IDAHO

DEPARTMENT OF ENVIRONMENTAL QUALITY

# HWMA CORRECTIVE ACTION PERMIT

for the

# MOUNTAIN HOME AIR FORCE BASE

**EPA ID No. ID3572124557**

**Effective Date: January 11, 2015**

**Revision Date: March 16, 2020**

**Book 1 of 1**

STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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C. L. "Butch" Otter, Governor
Curt Fransen, Director

**Permittee:** **United States Air Force, 366 Fighter Wing, Mountain Home Air Force Base, Permit Number: ID3572124557**

**INTRODUCTION AND SIGNATURE PAGE**

Pursuant to the Idaho Hazardous Waste Management Act of 1983 (HWMA), Idaho Code §§ 39-4401 et seq., and the "Rules and Standards For Hazardous Waste," as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA) and the regulations promulgated under the Idaho Administrative Procedures Act (IDAPA) 58.01.05.000 et seq., a Post-Closure and Corrective Action Permit (Permit) is hereby issued to the United States Air Force (USAF), 366 Fighter Wing, Mountain Home Air Force Base (MHAFB) (Permittee), to conduct future and specified corrective action, and maintain, and care for a closed hazardous waste facility at the MHAFB facility. The MHAFB occupies about 5,800 acres within Township 4 South, Range 5 East, Sections 16, 17, 20, 21, 22, 27, 28, 29, 32, 33 and 34 in Elmore County, Idaho. The location of the base by latitude and longitude is N 43.049511, W 115.866452.

This Permit is also to conduct any corrective action, if necessary, at the Saylor Creek Range (SCR), which encompasses 109,466 acres and is located in Township 7 South, Range 7 East, Sections 1-36; all of Township 7 South, Range 8 East, Sections 1-36; Township 8 South, Range 7 East, Sections 1-5, 8-17, 20-29, and 32-36; Township 8 South, Range 8 East, Sections 1-36; Township 9 South, Range 7 East, Sections 1-5, 8-17, and portions of 24, 25 and 36; Township 9 South, Range 8 East, Sections 1-18 and portions of 19, 20, 29, 30, 31 and 32, in Owyhee County, Idaho.

The Permittee shall comply with all of the terms and conditions of this Permit and Attachments 1 through 12 of this Permit. The Permittee shall comply with all applicable state regulations, including IDAPA 58.01.05.004 through 58.01.05.013 [Title 40 of the Code of Federal Regulations (CFR), Parts 124, 260 through 266, 268, and 270], and as specified in this Permit.

Applicable state regulations are those which are in effect on the date of final administrative disposition of this Permit and any self-implementing statutory provisions and related regulations which, according to the requirements of HSWA, are automatically applicable to the Permittee's hazardous waste management activities, notwithstanding the conditions of this Permit.

This Permit is based upon the administrative record, as required by IDAPA 58.01.05.013 [40 CFR § 124.9]. The Permittee's failure, in the application or during the permit issuance process, to fully disclose all relevant facts, or the Permittee's misrepresentation of any relevant facts, at any time, shall be grounds for the termination or modification of this Permit and/or initiation of an enforcement action, including criminal proceedings. To the extent there are inconsistencies between the Permit and the Attachments the language of the permit shall prevail. The Permittee must inform the Director of the Idaho Department of Environmental Quality (Director) of any deviation from the permit conditions or changes in the information on which the application is based, which would affect the Permittee's ability to comply or actual compliance with the applicable regulations or permit conditions, or which alters any permit condition in any way. The Director shall enforce all conditions of this Permit. Any challenges of any permit condition shall be appealed to the Idaho Board of Environmental Quality, in accordance with IDAPA 58.01.05.013 [40 CFR § 124.19], and in accordance with the "Rules Governing Declaratory Rulings and Contested Proceedings," IDAPA 58.01.23.043.

The United States Environmental Protection Agency (EPA) shall maintain an oversight role of the state-authorized program and in such capacity, shall enforce any permit condition based on state requirements if, in the EPA's judgment, the Director should fail to enforce that permit condition. Any challenges to the EPA-enforced conditions shall be appealed to the EPA, in accordance with 40 CFR § 124.19.

This Permit is effective as of January 11, 2015, and shall remain in effect until January 11, 2025, unless, in accordance with IDAPA 58.01.05.012, the Permit is revoked and reissued [40 CFR § 270.41], modified [40 CFR § 270.42, Appendix I.A.6], terminated [40 CFR § 270.43], or continued [40 CFR § 270.51].

January 11, 2015
Date

Curt Fransen, Director
Idaho Department of Environmental Quality

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Appendix A – Required Submittals and Dates

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**LIST OF ATTACHMENTS**

The following attachment list includes excerpts from the Permittee' s Administrative Record, i.e., permit application, supplemental reports, and other documents contained in the Department's supporting file for the Permit. The Director has, as deemed necessary, modified specific language in the Attachments. These modifications are described in the permit conditions (Modules I through V), and thereby supersede the language of the original Attachments. If the language of the Permit conflicts with either the Attachments or the original application, the language in the Permit shall prevail. These incorporated Attachments are enforceable conditions of this Permit as modified by the specific permit condition(s).

**ATTACHMENT 1** **RCRA PART A PERMIT APPLICATION**, consisting of:

RCRA Subtitle C Site Identification Form, pages 1 through 5 of the permit application

Hazardous Waste Permit Information Form, pages 1 through 6 of the permit application

**ATTACHMENT 2** **FACILITY DESCRIPTION**, consisting of:

LIST OF ACRONYMS AND ABBREVIATIONS, of the permit application

Section 1.0, INTRODUCTION, pages 1-1 through 1-3 of the permit application

Section 2.0, GENERAL FACILITY DESCRIPTION, page 2-1 through 2-4 of the permit application

**ATTACHMENT 3** **SECURITY**, consisting of:

Section 3.0, SECURITY, page 3-1 of the permit application

Appendix D, SECURITY PROCEDURES, pages D-1 through D-5, of the permit application

**ATTACHMENT 4** **SOLID WASTE MANAGEMENT UNITS**, consisting of:

Section 4.0, SOLID WASTE MANAGEMENT UNITS, page 4-1 of the permit application

Section 4.10, SOLID WASTE MANAGEMENT UNITS, page 4-1 of the permit application

Section 4.2, FFA SITES, pages 4-2 through 4-41 of the permit application

Section 4.2, NON-FFA SITES, pages 4-42, 4-44, 4-46 through 4-57 of the permit application

Section 4.3, OIL WATER SEPARATORS, Table C of the permit application (renumbered as Table 4-3),

Section 4.4, OWS 1100 – CLOSED IN PLACE 1996, supplement to the permit application.

**ATTACHMENT 5** **CORRECTIVE ACTION FOR SWMUS,** consisting of:

Sections 5.0 through 5.1, CORRECTIVE ACTION FOR SWMUS, page 5-1 of the permit application, except that the second paragraph under 5-1, Existing SWMUs, shall be revised as follows:

The purpose of this permit is to provide for jurisdiction under the RCRA corrective actions program in the event the FFA terminates prior to selection of the final remedy under the FFA process for the sites addressed by this proposed permit. It is further expected that any of the two previously identified sites (FT-08 and SD-24) for which a "No Further Action" determination is made under the FFA process will be the subject of a Class 1 RCRA Permit Modification to delete that site from the proposed permit. Should the FFA be terminated, the most recent schedule of corrective action in the FFA shall be incorporated into the RCRA Part B Permit. Should MHAFB need additional days added to some of the scheduled deadlines to facilitate the transfer of funding and administration of project activities as warranted by USAF guidelines, MHAFB will notify IDEQ and work with IDEQ to determine the revised deadlines."

Section 5.3, Table A. FFA SWMUs, pages 5-2 through 5-11 of the permit application (renumbered as Table 5-1)

Section 5.4, Table A. Non-FFA SWMUs, pages 5-12 through 5-28 of the permit application (renumbered as Table 5-2)

**ATTACHMENT 6** **POST-CLOSURE CARE**, consisting of:

Appendix E-1, SOLID WASTE MANAGEMENT UNIT DESCRIPTIONS, Pages E-1 though E-9 of the permit application, except that item 6.1, POL (ST-13) Cap Inspection and Maintenance Plan, and item 10, POL Storage Yard, AST Tank 2 (Part of ST-38) shall be deleted; and item 11 shall be renumbered as item 10.

Figures 6-1 through 6-14, supplemental information for the permit application

**ATTACHMENT 7** **CLOSURE,** consisting of:

Closure documents from MHAFB Administrative Record at DEQ State Office.

**ATTACHMENT 8** **ENVIRONMENTAL RESTORATION SITES,** consisting of:

Section 8.0, Environmental Restoration Sites at Mountain Home AFB-FFA, pages 8-1 through 8-2 of the permit application

**ATTACHMENT 9** **MAPS,** consisting of:

Section 9.0, MAPS, Figures 1 through 7 of the permit application (renumbered as Figures 9-1 through 9-7)

**ATTACHMENT 10** **GROUNDWATER MONITORING PROGRAM,** consisting of

Appendix B, GROUNDWATER MONITORING PLAN, pages B-1 through B-2 of the permit application

**ATTACHMENT 11** **FEDERAL FACILITY AGREEMENT,** consisting of:

Appendix C, FEDERAL FACILITY AGREEMENT, pages C-1 though C-79 of the permit application

LIST OF RECORDS OF DECISION, from DEQ files

LIST OF CONSENT ORDERS, from DEQ files

LIST OF NO FURTHER ACTION DETERMINATIONS from DEQ files

**ATTACHMENT 12** **PERMIT MODIFICATION/REVISION LOG,** consisting of:

Table 12-1. Permit Modification/Revision Log

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**DEFINITIONS**

For purposes of this Permit, the following definitions shall apply:

a. *Applicable or Relevant and Appropriate Requirements (ARARs)* – "Applicable" requirements are those cleanup standards, standards of control, and other substantive requirements, criteria, or limitations promulgated under Federal or State environmental or facility siting laws that specifically address a hazardous substance, pollutant, contaminant, remedial action, location, or other circumstance found at a Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) site. "Relevant and appropriate" requirements are those cleanup standards, standards of control, and other substantive requirements, criteria, or limitations promulgated under Federal environmental or State environmental or facility siting laws that, while not "applicable" to a hazardous substance, pollutant, contaminant, remedial action, location, or other circumstance at a CERCLA site, address problems or situations sufficiently similar to those encountered at the CERCLA site that their use is well suited to the particular site. Only those State standards that are identified by a State in a timely manner and that are more stringent than Federal requirements may be applicable.

b. *Application* shall mean the following: "Final Resource Conservation and Recovery Act Part B Permit Application, Mountain Home Air Force Base," March 2014, including the Part A Permit Application (Subtitle C Identification Form and Hazardous Waste Permit Information Form), signed March 4, 2014.

c. *Area of Concern* (AOC) shall mean any area having a probable release of a hazardous waste or hazardous constituent which is not from a Solid Waste Management Unit (SWMU) and is determined by the Department to pose a current or potential threat to human health or the environment. Such areas of concern may require investigation and remedial action as required under Section 3005(c)(3) of the Resource Conservation and Recovery Act (RCRA) and Idaho Administrative Procedures Act (IDAPA) 58.01.05.012 [Title 40 of the Code of Federal Regulations (CFR) Parts 270.32(b)(2)] in order to ensure adequate protection of human health and the environment.

d. *CERCLA* shall mean the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act (SARA) of 1986.

e. *Compliance Agreement* shall mean any document that specifies a decision, plan, or schedule regarding management of post-closure sites, SWMUs or AOCs at Mountain Home Air Force Base (MHAFB).

f. *Corrective Action* shall mean any activities including investigations, studies, characterizations, and corrective measures in accordance with IDAPA 58.01.05.008 [40 CFR §§ 264.100 and 264.101].

g. *Department* shall mean the Idaho Department of Environmental Quality (IDEQ).

h. *Director* shall mean the Director of the IDEQ, or his designee or authorized representative.

i. *Discovery (discovered)* shall mean the initial identification of an SWMU or other AOC, which has the potential to release hazardous waste or hazardous waste constituents to the environment.

j. *Facility* shall mean all contiguous land, structures, other appurtenances, and improvements under the control of the Base Commander at the Mountain Home Air Force Base, including the Saylor Creek Range in accordance with IDAPA 58.01.05.004 (40 CFR § 264.10) and Idaho Code § 39-4409(5).

k. *FFA* shall mean the Federal Facility Agreement of 1992 between the United States Air Force, the United States Environmental Protection Agency Region 10, and the Idaho Department of Environmental Quality regarding CERCLA response actions for SWMUs at the Mountain Home Air Force Base (MHAFB) or resulting from MHAFB operations.

l. *HSWA* shall mean the Hazardous and Solid Waste Amendments of 1984.

m. *HWMA* shall mean the State of Idaho, Hazardous Waste Management Act of 1983, as amended, Idaho Code § 39-4401, et seq.

n. *Hazardous Waste* shall mean a solid waste, or combination of solid wastes, which because of its quantity, concentration, or physical, or chemical, or infectious characteristics may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed [see 42 United States Code (U.S.C.) § 6903(5)].

Under RCRA Corrective Action this term means any solid waste which (1) meets the definition of hazardous waste provided above; (2) is a listed waste; (3) demonstrates a characteristic of a hazardous waste; (4) or is mixed with a hazardous waste, provided it is not specifically excluded from the definition of a hazardous waste. Under the proposed Subpart S rule, EPA also intends to include all hazardous waste constituents listed in 40 CFR §261 Appendix VIll and the compounds listed in 40 CFR §264 Appendix IX in the definition of hazardous waste.

o. *Hazardous Waste Constituent* shall mean any hazardous waste constituent identified in Appendix VIII of IDAPA 58.01.05.005 (40 CFR Part 261), and any of the compounds listed in Appendix IX of IDAPA 58.01.05.008 (40 CFR Part 264).

p. *Hazardous Waste Management Unit* (HWMU) shall mean those operable units subject to the requirements of IDAPA 58.01.05.012 [40 CFR § 270.14 through .25].

*q.* *Hazardous Waste Disposal Unit* (HWDU) shall mean those units in which hazardous waste has been placed in or on the land.

r. *IDAPA* shall mean the Idaho Administrative Procedures Act, Chapter 52, Title 67, Idaho Code.

s. *Landfill* shall mean a disposal facility or part of a facility where hazardous waste is placed in or on land and which is not a pile, a land treatment facility, a surface impoundment, an underground injection well, a salt dome formation, a salt bed formation, and underground mine, a cave or a corrective action management unit.

t. *Permit* shall mean this Permit issued by the Idaho Department of Environmental Quality.

u. *Permittee* shall mean the United States Air Force, Mountain Home Air Force Base.

v. *RCRA* shall mean the Resource Conservation and Recovery Act of 1976, as amended by HSWA in 1984.

w. *Record of Decision (ROD)* shall mean the public document that explains which cleanup alternative(s) will be used at CERCLA cleanup sites.

x. *Release* shall mean any spilling, leaking, pouring, emitting, emptying, discharging, injecting, pumping, escaping, leaching, dumping, or disposing of hazardous wastes or hazardous waste constituents into the environment, including the abandonment or discarding of barrels, containers, and other closed receptacles containing hazardous wastes or hazardous waste constituents.

y. *Solid Waste Management Unit* (SWMU) shall mean any discernible unit at which solid wastes have been placed at any time, irrespective of whether the unit was intended for the management of solid or hazardous wastes. Such units include any area at a facility at which solid wastes have been routinely and systematically released.

z. Unless otherwise noted, all schedules refer to calendar time, i.e., thirty (30) days means thirty (30) calendar days

All definitions contained in IDAPA 58.01.05.004, 58.01.05.008, and 58.01.05.010 through 58.01.05.013 [40 CFR Parts 260, 264, 266, 268, 270, and 124] are hereby incorporated, in their entirety, by reference into this Permit, except that any of the definitions used above shall supersede any definition of the same term given in IDAPA 58.01.05.000 et seq. Where terms are not defined in the regulations or the Permit, the meaning associated with such terms shall be defined by a standard dictionary reference or the generally accepted, scientific, or industrial meaning of the term.

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**ACRONYMS AND ABBREVIATIONS**

| | |
|---|---|
| ACC | Air Combat Command |
| ACES | Automated Civil Engineer System |
| ACES-IDM | Automated Civil Engineer System - Integrated Data Model |
| AFB | Air Force Base |
| AFCEE | Air Force Center for Environmental Excellence |
| AOC | Area of Concern |
| ARAR | Applicable and Relevant Requirement |
| AST | Aboveground Storage Tank |
| ASTM | American Society of Testing and Materials |
| BEW | Bedrock Extraction Well |
| BLM | Bureau of Land Management |
| BX | Base Exchange |
| MX | Military Exchange |
| CA/PC | Corrective Action/Post-Closure |
| CERCLA | Comprehensive Environmental Response, Compensation and Liability Act |
| CES | Civil Engineering Squadron |
| CFR | Code of Federal Regulations |
| CME | Corrective Measures Evaluation |
| CMI | Corrective Measures Implementation |
| CMS | Corrective Measures Study |
| CO | Consent Order |
| CQA | Corrective Measures Quality Assurance |
| DEQ | Department of Environmental Quality |
| DP | Disposal Pit |
| DRMO | Defense Reutilization and Marketing Office |
| DU | Decision Unit |
| EOD | Explosive Ordnance Disposal |
| EPA | U.S. Environmental Protection Agency |
| ERP | Environmental Restoration Program |
| ESD | Explanation of Significant Difference |
| FEMA | Federal Emergency Management Act |
| FFA | Federal Facilities Agreement |
| FFA/CO | Federal Facilities Agreement/Consent Order |
| FT | Fire Training Area |
| FUDS | Formerly Used Defense Sites |
| HSWA | Hazardous and Solid Waste Amendments of 1984 |
| HWDU | Hazardous Waste Disposal Unit |
| HWMA | Hazardous Waste Management Act of 1983, as amended |
| IC | Institutional Control |
| IDAPA | Idaho Administrative Procedures Act |
| IDEQ | Idaho Department of Environmental Quality |
| IDP | Installation Development Plan |
| IDTL | Initial Default Target Level |
| IRP | Installation Remediation Program |
| JP | Jet Propulsion |
| kg | kilogram |
| L | liter |
| LF | Landfill |
| LLC | Limited Liability Corporation |
| LOX | Liquid Oxygen |

| | |
|---|---|
| LTM | Long Term Monitoring |
| LUC | Land Use Control |
| mg | milligram |
| MHAFB | Mountain Home Air Force Base |
| MILCON | Military Construction |
| MMRP | Military Munitions Response Program |
| MOGAS | Motor Gasoline |
| MSW | Municipal Solid Waste |
| NFA | No Further Action |
| NFRAP | No Further Remedial Action Proposed |
| NIOSH | National Institute for Occupational Safety and Health |
| NRA | No Remediation Action |
| NW | Northwest |
| OSHA | Occupational Safety and Health Administration |
| OSWER | Office of Solid Waste and Emergency Response |
| OT | Other |
| OU | Operable Unit |
| OWS | Oil Water Separator |
| PA | Preliminary Assessment |
| PBC | Performance Based Contracting |
| PBR | Precision Bombing Range |
| POL | Petroleum, Oil and Lubricants |
| QA/QC | Quality Assurance/Quality Control |
| RA | Remedial Action |
| RBCA | Risk-Based Corrective Action |
| RCRA | Resource Conservation and Recovery Act |
| RFA | RCRA Facility Assessment |
| RFI | RCRA Facility Investigation |
| RI/FS | Remedial Investigation/Feasibility Study |
| RMC | RMC Consultants, Inc. |
| ROD | Record of Decision |
| RW | Radioactive Waste |
| SARA | Superfund Amendments and Reauthorization Act |
| SCR | Saylor Creek Range |
| SCS | Solid Conservation Service |
| SD | Storm Drain |
| SR | Skeet Range |
| SS | Storm Sewer |
| ST | Storage Tank |
| SWMU | Solid Waste Management Unit |
| TCLP | Toxicity Characteristic Leaching Procedure |
| U.S.C | United States Code |
| URS | United Research Services |
| USAF | U.S. Air Force |
| UST | Underground Storage Tank |
| UU/UE | Unlimited Use/Unrestricted Exposure |
| VOC | Volatile Organic Compound |
| WWII | World War II |

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# MODULE I – STANDARD PERMIT CONDITIONS

## I.A. EFFECT OF PERMIT

The Permittee is required to perform corrective action as expressly described in this Permit. Any storage, treatment or disposal of hazardous waste by the Permittee at this Facility that is not authorized by this Permit, or by the Idaho Administrative Procedures Act (IDAPA) 58.01.05.006 [Title 40 of the Code of Federal Regulations (CFR) Part 262.34], and for which a permit is required under Idaho Code § 39.4409 or Section 3005 of the Resource Conservation and Recovery Act (RCRA) is prohibited.

Pursuant to IDAPA 58.01.05.012 [40 CFR § 270.4], compliance with this Permit generally constitutes compliance, for purposes of enforcement, with the Idaho Hazardous Waste Management Act (HWMA), as amended, except for those requirements not included in this Permit, which become effective by statute or future regulatory changes to include those requirements promulgated under IDAPA 58.01.05.011 [40 CFR Part 268] restricting the placement of hazardous waste in or on the land. As per IDAPA 58.01.05.012 [40 CFR § 270.30(g)], issuance of this Permit does not convey any property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local laws or regulations.

The United States Air Force (USAF), the United States Environmental Protection Agency (EPA) Region 10, and Idaho Department of Environmental Quality (IDEQ) entered into a "Federal Facilities Agreement" (FFA) on January 16, 1992. That agreement provides for integration and satisfaction of the response action requirements of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and the corrective action requirements of the RCRA for those Solid Waste Management Units (SWMUs) addressed under the FFA. Compliance with the requirements of the FFA shall satisfy the corrective action requirements of this Permit for the SWMUs addressed under the FFA.

In 1995, IDEQ agreed with the No Further Action (NFA) determination regarding the six (6) SWMUs at the Saylor Creek Range. In the event additional SWMUs or Areas of Concern (AOCs) are identified at the Saylor Creek Range, these units will require full characterization in accordance with this Permit.

In 1997, IDEQ agreed with the NFA determination regarding Oil/Water Separator (OWS) SWMUs 1332E, 1332 SE and 2304. Another fifty-seven (57) OWS were evaluated in a 1997 Addendum to the 1990 RCRA Facility Assessment and further evaluated under the FFA. All OWS included in the 1997 Addendum, except OWSs 1347 and 1354, have been either closed or removed and are considered to require NFA. OWS 1347 and 1354 have been decommissioned; however, under the FFA, they are currently being re-investigated to ensure proper closure of sites. Any other OWS determined to be a HWMU or an SWMU shall be addressed by the Permit.

In 2009, IDEQ entered into a Consent Order (CO) with the USAF MHAFB regarding asbestos and pesticide contaminated soils excavated at its Military Family Housing Areas, and disposed at the Verlinde Hill Rubble Pile/Disposal Area (IDEQ, "Signed and Effective Consent Order for RCRA and Air Quality," July 15, 2009). In the event additional SWMUs or AOCs are identified in the Family Housing Areas or at the Verlinde Hill Rubble Pile/Disposal Area, these units will require full characterization in accordance with this Permit. The Verlinde Hill Rubble Pile/Disposal Area was administratively determined not to be an SWMU in an IDEQ letter dated April 4, 2012, but should MHAFB

fail to comply with the Verlinde Hill Solid Waste Management Unit Cap Maintenance Plan in accordance with 40 CFR Subpart M, Part 61, it shall be incorporated into this Permit as an SWMU and subject to all its terms and conditions.

A summary of the SWMUs identified at MHAFB, and their status is included in this Permit as Attachment 4, Solid Waste Management Units; Attachment 5, Corrective Action for SWMUs; and Attachment 6, Appendix E, Solid Waste Management Units That Require Post-Closure Care or Monitoring.

I.A.1. Any SWMU included in the FFA for which action is not complete shall become subject to the requirements of this Permit immediately upon termination of the FFA.

I.A.2. Any SWMU not included in the FFA is subject to the requirements of this Permit.

I.A.3. A determination of NFA or for unlimited use, unrestricted exposure (UU/UE) shall not preclude the Director from requiring further investigations, studies, or remediation at a later date, if new information or subsequent analysis indicates that a release or the likelihood of a release from an SWMU at the facility is likely to pose a threat to human health or the environment.

I.B. ENFORCEABILITY

The terms and conditions of this Permit are enforceable pursuant to the HWMA or any other applicable federal, state, or local laws. Violations of this Permit may result in civil penalties in accordance with the HWMA [Idaho Code 39-4414], and/or criminal penalties in accordance with HWMA [Idaho Code 39-4415].

I.B.1. Any person who knowingly makes any false statement or representation in any application, label, manifest, record, report, permit, or other document filed, maintained or used for the purposes of complying with the provisions of Idaho Code § 39-4415 shall be guilty of a misdemeanor and subject to a fine of not more than ten thousand dollars ($10,000) or imprisonment not to exceed one (1) year, or to both, for each separate violation or for each day of a continuing violation.

I.C. OTHER AUTHORITY

The Department expressly reserves any right of entry provided by law, and any authority to order or perform emergency or other response activities as authorized by law.

I.D. PERMIT ACTIONS

I.D.1. Within thirty (30) days of the termination of the FFA, the Permittee must identify areas that still require corrective action and submit a schedule to submit a request for modification, in accordance with the IDAPA 58.01.05.012 [40 CFR § 270.42], to incorporate any and all required permitting actions necessary to complete corrective action under RCRA.

I.D.2. In the absence of the FFA, the Permittee shall submit written notification to the Director within fifteen (15) calendar days after discovery of newly-identified SWMU(s) or Areas of Concern (AOCs). The notification shall include the location of the new SWMU(s) or AOC(s) and information on the suspected or known wastes at the site.

I.D.3. This Permit may be modified, revoked and reissued, or terminated for cause as specified in IDAPA 58.01.05.012 [40 CFR §§ 270.41, 270.42, or 270.43].

I.D.4. The filing of a request for a permit modification, revocation and reissuance, or termination, or the notification of planned changes or anticipated noncompliance on the part of the Permittee does not stay the applicability or enforceability of any permit condition.

I.D.5. The Director may modify this Permit when the standards or regulations on which the Permit was based have been changed by statute, amended standards or regulations, or by judicial decision after the effective date of this Permit.

I.D.6. Except as provided by specific language in this Permit or except for the Director's approval of a Class 1 or 2 Permit Modification, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.42(a) and (b)], any modifications requested by the Permittee which substantially alter the facility or its operation (as covered by this Permit) shall be administered as a Class 3 Permit Modification prior to such change taking place, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.42(c)].

I.D.7. Within forty-five (45) days of a permit modification being put into effect or approved, the Permittee shall provide two (2) clean copies of the relevant portions of the Permit and Attachments revised to incorporate the change (if not already reflected/provided in the change pages submitted with the Permit Modification Request) to the Director. The Permittee shall also submit an electronic version of all modified sections of the Permit and Attachments to the Director and to the EPA Region 10.

I.D.8. The Permittee shall ensure Attachment 12, "Modification Tracking Log" is current, consistent with Permit Condition I.D.7.

I.E. SEVERABILITY

I.E.1. The provisions of this Permit are severable, and if any provision of this Permit or the application of any provision of this Permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this Permit shall not be affected thereby. Invalidation of any state or federal statutory or regulatory provision, which forms the basis for any condition of this Permit, does not affect the validity of any other state or federal statutory or regulatory basis for said provision.

I.E.2. In the event that a condition of this Permit is stayed for any reason, the Permittee shall continue to comply with the related applicable and relevant permitted standards in IDAPA 58.01.05.008 [40 CFR Part 264] until final resolution of the stayed condition, unless compliance with the related applicable and relevant interim status standards in IDAPA 58.01.05.009 [40 CFR Part 265] would be technologically incompatible with compliance with other conditions of this Permit that have not been stayed.

I.F. DUTIES TO COMPLY

I.F.1. The Permittee shall comply with all conditions of this Permit, except to the extent and for the duration such noncompliance is authorized by an Emergency Permit issued in accordance with IDAPA 58.01.05.012 [40 CFR § 270.61]. Any Permit noncompliance, other than noncompliance authorized by an Emergency Permit, constitutes a violation of HWMA and is grounds for enforcement action, for Permit termination, revocation and

reissuance or modification, or for denial of a Permit renewal application, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(a)].

I.F.2. Compliance with the terms of this Permit does not constitute a defense to any order issued or any action brought under Sections 3007, 3008, 3013, or 7003 of RCRA [42 U.S.C. §§ 6927, 6928, 6934 and 6973], §§ 104, 106(a), or 107 of CERCLA [42 U.S.C. §§ 9604, 9606(a), or 9607], as amended by SARA, or any other state or federal law providing for protection of public health or the environment from any imminent and substantial endangerment to human health or the environment.

I.G. PERMIT EXPIRATION

I.G.1.a. Except as renewed, modified, revoked, reissued, or terminated by the Department, this Permit shall automatically expire ten (10) years from the effective date of this Permit.

I.G.1.b. This Permit shall be reviewed five (5) years after the effective date of this permit by the Department, and modified, as necessary, as per IDAPA 58.01.05.012 [40 CFR §§ 270.41 and 270.50].

I.H. CONTINUATION OF EXPIRING PERMIT

This Permit shall remain effective until a new permit or permit denial is made final, provided the Permittee complies with IDAPA 58.01.05.012 [40 CFR §§ 270.10(h), and 270.13 through 270.29] or provided the Department requires the Permittee to continue corrective action to protect human health and/or the environment. Conditions, which are continued pursuant to this permit condition, remain fully effective and enforceable.

I.I. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE

It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit as per IDAPA 58.01.05.012 [40 CFR § 270.30(c)].

I.J. DUTY TO MITIGATE

In the event of noncompliance with this permit, the Permittee shall take all reasonable steps to minimize releases to the environment, and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment. Such mitigation shall not be a defense to enforcement action as per IDAPA 58.01.05.012 [40 CFR § 270.30(d)].

I.K. PROPER OPERATION AND MAINTENANCE

In accordance with IDAPA 58.01.05.012 [40 CFR 270.30(e)], the Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance/quality control procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems to maintain compliance with the conditions of this Permit.

I.L. DUTY TO PROVIDE INFORMATION

I.L.1. The Permittee shall furnish to the Director, within a reasonable time, any relevant information that the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit, or to determine compliance with this Permit. The Permittee shall also furnish to the Director, upon request, copies of records required to be kept by this Permit, in accordance with IDAPA 58.01.05.008 and 58.01.05.012 [40 CFR §§ 264.74(a), and 270.30(h)].

I.L.2. All plans and schedules including revisions to previously submitted plans and schedules required by the conditions of this Permit are, upon written approval by the Director, incorporated into this Permit by reference and become an enforceable part of this Permit. This incorporation does not require a permit modification. Any noncompliance with such approved plans and schedules shall constitute noncompliance with this Permit.

I.M. INSPECTION AND ENTRY

In accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(i)], the Permittee shall allow the Department, the Director, and/or their authorized officers, employees, or representatives, upon the presentation of credentials and other documents as may be required by law, to:

I.M.1. Enter at reasonable times upon the Permittee's premises where a regulated Facility or activity is located or conducted, or where records are kept as required by the conditions of this Permit;

I.M.2. Have access to and to copy, at reasonable times, any records that are kept as required by the conditions of this Permit;

I.M.3. Inspect, at reasonable times, any portion of the Facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and

I.M.4. Sample or monitor, at reasonable times, for the purposes of assuring Permit compliance or as otherwise authorized by HWMA or RCRA, any substances or parameters at any location.

I.N. MONITORING AND RECORDS

I.N.1. In accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(j)(1)], samples and measurements taken by the Permittee for the purpose of monitoring shall be representative of the monitored activity. The method used to obtain a representative sample of the waste to be analyzed must be the most recent appropriate method from IDAPA 58.01.05.005 [Appendix I of 40 CFR Part 261]. The Permittee shall use techniques and procedures specified in IDAPA 58.01.05.005 [Appendix III of 40 CFR Part 261], except as Permit Condition I.N.4 provides otherwise, when collecting, preserving, shipping, analyzing, tracking and controlling samples.

I.N.2. Except as specifically required by regulation or elsewhere in this Permit (i.e., Permit Condition I.Z), and in accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(j)(2)], the Permittee shall retain at the Facility records of all monitoring information, including all calibration and maintenance records and all original recordings for continuous monitoring

instrumentation, copies of all reports and records required by this Permit, certification required by IDAPA 58.01.05.008 [40 CFR § 264.73(b)(9)], and records of all data used to complete the application for this Permit for a period of at least thirty-six (36) months from the date of the sample, measurement, report, record, certification, or application. This period may be extended by the Director at any time by notification, in writing, to the Permittee and is automatically extended during the course of any unresolved enforcement action at this Facility to three (3) years beyond the conclusion of the enforcement action.

I.N.3. In accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(j)(3)], records of monitoring information shall specify the following:

I.N.3.a. The date(s), exact place, and times of sampling or measurements;

I.N.3.b. The name(s), title(s), and affiliation of individuals who performed the sampling or measurements;

I.N.3.c. The date(s) analyses were performed;

I.N.3.d. The name(s), title(s), and affiliation of individuals who performed the analyses;

I.N.3.e. The analytical techniques or methods used; and

I.N.3.f. The results of such analyses, including the Quality Control/Quality Assurance (QA/QC) summary

I.N.4. The Permittee may substitute analytical methods which are equivalent to those specifically approved for use in this permit in accordance with the following:

I.N.4.a. The Permittee submits to the Director a request for substitution of an analytical method(s) that is equivalent to the method(s) specifically approved for use in this Permit. The request shall provide information demonstrating that the proposed method(s) is equal or superior to the approved analytical method(s) in terms of sensitivity, accuracy, and precision (i.e., reproducibility); and,

I.N.4.b. The Director notifies the Permittee in writing that the substitution of the analytical method(s) is approved. Such approval shall not require a permit modification.

I.O. REPORTING PLANNED CHANGES

The Permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted Facility in accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(l)(1)]

I.P. REPORTING ANTICIPATED NONCOMPLIANCE

The Permittee shall give advance notice, in writing, to the Director of any planned change(s) in the permitted Facility, or any activity that may result in noncompliance with permit requirements, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(l)(2)]. If advance notice is not possible, then the Permittee shall give notice within twenty-four (24) hours of the time the Permittee becomes aware of the anticipated noncompliance. Such

notice does not authorize any noncompliance with this Permit or modification of this Permit.

I.Q. TRANSFER OF PERMIT

This Permit may be transferred to a new owner or operator only if it is modified or revoked and reissued in accordance with IDAPA 58.01.05.012 [40 CFR §§ 270.40(b), 270.41(b)(2) and 270.42]. Prior to transferring ownership or operation of the Facility during its Post-Closure Period and/or Corrective Action, the Permittee shall notify the new owner or operator in writing of the requirements of the requirements of IDAPA 58.01.05.008, and 58.01.05.012 [40 CFR §§ 264 and 270] and this Permit.

I.R. COMPLIANCE SCHEDULES

In accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(l)(5)], reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Permit shall be submitted on or before each schedule date. The Permittee shall comply with the schedules included Module VI, Tables VI-5 and VI-6; and Appendix A, Table A-1 of this Permit.

I.S. TWENTY-FOUR HOUR REPORTING

I.S.1. In accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(l)(6)], the Permittee shall report to the Director any noncompliance with the Permit which may endanger human health or the environment. Any such information shall be reported orally within twenty-four (24) hours from the time the Permittee becomes aware of the circumstances/noncompliance. The report shall include the following:

I.S.1.a. Information concerning the release of any hazardous waste that may cause an endangerment to public drinking water supplies, or

I.S.1.b. Any information of a release or discharge of hazardous waste or a fire or explosion relating to hazardous waste management at the permitted Facility which could threaten the environment or human health.

I.S.2. The description in the oral report of the occurrence and its cause shall include:

- Name, address, and telephone number of the owner or operator;
- Name, address, and telephone number of the facility;
- Date, time, and type of incident;
- Name and quantity of material(s) involved;
- The extent of injuries, if any;
- An assessment of actual or potential hazards to the environment and human health, where this is applicable;
- Estimated quantity and disposition of recovered material that resulted from the incident; and
- A qualitative review of actions taken, intended responses, and remedial actions.

I.S.3. Within five (5) calendar days after the Permittee is required to provide verbal notification, as specified in Permit Conditions I.S.1 and I.S.2 of this Permit, the Permittee shall provide to the Director a written submission. The written submission shall include, but not be limited to, the following:

- Name, address, and telephone number of individual reporting;
- A description of the of the incident (noncompliance and/or release), including cause, location, extent of injuries, if any, and an assessment of actual or potential hazard(s) to the environment and human health outside the Facility, where this is applicable;
- The period(s) in which the incident (noncompliance and/or release) occurred (including exact dates and times);
- Whether the results of the incident remain a threat to human health and the environment (whether the noncompliance has been corrected and/or the release has been adequately remediated); and
- If not corrected, the anticipated time it is expected to continue; the steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance; and/or the steps taken or planned to adequately remediate the release.

I.S.4. The Permittee need not comply with the five (5) calendar day written notice requirement if the Director waives, in writing, the requirement, and the Permittee submits a written report within fifteen (15) calendar days from the time the Permittee is required to provide verbal notification, as specified in Permit Condition I.S.1 of this Permit. Reporting shall not constitute a defense for any noncompliance. Reporting requirements specified in this Permit do not supersede or replace any of the facility's other emergency reporting obligations.

I.T. OTHER NONCOMPLIANCE

In accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(l)(10)], the Permittee shall report to the Director all other instances of noncompliance not otherwise required to be reported in accordance with Permit Conditions I.P and I.S of the Permit. Reports shall be due within ten (10) days of when the non-compliance is discovered. The reports shall contain the information listed in Permit Condition I.S of this permit. Reporting shall not constitute a defense for any noncompliance.

I.U. OTHER INFORMATION

In accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(l)(11)], whenever the Permittee becomes aware that it failed to submit any relevant facts in the Permit Application, or submitted incorrect information in a Permit Application or in any report to the Director, the Permittee shall promptly submit such facts or information to the Director in accordance with Permit Condition I.X of this Permit.

I.V. SIGNATURE AND CERTIFICATION

The Permittee shall ensure that all plans, reports, notification, information requested by the Director, and other submissions to the Director are signed and certified, in accordance with IDAPA 58.01.05.012 [40 CFR §§ 270.11 and 270.30(k)].

I.W. CONFIDENTIAL INFORMATION

The Permittee may claim confidential any information required to be submitted by this Permit, in accordance with Title 9, Chapter 3, of the Idaho Code, IDAPA 58.01.05.012 [40 CFR § 270.12], or any other applicable federal, state, or local law. The Department shall determine whether the claim of confidentiality is warranted and in accordance with state laws.

I.X. REPORTS, NOTIFICATIONS AND SUBMISSIONS

All reports, notifications, or other submissions, which are required by this Permit and IDAPA 58.01.05.012 [40 CFR § 270.30], shall be sent or given to the Director by certified mail, express mail, or hand delivered at:

Please submit two (2) copies and an electronic copy to:

Director,
c/o Hazardous Waste Program Manager
Idaho Department of Environmental Quality
1410 North Hilton, 2nd Floor
Boise, Idaho 83706-1255

Telephone No.: (208) 373-0502
Twenty-four (24) hour telephone number: 1-800-632-8000

Please submit an additional electronic copy to:

Director
c/o State of Idaho Coordinator
Office of Air, Waste and Toxics, RCRA Program Unit
U.S. Environmental Protection Agency – Region 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101

The addresses and telephone numbers listed above are current as of the effective date of this Permit and may be subject to change.

I.Y. DOCUMENTS TO BE MAINTAINED AT THE FACILITY.

I.Y.1. The Permittee shall maintain at the Facility, until Corrective Action is completed and Certification by an qualified Professional Engineer has been approved by the Director, and have readily available for inspection, the following documents and amendments, revisions and modifications to these documents:

I.Y.1.a. A complete copy of this Permit and its Attachments, Appendices, Tables and all modifications to this Permit;

I.Y.1.b. A complete copy of the final RCRA Part B Permit Application, including all attachments.

I.Y.1.c. Operating Record, as required by IDAPA 58.01.05.008 [40 CFR § 264.73] and this Permit. The Permittee is exempt from 40 CFR § 264.73(b)(8) for closure cost estimates, in accordance with 40 CFR § 264.140(c).

I.Y.1.d. Detailed chemical and physical analyses of representative samples of the hazardous remediation wastes to be managed at the site. At a minimum, the analyses must contain all of the information which must be known to treat, store or dispose of the waste according to IDAPA 58.01.05.008 [40 CFR § 264.1(j)(2)] and IDAPA 58.01.05.011 [40 CFR Part 268], and must be kept accurate and up to date.

I.Y.1.e. Personnel training documents, certifications, and records, as required by IDAPA 58.01.05.006 [40 CFR §§ 264.1(j)(5), (12) and (13)] and this Permit. Training records for former employees will be maintained for a period of three years, records for current employees will be maintained until post-closure is completed and certified by a qualified Professional Engineer.

I.Y.1.f. Procedures to prevent accidents and the Contingency and Emergency Plan, as required by IDAPA 58.01.05.006 [40 CFR §§ 264.1(j)(10), (12) and (13)]; and this Permit.

I.Y.1.g. Inspection Procedures, Schedules, Logs, Records and Results as required by IDAPA 58.01.05.008 [40 CFR § 264.1(j)(4), (12) and (13)] and this Permit. Records of inspections will be maintained for a period of at least three (3) years.

I.Y.1.h. Copies of all Closure Plans as required by IDAPA 58.01.05.006 (40 CFR § 264.14) for the life of the facility.

I.Y.1.i. Survey plat record as required by IDAPA 58.01.05.008 [40 CFR § 264.119].

I.Z. DOCUMENTS TO BE SUBMITTED AFTER PERMIT ISSUANCE

I.Z.1. The Permittee shall submit to the Director the Compliance Schedules (VI-5 and VI-6) and deliverables for the Corrective Action Program in accordance with Permit Module VI.

I.Z.2. Failure to submit the information required in this Permit, or falsification of any submitted information, is grounds for termination of this Permit, in accordance with IDAPA 58.01.05.012 [40 CFR § 270.43].

I.AA. FUNDING

I.AA.1. No provision of this permit shall be interpreted to require the Permittee to obligate or expend funds in violation of the Anti-Deficiency Act, 31 U.S.C. Section 1341; the Non-Appropriated Fund Anti-Deficiency Act, 10, U.S.C. Section 2783; or any other provision of law.

I.AA.2. Failure to obtain adequate funds or appropriations from Congress shall not, in any way, release the Permittee from its obligations to comply with the Corrective Measures Implementation (as required by Permit Condition VI.G.3 of this Permit) or in any other requirement of this Permit or RCRA.

I.AA.3. If adequate funds for Corrective Measures Implementation or any other requirement of this Permit are not available, the Director reserves the right to pursue any action or actions deemed necessary to protect human health and the environment, not excluding judicial recourse or termination of the permit.

I.BB. BIENNIAL REPORT

I.BB.1. In accordance with IDAPA 58.01.05.012 [40 CFR § 270.30(l)(9)], the Permittee shall comply with Biennial Report requirements of IDAPA 58.01.05.008 [40 CFR § 264.75]

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# MODULE II – GENERAL FACILITY CONDITIONS

II.A. WASTE ANALYSIS

The Permittee shall obtain a detailed chemical and physical analysis of a representative sample any hazardous wastes to be managed at the post-closure site or at any newly-identified SWMUs. At a minimum, the analysis must contain all of the information that must be known to treat, store or dispose of the waste according to IDAPA 58.01.05.008 [40 CFR Part 264] and IDAPA 58.01.05.011 [40 CFR Part 268], and must be kept accurate and up to date; as required per IDAPA 58.01.05.008 [40 CFR §§ 264.1(j)(2), (12) and (13)].

II.B. SECURITY

II.B.1. The Permittee shall comply with the Security Provisions of IDAPA 58.01.05.008 [40 CFR §§ 264.1(j)(3), (12), (13) and 264.117(b)], and as specified in Attachment 3 of this Permit, which:

II.B.1.a. Prevent entrance by people who are unaware of dangers, and minimize the possibility for unauthorized people or livestock to enter onto the SWMUs, AOCs or active portions of remediation waste management sites.

II.C. INSPECTIONS

II.C.1. The Permittee shall comply with the Inspection Provisions of IDAPA 58.01.05.008 [40 CFR §§ 264.1(j)(4), (12) and (13)], IDAPA 58.01.05.012 [40 CFR § 270.14(b)(5)], and Attachment 6 of the Permit, by inspecting the SWMUs, AOCs, and the remediation waste management sites for malfunctions, deterioration, operator errors, and discharges that may be causing, or may lead to, a release of hazardous waste constituents to the environment, or may be a threat to human health. The Permittee shall conduct these inspections often enough to identify problems and remedy them before they can harm human health or the environment. Where a hazard is imminent or has already occurred, the Permittee must take remedial action immediately.

II.D. TRAINING

The Permittee shall ensure that personnel who are involved in the SWMUs, AOCs, and remediation waste management sites are provided with classroom or on-the-job training on how to perform their duties in a way that ensures the waste sites comply with the requirements of IDAPA 58.01.05.008 [40 CFR §§ 264.1(j)(5), (12) and (13)], and on how to respond effectively to emergencies;

II.E. PROCEDURES TO PREVENT ACCIDENTS AND CONTINGENCY AND EMERGENCY PLAN

II.E.1. The Permittee shall develop and maintain procedures to prevent accidents, and develop and maintain a Contingency and Emergency Plan to control accidents that occur, as required per IDAPA 58.01.05.008 [40 CFR § 264.1(j)(10)]. These procedures must address proper design, construction, maintenance, and operation of the SWMUs, AOCs, and remediation waste management sites. The goal of the plan must be to minimize the possibility of, and the hazards from a fire, explosion, or any unplanned sudden or non-

sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water that could threaten human health or the environment. The plan must explain specifically how to treat, store and dispose of the hazardous remediation waste in question, and must be implemented immediately whenever a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment;

II.E.2. The plan shall also include the procedures for the precautions to prevent accidental ignition or reaction of ignitable or reactive waste, and how to prevent threats to human health and the environment from ignitable, reactive and incompatible waste, as required per IDAPA 58.01.05.008 [40 CFR § 264.1(j)(6)].

II.F. EMERGENCY CONTACT

The Permittee shall designate at least one employee, either on the Facility premises or on call (that is, available to respond to an emergency by reaching the Facility quickly), to coordinate all emergency response measures, as required per IDAPA 58.01.05.008 [40 CFR § 264.1(j)(11)]. This Emergency Coordinator must be thoroughly familiar with all aspects of the Facility's Contingency and Emergency Plan, all operations and activities at the facility, the location and characteristics of waste handled, the location of all records within the Facility, and the Facility layout. In addition, this person must have the authority to commit the resources needed to carry out the Contingency and Emergency Plan required in IDAPA 58.01.05.008 [40 CFR § 264.1(j)(10)].

II.G. PLANS, RECORDKEEPING AND REPORTING

In addition to the record keeping and reporting requirements specified elsewhere in this Permit, the Permittee shall comply with the following:

II.G.1. In accordance with IDAPA 58.01.05.008 [40 CFR § 264.1(j)(12)], the Permittee shall develop, maintain and implement a plan or plans to meet the requirements in II.A through II.E of this section.

II.G.2. In accordance with IDAPA 58.01.05.008 [40 CFR § 264.1(j)(13)], the Permittee shall maintain records documenting compliance with the requirements in Permit Conditions II.A through II.G.1 of this section.

II.G.3. The Permittee shall update the tables in Module VI, in accordance with Permit Condition VI.C.9.

II.H. CLOSURE

Not applicable.

II.I. CLOSURE COST ESTIMATE AND FINANCIAL ASSURANCE

The Permittee, as a federal facility, is exempt from the closure cost estimate and financial assurance requirements, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.140(c)].

## II.J. LIABILITY REQUIREMENTS

The Permittee, as a federal facility, is exempt from the liability coverage for sudden and accidental occurrence requirements, in accordance with IDAPA 58.01.05.008 [40 CFR §264.140(c)].

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# MODULE III – GROUNDWATER MONITORING

III.A. APPLICABILITY

The Permittee is not subject to the groundwater monitoring activities required in IDAPA 58.01.05.008 [40 CFR § 264.118(1), as long as the FFA is in effect.

If the FFA is vacated, then the Groundwater Monitoring Program, applicable under the terms of this Permit and IDAPA 58.01.05.008 [40 CFR § 264.90(c)(2) and (3)], shall be undertaken in accordance with IDAPA 58.01.05.008 [40 CFR § 264.98, 264.99, and 264.100], and as stipulated in the following documents.

- Environmental Restoration Program Basewide Work Plan
- OU-3 Bedrock Vapor Extraction Well and System Installation Work Plan
- OU-3 Performance Monitoring Work Plan Addendum
- The latest Long-Term Monitoring Sampling Schedule

These documents are available in the MHAFB Administrative Record as identified in Attachment 10 of this Permit.

III.A.1. The Permittee shall operate, maintain and repair the groundwater monitoring system in a manner to minimize the possibility of a fire, explosion, or any unplanned, non-sudden release of waste constituents to the air, soil, or surface water which could threaten human health or the environment.

III.B. GROUNDWATER PROTECTION STANDARD

The Permittee shall ensure that the Groundwater Protection Standard (GWPS), as required under IDAPA 58.01.05.008 [40 CFR § 264.92], is being met or that remedial actions are being taken to reduce contaminant levels to meet standards. The GWPS shall consist of the hazardous constituents and their corresponding concentration limits as maximum contaminant levels (MCLs) under the Safe Drinking Water Act (SDWA) or alternate concentration limits (ACL) established if and when the FFA is vacated. Where MCLs and ACLs cannot be established, the standard is established at background levels, as established under IDAPA 58.01.05.008 [40 CFR §§ 264.93 and 264.94].

III.C. RECORDKEEPING AND REPORTING

III.C.1.a. All reports, notifications, applications, or other materials required to be submitted to the Director shall be submitted in accordance with Permit Condition I.X of this Permit.

III.C.1.b. Operating Record

The Permittee shall enter all monitoring, testing, analytical, and corrective action data obtained pursuant to the documents listed in Permit Condition III.A into the operating record as required by IDAPA 58.01.05.008 [40 CFR § 264.73(b)(6)].

III.C.2. Compliance Period

The Groundwater Monitoring Program shall remain in effect until all activities identified in FFA, the 2009 RCRA and Air Quality CO, other compliance agreements, and this Permit have been satisfactorily completed, and have been certified.

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# MODULE IV – CLOSURE

IV.A. APPLICABILITY

There have been a number of RCRA HWMUs identified at MHAFB. Most were closed under interim status and one permitted facility was closed. There are no longer any operating interim status or permitted HWMUs at MHAFB. Therefore the requirements of IDAPA 58.01.05.012 [40 CFR § 270.14(b)(13)] do not apply.

The closed units are:

- POL UST Tanks (also referred to as the POL Cap) removed in 1988 and closed and capped September 18, 1991 (1987 Consent Order) (Closure approval is included as Attachment 7, Figure 7-1).

- OT-16 Popping Furnace closed October 1992 (1990 NOD) (Evidence of closure is included as Attachment 7, Figures 7-2a and 7-2b).

- Oil Water Separators (OWS) studies in 1995 determined that many OWS contained hazardous waste. OWS 1332E, 1332SE, and 2304 were closed January 24, 1997. Work plans were developed to decommission 40 OWSs located at 26 sites under RCRA.

  The 40 OWSs were decommissioned and sampled for closure in two separate projects conducted in 1997 and 1998. An OWS inventory was completed at the end of 1999 and listed 20 remaining OWSs located at 18 sites. Five of the 20 were determined to no longer or never present. SOWs were developed to decommission 14 of the 15 remaining OWS under RCRA. The OWS that remained in service (OWS 268-New) was reengineered.

  The EPA rejected the laboratory results associated with the 1997 and 1998 effort, and the Base resampled 11 of the 40 decommissioned OWS sites during the summer of 2001 under RCRA. These 11 sites were recommended for further evaluation under the FFA as site AOC-8. All OWSs have since been decommissioned; however two OWS, OWS 1347 and OWS 1354, are currently being re-investigated under the FFA to ensure proper closure of sites. No Further Action approval for OWSs 1332E, 1332SE, and 2304 is included as Attachment 7, Figure 7-3.

- DRMO Storage Units Closures (Final Closure Certification for Units 1 and 2 is included as Attachment 7, Figure 7-4).

  - DRMO Storage Unit 1, approved October 31, 2001
  - DRMO Storage Unit 2, approved October 31, 2001

- Tank at Old Entomology Shop (1987 Consent Order)

IV.A.1. The closure certification or other documents showing approval are listed in Attachment 7 and available in the Operating Record.

IV.A.2. The utilized closure plans for the above units shall be available in the Operating Record.

# MODULE V – POST-CLOSURE CARE

V.A. APPLICABILITY

Section 3004(p) of RCRA and IDAPA 58.01.05.008 [40 CFR § 264.117] require the Permittee to provide post-closure maintenance and monitoring of waste containment systems in accordance with the requirements of IDAPA 58.01.05.008 [40 CFR Subpart N, Landfills]. IDAPA 58.01.05.008 [40 CFR § 264.310] requires post-closure care for any/all soil areas, and groundwater found contaminated, as a result of the operation of the four, 12,000–gallon underground storage tanks (UST) in the Petroleum, Oil, and Lubricants (POL) Yard . In 1988 the USTs were removed, and in 1991 a RCRA cap was installed to prevent further migration of hazardous waste constituents, which could not be practically removed. Cap construction was completed in March 1991. Closure certification required under IDAPA 58.01.05.008 [40 CFR Parts 264.115-119] was completed on May 23, 1988, and approved on September 16, 1991. Hereafter this unit is referred to as the POL Cap.

V.A.1. POL Cap

The USAF entered into an FFA with the EPA and the Department, effective January 16, 1992. The FFA was established to satisfy the response action requirements of CERCLA, Section 120 (42 U.S.C. § 9620) and the corrective action requirements of RCRA, Sections 3004 (u) and 3004 (v) [42 U.S.C. §§ 6924 (u) and (v)]; HWMA [Idaho Code § 39-4409(5)]; and IDAPA 58.01.05.008 [40 CFR § 264.101]. The FFA is fully incorporated and enforceable as part of the Permit. The parties to the FFA have expressly agreed to address/satisfy the post-closure care requirements of the POL Cap with regards to groundwater monitoring and complying with all other applicable requirements of IDAPA 58.01.05.008 (40 CFR Subpart F, Groundwater Monitoring).

In February 2016, MHAFB provided the Department with new information regarding the concentration of chemical constituents in the soils underneath the clay cap. This new information would have justified the application of different permit conditions at the time of issuance. The new information, provided in the *Final Cap System Investigation Report for the Petroleum, Oil and Lubricant (POL) Yard Cap (ST-13)*, demonstrates that levels of contamination at the Petroleum, Oil and Lubricants (POL) cap post-closure site do not appear to be at concentrations that would pose unacceptable risk to non-residential and construction workers at the site, and therefore continued post-closure care of the site is not required by this Permit.

V.A.2. Verlinde Hill Rubble Pile Cap

In 2009, the Department entered into a Consent Order (CO) with the USAF MHAFB regarding asbestos and pesticide contaminated soils excavated at its Military Family Housing Areas, and disposed at the Verlinde Hill Rubble Pile/Disposal Area (IDEQ, “Signed and Effective Consent Order for RCRA and Air Quality,” July 15, 2009).

V.A.2.a. The Verlinde Hill Rubble Pile cap is being addressed through compliance with the MHAFB, “Verlinde Hill Solid Waste Management Unit Cap Maintenance Plan, Mountain Home AFB, Idaho,” August 2011. Accordingly, the post-closure requirements of this Permit for the Verlinde Hill Rubble Pile cap are addressed by this plan, and is therefore not subject to further HWMA regulation based on known information.

V.B. UNIT IDENTIFICATION

The Permittee shall provide post-closure care for the POL Cap subject to the terms and conditions of this permit.

V.B.1. POL Cap (ST-13)

**Table V-1. POL Cap**

| | |
|---|---|
| **Name:** | **POL Cap (OU-3, ST-13)** |
| **Adjacent Building/Structure No.:** | Building 1307 |
| **Removed tanks:** | Tank 1 – JP-4<br>Tank 2 – Motor Oil<br>Tank 3 – Hydraulic Oil<br>Tank 4 – Hydraulic Oil |
| **Dates Operated:** (up to the date the Dept. certifies the unit is closed) | 1940's to September 16, 1991 |
| **Description of Original Unit:** | Four (4) former underground storage tanks (USTs) ranging in size from 12,000 to 15,000 gallons, removed in June 1988 |
| **Description of Wastes Contained:** | Slop waste from aircraft maintenance |
| **Description of Post-Closure Unit:** | Landfill consisting of a RCRA Subtitle C clay cap |
| **Duration of Post-Closure Period:** | Twenty-five (25) years from September 16, 1991. The 25- year post-closure care period may be extended if the Department finds this is necessary to protect human health and the environment. |
| **Contaminants of Concern (COC):** | Acetone, Anthracene, Arsenic, Benzene, Benzo(a)pyrene, 2-butanone, Cadmium, Chloroethane, Chloroform, Chromium, Di-n-octyl phthalate, 1,1-Dichloroethane, 1,2-Dichloropropane, Ethylbenzene, Fluoranthene, Lead, Mercury, Methyl isobutyl ketone, Methylene chloride, Naphthalene, Phenanthrene, Pyrene, Tetrachloroethylene, Toluene, 1,1,1-Trichloroethane, Xylene (mixed isomers) |
| **Regulatory Authorities** | HWMA/RCRA: Landfill cap post-closure care, land use<br>CERCLA: Groundwater monitoring |

**History:**

The POL Cap (also known as Site ST-13) is located in the south corner of the POL Yard, southeast of Building 1307. Four 12,000- and 15,000-gallon USTs were present at the Site into which all manner of slop waste from aircraft maintenance was dumped prior to environmental regulation. This practice was discontinued in January 1987 and locks placed on the tank fill pipes to prevent their use. The date of installation of the USTs is unknown, but they may have been installed in the 1940's as part of the original fuel distribution system at the Base.

Samples of the contents were taken to ascertain the proper disposal method. The content of one of the tanks was determined to be a hazardous waste. The contents of the remaining three tanks were determined to be waste POL product. The liquid hazardous waste was removed and disposed of by the Defense Reutilization and Marketing Office (DRMO) in accordance with Federal and State Laws and Regulations. A sludge was found remaining on the bottom of the tank. The sludge was sampled and analyzed and also found to be a hazardous waste due to the presence of various hydrocarbons, halogenated hydrocarbons, and heavy metal contaminants.

In June 1988, the four USTs were removed by U.S. Pollution Control, Inc., and disposed of off base through the DRMO.

Soil samples collected before and during the removal of the tanks indicated that soil had been impacted by several volatile organic compounds and chlorinated hydrocarbons, including: 1,1-dichloroethane, 1,1,1-trichloroethane, tetrachloroethene, benzene, ethyl benzene, toluene, and xylenes, as well as some heavy metals.

In March 1991, the tank excavation was backfilled with clean fill and was covered with a clay cap. Site closure was done under the regulatory authority of the RCRA. The tank system was certified closed on September 16, 1991.

The cap system consists of the following soil layers.

- 6-inch gravel erosion control layer
- 8-inch large cobble layer
- flexible membrane liner
- 66-inch (minimum) compacted clay barrier layer (with 24 inches to be below the frost zone), and with a compacted permeability of no greater than $1 \times 10^{-7}$ cm/sec

**Table V-1. POL Cap**

- Approximately 48-inch random fill to the bottom of the original excavation (bedrock).

In November 2015, the Army Corps of Engineers conducted an investigation to determine the boundaries and structure of the cap and to perform soil sampling to determine remaining hazardous waste constituents in the soils under the cap. In February 2016, MHAFB presented DEQ the *Final Cap System Investigation Report for the Petroleum, Oil and Lubricant (POL) Yard Cap (ST-13)*, that provided the investigation results, and a risk assessment. The information demonstrated that in accordance with the Idaho Initial Default Target Levels (IDTL) protocol, the soils under the clay cap did not pose undue risk to industrial workers or construction workers.

The cap is graded to promote drainage of runoff and prevent ponding of water on the cap. The slope angle is 3 percent. The center is slightly mounded (approximately 1 ft elevation over the limits of the cap area. The entire cap drains to the south side into the storm drainage ditch at that location. The cap is a rectangular area approximately 53 x 28 feet.

Groundwater monitoring is being conducted under the FFA.

## V.C. POST-CLOSURE CARE PROCEDURES AND USE OF PROPERTY

### V.C.1. Post-Closure Care Period

The Permittee shall conduct post-closure care for the POL Cap described in Permit Condition V.A.2.a above. Post-closure care shall be conducted for twenty-five (25) years after the completion of closure, which commenced on September 16, 1991.

V.C.1.a. Post-closure care shall be in accordance with IDAPA 58.01.05.008 (40 CFR § 264.117 – 120)

V.C.1.b. The post-closure care period may be extended if the Department finds this is necessary to protect human health and the environment per IDAPA 58.01.05.008 [40 CFR § 264.117(a)].

### V.C.2. Land Use

V.C.2.a. The Permittee shall limit the future uses of POL Cap to the current use (an inactive landfill) or future uses that do not pose unacceptable risk. Residential land use may pose unacceptable risk. Development for uses other than an inactive landfill shall require an evaluation of risk and approval by the Director.

V.C.2.b. The Permittee shall notify the Director at least forty-five (45) days prior to any proposed land use changes that are inconsistent with the objectives, or restrictions, and controls.

V.C.2.c. The Permittee shall seek prior concurrence from the Director to modify land use from current uses at the POL Cap.

V.C.2.d. The Permittee shall provide notice to the Director, at least six (6) months prior to any transfer or sale of the POL Cap including transfers to private, state or local entities, so that the Director can be involved in discussions to ensure that appropriate provisions are included in the transfer terms or conveyance documents to maintain effective restrictions and controls. Once the transfer or sale is completed, the Permittee shall provide a copy of executed deed or transfer assembly to the Director. In the event of a sale or transfer, the Permittee shall submit a permit modification request to update the Permit and the Post-Closure Plan with the applicable requirements.

V.C.3. POL Cap Notation

V.C.3.a. In lieu of filing a notation regarding the property that the POL cap is located on with the local zoning authority as required by IDAPA 58.01.05.008 [40 CFR § 264.119(b)(1)], the Permittee shall ensure that the Base Civil Engineering Squadron Real Property Office maintains a notation regarding the property that the POL Cap is located on.in the Automated Civil Engineer System (ACES) Integrated Data Model (ACES-IDM) electronic record and the Real Property file.

V.C.3.b. This notation shall in perpetuity notify any potential purchaser of the property that the land has been used to manage hazardous wastes, and its use is restricted under IDAPA 58.08.01.008 [40 CFR Part 264 Subpart G] regulations. It shall also notify the purchaser that the survey plat, and record of the type, location, and quantity of hazardous constituents identified at the POL Cap site, as required by IDAPA 58.08.01.008 [40 CFR §§ 264.116 and 264.119(a)] have been filed with the authority with jurisdiction over local land use (the Base Civil Engineer Squadron Real Property Office), and with the Department, as required by IDAPA 58.01.05.008 [40 CFR § 264.119(b)(1)].

V.C.3.c. Sixty days before transfer of ownership of the property, upon which the POL cap is located, to any entity, the Permittee shall provide to the local zoning authority and to the Director (1) a record of the type, location and quantity of hazardous waste disposed of in the POL Cap, and (2) a survey plat indicating the location and dimensions of the POL cap with respect to permanently surveyed benchmarks. This plat shall be prepared and certified by a professional land surveyor. The plat shall contain a note, prominently displayed, which stated the owner's or operator's obligation to restrict disturbance of the waste disposal unit in accordance with the applicable IDAPA 58.01.05.008 [40 CFR § 264 Subpart G] regulations.

V.C.4. Groundwater Monitoring System

In the event that the parties to the FFA expressly agree that the post-closure care ground water monitoring requirement are outside the scope of the FFA, or the FFA is terminated prior to completion of the post-closure care period for the POL Cap, the Permittee shall operate and maintain the groundwater monitoring system and comply with all other applicable requirements of IDAPA 58.01.05.008 [40 CFR § 264 Subpart F] and Module V of this Permit during the post-closure period. [40 CFR 264.117(a)(1)]

V.C.4.a. In this event, the Permittee shall submit a permit modification request to update the Permit with the applicable requirements.

V.C.5. Recordkeeping

V.C.5.a. POL Cap Closure Plan: The Permittee shall maintain copy of the final approved and implemented *Closure Plan and Cap System Plan* used during the POL Cap closure in 1991, and the subsequent Professional Engineer certification and plat survey, required per IDAPA 58.01.05.008 [40 CFR § 264.119(b)], in the Operating Record for the life of the facility.

V.C.5.b. POL Cap Legal Description: The Permittee shall maintain in the facility Operating Record a legal description of the POL Cap site, and a map denoting the POL Cap exact location and dimensions, including the depth with respect to permanently surveyed benchmarks, as required per IDAPA 58.01.05.008 [40 CFR § 264.309(a)]. The map shall include a

description of waste under the POL Cap, including extent of contamination, contaminants of concern, and estimates of the concentrations, as required by IDAPA 58.01.05.008 [40 CFR §264.73(2)]; and the property notations made, to whom they were made, and what information was included.

V.C.5.c. POL Cap Map – The Permittee shall maintain a map or diagram showing the location of the POL Cap and the quantity and location of hazardous was under the POL Cap in the Operating Record as required by IDAPA 58.05.01.008(40 CFR § 264.73) until closure of the facility. This may be accomplished by keeping the *Final February 2016 Final Cap System Investigation Report for the Petroleum, Oil and Lubricant (POL) Yard Cap (ST-13), February 2016, Army Corps of Engineers* in the Operating Record.

V.D. CERTIFICATION OF COMPLETION OF POST-CLOSURE CARE (I-3c)

No later than sixty (60) days after completion of the established post-closure care period for the POL Cap, the Permittee shall submit to the Director, by registered mail, a certification that the post-closure care for the POL Cap was performed in accordance with the specifications in the approved Post-Closure Plan referenced in Permit Condition V.C of this Permit as per IDAPA 58.01.05.008 [40 CFR § 264.120].

V.D.1. The certification must be signed by the Permittee and a registered Professional Engineer. Documentation supporting the registered Professional Engineer's certification must be furnished to the Director upon request until the Department releases the Permittee from the requirements for post-closure care under IDAPA 58.01.05.008 [40 CFR § 264.145(i)].

V.E. FINANCIAL ASSURANCE

The Permittee, as a federal facility, is exempt from the financial assurance requirements, in accordance with IDAPA 58.01.05.008 [40 CFR § 264.140(c)].

## MODULE VI – CORRECTIVE ACTION PERMIT CONDITIONS

VI.A. RCRA FACILITY ASSESSMENT AND INVESTIGATION

VI.A.1. MHAFB performed an Installation Restoration Program (IRP) Record Search in 1993. The DEQ completed a RCRA Assessment in 1990. In 1996, MHAFB performed a RCRA Facility Investigation, which included the Saylor Creek Firing Range. In 1997, DEQ issued the Addendum to the 1990 RCRA Facility Assessment for MHAFB for the oil/water separators. Tables VI-1 through VI-4 list the SWMUs and AOCs identified during these investigations and any subsequent investigations, and the allocation of responsibility.

VI.B. APPLICABILITY

Sections 3004 (u) and 3004 (v) of RCRA [42 U.S.C. §§ 6924 (u) and (v)]; HWMA [Idaho Code § 39-4409 (5)]; and IDAPA 58.01.05.008 [40 CFR § 264.101] require corrective action, as necessary, to protect human health and the environment for all releases of hazardous waste or hazardous waste constituents from any SWMU at the facility and for all permits issued after November 8, 1984. The objective of the corrective action program at a hazardous waste management facility is to evaluate the nature and extent of releases of hazardous waste and/or constituents, and if necessary, implement corrective measures to protect human health and the environment. The Permittee shall follow applicable guidance, including but not limited to the RCRA Corrective Action Plan, EPA 520-R-94-004, dated May 1994 (most recent version). Figure VI-1 provides an overview of the RCRA corrective action process.

VI.B.1. <u>Federal Facility Agreement</u>

A Federal Facility Agreement (FFA) under Section 120(e)(2) of the CERCLA, 42 U.S.C. § 9620 is a mechanism to be used to investigate and clean up releases of hazardous wastes and hazardous waste constituents, as necessary, to protect human health and the environment. On January 16, 1992, the U.S. EPA, the State of Idaho, and the USAF entered into an FFA to integrate and satisfy the response action requirements of CERCLA and the corrective action requirements of RCRA.

The FFA, including all terms and conditions, schedules, and provisions for the extension of such schedules, is fully incorporated into this Permit and enforceable through this Permit as corrective action requirements. All investigations and cleanups included in the FFA shall meet or exceed all applicable or relevant and appropriate state and federal requirements including RCRA, HSWA and HWMA to the extent required by CERCLA Section 121, 42 U.S.C. § 9621. Compliance with the FFA is made a condition of this permit and the FFA and any amendments are included in this permit as Attachment 11, Federal Facility Agreement; the SWMUs that are being addressed under the FFA are listed in this document. Compliance with the requirements of the FFA shall satisfy the corrective action requirements of this Permit for SWMUs addressed therein, except for those units not covered by the FFA as set out in Permit Conditions VI.B.1.b through VI.B.1.d.

VI.B.1.a. Summaries and status of the all SWMUs and Areas of Concern (AOCs) identified at MHAFB, including the oil/water separators, are included in this permit in Attachment 4, Solid Waste Management Units; Attachment 5, Corrective Action for SWMUs, and Appendix E, Solid Waste Management Units That Require Post-Closure Care or Monitoring.

VI.B.1.b. In the event that the FFA is vacated, Module VI applies to those releases or threats of releases for which final remedial action has not been completed (with or without controls).

(a) If the FFA is vacated, investigations completed under the FFA/CERCLA remedial process may be utilized in complying with Module VI of this Permit in so much as the terms “Preliminary Assessment,” “Site Investigation,” “Remedial Investigation,” “Feasibility Study,” “Remedial Design,” “Remedial Action,” and “Complete and Final Action” may be utilized in lieu of the terms “RCRA Facility Investigation,” “Corrective Measures Study,” “Corrective Measures Selection”, and “Corrective Measures Implementation” where appropriate.

VI.B.1.c. Module VI applies to those releases or threats of releases not included in the Statement of Work by the Parties to the FFA, in amendments to the FFA, incorporated into sites in the FFA, or determined to be no further action in a record of decision.

VI.B.1.d. Module VI applies to those releases or threats of releases which are discovered after the termination of the FFA.

VI.B.1.e. Within 120 calendar days after the discovery of existing and/or additional SWMUs or AOCs, which have not or do not become incorporated into the final FFA, the requirements of Module VI of this Permit shall become applicable to those units.

(a) As used in this part of the Permit, the terms “discover”, “discovery”, or “discovered” refer to the date on which the Permittee or a Department representative either, (1) visually observes evidence of a new SWMU or AOC, (2) visually observes evidence of a previously unidentified release of hazardous constituents to the environment, or (3) receives information which suggests the presence of a new release of hazardous waste or hazardous constituents to the environment.

VI.C. STANDARD CONDITIONS

VI.C.1. The Permittee shall take corrective action as necessary to protect human health and the environment for those units listed in Tables VI-1 and VI-2 of this Permit.

VI.C.1.a. Table VI-1, Newly Identified or Newly Discovered SWMUs and AOCs. These sites require an initial site assessment to determine if further action, if any, is required.

VI.C.1.b. Table VI-2 is SWMUs and AOCs that have a known release for which further action or controls are required.

VI.C.1.c. Table VI-3 is SWMUs and AOCs for which no further action is required and that have been release for UU/UE.

VI.C.1.d. Table VI-4, SWMUs and AOCs Transferred to another Federal or State Program is for sites that have been transferred to another program for any corrective action if required.

VI.C.2. Failure to submit the information required by the Permit Conditions identified within Module VI of this Permit or falsification of any submitted information is grounds for an enforcement action pursuant to Permit Condition I.B of this Permit.

VI.C.3. All plans, reports, notifications, and other submissions to the Director, as required by the Permit Conditions identified within Module VI of this Permit, shall be signed and certified in accordance with Permit Condition I.V of this Permit.

VI.C.4. The Permittee shall submit to the Director each plan, report, notification, or other submissions, required by the Permit Conditions identified within Module VI of this Permit, in accordance with Permit Condition I.X of this Permit.

The Permittee shall submit (by certified mail, express mail, or hand delivery) a minimum of three (3) copies of each plan, report, notification, or other submissions (required by the permit conditions identified within Module VI of this Permit) to the following addressees:

| Please submit two (2) copies to: | Please submit an additional copy to: |
|---|---|
| Director | Chief, RCRA Permits Section WCM-127 |
| Idaho Department of Environmental Quality c/o Administrator | U.S. Environmental Protection Agency 1200 Sixth Avenue |
| Waste Management & Remediation Division 1410 North Hilton | Seattle, Washington 98101 |
| Boise, Idaho 83706-1255 | |
| Telephone No. (208) 373-0502 | |

VI.C.5. All plans and schedules, as required by the Permit Conditions in Module VI of this Permit, upon written approval from the Director, shall be incorporated into Module VI of this Permit in accordance with Permit Condition VI.H of this Permit. Any noncompliance with such approved plans and schedules shall be deemed noncompliance with this Permit.

VI.C.5.a. The Permittee shall only receive extension(s) of the specified compliance schedule due date(s) for the submittal(s) required by the permit conditions within Module VI of this Permit, upon written approval from the Director, in accordance with Permit Condition VI.I of this Permit.

VI.C.6. If the Director determines that further actions beyond those provided by the permit conditions within Module VI of this Permit, or changes to permit conditions stated herein, are warranted, the Director shall modify the permit condition(s) in Module VI in accordance with Permit Condition VI.I of this Permit.

VI.C.7. All raw data, such as laboratory reports, drilling logs, geological and hydrogeological investigations, bench-scale or pilot-scale data, and other supporting information gathered or generated during activities undertaken pursuant to the permit conditions in Module VI of this Permit shall be maintained at the facility during the effective term of this Permit, including any reissued permits, and be readily available for inspection.

VI.C.8. At such time as the FFA is vacated, the Permittee shall submit, to the Director, the following Tables within thirty (30) calendar days:

VI.C.8.a. Table VI-1, SWMUs or AOCs at MHAFB Under Investigation for Releases. Table VI-1 shall identify all SWMUs or AOCs with potential or suspected releases of hazardous constituents. Table VI-1 shall, at a minimum, identify those SWMUs or AOCs, which are currently being investigated, or will be the subject of future investigations.

VI.C.8.b. Table VI-2, SWMUs and AOCs at MHAFB with Known Releases. Table A-2 shall identify those SWMUs or AOCs with known releases of hazardous waste or hazardous constituents to the environment.

VI.C.8.c. Table VI-3, SWMUs and AOCs with No Further Action Determinations. Table A-3 shall identify those SWMUs or AOCs for which an NFA determination has been accepted by all the parties to the FFA.

VI.C.8.d. Table VI-4, SWMUs and AOCs Transferred to/Managed by Another Environmental Program. Table A-4 shall identify those SWMUs or AOCs that have been transferred to another fully-funded Federal or State program that will apply the RCRA Applicable and Relevant Requirements (ARARs) to the known or suspected release of hazardous waste or hazardous constituents.

VI.C.9. The Permittee shall submit updated Tables VI-1 through VI-4., to the Director, as required by Permit Condition VI.D (for newly-identified SWMUs) or update at least annually, in accordance with IDAPA 58.01.05.012 [40 CFR 270.42, Appendix I, A.1] (Class 1 requiring prior approval). If there are no changes to the tables, a letter to that effect shall suffice, with no permit modification necessary.

VI.C.9.a. A narrative shall accompany the updated Tables, which explains the revisions, i.e.:

(a) Any newly identified SWMUs, which initially adds the SWMU to Table VI-1 (Suspected Releases);

(b) Additional “No Further Action Determinations” for SWMUs previously identified in Table A-2 (Known Releases), which shifts an SWMU from Table VI-2 to Table VI-3 (NFA);

(c) Confirmation of releases of hazardous constituents which shifts a SWMU from Table VI-1 (Suspected Releases) to Table VI-2 (Known Releases)

(d) Transfer of SWMU or AOC to another funded Federal or State program, such as the MMRP, which shifts a SWMU to Table VI-4 (Another Program).

VI.D. REQUIREMENTS FOR INITIAL NOTIFICATION AND ASSESSMENT OF NEWLY-IDENTIFIED or NEWLY-CREATED SWMUs OR AOCs

VI.D.1. <u>New SWMU or AOC Notification</u>

Should the Permittee discovers any SWMU or AOC not previously identified in the permit Tables VI-1 through VI-4, the Permittee shall notify the Director within fifteen (15) calendar days of discovering the SWMU(s). The notification shall be in writing, and submitted to the Director by certified mail, express mail, or hand delivery. The notification shall include the location of the new SWMU(s) or AOC(s) and all available information on the suspected or known wastes at the site as required by IDAPA 58.01.05.012 [40 CFR § 270.14(d)]. An example of a written notification form is provided as Table VI-7.

VI.D.2. In addition, the notification shall include updates to Tables VI-1 through VI-4, as necessary, in accordance withVI.C.9.

VI.D.3. After such notification, the Department may request, in writing, that the permittee prepare a SWMU Assessment Plan and a proposed schedule of implementation and completion of the Plan for the new SWMU(s)/AOC(s).

VI.D.4. The Permittee shall notify the Director, in writing by certified mail, express mail, or hand delivery, of any release(s) of hazardous waste and hazardous waste constituent(s) discovered during the course of groundwater monitoring, field investigation, environmental auditing, or other activities undertaken during the RCRA Facility Investigation (RFI) and Permit Condition VI.E of this Permit. The written notification shall be received by the Director no later than fifteen (15) calendar days after discovery. Such releases may be from already documented or newly-identified units. The Director may require further investigation of the new releases. Further investigation, if required, shall be performed in accordance with the requirements of Permit Condition VI.E of this Permit. The example of a written notification form is provided as Table VI-7 may be used.

VI.D.5. <u>SWMU Assessment Plan</u>

Within 90 (ninety) calendar days after receipt of the Department's request for a SWMU Assessment Plan, the Permittee shall submit the SWMU Assessment Plan to the Director by certified mail, express mail, or hand delivery, and in accordance with Permit Conditions I.V and I.X.

VI.D.6. The SWMU Assessment Plan shall include the information or the means by which the following information shall be obtained:

VI.D.6.a. The identification number for the new unit, and Information concerning past and present operations at the unit(s); and

VI.D.6.b. Any groundwater, surface water, soil (surface or subsurface strata), or air sampling and analysis data needed to determine whether a release of hazardous waste and/or hazardous constituent(s) from such unit(s) is likely to occur. The SWMU Assessment Plan shall demonstrate that the sampling and analysis program, if applicable, is capable of yielding representative samples and must include parameters sufficient to identify migration of hazardous waste and/or hazardous constituent(s) from the new discovered SWMU(s) to the environment.

(a) The SWMU Assessment Plan shall define the site-specific methods and procedures to be followed during the site assessment, including pre-mobilization activities, sampling rationale, sample collection, sample handling and preservation, sample analysis, quality assurance/quality control (QA/QC) requirements for sampling, site restoration, and reporting.

VI.D.7. After the permittee submits the SWMU Assessment Plan, the Director shall:

VI.D.7.a. Approve the plan in writing, or

VI.D.7.b. Notify the Permittee in writing of the SWMU Assessment Plan deficiencies and specify a due date for submittal of a reviewed SWMU Assessment Plan, or

VI.D.7.c. Review the SWMU Assessment Plan and notify the Permittee of the revisions. The Director-revised SWMU Assessment Plan becomes the approved SWMU Assessment Plan.

VI.D.8. The SWMU Assessment Plan, as approved by the Director, as specified in Permit Condition VI.D.7 of this Permit, shall be incorporated within Module VI of this Permit in accordance with Permit Condition I.L.2 of this Permit. The Permittee shall be notified in writing of the approval of the permit modification.

VI.D.9. The Permittee shall commence implementation of the approved SWMU Assessment Plan within thirty (30) calendar days after receipt of written notice of the plan approval specified in Permit Condition VI.D.8 of this Permit.

VI.D.10. The SWMU Assessment Plan shall contain a schedule, which includes the submission date for a SWMU Assessment Report, not to exceed thirty (30) calendar days after the completion of the requirements identified in the approved SWMU Assessment Plan referenced in Permit Condition VI.D.9 of this Permit.

VI.D.11. SWMU Assessment Report

The SWMU Assessment Report shall describe all results obtained from the implementation of the approved SWMU Assessment Plan. An example outline for a SWMU Assessment Report is provided as Table VI-8. At a minimum, and as required by IDAPA 58.01.05.012 [40 CFR 270.14(d)], the SWMU Assessment Report shall provide the following information for each newly-identified SWMU:

VI.D.11.a. The location of each newly-identified SWMU(s) in relation to any/all previously identified SWMUs, building numbers, or other descriptive landmarks; identified on a topographic map

VI.D.11.b. The type and function of the unit, including general dimensions and a structural description (supply any available drawings and photographs);

VI.D.11.c. The period during which the unit was operated; and

VI.D.11.d. All wastes that were or are being managed at the SWMU, to the extent available, including results of any sampling and analysis used to determine whether releases of hazardous wastes and/or hazardous constituent(s) have occurred, are occurring, or are likely to occur from the unit.

VI.D.12. RCRA Facility Investigation (RFI) Work Plan

Based on the results of the SWMU Assessment Report, the Director shall determine the need for further investigations at specific unit(s) included in the SWMU Assessment. If the Director determines that such investigations are needed, the Director may require the Permittee to prepare a RCRA Facility Investigation (RFI) Work Plan, including a schedule, for such investigations, in accordance with the requirements of Permit Condition VI.E of this Permit. The Director shall review the plan and either approve it or notify the Permittee of its deficiencies.

VI.E. RCRA FACILITY INVESTIGATION (RFI)

VI.E.1. The Permittee shall conduct a RFI, as deemed necessary by the Director, to determine the nature and extent of known and suspected releases of hazardous wastes and/or hazardous waste constituent(s) from each SWMU at the facility, identified in accordance

with Permit Condition VI.D of this Permit, and to gather data to support a Corrective Measures Study (CMS). The Permittee shall conduct the RFI in accordance with an approved RFI Work Plan, completed in accordance with current guidance documents from EPA (RCRA Facility Investigation Guidance, Volumes I through IV, or equivalent).

VI.E.2. The RFI Compliance Schedules, specified in Table VI-5 of this Permit, may be modified in accordance with Permit Condition VI.I of this Permit.

VI.E.3. Based on the results of the RFI Report, the Director shall determine the need for further investigations at specific unit(s) included in the RFI. If the Director determines that such investigations are needed, the Director may require the Permittee to prepare a RCRA Corrective Measures Study (CMS) Work Plan, including a schedule, for such investigations, in accordance with the requirements of Permit Condition VI.G of this Permit. The Director shall review the plan and either approve it or notify the Permittee of its deficiencies.

VI.E.4. The CMS Work Plan shall be incorporated into this Permit in accordance with Permit Condition VI.I of this Permit.

VI.F. INTERIM MEASURES

VI.F.1. If during the course of any activity initiated in compliance with the permit conditions of Module VI of this Permit, the Director determines that a release or potential release of hazardous waste and/or constituent(s) from a SWMU poses a threat to human health and/or the environment, the Director may require the Permittee to perform specific interim measures.

VI.F.2. The Director shall notify the Permittee in writing of the requirement to perform the interim measures specified in the Interim Measures Plan, in accordance with Permit Condition VI.F.3 of this Permit. The Permittee shall comply with the specified Interim Measures Plan alternative (Permit Condition VI.F.3.a or VI.F.3.b of this Permit) designated in the written notification.

VI.F.3. The Permittee shall perform the requirements of the Interim Measures Plan in accordance with the alternative specified in either Permit Condition VI.F.3.a or VI.F.3.b of this Permit.

VI.F.3.a. The Director shall determine specific actions to implement the interim measures. The Director shall provide an Interim Measures Plan with the written notification specified in Permit Condition VI.F.2 of this Permit, or;

VI.F.3.b. Within thirty (30) calendar days after receipt of written notification requiring the Interim Measures Plan as specified in Permit Condition VI.F.2 of this Permit, the Permittee shall provide, by certified mail, express mail, or hand delivery, the Interim Measures Plan to the Director for approval.

VI.F.4. The Interim Measures Plan shall identify specific action(s) to be taken to implement the interim measures and a schedule for implementing the required measures. At a minimum, the Interim Measures Plan shall consider, but not be limited to, the following factors:

VI.F.4.a. Time required to develop and implement a final remedy;

VI.F.4.b. Actual and potential exposure of human and environmental receptors;

VI.F.4.c. Actual and potential contamination of drinking water supplies and sensitive ecosystems;

VI.F.4.d. The potential for further degradation of the medium absent of interim measures;

VI.F.4.e. Presence of hazardous waste that may pose a threat of release;

VI.F.4.f. Presence and concentration of hazardous waste including hazardous waste constituent(s) in solids that have the potential to migrate to groundwater or surface water;

VI.F.4.g. Weather conditions that may affect the current levels of contamination;

VI.F.4.h. Risks of fire, explosion, or accident; and

VI.F.4.i. Other situations that may pose threats to human health and/or the environment.

VI.F.5. The Interim Measures Plan shall be incorporated into this Permit in accordance with Permit Condition VI.I of this Permit.

VI.G. CORRECTIVE MEASURES STUDY (CMS) AND CORRECTIVE MEASURES IMPLEMENTATION (CMI)

VI.G.1. Based on the results of the RFI, the Permittee shall identify, screen, and develop the alternative or alternatives for removal, containment, treatment and/or other remediation of the contamination. The Permittee shall conduct a Corrective Measures Study (CMS) in accordance with an approved CMS Work Plan specified in Table VI-6 of this Permit, completed in accordance with current guidance documents from EPA (RCRA Corrective Action Interim Measures Guidance – Interim Final, RCRA Facility Investigation Guidance, Volumes I through IV, or equivalent).

VI.G.2. Based on the results of the CMS Report, the Director shall select a remedy and the final media cleanup standards for corrective measures and document this in a permit modification.

VI.G.3. Upon determination of remedy, the Permittee shall develop a Corrective Measures Implementation (CMI) Program Plan, including a schedule, to design construct, operate, maintain and monitor the performance of the selected corrective measure or measures. The Director shall review the plan and either approve it or notify the Permittee of its deficiencies.

VI.G.4. The CMI Program Plan shall be incorporated into this Permit in accordance with Permit Condition VI.I of this Permit.

VI.G.5. The Permittee shall submit all plans and reports required in the CMI Program Plan (e.g., Conceptual Design, Operations and Maintenance Plan, Intermediate Plans and specifications, Final Plans and Specifications, Quality Assurance Program Plan, Construction Work Plan, Construction Completion Report, Corrective Measure Completion Report, Progress Reports) in accordance with the schedule in the CMI Work Plan and Table VI-6 of this Permit.

VI.H. REPORTING REQUIREMENTS

VI.H.1. The Permittee shall submit to the Director signed quarterly progress reports of all activities (i.e., SWMU Assessments, Interim Measures, RFIs, and/or CMSs) conducted pursuant to the permit conditions of Module VI of this Permit. The Permittee shall initially submit the quarterly progress reports no later than ninety (90) calendar days after being notified in writing that the approved SWMU Assessment Plan has been incorporated within Module VI of this Permit, through a permit modification in accordance with Permit Condition VI.I of this Permit.

VI.H.2. At a minimum, the quarterly progress reports shall contain the following:

VI.H.2.a. A description of the work completed;

VI.H.2.b. Summaries of all findings and summaries of all raw data;

VI.H.2.c. Summaries of all problems or potential problems encountered during the reporting period and actions taken or to be taken to rectify problems; and

VI.H.2.d. Projected work for the next reporting period.

VI.H.3. The Permittee shall maintain copies of other reports, drilling logs, etc. at the facility during the effective period of this Permit. The Permittee shall provide copies of the said reports, logs, etc. to the Director upon request.

VI.H.4. As specified under Permit Condition VI.C.5 of this Permit, the Director may require the Permittee to conduct new or more extensive assessments, investigations, or studies, as needed, based on information provided in these progress reports or other supporting information.

VI.I. MODIFICATION OF THE CORRECTIVE ACTION SCHEDULE OF COMPLIANCE

Requests for modification of the final compliance dates pursuant to the permit conditions in Module VI of this Permit shall be submitted to the Director for approval, in accordance with IDAPA 58.01.05.012 [40 CFR §§ 270.41 and 270.42].

VI.I.1. The Corrective Action Schedule of Compliance (Module VI of this Permit) final compliance dates subject to modification include:

VI.I.2. The compliance date(s), as specified in Table VI-5 of this Permit, for submittal of the RFI Final Report;

VI.I.2.a. The compliance date(s), as specified in Table VI-6 of this Permit for submittal of the CMS Report;

VI.I.2.b. The compliance date(s), as specified in Table VI-6 of this Permit, for submittal of the final CMI Program Plan, in accordance with Permit Condition VI.G.4of this Permit;

VI.I.2.c. Once established in accordance with Permit Condition VI.G.4 of this Permit, the compliance date(s) for submittal of the corrective measures plans and reports, in accordance with Permit Condition VI.G.5 of this Permit;

VI.I.2.d. Compliance dates, as specified in Tables VI-5 and VI-6 of this Permit, for implementing the approved plans and/or reports; and

VI.I.2.e. Compliance dates for quarterly submittal of progress reports.

VI.I.3. Pursuant to IDAPA 58.01.05.012 [40 CFR § 270.42(a)], the Compliance Schedules specified by the Director, shall be modified if the Director determines that good cause exists for which the Permittee had no control and for which there is no reasonable available remedy.

VI.I.3.a. Upon evaluation, if the Director determines that good cause exists, the Director shall modify the compliance schedule.

VI.I.3.b. For any approved modification, the compliance schedule specified in Table VI-6 of this Permit shall be modified to provide relief from the original compliance schedule time-frames only for the subsequent fiscal year. All successive compliance dates after the end of such fiscal year shall be modified to reflect the original time-frames specified prior to the modification request

VI.I.4. Failure to obtain adequate funds or appropriations from Congress shall not, in any way, release the Permittee from its obligation to comply with the CMI (as required by Permit Condition VI.G.4 of this Permit) or any other requirement of this Permit or RCRA.

VI.I.5. If adequate funds for CMI are not available, the Director reserves the right to pursue any action or actions deemed necessary to protect human health and the environment, not excluding judicial recourse or termination of this Permit.

VI.I.6. The Permittee shall submit a request for modifications of the interim compliance dates that do not affect the final compliance dates, to the Director for approval. If the Director approves the interim compliance date modifications, Table VI-5 and/or VI-6 of this Permit shall incorporate the modified compliance dates as approved and such change shall not be considered a permit modification under IDAPA 58.01.05.012 [40 CFR § 270.41].

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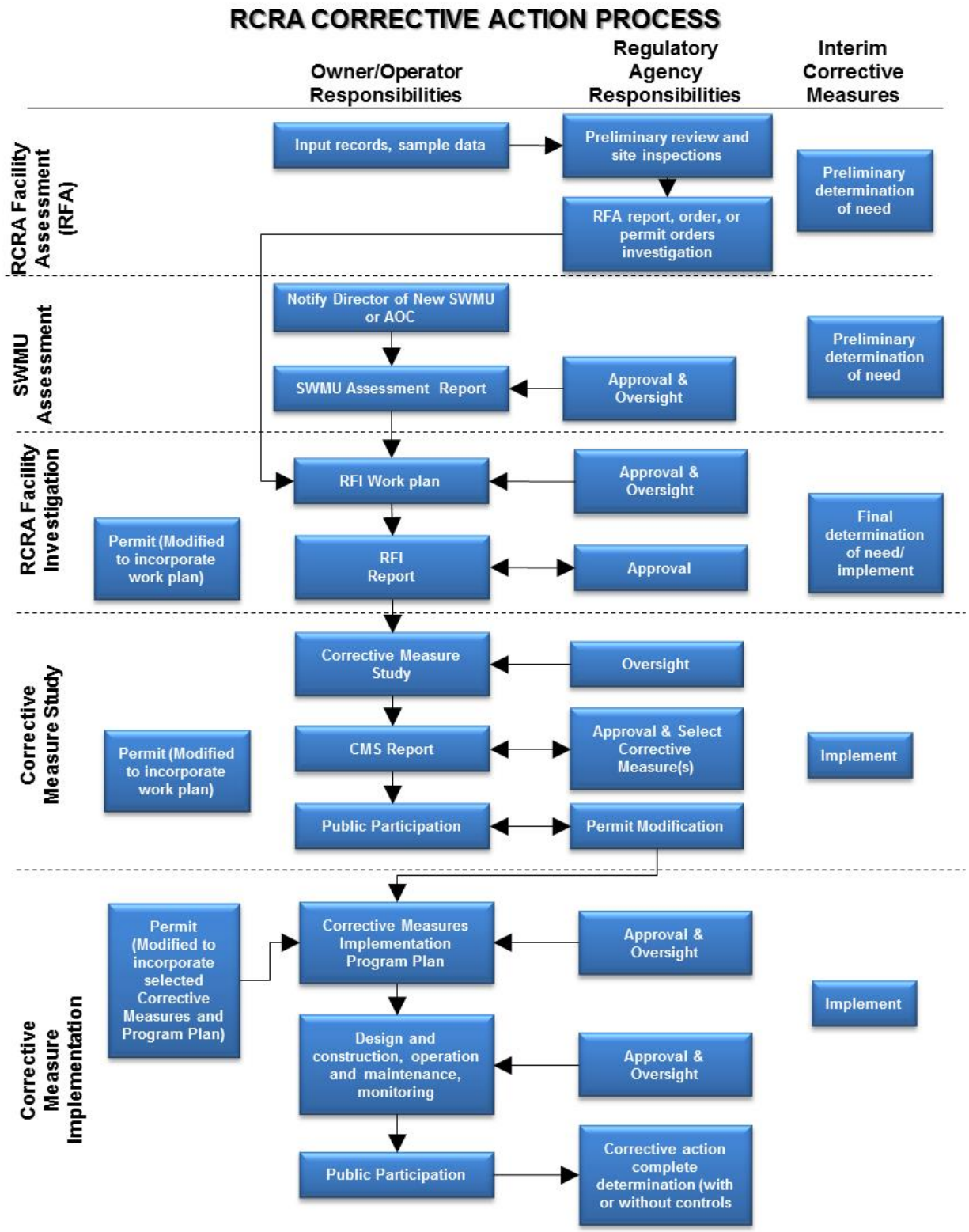

RCRA CORRECTIVE ACTION PROCESS
Owner/Operator Responsibilities
Regulatory Agency Responsibilities
Interim Corrective Measures
RCRA Facility Assessment (RFA)
Input records, sample data
Preliminary review and site inspections
RFA report, order, or permit orders investigation
Preliminary determination of need
SWMU Assessment
Notify Director of New SWMU or AOC
SWMU Assessment Report
Approval & Oversight
Preliminary determination of need
RCRA Facility Investigation
RFI Work plan
Approval & Oversight
Permit (Modified to incorporate work plan)
RFI Report
Approval
Final determination of need/ implement
Corrective Measure Study
Corrective Measure Study
Oversight
Permit (Modified to incorporate work plan)
CMS Report
Approval & Select Corrective Measure(s)
Implement
Public Participation
Permit Modification
Corrective Measure Implementation
Permit (Modified to incorporate selected Corrective Measures and Program Plan)
Corrective Measures Implementation Program Plan
Approval & Oversight
Implement
Design and construction, operation and maintenance, monitoring
Approval & Oversight
Public Participation
Corrective action complete determination (with or without controls

**Figure VI-1. RCRA Corrective Action Process**

| **Table VI-1. SWMUs and AOCs at MHAFB Under Investigation for Releases** | | |
|---|---|---|
| **SWMU/AOC No/Letter** | **SWMU/AOC Name** | **Regulatory Authority and Status** |
| To be submitted by Permittee in accordance with Permit Condition VI.C.9 of this Permit. | | |

| **Table VI-2. SWMUs and AOCs at MHAFB with Known Releases** | | |
|---|---|---|
| **SWMU/AOC No/Letter** | **SWMU/AOC Name** | **Regulatory Authority and Status** |
| LF-01 | Lagoon Landfill | FFA: Land Use Controls (LUCs), Institutional Controls (ICs), and Long Term Monitoring (LTM) |
| LF-02 | B-Street Landfill | FFA: LUCs, ICs and LTM |
| LF-03 | Former Base Landfill | Closed with LUCs through Idaho Central District Health Department. No further remedial action proposed (NFRAP). Post-closure care requirements include quarterly methane monitoring and annual Cap-inspections with additional actions per the 30 year Municipal Solid Waste Post-Closure Plan.<br>FFA: LUCs, ICs and LTM |
| OU-3 | Basewide Regional Groundwater | FFA Corrective Action |
| FT-08 | Fire Training Area 8 Soils | FFA Corrective Action |
| ST-11 | Fuel Hydrant System Spill | FFA Corrective Action |
| ST-13 | POL Cap | HWMA/RCRA Post-Closure Permit: In February 2016 MHAFB provided an investigation report that provided sufficient evidence to determine that post closure care was not necessary so as long as the land use remained the same (POL yard). FFA: For groundwater monitoring; LTM continues for regional groundwater assessment at MW-24. |
| DP-17 | Used Tire Disposal Site/Coal Ash Disposal Site | FFA: Combined with LF-23 |
| LF-23 | Solid Waste Disposal Area | FFA: LTM and LUCs - Long Term Maintenance and Annual Inspections for implementation of LUCs. Land use controls to restrict future uses to industrial. |

| **Table VI-2. SWMUs and AOCs at MHAFB with Known Releases** | | |
|---|---|---|
| **SWMU/AOC No/Letter** | **SWMU/AOC Name** | **Regulatory Authority and Status** |
| SD-24 | Liquid Oxygen (LOX) Loading Plant (Synonymous with OU-3 Regional Groundwater) | FFA: Bedrock vapor extraction and groundwater monitoring. Soils are UU/UE. |
| ST-38 | POL Storage Area, AST #1A | Site was closed w/ NFA under RBCA(REM)/State UST Program in 2014 |
| AOC-7 | Coal Storage Yard | No further action. |
| AOC-8 (OWSs 1347 and 1354) | Oil Water Separators 1347 and 1354 | FFA Corrective Action; Currently working a NFA PP/ROD |
| Any additional units to be submitted by Permittee in accordance with Permit Condition VI.C.9 of this Permit. | | |

| **Table VI-3. SWMUs and AOCs Requiring No Further Action at this Time [Unrestricted Use/Unlimited Exposure (UU/UE)]** | |
|---|---|
| **SWMU/AOC No./Letter** | **SWMU/AOC Name** |
| FT-04 | Fire Training Area 4 |
| FT-05 | Fire Training Area 5 |
| FT-06 | Fire Training Area 6 |
| FT-07 | Fire Training Area 7 (includes areas A, B, and C) |
| AOC-8 | OWS listed in Attachment 4 of the permit application |
| DP-09 | Waste Oil Disposal Area |
| OT-10 | Oiled Base Perimeter Road |
| SD-12 | Old Entomology Shop |
| RW-14 | Low Level Radioactive Disposal Area |
| OT-15 | Corker Material Burial Site |
| OT-16 | Munitions Burial Site/Popping Furnace |
| DP-18 | World War II Material Burial Trench |
| OT-19 | Munition Residue Burial, Saylor Creek Range – See OT-37 |
| ST-22 | USTs – Building 1333 (Titan Missile Maintenance Area) |
| SD-25 | Flightline Storm Drain |
| SS-26 | Drum Accumulation Pad |
| SD-27 | Vehicle Wash Rack – Building 1354 |
| SS-28 | Former Wash Water Accumulation Basin |
| SS-29 | Drum Accumulation Pad |
| SS-30/DRMO #3 | Defense Reutilization and Marketing Office (DRMO) Storage Area |

| **Table VI-3. SWMUs and AOCs Requiring No Further Action at this Time [Unrestricted Use/Unlimited Exposure (UU/UE)]** | |
|---|---|
| **SWMU/AOC No./Letter** | **SWMU/AOC Name** |
| ST-31 | Old Base Exchange (BX) Gas Station |
| ST-32 | Old Military (MX) Gas Station |
| ST-34 | Flightline Fuel Hydrant # 9 Leak Area |
| ST-35 | Jet Propulsion Fuel Type 4 (JP-4) Pipeline Leak (a.k.a. Hospital Fuel Spill) |
| OT-37 | Saylor Creek Range |
| ST-38/AST 1A | POL Storage Area, RCRA SWMU (POL Building 1380) [Aboveground Storage Tank (AST) 1A] |
| ST-39 | 15,000-gallon UST at FT-08 |
| AOC-2 | Saylor Creek Range – See OT-19 |
| AOC-6 | Munition Burial Site, Saylor Creek Range – See OT-19 |
| AOC-9 | Motor Pool Site “A” |
| AOC-10 | Strike Dam Recreation Annex |
| AOC-11 | Pothole Canyon Burial Site, Saylor Creek Range |
| AOC-12 | Liberty Street Sanitary Sewer Line |
| AST 2 | AST 2 at the POL Storage Yard |
| AST 3 | AST 3 at the POL Storage Yard |
| Any additional units to be submitted by Permittee in accordance with Permit Condition VI.C.9 of this Permit. | |

| **Table VI-4. SWMUs and AOCs Transferred to/Managed by Another Environmental Program** | | |
|---|---|---|
| **SWMU/AOC No./Letter** | **SWMU/AOC Name** | **Environmental Program** |
| AOC-1 | Wilder Air Force Station | Transferred to the Army in 1998 |
| EOD | EOD Proficiency Range Site | Closed out under Military Munitions Response Program (MMRP); Final ROD signature from Air Force Civil Engineer dated 12-21-2017 |
| SR-40 | Former 1940s Skeet Range | Closed out under MMRP; Final ROD signature from Air Force Civil Engineer dated 12-21-2017 |
| SR-70 | Former 1970s Skeet Range | Closed out under MMRP; Final ROD signature from Air Force Civil Engineer dated 12-21-2017 |
| ST-38 | POL Storage Area, AST #1A | Tank removed. Closed with NFA under State RBCA program in 2014. |

| **Table VI-4. SWMUs and AOCs Transferred to/Managed by Another Environmental Program** | | |
|---|---|---|
| **SWMU/AOC No./Letter** | **SWMU/AOC Name** | **Environmental Program** |
| ST-38 | POL Storage Area, AST #2 | Tank demolished in 2014. Risk evaluated along with AST#2 under the state RBCA program closed with NFA in 2014. |
| ST-38 | POL Storage Area, AST #3 | Tank is scheduled for demolition in 2014, although no releases have documented. Risk is being evaluated along with AST #2 under the RBCA program |
| PBR-1 | Precisions Bombing Range 1 | Transferred to the Bureau of Land Management (BLM) on February 14, 1958, and are being treated under the Formerly Used Defense Sites (FUDS) program. NFA |
| PBR-2 | Precisions Bombing Range 2 | Transferred to the BLM on November 25, 1955, and are being treated under the FUDS program. NFA |
| PBR-3 | Precisions Bombing Range 3 | Transferred to the BLM on September 14, 1956, and are being treated under the FUDS program. NFA |
| PBR-4 | Precisions Bombing Range 4 | Transferred to the BLM on November 13, 1957, and are being treated under the FUDS program. NFA |
| NA | Verlinde Hill Rubble Pile | NESHAPS |
| Any additional units to be submitted by Permittee in accordance with Permit Condition VI.C.9 of this Permit. | | |

| **Table VI-5. RCRA Facility Investigation (RFI) Compliance Schedule** | |
|---|---|
| **RFI Activity** | **Due Date** |
| Submit SWMU Assessment Plan and Schedule | Within ninety (90) calendar days of the Director's notification that a SWMU Assessment Plan is needed, in accordance with Permit Condition VI.D.3 of this Permit. |
| Submit SWMU Assessment Report | As specified in the Director's approved SWMU Assessment Plan and Schedule. |
| Submit Draft RFI Work Plan | Within ninety (90) calendar days of the Director's notification that an RFI is needed, in accordance with Permit Condition VI.D.12 of this Permit. |
| Initiate RFI Work Plan Activities | Within forty-five (45) calendar days of the Director's approval of the RFI Work Plan. |
| Submit RFI Draft Report | As specified in the Director's approved RFI Work Plan |

| **Table VI-5. RCRA Facility Investigation (RFI) Compliance Schedule** | |
|---|---|
| **RFI Activity** | **Due Date** |
| Progress Reports | Quarterly (every 90 days) beginning ninety (90) calendar days after the Director's approved RFI) activities. |

| **Table VI-6. Corrective Measures Study (CMS) and Corrective Measures Implementation (CMI) Compliance Schedule** | |
|---|---|
| **CMS Submission/CMI Submission** | **Due Dates** |
| Submit CMS Work Plan | Within sixty (60) calendar days of the RFI Final Report. |
| Submit Draft CMS Report | Within three hundred (300) calendar days of the Director's approval of the CMS Work Plan. |
| Submit Final CMS Report | Within sixty (60) calendar days of receiving the Director's comments on the Draft CMS Report. |
| Submit Draft CMI Program Plan | Within ninety (90) calendar days of the Director's approval of the Final CMS Report. |
| Submit Final CMI Program Plan | Within sixty (60) calendar days of receiving the Director's comments on the Draft CMI Program Plan. |
| Submit plans and reports required in the CMI Program Plan, for example:<br>• Quality Assurance Program Plan,<br>• Conceptual Design (15% Design Point)<br>• Operations and Maintenance Plan<br>• Intermediate Plans and Specifications (30, 50, 60, 90 and/or 95% Design Point)<br>• Final Plans and Specifications (100% Design Point)<br>• Construction Work Plan<br>• Construction Completion Report<br>• Corrective Measure Completion Report | As specified in the Director's approved CMI Program Plan. |
| CMS/CMI Progress Reports | Quarterly, every ninety (90) calendar days, beginning 90 calendar days after the Director's approval of the Final RFI Report |

| **Table VI-7. New Site Notification** | |
|---|---|
| **Site Title:**<br><br>(Use known common names, location descriptors and/or processes near or associated with the suspected site.) | **Site Code:**<br><br>**New Site Identification Date:** |
| **Part A – NEW SITE IDENTIFICATION INFORMATION**<br>(To be completed by the task lead for the new site) | |
| **4. Task Lead for New Site:** | **Phone:** |
| **5. NSI Coordinator:** | **Phone:** |
| **6. Initiator or Initial Observer:** | **Phone:** |
| **7. Location of the Suspected New Site:**<br>(A location map and/or diagram identifying the site against controlled survey points or global positioning system may be included.) | |
| **8. Described the observed conditions that indicate a suspect new site:** | |

## Table VI-7. New Site Notification

| **Site Title:** | **Site Code:** |
|---|---|

**Part B – SUSPECTED NEW SITE INVESTIGATION AND RECOMMENDATION**
**(To be completed by the Task Lead for the New Site, except Block 3 which is to be completed by the Responsible Manager)**

**1. Document all existing information including historical, process, screening data, analytical data, radiological surveys, etc.**
(Attach supporting documentation)

**2. Recommendation**

☐ Recommended not including as a new site. This site DOES NOT warrant further investigation, does not meet the criteria for acceptance, and should not be included.

☐ Recommended including as a new site. This site DOES meet the criteria for acceptance, may warrant further investigation, and should be included under corrective action plan in Module VI.

**Recommended further action for this site:**

☐ No Action ☐ No Further Action ☐ Phase II - RFI ☐ Phase III – IM ☐ Phase IV - CMS

**3. Responsible Manager Certification: I have examined the information submitted in this document and believe the information to be true, accurate, and complete.**

**Name:** _____ **Signature:** _____ **Date:** _____

**Explanation:**

**Part C – MHAFB AND DEQ MANAGERS' CONCURRENCE**

| | | |
|---|---|---|
| **MHAFB Environmental Manager Concurrence:** | ☐ Concur with recommendation | ☐ Do not concur with recommendation |

**Signature:** _____ **Date:** _____

**Explanation:**

| | | |
|---|---|---|
| **Idaho DEQ Hazardous Waste Program Manager Concurrence:** | ☐ Concur with recommendation | ☐ Do not concur with recommendation |

**Signature:** _____ **Date:** _____

**Explanation:**

**Include updated Tables VI-1 through VI-4**

| **Table VI-8. SWMU Assessment Report** |
|---|
| **Unit Number:** |
| **Unit Name:** |
| **Notification Date:** |
| **Regulatory Status:** (AOC or SWMU) |
| **Location:** (Attach a map showing the location) |
| **Type And Function:** (Include general dimensions and a structural description.) |
| **Brief History:** |
| **Operational Status:** (Operational, no longer operational, etc.) |
| **Dates Operated:** |
| **Site/Process Description:** |
| **Waste Description:** |
| **Waste Quantity:** |
| **Summary Of Environmental Sampling Data:** (Include results of any sample and analysis used to determine whether releases of hazardous wastes or hazardous waste constituents have occurred, are occurring, or are likely to occur from the SWMU;) |
| **Description Of Release And Media Affected:** |
| **Ground Water:** |
| **Surface Water:** |
| **Soil:** |
| **Ecology Affected:** (i.e., Endangered/Threatened Species) |
| **Documentation Of No Release:** |
| **Impact On Or By Other SWMU/AOC:** |
| **RFI Necessary:** |
| **Include updated Tables VI-1 through VI-4.** |

## APPENDIX A – REQUIRED SUBMITTALS AND DATES

| Table A-1. Required Submittals and Dates | |
|---|---|
| **Required Submittal/Document** | **Due Dates** |
| POL Cap Assessment to Fulfill Closure Performance Standards | 180 Days after the Effective Date of this Permit (Received July 10, 2015) |
| POL Cap Post-Closure Notice | 30 Days after the submittal of the POL Cap Post-Closure Plan (Received October 14, 2015, Final received November 19, 2015) |
| Updated Tables VI-1 through VI-4, SWMUs and AOCs at MHAFB (Permit Condition VI.C.9) | Annually (I If there are no changes to the tables, a letter to that effect shall suffice, with no permit modification necessary) |
| Biennial Report | March 1, 2016, 2018, 2020, 2022, 2024 |
| Waste Minimization Certification | Not required |
| Waste Minimization Report | Not required |
| Permit Application Re-application | 180 Days Prior to Expiration Date of this Permit |

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