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Interoffice Communication

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To Gary Draper
From Tom Grumbles
Date February 19, 1982
Subject INDUSTRIAL HYGIENE AUDIT -- LCCP

The subject audit was conducted on January 21, 22, and 23 by myself, Louis Legendre, Medical Department, Ponca City; and Keith Fogg, Safety Director, Chocolate Bayou. Although all applicable items on the audit criteria were considered only those warranting mention are discussed. Following are the comments and recommendations of the audit team.

The plant has done a good job in recent years in recognizing existing and potential hazards in the plant. A lot of work has been done to identify and quantify exposure sources, design and evaluate engineering and procedural controls, and communicate new health effects information to employees. The industrial hygiene air sampling program is in good order. The major chemical exposures of concern are monitored on a routine basis according to a defined schedule. This schedule is reviewed and updated on a regular basis. The updating of the General Safety Orientation Program and development of the Toxic Gas Response Program has been accomplished to meet plant needs.

Respiratory Protection Program

To assure compliance with OSHA regulations, a written respiratory protection program must be developed. Although many of the elements required are being done a written program is needed. Inspection of the plant's self-contained emergency units (Scott-Paks) is required on a monthly basis. Appropriate records should be kept of this inspection. It is recommended that training be done on the use of these units on at least an annual basis.

Training

The Benzene and Respiratory Protection Training programs need to be revised to include current plant policies and update the health and regulatory information on benzene.

Currently these, and other health training programs are given to all new employees but not on any periodic basis after that. Although annual training is not specifically recommended consideration should be given to giving these training programs on a routine basis. This is certainly true for programs such as benzene, which change significantly in content.

Also it is recommended that the current documentation of training be improved. This record should include at least a brief summary of the training, dated given, instructor, and signatures of those present.

MCD 000016609

FEB 24

Gary Draper
Page 2

February 19, 1982

Employee Information

It is our understanding that the plant's policy is to have copies of Material Safety Sheets for materials in each unit in the control room available for the operators. These could not be found in the two control rooms the team checked. It is recommended that action be taken to assure this policy is accomplished.

The portions of the Standing Order Books dealing with health and safety procedures should be reviewed to assure they are current. In particular the regulated area definitions and procedures in the Ethylene Unit needs revising.

The team recommends the completion of the Plant Safety Manual.

Chemicals Handling

There appeared to be an unusual number of open, unmarked drums throughout the plant, as well as many open drums that were marked toxic in some form. It is recommended that procedures for handling bulk materials or wastes within the units and offsites be reviewed. This should include labeling of waste materials contained in drums.

Ventilation

The laboratory has adequate ventilation and chemical fume hoods. However, it is recommended that on at least an annual basis the face velocities should be measured and the mechanical systems (belts, motors, ducts) checked. The need for more mechanical ventilation in the alcohol drumming building should be evaluated.

Hazard Detection

The plant laboratory has done a great deal of work on methods development for the chemicals sampled for in the plant. The methyl chloride method currently has some deficiencies, as indicated by the sample results, and the audit team encourages further development of this method by the lab.

Fixed point continuous area monitors are being used in the Methyl Chloride and Ethylene Units. Currently, there appears to be no formal or enforced system to respond to high level alarms. Consideration should be given to better utilizing this information and eliminating high levels when possible.

General

1. The Benzene regulated areas in the plant are poorly marked. These areas should be clearly marked and procedures required within the areas enforced.

2. Housekeeping was poor in many areas. This needs improving throughout the plant.

No argument that housekeeping needs improvement. However, this was a low blow since audit was done near end of Alcohol TART and the item was referencing that area, primarily. Am also P.O. at Examples -- thought this program was for Plant Benefit -- but I didn't receive a copy.

MOI-000016610

Gary Draper
Page 3
February 19, 1982

3. Safety shower and eye-wash stations are in poor operating condition and not clearly marked in many units. Several of the stations checked had no water. This may have been due to recent freeze conditions in the plant. These stations should be distinctly marked and their operation checked frequently.
4. It was indicated that further evaluation of welding exposures was to be done in 1982. This is recommended.
5. The "Dripolene" rack has been deregulated. This action should be documented.

I would like to thank the plant personnel for their time and cooperation. This enabled the team to complete the audit in a thorough manner. Please feel free to contact me if you wish to further discuss the items above.

Thomas G. Grumbles

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cc R. E. Lehmkuhl
✓ R. D. Gamblin
Dr. Drumwright
Everitt DeWhitt

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CLEAN AIR ACT

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January 5, 1981
(FR 1165 - 1193)

"National Emission Standard for Hazardous Air
Pollutants; Benzene Fugitive Emissions."

January 29, 1981
(Page 9660)

Proposed Rule

Public Hearing: May 5, 1981

Notice of intent to present oral comments must
be submitted by April 28.

Final Written Comments: Due June 8, 1981

This would apply to new and existing sources in
petroleum refining and chemical manufacturing
industry. For equipment to be covered, it must
contain at least 10 percent benzene by weight.
Standards call for the following:

- 1) Safety/relief valves and product accumulator
vessels -- no detectable leaks;
- 2) Pipeline valves, existing pumps and compressors --
leak detection and repair program;
- 3) New pumps, compressors, sampling connections,
open-ended valves -- installation of specified
control equipment.

January 5, 1981
(FR 1135 - 1165)

"Standards of Performance for New Stationary Sources;
VOC Fugitive Emission Sources; Synthetic Organic
Chemicals Manufacturing Industry (SOCMI)."

Proposed Rule

Public Hearing to be held March 3, 1981. Notice
of intent to present oral comments must be submitted
by February 24.

Final written comments due April 6.

This would apply to new/modified equipment involved
in the production of a prescribed list of chemicals.
To be covered, equipment must contain at least 10
percent VOC. Standards call for the following:

- 1) Valves -- leak detection and repair program;
- 2) Light-liquid pumps, compressors, sampling
connections, open-ended lines -- installation
of specified control equipment;
- 3) Safety/relief valves--prohibition of leaks
during normal operations.

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CLEAN WATER ACT

January 13, 1981
(FR 3136 - 3159)

40 CFR Part 434 - "Coal Mining Point Source
Category; Effluent Limitations Guidelines"

Proposed Regulation

Comment Dates: Comments must be submitted within 60 days from the date of availability of the technical development document. A notice of availability will be published in the Federal Register on or about February 2, 1981. (Note: As of February 6, it is not yet out.)

The specific limitations will not be listed here due to their length. If you desire this information, please request a copy of the Federal Register from this office.

Of general interest, however, is EPA's choice for BAT and BCT limitation. EPA selected the following option for BAT: Require effluent limitations equivalent to those promulgated under BPT. For acid drainage mines and coal preparation plants and associated areas the limitations are based on the application of neutralization, aeration, and settling technologies. For alkaline mines and reclamation areas, limitations are based upon application of settling technology.

Since BPT requirements are already in effect, this option will have no economic impact, and BCT requirements can be set equal to the above BAT requirement. The above choice for BAT was based on four factors: (1) the toxic metals were found at levels very near or at concentrations considered to be the detection limit by state-of-the-art analytical techniques; (2) treatability studies, and statistical analysis indicated very low, if any, additional reductions of toxic metals are achievable beyond BPT levels; (3) it is infeasible to implement the BAT candidate technologies throughout the industry based upon by technical and cost considerations (e.g., providing power, access, and security for filtration water treatment of remote discharges in Appalachia), and (4) toxic organics that were detected in BPT - treated effluents occurred at levels too low to effectively treat, were uniquely related to only a few facilities or were attributable to sampling or analytical contamination.

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New source performance standards are also to be based on BPT technology except for new source preparation plants in which case no discharge of process wastewater pollutants is proposed.

These regulations contain several substantive changes from prior regulations. They are:

- a. Western mines will not be placed in a separate category.
- b. This proposal would significantly revise the nature and scope of the storm exemption.

Under prior regulations, both surface and underground coal mines were exempt from all otherwise applicable requirements if: (1) the treatment facility was designed, constructed, and maintained to contain or treat the 10-year, 24-hour storm volume; and (2) the facility experienced an overflow, increase in volume of a discharge or discharge from a bypass system as a result of a precipitation event. (e.g., 40 CFR Section 434.22(c)). Based on EPA data on sedimentation pond effluents during storms, this proposal exempts surface area discharges from the TSS, iron, and manganese limitations providing the sedimentation pond is properly designed (10-year, 24-hour storm) and operated. However, pH will continue to be limited to a range of 6 to 9. In contrast to the previous exemption, today's proposed exemption would not apply to discharges from the underground workings at underground coal mines. (The exemption will apply, however, to drainage from the surface area of underground mines.) Finally, a storm exemption will be granted only if the facility is designed, constructed, and operated to satisfactorily achieve effluent limitations during dry weather.

- c. Post-mining discharges are discussed at length, and the preamble to the regulation makes the following statements. Given the regulatory scheme that is now being initiated by OSM and by states which have been delegated SMCRA programs by OSM, EPA believes that the goals of both SMCRA and the Clean Water Act are best harmonized at this time by applying effluent limitations until full release of the performance bond under OSM regulations.

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However, EPA is initiating a study to determine if national standards applicable after bond release are warranted. The study is expected to be completed by July 1981.

- d. The definition of "new source coal mine" is changed slightly. If a mine obtained a MSHA number prior to September 19, 1977, then under the prior NSPS regulation, it qualified as an existing source, however, in the unlikely event that that mine had not commenced construction until after today, then it would qualify as a new source under today's definition.

January 28, 1981
(FR 9404 - 9460)

40 CFR Part 403 - "General Pretreatment Regulations for Existing and New Sources of Pollution"

Final Rule

Following is a summary of pertinent sections:

403.1 - Purpose and Applicability

The regulations establish responsibilities of Federal, State, and local government, industry, and the public to implement National Pretreatment Standards to control pollutants which pass through or interfere with treatment processes in Public Owned Treatment Works (POTW's) or which may contaminate sewage sludge.

403.3 - Definitions

Two definitions are important. The term "interference" means an inhibition or disruption of the POTW, its treatment processes or operations, or its sludge processes (including sludge disposal). The term "pass through" means the discharge of pollutants through the POTW into navigable waters in quantities or concentrations which cause of significantly contribute to a violation of the POTW's NPDES permit.

403.5 - Prohibited Discharges

The following discharges to a POTW from nondomestic sources are prohibited: Pollutants which interfere with or pass through the POTW, create a fire hazard, cause corrosive damage to the POTW, obstruct flow due to solid or viscous nature, and cause a problem due to heat content.

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403.6 - Categorical Standards

Pretreatment standards for specific industrial categories will be promulgated by EPA (e.g., petroleum refinery guidelines proposed December 1979.) These standards, unless specifically noted otherwise, shall be in addition to the general prohibitions in Section 403.5 of this regulation. Compliance by existing sources with categorical standards shall be within three years of the date the standard is effective unless a shorter compliance time is specified but in any case no later than July 1, 1984. Dilution is prohibited as a substitute for treatment.

403.7 - Revision of Categorical Pretreatment Standards to Reflect POTW of Pollutants

This section provides the criteria and procedures to be used by a POTW in revising the pollutant discharge limits specified in categorical pretreatment standards to reflect removal of pollutants by the POTW (information required from the industrial user is listed in Section 403.12). Specifications on data quality and quantity, sampling procedures, and analytical methods that must be followed by the POTW demonstrates "consistent removal" of a pollutant, and the revised standard will be based on this level of removal. "Consistent removal" is defined as the average of the lowest 50 percent of the removals measured by the specified data gathering methods.

403.8 - POTW Pretreatment Programs: Development by POTW

The POTW is to develop a program which documents that the POTW has (1) legal authority enforceable in Federal, State, or local courts to carry out all aspects of the pretreatment regulations, (2) procedures to ensure compliance with requirements of a pretreatment program such as identify and characterize all industrial discharges, analyze self monitoring reports submitted by industry, randomly sample and analyze industrial effluents, and investigate instances of non-compliance, and (3) funding to carry out the above authorities and procedures.

403.12 - Reporting Requirements for POTW's and Industrial Users.

Within 180 days after the effective date of a categorical pretreatment standard, an industrial user discharging to a POTW must submit a "Baseline" report containing the following information: identifying information, current environmental

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permits, description of operations, flow rate information showing daily average and daily maximum flows, effluent data for regulated pollutants consisting of three samples taken in a two-week period for flow rates less than 250,000 gpd and six samples taken in a two-week period for flow rates greater than 250,000 gpd (grab samples are acceptable only if composite sampling is not feasible), certification by a qualified professional that the standards are consistently being met or that additional O&M and/or pretreatment is necessary, and finally a compliance schedule, if additional O&M and/or pretreatment is required, showing that proper effluent quality will be achieved by the compliance data set in the categorical standards. Periodic reports on continued compliance are to be submitted each year in June and December. The frequency of monitoring will be prescribed in the categorical standards. Records of monitoring activities shall be retained for three years.

403.13 - Variances from Categorical Standards for Fundamentally Different Factors

EPA recognizes that some pertinent information may not be considered for one reason or another in establishing categorical standards. If the industrial user can demonstrate factors which are fundamentally different from those considered by EPA, a variance can be given on a case-by-case basis. Under this provision, standards can be made either more or less stringent depending on the factors.

403.15 - Net/Gross Calculation

Categorical pretreatment standards may be adjusted to reflect the presence of pollutants in the industrial user's intake water subject to several restrictions that most significant of which is the intake water must be drawn from the same body of water into which the discharge from the POTW is made.

403.16 - Upset Provision

Allowances for temporary noncompliance due to an upset are made, but the burden of proof is on the industrial user. An upset does not include noncompliance due to operational error, improperly designed or inadequate treatment facilities, lack of preventative maintenance, or careless operation.

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NOTE: These regulations fall in the group of promulgated but not yet effective regulations frozen for 60 days by President Reagan. Most of the regulations in this group are not too significant, but in the case of a few (including these pretreatment regulations) EPA will attempt to get around the freeze by claiming that they are mandated by legislation and/or court order and cannot be delayed or cancelled.

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RESOURCE CONSERVATION & RECOVERY ACT

January 9, 1981
(FR 2344 - 2348)

"Hazardous Waste Management System; General and EPA Administered Permit Programs; the Hazardous Waste Permit Program" Interim final amendment to rule and request for comments.

Effective: January 9, 1981

Comments: Due March 10, 1981

EPA amended the regulations for "existing facility" to mean in operation or under construction on or before November 19, 1980. Clarification was given for the term "construction," and a definition of the term "Federal, State, or local...approvals or permits" was given. New hazardous waste management facilities (other than land disposal facilities and surface impoundments) may begin construction before a permit is obtained.

January 12, 1981
(FR 2802-2892)

"Standards Applicable to Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities; Consolidated Permit Regulations"

Interim Final Rule

Comments Accepted until March 13, 1981

A list of 33 RCRA Guidance Manuals which EPA is preparing to support the entire hazardous waste regulatory program is provided (Federal Register page 2846 - 2847).

- 264.16 - Owners and operators are required to submit an outline of the training program used at the facility with RCRA permit application.
- 264.17 - a) Precautions must be taken to prevent accidental ignition or reaction of ignitable or reactive wastes. "No Smoking" signs are required.
- b) Precautions to be taken to prevent reactions which:
- 1) Generate heat, pressure, fire, explosives, or violent reactions.
 - 2) Produce toxic air born substances.
 - 3) Produce flammable gases.
 - 4) Damage structural integrity of facility.
 - 5) Threaten human health on the environment.
 - 6) Compliance must be documented.

264.18 - Facilities must be more than 200 feet away from active faults (faults with Holocene displacement). A facility within the 100-year floodplain must be designed to prevent washout of hazardous wastes by a 100-year flood.

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264.73 - Summary reports and details of all incidents that require implementing the contingency plan are required.

264.77 - Reports required to Regional Administrator on all releases, fire and explosions.

264.111 - Operators or owners must close the facility in such a manner as to minimize maintenance and prevent post-closure escape of hazardous wastes.

264.112 - A written closure plan must be available at the facility with all amendments. The plan must include both how the facility will be partially closed, where applicable, are fully closed, an estimate of the maximum inventories of wastes stored, description of decontamination of facility equipment, an estimate of the expected year of closure and a schedule of final closure. EPA must be notified 180 days before closure.

264.113 - A time schedule for final closure is outlined. This includes a basic 90-days to close after last volume of waste is received. Additional time may be granted by EPA if closure cannot be accomplished within 90 days. One-hundred eighty day extensions or longer are also possible.

264.114 - All contaminated equipment must be disposed of or decontaminated.

264.115 - A certification of closure must be submitted to EPA from the operator and a registered professional engineer upon closing the facility.

264.117 - Care required for facility for 30 years following closure to include: Groundwater monitoring and maintenance of monitoring and waste containment systems. Regional Administrator may reduce the 30-year period if he finds that the reduced period is sufficient to protect human health and the environment. The period may be extended to greater than 30 years if deemed necessary by EPA.

264.118 - A written post-closure plan must be submitted with the permit application. The plan must include a description of groundwater monitoring and a description of maintenance activities including a description of the cap and final cover, function of monitoring equipment, and the name and address of a contact during the post-closure period. The owner may amend his post-closure plan and must do so when changes in operating plans occur. All changes must be approved by the Regional Administrator.

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264.119 - Within 90 days after closure, notification with description of the operations must be made to a local zoning authority or the authority with jurisdiction over local land and to EPA. This includes plats showing locations of operations and descriptions of wastes stored.

264.120 - A notation on the property deed as to the use of the property as a hazardous waste disposal site is required. Upon removal of all wastes from the property, the notation may be removed from the deed.

264.140 - All private owners and operators are required to meet specified financial requirements.

264.141 - Definitions are given for terms used in describing financial responsibilities.

264.142 - A written estimate of the facility closure cost must be provided EPA and a copy kept at the facility. The estimate must be changed if closure plans are altered. Closure costs must be revised yearly to reflect inflation.

264.143 - The owner or operator of each facility must establish financial assurance for closure of the facility through a closure trust fund, a surety bond guaranteeing payment into a closure trust fund, a surety bond guaranteeing performance of closure, a closure letter of credit, or use of multiple financial mechanisms. Special mechanisms for multiple facilities are available. Each of the above financial mechanisms are discussed in detail. After closure is completed, the Regional Administrator may release the owner from maintaining additional financial assurance.

264.144 - A written estimate of the annual cost of post-closure monitoring and maintenance must be prepared. A new annual post-closure cost estimate must be prepared whenever a change in the post-closure plan affects the cost of post-closure care. Yearly inflation adjusted estimates must be prepared.

265.145 - Post-closure care financial assurance must be provided. This may be accomplished through the creation of a post-closure trust fund, a surety bond guaranteed payment into a post-closure trust fund, a surety bond guaranteeing performance of post-closure care, a post-closure letter of credit, or multiple financial mechanisms. Special mechanisms for multiple facilities are available. Each of the financial mechanisms are discussed in detail. At the completion of all post-closure care requirements, the Regional Administrator may suspend post-closure financial requirements.

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264.146 - A single financial assurance mechanism may be used to cover both closure and post-closure care provided the mechanism meets all the specifications of both 264.143 and 264.145 and the amount of funds available equals the sum of the funds which would be available if separate mechanisms had been used.

264.147 - Financial responsibility for claims arising from sudden and accidental occurrences that cause injury to persons or property must be maintained. Liability insurance for sudden occurrences must amount to at least \$1 million per occurrence with an annual aggregate of at least \$2 million exclusive of legal defense costs. Evidence of this liability insurance must be provided to EPA.

Liability insurance covering nonsudden occurrences in the amount of \$3 million per occurrence with an annual aggregate of at least \$6 million exclusive of legal costs is required. However, for presently existing facilities, insurance will not be required if before the following dates:

- 1) For companies with annual sales in the last calendar year preceeding the effective date of these regulations totalling \$10 million or more: 6 months after the effective date of these regulations.
- 2) For companies whose annual sales were from \$5 million to \$10 million, 18 months after effective date of regulations.
- 3) All other operations have 30 months to obtain insurance.

If owners or operators elect to comply using only one insurance policy, it shall amount to at least \$4 million per occurrence with an annual aggregate of at least \$8 million exclusive of legal costs. The Regional Administrator may reduce financial requirements if it can be shown that the specified requirements are not consistent with the degree and duration of the treatment.

264.148 - Financial assurance will not be considered to be in force if the financial institution issuing the insurance becomes insolvent or loses its charter.

264.140 - Facilities in states which require financial assurance for closure and post-closure care may use the state-required financial mechanisms to meet federal requirements if the state requirements are equal to or greater than the federal requirements.

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264.150 - If the state assumes legal responsibility for closure, post-closure, or liability requirements or assures that state funds will be available to cover these requirements, the facility will be considered to be in compliance.

264.151 - This section gives the exact wording for the different types of financial agreements.

264.170 - The following regulations cover storage containers for hazardous wastes.

264.171 - Hazardous wastes must be transferred out of containers which are not in good condition.

264.172 - Container liners must not react with stored wastes.

264.173 - Containers must always be closed except when materials are being added or removed.

Containers must be handled so as not to allow rupture or leaking.

264.174 - At least weekly inspections are required where containers are stored.

264.175 - Container storage areas must have a containment system to control spills or leaks. This system must have an impervious base, must drain so that containers do not sit in spills longer than one hour, have a capacity of 10 percent of the storage volume of the containers or the volume of the largest container. Any sump collecting spilled material must be emptied regularly. Run-on, to the containment area, must be prevented unless the containment system is approved by EPA for excess capacity.

264.194 - Inspections must be made of overfilling control equipment at least daily. Daily data gathering is required from monitoring equipment (e.g. pressure and temperature gauges). In uncovered tanks, the waste level shall be measured at least daily. Above ground portions of tanks will be inspected at least weekly for corrosion, erosion and leaks and the area around the tanks shall be inspected weekly for signs of leaks. A schedule shall be developed to assess tank conditions along with procedures for emptying the tank to allow entry and inspection. As a part of the contingency plan, plans must be made for handling spills and leakages.

264.197 - At closure, hazardous waste residues must be removed from tanks, discharge control equipment, and discharge confinement structures.

264.198 - Ignitable or reactive wastes must not be placed in a tank unless:

- 1) The waste is treated so that it is no longer ignitable or reactive, or;
- 2) The waste is stored or treated in such a way as to protect it from ignition or reacting, or;

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- 3) The tank is used solely for emergencies. The National Fire Protection Association's buffer zone requirements for tanks must be met.

264.199 - Incompatible wastes must not be placed in the same tank. Hazardous wastes must not be placed in an unwashed tank which previously held an incompatible waste.

264.220 - The following sections pertain to surface impoundments:

264.221 - Surface impoundments must provide:

- 1) At least 2 feet of freeboard or,
- 2) An amount of freeboard acceptable to EPA to prevent overtopping.

All flow into an impoundment must be controlled so it can be immediately shut off if necessary to prevent overtopping. Surface impoundments must be designed to prevent discharge into land, surface waters and groundwater. Dikes must be designed to prevent failures without dependence on any liner system. The leachate detection, collection and removal system must be operated so that leachate flows freely from the collection system and is removed as it accumulates. Earthen dikes must be kept free of rooted plants and burrowing mammals. Run-on must be diverted away from a surface impoundment.

264.223 - Earthen dikes must have a protective cover, such as grass or shale, to minimize wind and water erosion. The liner system must:

- 1) Have a highly impermeable liner which prevents discharge of waste or leachate,
- 2) Have a leachate detection, collection, and removal system,
- 3) Be constructed above the water table to ensure the detection of any discharge of waste or leachate through the liner system.

The containment system must have a containment life equal or greater than the life of the surface impoundment. The liner system must be constructed of materials which have appropriate physical and chemical properties to prevent failure due to pressure level, contact with the waste, and climatic conditions. The foundation must be capable of supporting the liner and prevent failure due to settlement or compaction.

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264.226 - During construction and installation, the liner system must be inspected for uniformity and imperfections. Earth material liners must be tested for compaction density, moisture content, and permeability after placement. Manufactured liners must be inspected to ensure tight seams, joints, and the absence of tears or blisters. The owner or operator must inspect surface impoundments containing free liquids at least once daily for leaks. Dikes, berms, and vegetation on dikes must be checked at least weekly and after storms for leaks or potential sources of leaks. The structural integrity of all dikes must be certified against massive failure by a qualified engineer prior to issuance of a permit. The certification must establish that the dikes will withstand:

- 1) Stress of the pressure head of liquids placed in the impoundment.
- 2) Weakening effect of scour due to leakage from the impoundment through the liner and dike.

264.227 - The system must be inspected whenever there is any indication of a possible failure of the containment system. Whenever there is positive indication of a failure in the containment system, the impoundment must be removed from service. This is to be accomplished by:

- 1) The immediate shut-off of flow to the system,
- 2) Containment of any leakage that loss occurred,
- 3) Stopping the leak

If the leak cannot be stopped, empty the impoundment. A plan must be available to cover the contingency of containment failure which includes a procedure for complying with the above items, a repair plan, and a plan for testing and evaluating the integrity of the containment system. Any containment system removed from service must be repaired and certified as meeting design specifications before it may be returned to service. If a leaking surface impoundment cannot be repaired, it must be closed in accordance with 264.228.

264.228 - At closure, all hazardous waste and residues, must be removed from the impoundment and all equipment must be decontaminated.

264.229 - Ignitable or reactive wastes must not be placed in a surface impoundment unless they are treated so that they are no longer ignitable or reactive, or protected so that they do not ignite or react, or the impoundment is used only for emergencies.

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264.230 - Incompatible wastes may not be placed in the same surface impoundment unless rendered nonreactive.

264.250 - The following sections apply to waste piles:

264.251 - Waste piles must be designed to control dispersal of waste by wind and water erosion. The pile must not discharge into land, surface water, or groundwater.

264.252 - The Regional Administrator shall specify practices to control wind dispersal of hazardous waste piles. Run-on must be diverted away from waste piles and leachate and run-off must be collected and controlled.

264.253 - A containment system must be designed, constructed and maintained to prevent discharge to land, surface water, or groundwater. A leachate and run-off collection and control system and an impermeable base or liner, thick enough to support the waste pile without failure, are required. The containment system must be protected from plant growth.

264.254 - During construction, the waste-pile base must be inspected to ensure uniformity. Manufactured liners must be inspected to ensure tight seams and joints and the absence of tears.

264.255 - Whenever there is an indication of possible failure in a containment system, the system must be inspected. Whenever a positive indication of failure is found, the pile must be removed from service by:

- 1) Stopping waste additions
- 2) Containing any leakage
- 3) Stopping the leak, and
- 4) Removing the waste pile if the leak cannot be stopped.

Procedures for containing and stopping leaks are required to be prepared. Any waste pile removed from service may not be restored to service until the containment system has been repaired and certified as to meeting design specifications. If a waste pile cannot be repaired, it must be removed and the area and equipment decontaminated.

264.256 - Ignitable or reactive wastes must not be placed in a pile unless they are treated so as not to be ignitable or reactive, or they are protected so as not to ignite or react.

264.257 - Incompatible wastes must not be placed in the same pile unless they are treated so as not to be incompatible. Piles of incompatible wastes must be separated by walls, dikes, berms, or other devices. Hazardous wastes must not be piled where incompatible wastes had previously been stored unless the area had been decontaminated.

264.258 - At closure, all hazardous wastes must be removed from the pile and the containment system and equipment decontaminated. Appendix V describes Incompatible Wastes.

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January 12, 1981
(FR 2893 - 2897)

"Closure, Tank, and Waste Pile Standards for Owners
and Operators of Hazardous Waste Facilities"

Proposed Rule

Comments: April 13, 1981

264.200 - EPA proposes additional standards for control of air emissions from tank facilities be included in the general standards for tanks (40 CFR, Part 265, Subpart V). The proposed standards would require "owners and operators to evaluate the potential for hazardous air emissions..." and then to provide necessary controls to protect human health and the environment. An inspection program is outlined.

264.254 - Proposals are made for regular periodic inspections of waste piles and to ensure control of wind dispersal and run-off, and waste pile containment. Inspections must include periodic waste pile removal and testing of underlying base to ensure its adequacy. If waste pile removal is impractical, inspection may be omitted provided that the waste pile has a leachate detection, collection, and removal system.

Regulations for closure and post-closure of disposal facilities are discussed including closure notification procedures for EPA and local zoning authorities. Notice in the property deed as to the material found on the property is outlined.

MCD 000018627

January 16, 1981
(FR 4614 - 4620)

"Hazardous Waste Management System: Identification and Listing of Hazardous Waste." Final rule and temporary suspension of interim final rule.

Effective: January 16, 1981/July 16, 1981

EPA finalized a listing of 13 hazardous wastes from specific sources which were proposed on July 16, 1980.

EPA is also deleting two wastes from that interim final list and is deferring action on and suspending the effectiveness of nine wastes. Decanter tank tar sludge from coking operations was finalized. F013 - Flotation tailings from selective flotation from mineral metals recovery operations has been removed.

January 19, 1980
(FR 5616 - 5618)

"State Hazardous Waste Programs: Requirements for Public Participation in State Enforcement Process During Interim Authorization."

Interim final rule and request for comment.

Effective: January 19, 1981

Comment: March 20, 1981

This amendment is necessary to clarify requirements for Agency Approval of State Applications for interim authorization.

January 23, 1981
(FR 7666 - 7683)

"Incinerator Standards for Owners and Operators of Hazardous Waste Management Facilities; Consolidated Permit Regulations." Interim Final rule (Part 264 and 122)

Final Rule (Part 265)

Effective: July 22, 1981

Comment: March 24, 1981

EPA is promulgating on an interim final basis, incinerator standards that will be the basis for permit issuance. EPA is also finalizing the interim status standards (Part 264, Subpart O) that were issued on May 19, 1980, and is amending the permit regulations to correspond to these regulations.

MCD 000018828

January 23, 1981
(FR 7684)

"Incinerator Standards for Owners and Operators of Hazardous Waste Management Facilities."

Proposed rule

Comment: April 23, 1981

Hearing: March 19, 1981

EPA is proposing amendments to the Part 264, Subpart O, general standards published on this same date. The proposed amendments apply primarily to the incinerator performance standards and include emission limits for hazardous combustion by-products, a variance standard based on an assessment of risk to human health, and a procedure to set emission limits for toxic metals and hydrogen halides based on an assessment of risk. In addition, the procedure for designation of POHC's is proposed to be amended to include hazardous combustion by-products.

January 26, 1981
(FR 7964 - 7966)

"Interim Authorization of State Hazardous Waste Programs"

Notice -

EPA announced the content of two components of Phase II interim authorization for states. The first component corresponds to the federal regulations for permitting the storage and treatment of hazardous waste in tanks, surface impoundments, and waste piles, and for permitting the use and management of containers of hazardous waste. The second component corresponds to the federal regulations for permitting the treatment of hazardous waste in incinerators.

January 26, 1981
(FR 8312 - 8313)

"State Hazardous Waste Programs Requirements for Compliance Evaluation Programs During Interim Authorization." Interim final amendment to rule and request for comment.

Effective: January 26, 1981

Comment: March 27, 1981

States may conduct inspections under interim authorization of RCRA or under independent state authority. This notice clarifies that a state has full authority to conduct inspections after having received Interim Authorization under RCRA.

MCD 000016629

January 26, 1981
(FR 8395)

"Hazardous Waste Management System; Standards Applicable to Generators of Hazardous Waste and Standards Applicable to Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities."

Notice

Effective: January 26, 1981

EPA suspended entirely the annual report requirement for calendar year 1980 for hazardous waste generators and owners and operators of hazardous waste treatment storage, and disposal facilities. No report will be due March 1, 1981, for the period November 18, 1980 - December 31, 1980.

MCD 000016630

SUPERFUND

"Hazardous Waste Containment Act of 1980"

December 11, 1980

This law was passed and is effective as of December 11, 1980. We have two major reporting responsibilities under this act which are of major importance to Conoco.

- 1) Effective as of December 11, 1980, notification is required immediately whenever there is any unpermitted release of a reportable quantity of a hazardous substance into any media -- air, water, land, or releases which may enter ground-water.
- 2) By June 9, 1981, Conoco must report to EPA all closed or abandoned hazardous waste disposal sites presently owned or previously owned at which hazardous wastes are or have been treated, stored, or disposed of. Reports must cover all facilities which are not permitted or which do not presently have interim status under RCRA. This listing must include wastes stored and any "known suspected or likely" releases associated with such wastes. No cutoff date is established beyond which a company would be excused from reporting past practices.

It was reported that within the next month, the agency plans to publish an advance notice of proposed rulemaking on all superfund regulations. Within three to four months, the regulations should be in initial draft form, and after they are proposed public hearings will be held.

MCD 000016631

TOXIC SUBSTANCES CONTROL ACT

January 27, 1981
(FR 8986 - 8992)

"Agency Policy to Premanufacture Testing of New Chemical Substances and Announcement of Rescheduled Meeting and Extension of comment on certain Environmental Test Standards."

This document announces existing Agency policy concerning an approach to premanufacture testing of new chemical substances. It identifies types of test data concerning physical and chemical properties and health and environmental effects which the Agency recommends be developed by manufacturers planning to manufacture a new chemical substance. It also identifies test protocols which the Agency recommends be utilized to develop these data.

MCD 000016632