California Environmental Protection Agency
Department of Toxic Substances Control

HAZARDOUS WASTE FACILITY PERMIT

Facility Name: Safety-Kleen Systems, Inc.
Los Angeles Branch
2918 Worthen Avenue
Los Angeles, California 90039

Facility EPA ID Number:
CAT000613935
Effective Date:

Expiration Date:

Owner Name: Safety-Kleen Systems, Inc.
5400 Legacy Drive, Cluster II, Building 3
Plano, Texas 75024

Operator Name: Safety-Kleen Systems, Inc.
5400 Legacy Drive, Cluster II, Building 3
Plano, Texas 75024

Pursuant to California Health and Safety Code section 25200, this Resource Conservation and Recovery Act (RCRA)-equivalent Hazardous Waste Facility Permit is hereby issued to:, Safety-Kleen Systems, Inc., Los Angeles Branch, Los Angeles County, California. The Issuance of this Permit is subject to the terms and conditions set forth in Attachment A and the revised Part "B" Application (Operation Plan) dated March 1, 2008. The Attachment A consists of 26 pages.

_____
Peter Bailey, P.G., Team Leader
Permit Renewal Team
Department of Toxic Substances Control
Date

SAFETY-KLEEN SYSTEMS, INC.
LOS ANGELES BRANCH
2918 WORTHEN AVENUE
LOS ANGELES COUNTY, CALIFORNIA
EPA IDENTIFICATION NUMBER CAT000613935
HAZARDOUS WASTE FACILITY PERMIT

ATTACHMENT "A"

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PART I. DEFINITIONS

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

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

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

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

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

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

PART II. DESCRIPTION OF THE FACILITY AND OWNERSHIP

1. Owner of Facility

Safety-Kleen Systems, Inc.
5400 Legacy Drive, Cluster II, Building 3
Plano, Texas 75024

2. Owner of Real Property

Safety-Kleen Systems, Inc.
5400 Legacy Drive, Cluster II, Building 3
Plano, Texas 75024

3. Operator of Facility

Safety-Kleen Systems, Inc.
Los Angeles Branch
2918 Worthen Avenue
Los Angeles, California 90039

4. Location

Safety-Kleen Systems, Inc., Los Angeles Branch (Facility) is located at the northeast corner of Ripple Street and Worthen Avenue, west of Gilroy Street. The Facility is located approximately 180 yards northeast of Golden State Freeway I-5 and approximately 180 yards west of Glendale Freeway 2. Other streets in the neighborhood include Clearwater Street (industrial area), Glenview Avenue (residential neighborhood), Fruitdale Street (industrial area), Fletcher Drive (industrial area) and Crystal Street (industrial area), and Gilroy Street (mixed residential and industrial areas).

5. Description of Facility Operations

Safety-Kleen Systems, Inc. (Safety-Kleen) began operation at the Facility in June 1978. Safety-Kleen provides mineral spirit solvent reclamation and supply service for customers primarily engaged in vehicle repair shops, industrial maintenance, and dry cleaning. The Facility provides customers with parts cleaning services, which involve parts degreasing units, consisting of a sink affixed to the top of a 16- or 30-gallon drum of cleaner solvent at the customer's location. The Facility also provides customers with aqueous-based parts

washing solution and immersion cleaners (carburetor cleaner) for use in the degreasing units. The units are emptied and the hazardous materials are refilled by the Safety-Kleen truck operators at the customer's location, and the trucks transport the used materials back to the Facility. The hazardous waste solvents from the Facility are eventually transported to the Safety-Kleen's Reedley Recycle Center or another permitted facility for recycling, treatment and/or disposal. The Facility stores and transfers hazardous wastes in three drums/containers units and two underground storage tanks as described in Part IV of this Permit. Please see Attachment B for the Facility's diagram.

The Permittee provides the following services which lead to the off-site generation of hazardous waste that the Permittee transports back to the Facility.

1. Petroleum-Based Cleaners (Mineral Spirits)
2. Aqueous-Based Parts Washing Solution
3. Safety-Kleen Immersion or Carburetor Cleaner Service
4. Safety-Kleen Dry Cleaner Service
5. Safety-Kleen Paint Collection Service
6. Safety-Kleen Used Oil Service
7. Safety-Kleen Used Antifreeze/Coolants Service
8. Miscellaneous Containerized Waste Services

6. Facility History

The Facility began operation as a Safety-Kleen, Los Angeles Branch in June 1978. DTSC issued a hazardous waste facility permit to Safety-Kleen for the Facility on July 15, 1997, which expired on July 15, 2007.

7. Facility Size and Type for Fee Purposes

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

PART III. GENERAL CONDITIONS

1. PERMIT APPLICATION DOCUMENTS

The Part "A" Application dated February 3, 2008 and the revised Part "B" Application (Operation Plan) dated March 1, 2008 are hereby made a part of this Permit by reference.

2. EFFECT OF PERMIT

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

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

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

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

(e) Failure to comply with any term or condition set forth in the Permit in the time or manner specified herein will subject the Permittee to possible enforcement action including but not limited to penalties pursuant to Health and Safety Code section 25187.

(f) Failure to submit any information required in connection with the Permit, or falsification and/or misrepresentation of any submitted information, is grounds for revocation of this Permit (Cal. Code Regs., tit. 22, §66270.43).

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

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

3. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

A Notice of Exemption has been prepared in accordance with the requirements of Public Resources Code section 21000 et seq. and the CEQA Guidelines, California Code of Regulations, title 14, section 15061(b)(3).

4. ENVIRONMENTAL MONITORING

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

5. ANNUAL HAZARDOUS WASTE REDUCTION AND MINIMIZATION CERTIFICATION

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

6. ACCESS

a) DTSC, its contractors, employees, agents, and/or any United State Environmental Protection Agency representatives are authorized to enter and freely move about the Facility for the purposes of interviewing Facility personnel and contractors; inspecting records, operating logs, and

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

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

PART IV. PERMITTED UNITS AND ACTIVITIES

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

Unit 1:

Underground Waste Solvent Storage Tank, Underground Used Oil Storage Tank and Return and Fill Unit

Location

This unit is located northwest side of the Facility, north of employee parking

Activity Type:

This Unit is for storage of hazardous waste.

Activity Description:

Either petroleum-based cleaners or aqueous-based parts washing solutions are stored in the underground waste solvent storage tank. Drums/containers holding either petroleum-based cleaners or aqueous-based parts washing solutions are received from Safety-Kleen customers and other Safety-Kleen facilities and unloaded in the Return and Fill Unit. The Return and Fill Unit is an ancillary unit for the underground waste solvent storage tank. At the Return and Fill Unit, two above-ground Drum Washers are used to empty and rinse drums/containers that contain either petroleum-based cleaners or aqueous-based parts washing solutions. The drum washers are connected to the underground waste solvent storage tank by above-ground and below-ground piping. Used oil and anti-freeze in drums/containers are also held up to 24 hours in the Return and Fill Unit for bulking purposes.

The old underground product storage tank, now the new underground used oil storage tank, is utilized for the storage of used oil, and is not connected to the Return and Fill Unit or Drum Washers.

Physical Description:

This Unit is comprised of two 12,000-gallon (8' in diameter, 32 feet long) double-walled steel and fiberglass-coated underground storage tanks with double-walled piping connecting only the underground waste solvent storage tank to the Return and Fill Unit.

The Return and Fill Unit includes two above-ground Drum Washers. Each Drum Washer has a capacity of 155 gallons and can process approximately 50 gallons of either petroleum-based cleaners or aqueous-based parts washing solutions per minute. Each of the two steel-fabricated Drum Washers is approximately 6 feet wide by 3 feet deep, with a front height of approximately 5 feet. Either petroleum-based cleaners or aqueous-based parts washing solutions are poured from the drum/container into a Drum Washer which is designed to remove coarse solids and metal parts that may come in with either petroleum-based cleaners or aqueous-based parts washing solutions and to remove any remaining wastes from the drum/container. The liquid petroleum-based cleaners or aqueous-based parts washing solutions flow through a metal screen into the catch basin and then into the underground waste solvent storage tank.

The drum/container is then inverted and placed diagonally over the brushes of the Drum Washer. The Drum Washer is turned on and two streams of either petroleum-based cleaners or aqueous-based parts washing solutions are pumped from waste solvent storage tank and sprayed from two nozzles to rinse the drum/container. One nozzle sprays the outside of the drum/container and the other nozzle sprays the inside. There is a secondary containment (276"W x 136"L x 6" H) under the Return and Fill Unit which includes a sump (27" deep by 17 ½" long) as catch basin. After drums/containers are emptied in the Drum Washer, they are situated upside down on top of the Drum Washer for approximately one minute for drying. The drums/containers will then be externally wiped as needed and to be used for refill with products. The spills from the drums/containers in the secondary containment are washed into the sump and pumped back into the underground waste solvent storage tank at the end of the daily shifts.

Maximum Capacity:

12,000 gallons for the Underground Waste Solvent Storage Tank
12,000 gallons for the Underground Used Oil Storage Tank

Waste Types:

Petroleum-based Cleaners, Aqueous-based Parts Washing Solutions, Used Oil, and Anti-Freeze

RCRA Hazardous Waste Codes:

D001, D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, D043, and California Waste Codes Number 123, 132, 134, 135, 211, 212, 213, 221, 222, 223, 241, 251, 252, 342, 343, 352, 491, 741, and 751

Unit Specific Conditions:

1. The underground storage tanks shall be recertified for tank system integrity by an independent professional engineer registered in the State of California pursuant to California Code of Regulations, title 22, section 66264.191 no later than February 2011, and every three years thereafter. The latest certifications were completed on February 7, 2008 for both waste solvent and used oil storage tanks.

2. The Permittee may only use either petroleum-based cleaners or aqueous-based parts washing solutions from the Drum Washer catch basin to spray and rinse the drums/containers that held petroleum-based cleaners or aqueous-based parts washing solutions, respectively. The Permittee may further spray or rinse an empty drum/container with virgin or recycled petroleum-based cleaners or aqueous-based parts washing solutions; on such occasions, the Permittee may deposit the rinsate into the Drum Washer prior to moving the drum from the Unit for refilling.

3. The Permittee shall not store petroleum-based cleaners or aqueous-based parts washing solutions in the underground waste solvent Storage Tank or used oil storage tank in excess of one year from the date such hazardous waste arrives at the Facility. The Permittee shall not store either petroleum-based cleaners or aqueous-based parts washing solutions in this Unit, outside the underground waste solvent storage Tank, in excess of 24 hours. The Permittee shall not hold used oil or anti-freeze in the Return and Fill Unit in excess of 24 hours.

4. Prior to using the waste solvent storage tank for petroleum-based cleaners, the Permittee shall obtain a permit from South Coast Air Quality Management District (SCAQMD) to authorize the operation. The Permittee shall send a copy of the SCAQMD permit to DTSC for review. The Permittee shall not use the waste solvent storage tank to store any petroleum-based cleaners until the Permittee receives written acknowledgement from DTSC that DTSC has reviewed and accepted the SCAQMD permit.

5. The Permittee shall keep the lid of any of the two Drum Washers tightly closed at all times when the Drum Washer is not in use.

Air Emission Standards:

This Unit does not currently contain liquids with more than 500 ppmw of organic liquids and is not subject to the applicable requirements of California Code of Regulations, title 22, chapter 14, article 28.5. The Permittee shall comply with the applicable requirements of California Code of Regulations, title 22, chapter 14, article 28.5 and conduct daily inspections if and when the Permittee starts using this Unit to store petroleum-based cleaners.

Unit 2:

Drum/container Storage Area A

Location:

North portion of the building located on northeast side of the Facility as shown in Figure 1-3 of the Operation Plan

Activity Type:

This Unit is for storage of hazardous waste held in drums/containers.

Activity Description:

Storage of containerized hazardous waste inside a building and within a secondary containment area.

Physical Description:

Drums/containers holding hazardous waste are stored on pallets within the secondary containment area. The area is 31’ long by 13’-4” wide. The floor is concrete with a chemical-resistant coating surrounded by a 6” wide by 4” high concrete curb. The containment area occupies approximately 718 square feet. The curbed area contains two trenches with a total capacity of 173 gallons to collect any potential spills of hazardous waste.

Maximum Storage Capacity:

1,730 gallons

Waste Types:

Paint Thinners, Paint Wastes, Used Oil, Anti-Freeze, Immersion Cleaner, Dry Cleaning Solvents, Spent Parts Washer Solvents (Petroleum and Aqueous-based Parts Washing Solvents), Industrial Solvents, Drum Washer Bottom Sediments, Tank Bottom Sediments, and Miscellaneous Fluid Recovery System Waste

California and RCRA Hazardous Waste Codes:

D001, D002, D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, D043, F002, F003, F005, and California Waste Codes Number 123, 132, 1133, 134, 135, 211, 212, 213, 221, 222, 223, 241, 251, 252, 342, 343, 352, 461, 491, 741, and 751

UNIT-SPECIFIC SPECIAL CONDITIONS:

The Permittee shall not open any drums/containers holding in this Unit for any purpose except for sampling.

Air Emission Standards:

This Unit contains liquids with vapor pressure more than 5.2 KPa and organic liquids above 500 ppmw and is subject to the requirements of California Code of Regulations, title 22, chapter 14, article 28.5. Daily inspections are required.

Unit 3:

Drum/container Storage Area B, and designated part of Area C

Location:

East side of the Facility

Activity Type:

This Unit is for storage of hazardous waste held in drums/containers.

Activity Description:

Storage of containerized hazardous waste inside a building and within a secondary containment area.

Physical Description:

This unit consists of Area B and C. Drums/containers holding hazardous waste are stored on pallets within the secondary containment areas in Unit B and C.

Area B

This area is 19'-9" long by 15'-6" wide. The floor is concrete with a chemical-resistant coating surrounded by a 6" wide by 4" high concrete curb. The containment area occupies approximately 306 square feet. The curbed area contains one trench with a total capacity of 381 gallons to collect any potential spills of hazardous waste.

Area C

This area is 37'-8" long by 36'-10" wide. The floor is concrete with a chemical-resistant coating surrounded by a 6" wide by 4" high concrete curb. The containment area occupies approximately 1,390 square feet. The curbed area contains one trench with a total capacity of 372 gallons to collect any potential spills of hazardous waste.

Maximum Storage Capacity Unit B, and Designated Part of Unit C):

3,810 gallons

Waste Types:

Paint Thinners, Paint Wastes, Used Oil, Anti-Freeze, Immersion Cleaner, Dry Cleaning Solvents, Spent Parts Washer Solvents (Petroleum and Aqueous-based Parts Washing Solvents), Industrial Solvents, Drum Washer Bottom Sediments, Tank Bottom Sediments, and Miscellaneous Fluid Recovery System Waste

California and RCRA Hazardous Waste Codes:
D001, D002, D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, D043, F002, F003, F005, and California Waste Codes Number 123, 132, 1133, 134, 135, 211, 212, 213, 221, 222, 223, 241,

251, 252, 342, 343, 352, 461, 491, 741, and 751

UNIT-SPECIFIC SPECIAL CONDITIONS:

The Permittee shall not open any drums or containers in this Unit for any purpose except for sampling.

Air Emission Standards:

This Unit contains liquids with vapor pressure more than 5.2 KPa and organic liquids above 500 ppmw and is subject to the requirements of California Code of Regulations, title 22, chapter 14, article 28.5. Daily inspections are required.

PART V. SPECIAL CONDITIONS

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

2. The Permittee shall take all measures necessary to prevent any spills of hazardous waste into the drainage systems.

3. Unless as otherwise specified in this Permit, the Permittee shall not store hazardous waste in any of the permitted storage units in excess of one year from the date such hazardous waste arrives at the Facility.

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

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

6. Drums or containers of hazardous waste shall be stored on pallets and shall not be stacked more than six feet high.

7. The drums/containers must be “empty” as that term is defined in California Code of Regulations, title 22, section 66261.7(b) before they exit this Unit. Any drum/container that meets the “empty” definition and standard in section 66261.7(b) is no longer subject to hazardous waste regulations.

8. The Permittee shall collect all rainwater and washwater accumulated within the authorized units and determine whether it is hazardous waste; if it is hazardous waste, the Permittee shall manage it accordingly.

9. Any non-hazardous waste that is stored in a unit authorized by this Permit for management of hazardous waste shall be subject to the conditions of this Permit, including volume calculations, compatibility and inspections.

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

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

12. Used Oil - Total Halogen Testing

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

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

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

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

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

(2) The Permittee may only accept a used oil shipment containing more than 1000 ppm total halogens and manage it as used oil when the rebuttable presumption has been rebutted pursuant to California Code of Regulations, title 22, section 66279.10(b), (b)(1)

and (b)(2) using the procedures in paragraph V.1(b)(3) or based on California Code of Regulations, title 22,section 66279.10(b)(3), (b)(4), or (b)(5).

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

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

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

(ii) The Permittee shall obtain from the transporter, at the time of delivery, a copy of the Generator's Waste Profile Worksheet (GWPW) and the analytical results for the halogen content used to rebut the presumption;

(iii) The Permittee shall review the documents obtained under paragraph V.1(b)(3)(A)(ii) prior to accepting the waste and shall subsequently enter into its operating record that the Permittee reviewed the documents and verify that a) the GWPW is less than 365 days old; b) the GWPW is based on a representative sample of the waste; and c) the data used to rebut the

presumption was analyzed by a laboratory certified in accordance with the Environmental Laboratory Accreditation Program by using the test methods specified in California Code of Regulations, title 22, section 66279.90(b).;

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

(v) After reviewing the documents obtained under paragraphs V.1(b)(3)(A)(ii) and (iv),, the Permittee shall place the documents into its operating record. These documents shall demonstrate that the rebuttable presumption can be rebutted pursuant to California Code of Regulations, title 22, section 66279.10(b), (b)(1) and (2).

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

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

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

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

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

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

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

(i) The Permittee may rebut the rebuttable presumption only through analytical testing in accordance with the test methods specified in California Code of Regulations, title 22, section 66279.90(b) or by demonstrating that the used oil does not contain halogenated hazardous waste by satisfying the requirements in A) and B) below.

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

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

(E) Option 5. For used oil received from multiple generators and when the transporter cannot provide fingerprint data or retained samples as discussed in Options 3 and 4 above, the Permittee may rebut the presumption only through

analytical testing in accordance with the test methods specified in California Code of Regulations, title 22, section 66279.90(b) to demonstrate that the rebuttable presumption is rebutted pursuant to California Code of Regulations, title 22, section 66279.10(b), (b)(1) and (2).

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

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14. Used Oil - PCBs Testing

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

(b) All outgoing used oil shall be tested for PCBs to ensure that the used oil load does not contain PCBs at a concentration of 2 ppm or greater. The Permittee shall test the used oil from each storage tank for PCBs in accordance with the procedures in paragraph V.2(b)(1) or the Permittee shall comply with the requirements in paragraph V.2(b)(2), which provide for the receiving facility to test the used oil for PCBs.

(1) If the Permittee is performing the tests for PCBs in used oil, the Permittee shall test the used oil for PCBs using all of the following procedures:

(A) The Permittee shall obtain a representative sample of the used oil from the tank to be emptied using the sampling procedure specified in Section III of the DTSC-approved Standardized Permit Application. No additional loads of used oil shall be added to the storage tank once the sample is taken and used oil shall not be unloaded until the PCB test specified below is completed.

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

(C) If the used oil does not contain PCBs at a concentration of 2 ppm or greater, the tank contents may be emptied and released for shipment. The used oil may then be delivered to an authorized used oil transfer or treatment facility.

(D) If the used oil contains PCBs at a concentration of 2ppm or greater, a second sample shall be obtained and tested. The second sample shall be obtained using sampling equipment that is new or has been cleaned using (i) the permanganate cleanup procedure (EPA Method 3665A); or (ii) an appropriate decontamination procedure that has been approved in writing by DTSC for use at the Facility.

(E) If the second test result required in paragraph V.2(b)(1)(D) of the used oil in the storage tank confirms that the used oil contains PBCs at a concentration of 2 ppm or greater, the retained sample from each tanker truck that was unloaded into the storage tank shall be tested.

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

(G) If any retained sample is at or above the 5 ppm limit for PCBs, the entire contents of the storage tank shall be shipped to a facility permitted to accept PCBs-contaminated hazardous waste pursuant to all applicable requirements, including those of the Toxic Substances Control Act (TSCA, Public Law [Pub.L] 94-469). The storage tank shall be decontaminated to remove all PCBs residues prior to reuse. Any waste generated as a result of decontamination of the storage tank shall be managed as PCBs-contaminated hazardous waste.

(H) If any sample shows a PCB concentration of 5 ppm or greater, the Permittee shall provide the written test results to DTSC within seven days of obtaining the test results.

(I) The result of the PCB testing specified in this section shall be valid only if no additional loads of used oil are added to the storage tank from which the sample is taken.

(2) If the Permittee elects to have the receiving facility test the used oil for PCBs and the receiving facility agrees to test the used oil for PCBs in accordance with paragraph V.2, the Permittee shall provide written instructions to the receiving facility that directs it to test the used oil for PCBs to ensure that the used oil load does not contain PCBs at a concentration of 2 ppm or greater. The instructions shall, at a minimum, direct the receiving facility to do all the following:

(A) Take a sample for PCBs testing directly from the Permittee's used oil load and test the Permittee's used oil load separately from any other load.

(B) Do not unload the truck or commingle the Permittee's used oil load with any other used oil at the receiving facility until PCBs testing indicates that the Permittee's load does not contain PCBs at a concentration of 2 ppm or greater.

(C) Use EPA test method 8082 or other similar methods approved by the United States Environmental Protection Agency or DTSC to test the used oil.

(D) Write the manifest number on the written test results for the used oil load that was tested.

(E) Provide the Permittee with written test results within 24 hours after the test has been performed. The written test results shall clearly show whether or not the used oil load contains PCBs at a concentration of 2 ppm or greater.

(F) Reject the load if the test results show that the used oil contains PCBs at a concentration of 2 ppm or greater.

(G) Provide a signed certification, under penalty of perjury, for each set of test results, to the Permittee stating that the receiving facility has followed all of the Permittee's written instructions for each used oil load received from the Permittee.

(c) (1) If the load is rejected under paragraph V.2(b)(2)(F), the Permittee shall test, in accordance with paragraph V.2(b)(2)(C), each retained

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

(2) If any retained sample is at or above the 5 ppm limit for PCBs, the entire load from the PCB-contaminated transport vehicle (i.e., tanker trailer), any waste remaining in any other transport vehicle that transported the PCB-contaminated load, and any remaining waste in the PCBs-contaminated storage tank (including any subsequent loads placed into the storage tank) shall be shipped to a facility permitted to accept PCBs-contaminated hazardous waste pursuant to all applicable requirements, including those of the Toxic Substances Control Act (TSCA, Public Law [Pub. L.] 94-469). Any transport vehicles and the storage tank that held the PCBs-contaminated hazardous waste shall be decontaminated to remove all PCB residues prior to reuse. Any waste generated as a result of decontamination of the transport vehicles and storage tank shall be managed as a PCBs-contaminated waste.

(d) The Permittee shall immediately notify DTSC of any rejected load by e-mail and in writing and provide the written test results to DTSC within seven days of obtaining the test results. The Permittee shall comply with the requirements of Health and Safety Code section 25160.6 for any rejected load.

(e) The Permittee shall keep all documentation for PCBs testing for at least three years, including but not limited to; (1) the written instructions to the receiving facility; (2) the written test results provided by the receiving facility that show that the used oil load has been tested for PCBs in accordance with paragraph V.2(b)(2) or test results obtained by the Permittee in accordance with paragraph V.2(b)(1); (3) test results for retained samples that were conducted in accordance with paragraph V.2(b)(1)(E) and paragraph V.2(c); and (4) the certifications required by paragraph V.2(b)(2)(G). The Permittee shall make the documentation available for inspection upon DTSC's request.

15. Prior to any transfer operation, the Permittee shall check the dip stick in the opened manway on the receiving truck to prevent overfilling. During transfer operations and/or when a hose is disconnected from a tanker truck, tanker trailer, or a tank, the Permittee shall place a bucket or a drip pan under the hose's decoupling point to contain any release of hazardous waste.

PART VI. CORRECTIVE ACTION

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

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

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

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

ATTACHMENT B