitoring information must include all of the following:

- a. The dates, exact place, and times of sampling or measurements.
- b. The individuals who performed the sampling or measurements.
- c. The dates analyses were performed.
- d. The individuals who performed the analyses.
- e. The analytical techniques or methods used.
- f. The results of such analyses.

1.4.4. In addition, the Permittee must meet specific monitoring and record keeping requirements when those are specified in other parts of this permit.

1.5. SIGNATURE AND CERTIFICATION REQUIREMENTS

1.5.1. All applications, reports, or information submitted to the Department must be signed in accordance with WAC 173-303-810 (12) and must be certified according to WAC 173-303-810 (13).

1.5.2. Except as otherwise specified in this Permit, all applications, reports, notifications or other submissions that are required by this Permit to be submitted to the Department must be sent by certified mail to the following address or other address as specified by the Department:

Supervisor, Hazardous Waste and Toxics Reduction Section
Department of Ecology

Southwest Regional Office
PO Box 47775
Olympia, WA 98504-7775

Or hand delivered to the following address or other address as specified by the Department:

Supervisor, Hazardous Waste and Toxics Reduction Section
Department of Ecology
Southwest Regional Office
300 Desmond Drive
Lacey, WA 98503

A change in this address does not require a permit modification under WAC 173-303-830.

1.6. CONFIDENTIAL INFORMATION

1.6.1. Information submitted by the Permittee to the Department identified as confidential by the Permittee will be treated in accordance with applicable provisions of WAC 173-303-810(15), Chapter 42.17 RCW, and RCW 43.21A.160.

1.7. WASTE MINIMIZATION

1.7.1. In accordance with WAC 173-303-380(1)(q), the Permittee must place a certification in the operating record on an annual basis that:

- 1.7.1.1. A program is in place to reduce the volume and toxicity of hazardous waste generated to the degree determined by the Permittee to be economically practicable.
- 1.7.1.2. Proposed methods of treatment, storage or disposal are those practicable methods currently available to the Permittee which minimize the present and future threat to human health and the environment.

1.7.2. The Permittee must report waste minimization efforts in their annual report as required by Permit Condition 1.3.11.2.

1.8. PERFORMANCE STANDARDS

The Permittee shall design, construct, operate and maintain the facility to the maximum extent practicable given the limits of technology in a manner to ensure performance standards in WAC 173-303-283 are met.

1.9. DOCUMENTS AND RECORDS TO BE MAINTAINED AT THE FACILITY SITE

1.9.1. The following documents must be maintained at the facility:

- a. This permit, including all of its attachments and addendums and all amendments, revisions, and modifications to these documents.
- b. Records required by this permit (commonly called the operating record).
- c. Other permits and approvals that authorize actions which affect safety and environmental protection (including, but not limited to, Air Quality Program registrations, Toxic Substance Control Act (TSCA) authorizations, State Environmental Policy Act (SEPA) decision documents).

2. CORRECTIVE ACTION

2.1 DEFINITIONS

Unless otherwise specified, the definitions set forth in Chapter 70.105 RCW, Chapter 173-303 WAC, Chapter 70.105D RCW, and Chapter 173-340 WAC, undertaken in whole or in part to fulfill the requirements of WAC 173-303-646, shall control the meanings of the terms used in this section of the Permit. Additional or modified definitions for this Part are as follows:

“Area of Concern” means any area of the corrective action facility where a release of dangerous constituents (including dangerous waste and hazardous substances) has occurred, is occurring, and is suspected to have occurred, or threatens to occur.

“Corrective Action” means any activities including investigations, studies, characterizations, and corrective measures undertaken in whole or in part to fulfill the requirements of WAC 173-303-646.

“Institutional Controls” mean nonengineered measures as described in WAC 173-340-440 taken to limit or prohibit activities that may interfere with the integrity of past cleanup actions implemented under interim action or cleanup action or that may result in exposure to hazardous substances at the corrective action facility.

“Corrective Action Facility” means all contiguous property under control of the Permittee under the provisions of Chapter 70.105 RCW or Chapter 173-303 WAC, including the definition of facility at RCW 70.105D.020(5).

“Release” means any intentional or unintentional spilling, leaking, pouring, emitting, emptying, discharging, injecting, pumping, escaping, leaching, dumping, or disposing of hazardous substances, including dangerous waste and dangerous constituents into the environment. It also includes the abandonment or discarding of barrels, containers, and other receptacles containing dangerous waste or dangerous constituents and includes the definition of release at RCW 70.105D.020(25).

“Solid Waste Management Unit” (“SWMU”) means any discernible location at the corrective action facility where solid wastes have been placed at any time, irrespective of whether the location was intended for the management of solid or dangerous waste. Such locations include any area at the corrective action facility at which solid wastes, including spills, have been routinely and systematically released and include regulated units as defined by Chapter 173-303 WAC.

2.2 INCORPORATION OF EXPLANATION OF SIGNIFICANT DIFFERENCES

The Explanation of Significant Differences (ESD) issued under the federal CERCLA program (Attachment E-1) is incorporated as a permit condition. Prior to terminating or revising any requirement or condition specified in the ESD, the Permittee must notify the Director and request a corresponding modification of the permit under the permit modification system in WAC 173-303-830(4).

The Institutional Control Monitoring Report and all other notifications and reports required in the ESD must be provided to the Director at the time these notifications and/or reports are provided to the Agency. After reviewing the information obtained from these notifications and/or reports, the Department will determine if a permit modification is necessary based on the information and/or recommended actions provided in these notifications and/or reports.

2.3 NEWLY IDENTIFIED RELEASES - NOTIFICATION

- 2.3.1 The Permittee must continuously consider and evaluate information regarding releases, suspected releases, or potential releases of hazardous substances, including dangerous waste and dangerous constituents as defined by WAC 173-303-64610(4), at the corrective action facility.
- 2.3.2 Considering Permit Condition 2.3.1, the Permittee must notify the Director, in writing, of any newly-identified SWMU(s), newly-discovered releases from previously identified or newly identified SWMU(s), and newly-discovered AOC(s) at or from the corrective action facility, no later than fifteen (15) days after discovery. The Permittee must provide information specified in WAC 173-303-806(4)(a)(xxiii) and 806(4)(a)(xxiv)(A).
- 2.3.3 The Permittee is not required to notify the Department of a newly identified satellite accumulation area or a generator's less than ninety (90) day accumulation area unless there is a release or potential for a release.

2.4 NEWLY IDENTIFIED RELEASES - CORRECTIVE ACTION

- 2.4.1 After receiving notification of any newly discovered releases at the corrective action facility, the Director will determine whether the Permittee must fulfill corrective action responsibilities as required by WAC 173-303. Any such corrective action will be incorporated into the permit by a permit modification. The actions taken must meet or exceed all substantive corrective action requirements of the Resource Conservation and Recovery Act (RCRA), the state Hazardous Waste Management Act, and the Dangerous Waste Regulations.
- 2.4.2 To ensure that corrective action will be conducted as necessary to protect human health and the environment, the Permittee must conduct corrective action in a manner that is consistent with the following provisions of Chapter 173-340 WAC:
- 2.4.2.1 WAC 173-340-350 Remedial Investigation and Feasibility Study.
 - 2.4.2.2 WAC 173-340-360 Selection of Cleanup Actions.
 - 2.4.2.3 WAC 173-340-400 Implementation of the Cleanup Actions.
 - 2.4.2.4 WAC 173-340-410 Compliance Monitoring Requirements.
 - 2.4.2.5 WAC 173-340-420 Periodic Reviews
 - 2.4.2.6 WAC 173-340-440 Institutional Controls
 - 2.4.2.7 WAC 173-340-700 through -760 Cleanup Standards.

2.5 FIVE-YEAR REVIEW

After reviewing information obtained from the next five year review (scheduled for 2014), and subsequent five year reviews, the Director reserves the right to require the Permittee to submit, for Department review and approval, a plan to conduct corrective action that ensures the facility continues to comply with the corrective action requirements under WAC 173-303 as a result of information obtained from that five year review. Approved corrective action plans will be incorporated into this permit in accordance with the modification procedures under WAC 173-303-830.

2.6 RESERVATION OF RIGHT

In the event that the corrective actions performed pursuant to the ESD or under this permit fail to meet the requirements of WAC 173-303, the Department reserves the right to require the

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Permittee to submit a permit modification to ensure that the facility continues to comply with the corrective action requirements under WAC 173-303.

