

**FINAL DRAFT PERMIT APPLICATION
B. S. B. DIVERSIFIED COMPANY, INC. Kent, WA
Plant Permit No. WAD 07-665-5182
RCRA Permit Renewal**

August 16, 2018

STATE OF WASHINGTON
DANGEROUS WASTE MANAGEMENT PERMIT
FOR CORRECTIVE ACTION

Department of Ecology
Northwest Regional Office
3190 – 160th Ave. SE
Bellevue, WA 98008-5452

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

ISSUED TO: B. S. B. Diversified Company, Inc.
565 Fifth Avenue, Fourth Floor
New York, NY 10017-2413

FOR: B. S. B. Diversified Company, Inc.
8202 South 200th Street
Kent, Washington 98032

This Permit is effective as of _____, 2018, and shall remain in effect until _____, 2028, unless revoked and reissued, modified, or terminated under WAC 173-303-830(3) and (5) or continued in accordance with WAC 173-303-806(7).

ISSUED BY: WASHINGTON STATE DEPARTMENT OF ECOLOGY

Raman Iyar, Section Manager
Department of Ecology
Hazardous Waste & Toxics Reduction Program
Northwest Regional Office

[DATE]

INTRODUCTION

PERMITTEE: B. S. B. Diversified Company, Inc.

I.D. Number: WAD 07 665 5182

Pursuant to Chapter 70.105 RCW, the Hazardous Waste Management Act of 1976, as amended, and regulations codified in Chapter 173-303 WAC, the Dangerous Waste Regulations, this post closure permit is issued B. S. B. Diversified Company, Inc. (BSB) to conduct corrective action at BSB, located at 8202 South 200th Street, Kent, Washington 98032. BSB must comply with all conditions of this Permit.

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. Sec. 6901 et. seq., as amended. Ecology has authority to issue this Permit in accordance with RCW 70.105.130 and is responsible for enforcement of all conditions of this Permit. Anyone may appeal these permit conditions or decisions by Ecology to the Pollution Control Hearings Board in accordance with WAC 173-303-845.

PART I - GENERAL CONDITIONS

I.1 BSB shall comply with all requirements of WAC 173-303-810, which are hereby incorporated by reference into this Permit.

I.2. Modifications to the BSB Consent Decree (#11-2-27288-5) shall not require a permit modification, except when required by WAC 173-303-830, Appendix I (N)(5) to incorporate a substantial change requiring public comment under WAC 173-340-600. The BSB Consent Decree is not appealable to the Pollution Control Hearings Board. The Consent Decree may be reviewed only as provided under the Model Toxics Control Act, Chapter 70.105D.060 RCW.

I.3. Compliance with the terms of this Permit does not constitute a defense to any order issued or any action brought under any other state or federal laws governing protection of public health or the environment. However, compliance with the terms of this Permit does constitute a defense to any action alleging failure to comply with the applicable standards upon which this Permit is based.

I.4. Pursuant to WAC 173-303-806(6), BSB shall submit a new application for a final permit 180 days prior to the expiration date of this permit, unless Ecology grants a later date provided that such date is not later than

the expiration date of the Permit. This Permit and all its conditions will remain in effect beyond the Permit's expiration date until Ecology has made a final permit determination if: (1) BSB have submitted a timely application for a final status permit; (2) Ecology determines that the final permit application is complete as set forth in WAC 173-303-840(1)(b); and (3) Ecology has not made a final permit determination as set forth in WAC 173-303-840.

I.5. If BSB fails to comply with the terms and conditions of the expiring or expired permit, then Ecology may take action consistent with WAC 173-303-806(7)(b). If BSB fails to submit a timely, complete application as required herein, then those permit conditions necessary to protect human health and the environment will remain in effect beyond the Permit's expiration date in accordance with WAC 173-303-815(2)(b)(ii), until Ecology terminates the conditions.

PART II - CORRECTIVE ACTION

II. Ecology is requiring that BSB fulfill corrective action responsibilities for the facility, as defined by WAC 173-303-040, using the Model Toxics Control Act (MTCA), (Chapter RCW 70.105D), as amended, and its implementing regulations (Chapter 173-340 WAC), and the Dangerous Waste Regulations [(Chapter 173-303 WAC – specifically, WAC 173-303-646]. See Section III.1, *infra*. 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.

BSB's corrective action obligations with respect to the facility under the Consent Decree, effective August 10, 2011, are enforceable conditions of this Permit under the authority of Chapter 70.105 RCW, and its implementing regulations, Chapter 173-303 WAC.

PART III - CORRECTIVE ACTION CONDITIONS

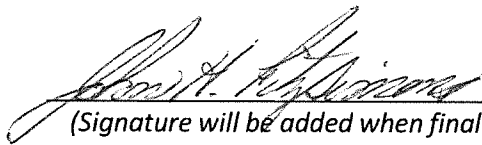
III.1. The BSB Consent Decree, effective August 10, 2011, is issued pursuant to the Model Toxics Control Act (MTCA), Chapter 70.105D RCW, as amended, its implementing regulations, Chapter 173-340 WAC, and the Dangerous Waste Regulations, WAC 173-303-646. The BSB Consent Decree and its attachments are incorporated by reference as fully enforceable under this Permit. Regardless of whether or not the BSB Consent Decree is vacated, BSB's corrective action obligations continue to be enforceable conditions of this Permit under the authority of the Hazardous Waste Management Act (HWMA), Chapter 70.105 RCW, and its implementing regulations, Chapter 173-303 WAC.

III.2. Ecology has selected a final cleanup remedy for BSB. The final cleanup remedy installed a slurry wall within the perimeter of the Property to form a containment area and installed a cap over the containment area. BSB maintains the slurry wall and the cap. BSB perform gradient control within the containment area and treats groundwater; implements institutional controls on the Property; provides for compliance monitoring of the Cleanup Actions implemented on the Property; and provides for financial assurance sufficient to maintain institutional and engineering controls on the Property and sufficient to maintain compliance monitoring of the Cleanup Actions implemented on the Property.

PART B CERTIFICATION**PART B CERTIFICATION****WAC 173-303-806(4)(a); 173-303-810(12) and (13)****40 CFR 270.11****CERTIFICATION**

In accordance with 40 CFR 270.11(d) and Washington State Dangerous Waste Regulations, WAC 173-303-810(13), the following certification is made in reference to the July 2018 Part B Application for B. S. B. DIVERSIFIED COMPANY, INC. located in Kent, Washington.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."



(Signature will be added when final permit application is submitted)

Date: August 18, 2018

Name: John H. FitzSimons

Title: Vice President

Company: B. S. B. DIVERSIFIED COMPANY, INC.

Introduction


This application is for a Resource Conservation Recovery Act (RCRA) dangerous waste management permit lite for corrective action and post closure requirements at the B.S.B. Diversified (BSB) site in Kent, Washington. BSB is located at 8202 South 200th Street, Kent, Washington 98032.

The existing RCRA permit for the Facility (Permit No. WAD 076655182) was issued by Washington State Department of Ecology (Ecology) in 2005, in conjunction with issuance of the Agreed Order (AO, No. DE2551).

This BSB RCRA Permit Lite includes the following:

- **SECTION A: PART A FORMS**
- **SECTION B: CHECKLIST FOR REVIEW OF FEDERAL RCRA PERMIT APPLICATIONS SECTION P. POST-CLOSURE FACILITY REQUIREMENTS**

SECTION A: PART A FORMS

United States Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION FORM	
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1. Reason for Submittal (Select only one.)

<input type="checkbox"/>	Obtaining or updating an EPA ID number for an on-going regulated activity that will continue for a period of time. (Includes HSM activity)
<input type="checkbox"/>	Submitting as a component of the Hazardous Waste Report for _____ (Reporting Year)
<input type="checkbox"/>	Site was a TSD facility and/or generator of > 1,000 kg of hazardous waste, > 1 kg of acute hazardous waste, or > 100 kg of acute hazardous waste spill cleanup in one or more months of the reporting year (or State equivalent LQG regulations)
<input type="checkbox"/>	Notifying that regulated activity is no longer occurring at this Site
<input type="checkbox"/>	Obtaining or updating an EPA ID number for conducting Electronic Manifest Broker activities
<input checked="" type="checkbox"/>	Submitting a new or revised Part A Form

2. Site EPA ID Number

W	A	D	0	7	6	6	5	5	1	8	2
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3. Site Name

B.S.B. Diversified Company, Inc.

4. Site Location Address

Street Address	8202 South 200th Street		
City, Town, or Village	Kent	County	King
State	WA	Country	USA
		Zip Code	98032

5. Site Mailing Address

Same as Location Address

Street Address	2515 South Road, 5th Floor		
City, Town, or Village	Poughkeepsie	Country	USA
State	New York	Zip Code	12601-9971

6. Site Land Type

<input checked="" type="checkbox"/>	Private	<input type="checkbox"/>	County	<input type="checkbox"/>	District	<input type="checkbox"/>	Federal	<input type="checkbox"/>	Tribal	<input type="checkbox"/>	Municipal	<input type="checkbox"/>	State	<input type="checkbox"/>	Other
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7. North American Industry Classification System (NAICS) Code(s) for the Site (at least 5-digit codes)

A. (Primary)	332813
B.	C.
D.	

8. Site Contact Information

Same as Location Address

First Name John	MI H	Last Name FitzSimons
Title		
Street Address 2515 South Road, 5th Floor		
City, Town, or Village Poughkeepsie		
State New York	Country USA	Zip Code 12601-9971
Email jfitzsimons@dkmcorp.com		
Phone 212-885-1626	Ext	Fax (845) 463-3876

9. Legal Owner and Operator of the Site

A. Name of Site's Legal Owner

Same as Location Address

Full Name B.S.B. Diversified Company, Inc.	Date Became Owner (mm/dd/yyyy) 6/26/1987
Owner Type <input checked="" type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Tribal <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other	
Street Address 2515 South Road, 5th Floor	
City, Town, or Village Poughkeepsie	
State New York	Country USA Zip Code 12601-9971
Email jfitzsimons@dkmcorp.com	
Phone 212-885-1626	Ext Fax (845) 463-3876
Comments	

B. Name of Site's Legal Operator

Same as Location Address

Full Name B.S.B. Diversified Company, Inc.	Date Became Operator (mm/dd/yyyy) 6/26/1987
Operator Type <input checked="" type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Tribal <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other	
Street Address 2515 South Road, 5th Floor	
City, Town, or Village Poughkeepsie	
State New York	Country USA Zip Code 12601-9971
Email jfitzsimons@dkmcorp.com	
Phone 212-885-1626	Ext Fax (845) 463-3876
Comments	

10. Type of Regulated Waste Activity (at your site)

Mark "Yes" or "No" for all current activities (as of the date submitting the form); complete any additional boxes as instructed.

A. Hazardous Waste Activities

<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	1. Generator of Hazardous Waste—If "Yes", mark only one of the following—a, b, c	
<input type="checkbox"/>	a. LQG	-Generates, in any calendar month (includes quantities imported by importer site) 1,000 kg/mo (2,200 lb/mo) or more of non-acute hazardous waste; or - Generates, in any calendar month, or accumulates at any time, more than 1 kg/mo (2.2 lb/mo) of acute hazardous waste; or - Generates, in any calendar month or accumulates at any time, more than 100 kg/mo (220 lb/mo) of acute hazardous spill cleanup material.
<input type="checkbox"/>	b. SQG	100 to 1,000 kg/mo (220-2,200 lb/mo) of non-acute hazardous waste and no more than 1 kg (2.2 lb) of acute hazardous waste and no more than 100 kg (220 lb) of any acute hazardous spill cleanup material.
<input type="checkbox"/>	c. VSQG	Less than or equal to 100 kg/mo (220 lb/mo) of non-acute hazardous waste.
If "Yes" above, indicate other generator activities in 2 and 3, as applicable.		
<input type="checkbox"/> Y <input type="checkbox"/> N	2. Short-Term Generator (generates from a short-term or one-time event and not from on-going processes). If "Yes", provide an explanation in the Comments section.	
<input type="checkbox"/> Y <input type="checkbox"/> N	3. Mixed Waste (hazardous and radioactive) Generator	
<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	4. Treater, Storer or Disposer of Hazardous Waste—Note: A hazardous waste Part B permit is required for these activities.	
<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	5. Receives Hazardous Waste from Off-site	
<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	6. Recycler of Hazardous Waste	
<input type="checkbox"/>	a. Recycler who stores prior to recycling	
<input type="checkbox"/>	b. Recycler who does not store prior to recycling	
<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	7. Exempt Boiler and/or Industrial Furnace—If "Yes", mark all that apply.	
<input type="checkbox"/>	a. Small Quantity On-site Burner Exemption	
<input type="checkbox"/>	b. Smelting, Melting, and Refining Furnace Exemption	

B. Waste Codes for Federally Regulated Hazardous Wastes. Please list the waste codes of the Federal hazardous wastes handled at your site. List them in the order they are presented in the regulations (e.g. D001, D003, F007, U112). Use an additional page if more spaces are needed.

C. Waste Codes for State Regulated (non-Federal) Hazardous Wastes. Please list the waste codes of the State hazardous wastes handled at your site. List them in the order they are presented in the regulations. Use an additional page if more spaces are needed.

11. Additional Regulated Waste Activities (NOTE: Refer to your State regulations to determine if a separate permit is required.)**A. Other Waste Activities**

<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	1. Transporter of Hazardous Waste—If “Yes”, mark all that apply.
<input type="checkbox"/>	a. Transporter
<input type="checkbox"/>	b. Transfer Facility (at your site)
<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	2. Underground Injection Control
<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	3. United States Importer of Hazardous Waste
<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	4. Recognized Trader—If “Yes”, mark all that apply.
<input type="checkbox"/>	a. Importer
<input type="checkbox"/>	b. Exporter
<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	5. Importer/Exporter of Spent Lead-Acid Batteries (SLABs) under 40 CFR 266 Subpart G—If “Yes”, mark all that apply.
<input type="checkbox"/>	a. Importer
<input type="checkbox"/>	b. Exporter

B. Universal Waste Activities

<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	1. Large Quantity Handler of Universal Waste (you accumulate 5,000 kg or more) - If “Yes” mark all that apply. Note: Refer to your State regulations to determine what is regulated.
<input type="checkbox"/>	a. Batteries
<input type="checkbox"/>	b. Pesticides
<input type="checkbox"/>	c. Mercury containing equipment
<input type="checkbox"/>	d. Lamps
<input type="checkbox"/>	e. Other (specify) _____
<input type="checkbox"/>	f. Other (specify) _____
<input type="checkbox"/>	g. Other (specify) _____
<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	2. Destination Facility for Universal Waste Note: A hazardous waste permit may be required for this activity.

C. Used Oil Activities

<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	1. Used Oil Transporter—If “Yes”, mark all that apply.
<input type="checkbox"/>	a. Transporter
<input type="checkbox"/>	b. Transfer Facility (at your site)
<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	2. Used Oil Processor and/or Re-refiner—If “Yes”, mark all that apply.
<input type="checkbox"/>	a. Processor
<input type="checkbox"/>	b. Re-refiner
<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	3. Off-Specification Used Oil Burner
<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	4. Used Oil Fuel Marketer—If “Yes”, mark all that apply.
<input type="checkbox"/>	a. Marketer Who Directs Shipment of Off-Specification Used Oil to Off-Specification Used Oil Burner
<input type="checkbox"/>	b. Marketer Who First Claims the Used Oil Meets the Specifications

12. Eligible Academic Entities with Laboratories—Notification for opting into or withdrawing from managing laboratory hazardous wastes pursuant to 40 CFR 262 Subpart K.

<input type="checkbox"/> Y <input type="checkbox"/> N	A. Opting into or currently operating under 40 CFR 262 Subpart K for the management of hazardous wastes in laboratories—If “Yes”, mark all that apply. Note: See the item-by-item instructions for definitions of types of eligible academic entities.
<input type="checkbox"/>	1. College or University
<input type="checkbox"/>	2. Teaching Hospital that is owned by or has a formal written affiliation with a college or university
<input type="checkbox"/>	3. Non-profit Institute that is owned by or has a formal written affiliation with a college or univer-
<input type="checkbox"/> Y <input type="checkbox"/> N	B. Withdrawing from 40 CFR 262 Subpart K for the management of hazardous wastes in laboratories.

13. Episodic Generation

<input type="checkbox"/> Y <input type="checkbox"/> N	Are you an SQG or VSQG generating hazardous waste from a planned or unplanned episodic event, lasting no more than 60 days, that moves you to a higher generator category. If “Yes”, you must fill out the Addendum for Episodic Generator.
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14. LQG Consolidation of VSQG Hazardous Waste

<input type="checkbox"/> Y <input type="checkbox"/> N	Are you an LQG notifying of consolidating VSQG Hazardous Waste Under the Control of the Same Person pursuant to 40 CFR 262.17(f)? If “Yes”, you must fill out the Addendum for LQG Consolidation of VSQGs hazardous waste.
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15. Notification of LQG Site Closure for a Central Accumulation Area (CAA) (optional) OR Entire Facility (required)

<input type="checkbox"/> Y <input type="checkbox"/> N	LQG Site Closure of a Central Accumulation Area (CAA) or Entire Facility.
A. <input type="checkbox"/> Central Accumulation Area (CAA) <input type="checkbox"/> Entire Facility	
B. Expected closure date: _____ mm/dd/yyyy	
C. Requesting new closure date: _____ mm/dd/yyyy	
D. Date closed : _____ mm/dd/yyyy	
<input type="checkbox"/> 1. In compliance with the closure performance standards 40 CFR 262.17(a)(8)	
<input type="checkbox"/> 2. Not in compliance with the closure performance standards 40 CFR 262.17(a)(8)	

16. Notification of Hazardous Secondary Material (HSM) Activity

<input type="checkbox"/> Y <input type="checkbox"/> N	A. Are you notifying under 40 CFR 260.42 that you will begin managing, are managing, or will stop managing hazardous secondary material under 40 CFR 260.30, 40 CFR 261.4(a)(23), (24), or (27)? If “Yes”, you must fill out the Addendum to the Site Identification Form for Managing Hazardous Secondary Material.
<input type="checkbox"/> Y <input type="checkbox"/> N	B. Are you notifying under 40 CFR 260.43(a)(4)(iii) that the product of your recycling process has levels of hazardous constituents that are not comparable to or unable to be compared to a legitimate product or intermediate but that the recycling is still legitimate? If “Yes”, you may provide explanation in Comments section. You must also document that your recycling is still legitimate and maintain that documentation on site.

17. Electronic Manifest Broker

<input type="checkbox"/> Y <input type="checkbox"/> N	Are you notifying as a person, as defined in 40 CFR 260.10, electing to use the EPA electronic manifest system to obtain, complete, and transmit an electronic manifest under a contractual relationship with a hazardous waste generator?
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**ADDENDUM TO THE SITE IDENTIFICATION FORM:
NOTIFICATION OF HAZARDOUS SECONDARY MATERIAL ACTIVITY**



ONLY fill out this form if:


- You are located in a State that allows you to manage excluded hazardous secondary material (HSM) under 40 CFR 261.2(30), 261.4(a)(23), (24), or (27) (or state equivalent; See <https://www.epa.gov/epawaste/hazard/dsw/statespf.htm> for a list of eligible states; AND
- You are or will be managing excluded HSM in compliance with 40 CFR 260.30, 261.4(a)(23), (24), or (27) (or state equivalent) or have stopped managing excluded HSM in compliance with the exclusion(s) and do not expect to manage any amount of excluded HSM under the exclusion(s) for at least one year. Do not include any information regarding your hazardous waste activities in this section. Note: If your facility was granted a solid waste variance under 40 CFR 260.30 prior to July 13, 2015, your management of HSM under 40 CFR 260.30 is grandfathered under the previous regulations and you are not required to notify for the HSM management activity excluded under 40 CFR 260.30.

1. Reason for Notification (Include dates where requested)

- Facility will begin managing excluded HSM as of _____ (mm/dd/yyyy).
- Facility is still managing excluded HSM/re-notifying as required by March 1 of each even-numbered year.
- Facility has stopped managing excluded HSM as of _____ (mm/dd/yyyy) and is notifying as required.

2. Description of Excluded HSM Activity. Please list the appropriate codes (see Code List section of the instructions) and quantities, in short tons, to describe your excluded HSM activity ONLY (do not include any information regarding your hazardous wastes). Use additional pages if more space is needed.

A. Facility Code	B. Waste Code(s) for HSM	C. Estimate Short Tons of excluded HSM to be managed annually	D. Actual Short Tons of excluded HSM that was managed during the most recent odd-numbered year	E. Land-based Unit Code

<p>ADDENDUM TO THE SITE IDENTIFICATION FORM:</p> <p>EPISODIC GENERATOR</p>	
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ONLY fill out this form if:

- You are an SQG or VSQG generating hazardous waste from a planned or unplanned episodic event, lasting no more than 60 days, that moves the generator to a higher generator category pursuant to 40 CFR 262 Subpart L.
 Note: Only one planned and one unplanned episodic event are allowed within one year; otherwise, you must follow the requirements of the higher generator category. Use additional pages if more space is needed.

Episodic Event	
<p>1. Planned</p> <p><input type="checkbox"/> Excess chemical inventory removal</p> <p><input type="checkbox"/> Tank cleanouts</p> <p><input type="checkbox"/> Short-term construction or demolition</p> <p><input type="checkbox"/> Equipment maintenance during plant shutdowns</p> <p><input type="checkbox"/> Other _____</p>	<p>2. Unplanned</p> <p><input type="checkbox"/> Accidental spills</p> <p><input type="checkbox"/> Production process upsets</p> <p><input type="checkbox"/> Product recalls</p> <p><input type="checkbox"/> "Acts of nature" (Tornado, hurricane, flood, etc.)</p> <p><input type="checkbox"/> Other _____</p>
3. Emergency Contact Phone _____	4. Emergency Contact Name _____
5. Beginning Date _____ (mm/dd/yyyy)	6. End Date _____ (mm/dd/yyyy)

Waste 1


7. Waste Description	8. Estimated Quantity (in pounds)
9. Federal and/or State Hazardous Waste Codes	

Waste 2

7. Waste Description	8. Estimated Quantity (in pounds)
9. Federal and/or State Hazardous Waste Codes	

Waste 3

7. Waste Description	8. Estimated Quantity (in pounds)
9. Federal and/or State Hazardous Waste Codes	

<p>ADDENDUM TO THE SITE IDENTIFICATION FORM: LQG CONSOLIDATION OF VSQG HAZARDOUS WASTE</p>	
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ONLY fill out this form if:

- You are an LQG receiving hazardous waste from VSQGs under the control of the same person. Use additional pages if more space is needed.

VSQG 1		
1. EPA ID Number (if assigned)	2. Name	
3. Street Address		
4. City, Town, or Village	5. State	6. Zip Code
7. Contact Phone Number	8. Contact Name	
9. Email		

VSQG 2		
1. EPA ID Number (if assigned)	2. Name	
3. Street Address		
4. City, Town, or Village	5. State	6. Zip Code
7. Contact Phone Number	8. Contact Name	
9. Email		

VSQG 3		
1. EPA ID Number (if assigned)	2. Name	
3. Street Address		
4. City, Town, or Village	5. State	6. Zip Code
7. Contact Phone Number	8. Contact Name	
9. Email		

SECTION B: CHECKLIST FOR REVIEW OF FEDERAL RCRA PERMIT APPLICATIONS SECTION P. POST-CLOSURE FACILITY REQUIREMENTS

Note: This checklist may be used for review of a permit application for a postclosure facility with no active hazardous waste management units. It provides a guideline to the basic requirements of a Part B postclosure permit application. Optional elements (contingency plan and personnel training) are indicated by italics. If a postclosure unit is present at a facility seeking a permit for active hazardous waste management units, the postclosure unit must be incorporated in the permit application like an operating unit in all appropriate sections. For elements that may repeat for both operating units and postclosure units, this checklist references elements of the general checklist in parenthesis.

CHECKLIST FOR REVIEW OF FEDERAL RCRA PERMIT APPLICATIONS SECTION P. POST-CLOSURE FACILITY REQUIREMENTS				
Section and Requirement	Federal Regulation	Review Consideration	Location in Application ^b	See Attached Comment Number ^c
P-1	General Part A Information Requirements	(Section A)	Attached	
P-1a	Description of Activities Conducted which Require Facility to Obtain a Permit under the Resource Conservation and Recovery Act (RCRA) and Brief Description of Nature of the Business	270.13(a),(m)	(A-1)	*
P-1b	Name, Mailing Address, and Location of Facility for which the Application is Submitted, including a Topographic Map	270.13(b),(l)	(A-2)	*
P-1c	Up to four Standard Industrial Classification Codes which Best Reflect the Products or Services Provided by the Facility	270.13(c)	(A-3)	*
P-1d	Operator/Owner's Name, Address, Telephone Number, and Ownership Status	270.13(d),(e)	(A-4) Ownership status must include status as federal, state, private, public, or other entity.	*

* Reference the BSB Agreed Order, DE 2551; Exhibit B: Focused Remedial Investigation/Feasibility Study; 11/10/2005 and the Cleanup Action Plan (BSB Consent Decree, Exhibit A; 8/8/2011)

CHECKLIST FOR REVIEW OF FEDERAL RCRA PERMIT APPLICATIONS				
SECTION P. POST-CLOSURE FACILITY REQUIREMENTS				
Section and Requirement	Federal Regulation	Review Consideration	Location in Application ^b	See Attached Comment Number ^c
P-1e	Facility is New, Existing, or Located on Indian Lands	270.13(f),(g)	(A-5) Description must include information on whether this is a first or revised application with date of last signed permit application.	*
P-1f	Description of Processes to be Used for Treating, Storing, and Disposing of Hazardous Waste	270.13(i)	(A-6) Description must include design capacity for these items.	NA
P-1g	Specification of the Hazardous Wastes Listed or Designated Under 261	270.13(j)	(A-7) Specifications must include estimate on quantity of waste to be treated, stored, or disposed of.	NA
P-1h	Listing of all Permits or Construction Approvals Received or Applied for	270.13(k)	(A-8) Permits include the following programs: Hazardous Waste Management under RCRA; Underground Injection Control under Solid Waste Disposal Act; Prevention of Significant Deterioration, Nonattainment Program, and National Emissions Standards for Hazardous Pollutants under the Clean Air Act; ocean dumping permits under the Marine Protection Research and Sanctuaries Act; dredge and fill permits under Section 404 of the Clean Water Act; or other relevant environmental permits including state permits.	NA
P-2	Part B General Description	270.14(b)(1)	(Section B)	*
P-3	General Requirements	270.14	(B-1)	*

* Reference the BSB Agreed Order, DE 2551; Exhibit B: Focused Remedial Investigation/Feasibility Study; 11/10/2005 and the Cleanup Action Plan (BSB Consent Decree, Exhibit A; 8/8/2011)

CHECKLIST FOR REVIEW OF FEDERAL RCRA PERMIT APPLICATIONS SECTION P. POST-CLOSURE FACILITY REQUIREMENTS				
Section and Requirement	Federal Regulation	Review Consideration	Location in Application ^b	See Attached Comment Number ^c
P-3a Topographic Map	270.14(b)(19)	(B-2a) Show distance of 1,000 feet around unit at a scale of 1 inch to not more than 200 feet (multiple maps may be submitted at this scale), and should be similar to Part A topographic map.	*	
Scale and Date	270.14(b)(19)(i)	Other scales may be used if justified.	*	
The 100-Year Flood Plain Area	270.14(b)(19)(ii)		*	
Surface Waters	270.14(b)(19)(iii)		*	
Surrounding Land Use	270.14(b)(19)(iv)		*	
Wind Rose	270.14(b)(19)(v)		*	
Map Orientation	270.14(b)(19)(vi)		*	
Legal Boundaries	270.14(b)(19)(vii)		*	
Access Control	270.14(b)(19)(viii)		*	
Injection and Withdrawal Wells (on site and off site)	270.14(b)(19)(ix)		*	
Buildings and Other Structures	270.14(b)(19)(x)		*	
Drainage and Flood Control Barriers	270.14(b)(19)(xi)		*	
P-3b Additional Information on the Topographic Map for Land Disposal Facilities	270.14(c)(3)	(B-2b)	NA	
Uppermost Aquifer and Hydraulically Connected Aquifers Beneath Facility Property	270.14(c)(2)		*	

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Section and Requirement	Federal Regulation	Review Consideration ^a	Location in Application ^b	See Attached Comment Number ^c
Groundwater Flow Direction	270.14(c)(2)		*	
Waste Management Areas	270.14(c)(3)		NA	
Property Boundaries	270.14(c)(3)		*	
Location of Groundwater Monitoring Wells	270.14(c)(3); 264.97		*	
Extent of any Groundwater Contaminant Plume	270.14(c)(4)(i)		*	
P-3c Facility Location Information	270.14(b)(11); 264.18	(B-3)	*	
P-3c(1) Political Jurisdiction in which Facility is Located	270.14(b)(11)(i)	(B-3a)	*	
P-3c(2) Flood Plain Requirements	270.14(b)(11)(iii), (iv); 264.18(b)	(B-3b) Flood plain requirements applicable if facility is located in 100-year flood plain.	*	
Copy of Federal Insurance Administration or other Flood Map	270.14(b)(11)(iii)	Reference source used to determine whether facility is located in 100-year flood plain.	*	
Concentration of Hazardous Constituents Remaining in the Unit that Would Potentially Affect Surface Waters as a Result of Washout	270.14(b)(11); 264.18(b)(ii)(B)	Flood plain requirements applicable if facility is located in 100-year flood plain.	*	
Impact of such Concentration on Current or Potential uses of, and Water Quality Standards Established for, the Affected Surface Waters	270.14(b)(11); 264.18(b)(ii)(C)	Flood plain requirements applicable if facility is located in 100-year flood plain.	*	

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CHECKLIST FOR REVIEW OF FEDERAL RCRA PERMIT APPLICATIONS				
SECTION P. POST-CLOSURE FACILITY REQUIREMENTS				
Section and Requirement	Federal Regulation	Review Consideration	Location in Application ^b	See Attached Comment Number ^c
Impact of Hazardous Constituents on the Sediments of Affected Surface Waters, or the Soils of the 100-Year Flood Plain, that could Result from Washout	270.14(b)(11); 264.18(b)(ii)(D)	Flood plain requirements applicable if facility is located in 100-year flood plain.	*	
Plan and Schedule for Future Compliance	270.14(b)(11)(v)	Flood plain requirements applicable if facility is located in 100-year flood plain and not in compliance with 264.18(b).	*	
P-4a Chemical and Physical Analyses	270.14(b)(2); 264.13(a)	(C-1) Data generated by testing the waste, published data on the waste, or data gathered from similar processes may be used.	NA	
P-4b Waste Analysis Plan	270.14(b)(3); 264.13(b),(c) 266.102(a)(2)(ii); 266.104(a); (2), 268.7	(C-2) Address how for closed units/facilities, a waste analysis plan is not applicable. Discuss previous waste stream and/or current management of the waste, if applicable. Discuss whether or not leachate or runoff collection and analysis are necessary.	NA	
P-5 General Hydrogeologic Information	270.14(c)(2)	(E-3) Include description of the regional and site-specific geologic and hydrogeological setting.	*	
P-5a Topographic Map Requirements	270.14(c)(2), (3), (4)(i)	(E-4)	*	
P-5b Contaminant Plume Description	270.14(c)(2), (4), (7); Part 261,	(E-5) In some cases, contaminant plumes may be defined under groundwater quality	*	

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CHECKLIST FOR REVIEW OF FEDERAL RCRA PERMIT APPLICATIONS SECTION P. POST-CLOSURE FACILITY REQUIREMENTS				
Section and Requirement	Federal Regulation	Review Consideration	Location in Application ^b	See Attached Comment Number ^c
	Appendix VIII	assessment programs carried out during the interim status period which may not address the complete list of Appendix VIII constituents as required under 270.14(c)(4). Additional monitoring may be required to identify the concentration of each Appendix VIII constituent in the plume.	*	
P-5c	General Monitoring Program Requirements	270.14(c)(5); 264.90(b)(4); 264.97	(E-6) Describe the monitoring to be conducted during the post-closure care period, including as applicable, the procedures for conducting the following operations and evaluating the data gathered: groundwater monitoring; and leachate collection/detection and removal.	*
P-5d	Description of Wells	270.14(c)(6)(ii); 264.97(a), (b), (c)	(E-6a) Identify the number, location, and depth of each well, and describe the well construction materials to be used.	*
P-5e	Proposed Sampling and Statistical Analysis Procedures for Groundwater Data	270.14(c)(7)(vi); 264.97(d), (e), (f); 264.99(c) - (g)	(E-6b)	*
P-5f	Corrective Action Program	270.14(c)(8); 264.99(j); 264.100	(E-a) If hazardous constituents have been detected in the groundwater, an owner or operator must submit sufficient information, supporting data, etc., to establish a corrective action program that meets the requirements of 264.100.	*

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Section and Requirement	Federal Regulation	Review Consideration	Location in Application ^b	See Attached Comment Number ^c
P-5g	Characterization of Contaminated Groundwater	270.14(c)(8)(i)	(E-9a) For each well at point of compliance and for each background well, provide concentrations of each constituent in 261 Appendix VIII, major cations and anions, and constituents listed in Table 1 of 264.94, if not already determined by the above.	*
P-5h	Concentration Limits	270.14(c)(8)(ii); 264.94; 264.100(a)(2)	(E-9b) Specify the proposed concentration limits for each hazardous constituent in groundwater.	*
P-5i	Alternate Concentration Limits	270.14(c)(8)(ii); 264.94(b); 264.100(a)(2)	(E-9c) Provide a justification for establishing alternate concentration limits. This justification must address each of the following two factors.	NA
P-5j	Corrective Action Plan	270.14(c)(8)(iii); 264.100(b); 264.101	(E-9d) Provide detailed plans on the corrective actions proposed for the facility, including maps of engineered structures, construction details, plans for removing waste, description of treatment technologies, effectiveness of correction program, operation and maintenance plans, closure and post-closure plans, and a schedule for corrective action requirements. Also, include plan for corrective action at solid waste management units (SWMU).	*
P-6	Security	270.14(b)(4);	(F-1) Indicate whether hazardous waste	NA

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Section and Requirement	Federal Regulation	Review Consideration	Location in Application ^b	See Attached Comment Number ^c
	264.14	remains exposed after completion of partial or final closure or access by the public or domestic livestock may pose a hazard to human health. Demonstrate that this type of property post-closure use must never be allowed to disturb the integrity of the final cover, liner(s), or any other components of the containment system, or the function of the facility's monitoring system.	NA	
P-6a Security Procedures and Equipment	270.14(b)(4); 264.14	(F-1a) Unless waiver is granted, facility must have surveillance system or barrier or other means to control entry.	NA	
P-6a(1) Warning Signs	270.14(b)(4); 264.14(c)	(F-1a(3)) Signs in English must be posted at each entrance, and be legible from 25 feet.	NA	
P-6b Inspection Schedule	270.14(b)(5); 264.15	(F-2) Include where applicable, as part of the post-closure inspection schedule, specific requirements for each type of treatment, storage, and disposal facility. These specific requirements and the schedule should be included as part of the post-closure plan.	NA	
P-6b(1) General Inspection Requirements	270.14(b)(5); 264.15(a), (b); 264.33	(F-2a) Describe the inspections to be conducted during the post-closure care period, their frequency, the inspection procedure, and the logs to be kept. Inspection is required for monitoring	NA	

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CHECKLIST FOR REVIEW OF FEDERAL RCRA PERMIT APPLICATIONS				
SECTION P. POST-CLOSURE FACILITY REQUIREMENTS				
Section and Requirement	Federal Regulation	Review Consideration ^a	Location in Application ^b	See Attached Comment Number ^c
		equipment, safety emergency equipment, communication and alarm systems, decontamination equipment, security devices, and operating and structural equipment. Should be included as part of post-closure plan.	NA	
Types of Problems	270.14(b)(5); 264.15(b)(3)	Inspection checklist should be included as part of post-closure plan and must identify types of problem.	NA	
Frequency of Inspections	270.14(b)(5); 264.15(b)(4)	The rationale for determining the length of time between inspections should be provided as part of the post-closure plan.	NA	
Schedule of Remedial Action	264.15(c)	Owner/operator must immediately remedy any deterioration or malfunction of equipment or structures to ensure problem does not lead to environmental or human health hazard.	NA	
Inspection Log	264.15(d)	Provide example log or summary. Should be included as part of the post-closure plan.	NA	
P-7a	Waiver or Documentation of Preparedness and Prevention Requirements	270.14(b)(6) 264.32(a) - (d)	(F-3) Facility must submit justification for any waiver to requirements of this section.	NA
P-7b	Emergency Equipment	270.14(a); 264.32(c)	(F-3(a)(3)) Demonstrate that portable fire extinguishers, fire control equipment, spill control equipment, and decontamination equipment are available.	NA

CHECKLIST FOR REVIEW OF FEDERAL RCRA PERMIT APPLICATIONS				
SECTION P. POST-CLOSURE FACILITY REQUIREMENTS				
Section and Requirement	Federal Regulation	Review Consideration	Location in Application ^b	See Attached Comment Number ^c
P-7c	Water and Fire Control	270.14(a); 264.32(d)	(F-3(a)(4)) Demonstrate facility has adequate fire control systems, water volume and pressure, foaming equipment, automatic sprinklers, etc.	NA
P-7d	Testing and Maintenance of Equipment	270.14(a); 264.33	(F-3(a)(5)) Demonstrate communication, alarm, fire control equipment, spill control equipment, and decontamination equipment are tested and maintained.	NA
P-7e	Documentation of Arrangements with Emergency Agencies	270.14(a); 264.37	(F-3(c)) Owner/operator must make arrangements, as appropriate, with type of waste and hazard potential, for the potential need for services.	NA
P-7f	Document Agreement Refusal	270.14(a); 264.37(b)	(F-3(c)(4)) Document refusal to enter into a coordination agreement.	NA
P-7g	Equipment and Power Failure	270.14(b)(8) (iv)	(F-4(d)) Describe procedure used to mitigate the effects of equipment failure and power outages.	NA
P-8	<i>Contingency Plan General Information</i>	270.14(b)(7); 264.52	(G-1) Provide facility name and location, operator, site plan, and describe facility operations.	NA
	<i>Actions to Take in Case of Emergency</i>	270.14(b)(7); 264.52(a)	(G-4(d)) Describe actions to be taken in response to any unplanned release of hazardous waste to air, soil, or surface water.	NA
P-8a	<i>Emergency Coordinators</i>	270.14(b)(7); 264.52(d);	(G-2) There must at least be one primary emergency coordinator available at all	NA

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Section and Requirement	Federal Regulation	Review Consideration ^a	Location in Application ^b	See Attached Comment Number ^c
	264.55	times.		
P-8b Implementation	270.14(b)(7); 264.52(a); 264.56(d)	(G-3) Emergency coordinator to determine that facility has had a release, fire, or explosion that could threaten human health or the environment outside facility.	NA	
P-8c Emergency Actions	270.14(b)(7); 264.56	(G-4)	NA	
P-8c(1) Notification	270.14(b)(7); 264.56(a)	(G-4a) Describe the method for immediate notification of facility personnel and necessary state and local agencies.	NA	
P-8c(2) Identification of Hazardous Materials	270.14(b)(7); 264.56(b)	(G-4b) Observation, records or manifest, or chemical analysis may be used by emergency coordinator.	NA	
P-8c(3) Assessment	270.14(b)(7); 264.56(c),(d)	(G-4c) Direct and indirect effects must be considered.	NA	
P-8c(4) Control Procedures	270.14(b)(7); 264.52(a)	(G-4d) Contingency plan must describe actions facility personnel must take in response to fires, explosions, or any unplanned release of hazardous waste to air, soil, or surface water.	NA	
P-8c(5) Storage, Treatment, and Disposal of Released Material	270.14(b)(7); 264.56(g)	(G-4f) After emergency, emergency coordinator must provide for treating, storing, and disposing of recovered waste.	NA	
P-8c(6) Incompatible Waste	270.14(b)(7); 264.56(h)(1)	(G-4g) Until cleanup is complete, assure that incompatible waste is not stored together.	NA	

CHECKLIST FOR REVIEW OF FEDERAL RCRA PERMIT APPLICATIONS				
SECTION P. POST-CLOSURE FACILITY REQUIREMENTS				
Section and Requirement	Federal Regulation	Review Consideration	Location in Application ^b	See Attached Comment Number ^c
P-8c(7)	Post-Emergency Equipment Management	270.14(b)(7); 264.56(h)(2)	(G-4h) Decontamination is required for emergency equipment.	NA
P-8d	Evacuation Plan for Facility Personnel	270.14(b)(7); 264.52(f)	Evacuation plans must include evacuation signals and primary and alternate evacuation routes.	NA
P-8e	Notification of federal, State and Local Authorities before Resuming Post-Closure Care	270.14(b)(7); 264.56(i)	Federal or state authorities must be notified within 15 days of occurrence.	NA
P-8f	Notification Reports	270.14(b)(7); 264.196(d)	Demonstrate that any release to the environment will be reported to regional administrator within 24 hours of detection.	NA
P-9	Outline of Introductory and Continuing Training Programs	270.14(b)(12); 264.16(a)(1)	(H-1) Facility personnel must successfully complete classroom or on-the-job training which will allow them to responsibly perform in their positions for post-closure care. The training program is limited to post-closure activities.	NA
P-9a	Job Title/Job Description	270.14(b)(12); 264.16(d)1, (d)(2)	(H-1a) Owner or operator must maintain records of job titles, names of employees, job descriptions, and types and amounts of training given to employees.	NA
P-9b	Description of How Training will be Designed to Meet Actual Job Tasks	270.14(b)(12); 264.16(c),(d) (3)	(H-1b) Training must be conducted by a qualified person; there must also be an annual review of the training.	NA
P-9c	Training Director	270.14(b)(12); 264.16(a)(2)	(H-1c) Program must be directed by person trained in hazardous waste procedures.	NA

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Section and Requirement	Federal Regulation	Review Consideration	Location in Application ^b	See Attached Comment Number ^c
P-9d	Relevance of Training to Job Position	270.14(b)(12); 264.16(a)(2)	(H-1d) Training must include instruction on hazardous waste procedures relevant to each employee's position.	NA
P-9e	Training for Emergency Response	270.14(b)(12); 264.16(a)(3)	(H-1e) Personnel must minimally be familiar with emergency procedures, emergency equipment, and emergency systems.	NA
P-9f	Maintenance of Training Records/Copy of Personnel Training Documents	270.14(b)(12); 264.16(b),(d) (4),(e)	(H-1f) Training records on current personnel must be kept until the post-closure care period is completed. Training must be completed within 6 months after date of employment or assignment to the facility, whichever is later.	NA
P-10	Closure Plans	270.14(b)(13); 264.112(a)(1),(2)	(I-1) Include an approved closure plan consistent with the requirements of 264.112. This plan is included for post-closure facilities as a description of how the facility was closed.	NA
P-11	Post-Closure Plan	270.14(b)(13)	(I-2) Submit a copy of the approved post-closure plan.	NA
P-11a	Post-Closure Care Contact	270.14(b)(13); 264.118(b)(3)	(I-2g) Provide the name, address, and phone number of the person or office to contact about the hazardous waste disposal unit or facility during the post-closure care period.	NA
P-12	Notices Required for Disposal Facilities	270.14(b)(14)	(I-3a through d) Provide a certification of closure, a survey plat, and a post-closure	NA

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Section and Requirement	Federal Regulation	Review Consideration	Location in Application ^b	See Attached Comment Number ^c
		certification. Also include a statement that the post-closure notices required by 270.149(b)(14) will be filed and submitted appropriately.	NA	
P-13 Post-Closure Cost Estimate	270.14(b)(16) 264.144	(I-6) Provide a copy of the most recent post-closure cost estimate, calculated to cover the cost, in current dollars, of post-closure monitoring and maintenance of the facility in accordance with the applicable post-closure plan. Estimate must be based on third party performing the post-closure activities. The cost estimate must be adjusted annually for inflation pursuant to 264.144(b).	NA	
P-14 Financial Assurance Mechanism for Post-Closure Care	270.14(b)(16); 264.145; 264.151	(I-7) Provide a copy of the established financial assurance mechanism for post-closure care of the facility. The mechanism must be one of the following: <ul style="list-style-type: none"> • trust fund • surety bond • letter of credit • insurance • financial test and corporate guarantee for post-closure care • use of multiple financial mechanisms • use of financial mechanism for multiple facilities. 	*	
P-15 Use of State Required Mechanisms	270.14(b)(18);	(I-9) When state has regulations equivalent	*	

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Section and Requirement	Federal Regulation	Review Consideration	Location in Application ^b	See Attached Comment Number ^c
	264.149	or greater liability requirements for financial assurance for closure post-closure submit copy of state-required financial mechanism.	*	
P-16 State Assumption of Responsibility	270.14(b)(18); 264.150	(I-9b) If state assumes legal responsibility for compliance with closure, post-closure, or liability requirements there must be a letter submitted from state specifying assumption of responsibilities and amounts of liability coverage assured by state.	NA	
P-17 SWMUs	270.14(d)(1); 264.101	(J-1) Identify all SWMUs at the facility including hazardous and nonhazardous waste units, as well as active and inactive units, if known.	*	
P-17a Characterize the SWMU	270.14(d)(1)	(J-1) Submit SWMU information including: type of each unit; location on a topographic map; engineering drawings, if available, dimensions; dates of operation; description of wastes in each unit; and quantity or volume of waste, if known.	*	
P-17b No SWMUs		(J-1) Describe methodology used to determine that no existing or former SWMUs exist at the facility.	NA	
P-17c Releases	270.14(d)(2)	(J-2)	*	
P-17c(1) Characterize Releases	270.14(d)(3)	(J-2) Provide following information concerning releases: date of release; type, quantity, and nature of release;	*	

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SECTION P. POST-CLOSURE FACILITY REQUIREMENTS				
Section and Requirement	Federal Regulation	Review Consideration	Location in Application ^b	See Attached Comment Number ^c
		groundwater monitoring and other analytical data; physical evidence of stressed vegetation; historical evidence of releases; any state, local, or federal enforcement action that may address releases; any public citizen complaints that indicate a release; and any other information showing the migration of the release.	*	
P-17c(2) No Releases		(J-1) Describe methodology used to determine that releases from SWMUs are not present.	NA	
P-18 Part B Certification	270.11	(L-1)	Attached	
P-19 Information on the Potential for the Public to be Exposed to Releases. At a Minimum, this must include:	270.10(j)	(Q-1) The federal requirement is for surface impoundments and land disposal units.	*	
		<ul style="list-style-type: none"> • reasonably foreseeable potential releases • potential pathways of human exposure • potential magnitude and nature of exposure 		

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Notes:

- ^a Considerations in addition to the requirements presented in the regulations.
- ^b For each requirement, this column must indicate one of the following: NA for not applicable, IM for information missing, or the exact location of the information in the application.
- ^c If application is deficient in an area, prepare a comment describing the deficiency, attach it to the checklist, and reference the comment in this column.