April 5, 2016

Mr. Robert E. Edwards III  
Portsmouth/Paducah Project Office  
1017 Majestic Drive, Suite 200  
Lexington, KY 40513

Dennis Carr  
Fluor-B&W Portsmouth, LLC  
P.O. Box 548  
Piketon, OH 45661

Subject: Hazardous Waste Permit Modification - Class 1 Acknowledgment

Dear Mr. Edwards and Mr. Carr:

On March 10, 2016, Ohio EPA received notification for a Class 1 hazardous waste permit modification from US DOE Portsmouth Gaseous Diffusion Plant dated March 9, 2016. The modification implemented the following change to the permit:

This Part B Permit Modification updates the RCRA Subtitle C Identification Form (Part A) to identify the current facility contact and authorized representative for DOE. This revision also restores language missing from the previously modified Terms and Conditions provided with the permit modification approved by Ohio EPA in January 2016.

With this letter, Ohio EPA acknowledges the above referenced Class 1 modification submitted pursuant to Ohio Administrative Code (OAC) Rule 3745-50-51, and accordingly has updated the facility’s permit application and/or permit. The updated application/permit can be retrieved from the Agency’s eDocument Search web site: [http://edocpub.epa.ohio.gov/publicportal/edochome.aspx](http://edocpub.epa.ohio.gov/publicportal/edochome.aspx). Using the search function, search under the document type of “Permit” and then refine the search using the facility’s RCRA ID number (Secondary ID) which is noted in the RE: block above.

If you have any questions concerning this letter, please contact Brian Queen of my staff at 740-380-5420.

Sincerely,

Joe Goicochea  
Manager, Southeast District Office  
Division of Materials and Waste Management  

JG/mr

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1 Please note: If the modification application included a claim for confidentiality, Ohio EPA will retain the confidentiality of the document(s) until the Director makes a final determination in accordance with OAC Chapters 3745-49 and 3745-50 as to whether the document(s) constitutes a trade secret and must remain confidential. Ohio EPA will notify you of any determination made as to the confidentiality of the document(s).
MODULE A - GENERAL PERMIT CONDITIONS

A. GENERAL PERMIT CONDITIONS

A.1 Effect of Permit
ORC Sections 3734.02 (E) and (F) and 3734.05
OAC Rule 3745-50-58(G)

(a) The Permittee is authorized to store hazardous and mixed waste in containers in the permitted X-326, X-330, X-345, and X-705 storage areas, in accordance with the terms and conditions of this permit, ORC Chapter 3734, all applicable Ohio hazardous waste rules, all applicable regulations promulgated under the Resource Conservation and Recovery Act (RCRA), as amended, and all other applicable administrative and judicial orders which the Permittee is subject to, and the approved hazardous waste facility installation and operation permit renewal application, as such application has been revised and supplemented and as such application may be modified pursuant to the hazardous waste rules. The approved Part B permit application as submitted to Ohio EPA on September 13, 2010 and last updated on October 15, 2010 is hereby incorporated into this permit. In the instance of inconsistent language or discrepancies between the above, the language of the more stringent provision shall govern.

(b) Any management of hazardous and mixed waste not authorized by this permit is prohibited, unless otherwise expressly authorized or specifically exempted by law. Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, or invasion of other private rights. Compliance with the terms and conditions of this permit does not obviate Permittee’s obligation to comply with other applicable provisions of law governing protection of public health or the environment including but not limited to the Community Right to Know law under ORC Chapter 3750.

A.2 Permit Actions
OAC Rule 3745-50-58(F)

This permit may be modified, revoked, suspended, or renewed as specified by Ohio law. The filing of a request by the Permittee for a permit modification, revision, revocation, suspension, or renewal 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 term or condition.
MODULE B- GENERAL FACILITY CONDITIONS

B.1 Design and Operation of Facility
OAC Rule 3745-54-31

The Permittee shall design, construct, maintain and operate the facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste and mixed waste constituents to air, soil, and ground or surface waters which could threaten human health or the environment.

B.2 Required Notices
OAC Rule 3745-54-12

(a) The Permittee may not receive hazardous waste or mixed waste from a foreign source.
(b) The Permittee may not receive hazardous waste or mixed waste from off-site other than as described in Section C-2E of the Part B application.

B.3 General Waste Analysis Plan
OAC Rule 3745-54-13

The Permittee shall follow the procedures described in the approved waste analysis plan found in Section C of the approved Part B permit application and the terms and conditions of this permit. At a minimum, the Permittee shall maintain proper functional instruments, use approved sampling and analytical methods, verify the validity of sampling and analytical procedures, and perform correct calculations. If the Permittee uses a contract laboratory to perform analyses, then the Permittee shall inform the laboratory in writing that it must operate under the waste analysis conditions set forth in this Permit.

B.4 Security
OAC Rule 3745-54-14

The Permittee must comply with the security provisions of OAC Rule 3745-54-14(B)(1) or (2), and (C) and Section F of the Part B permit application.
MODULE C - CONTAINER STORAGE

C. CONTAINER STORAGE AND MANAGEMENT

The activities covered by this module consist of storage of containers of hazardous and mixed waste in the X-326, X-330, X-345, and X-705 buildings as described in the following tables and figures in Section D of the permit application, and all other terms and conditions of this permit.

Table D-1 – Container Information
Table D-2 – X-326 Containment Capacity Calculations
Table D-3 – X-330 Containment Capacity Calculations
Table D-4 – X-345 Containment Capacity Calculations
Table D-5 – X-705 Containment Capacity Calculations
Figure D-1 – X-326 Floor Plan
Figure D-2 – X-330 Floor Plan
Figure D-3 – X-345 Floor Plan
Figure D-4 – X-705 Floor Plan

C. 1. Process Capacity/Annual Quantity Limitation
OAC Rule 3745-50-43(A)(7)

(a) The Permittee shall not store more than 161,920 gallons the specified volumes of containerized waste at any given time in the permitted container areas as follows: 161,920 gallons in X-326; 46,200 gallons in X-330; 17,380 gallons in X-345; and 1,540 gallons in X-705. The Permittee shall store hazardous waste and mixed waste in the types of containers described in Section D of the approved Part B application.

(b) For the purpose of compliance with the capacity limitation of this permit, each container will be considered to be storing an amount of hazardous waste or mixed waste equal to its capacity, regardless of the actual quantity stored in the container.

(c) The provisions of Conditions C.1(a) and C.2 shall not apply to the Permittee's activities as a generator accumulating hazardous waste and mixed waste onsite in compliance with the provisions of OAC Rule 3745-52-34(A).

However, when accumulating waste within the permitted container storage area, in accordance with OAC Rule 3745-52-34(A), the Permittee shall not, for the total amount of hazardous waste and mixed waste stored and accumulated, exceed the maximum container storage inventory established under this condition.

C. 2 Waste Identification

The permittee shall store in containers only the hazardous waste codes specified in Section A of the Part B application.
showing compliance with the requirements of Permit Condition C.13, OAC Rules 3745-54-17(B) and 3745-55-77.

C.10 Special Container Provisions for Ignitable or Reactive Waste
OAC Rules 3745-54-17 and 3745-55-76

(a) The Permittee shall not locate containers holding ignitable or reactive waste within 15 meters (50 feet) of the Portsmouth Gaseous Diffusion Plant reservation boundary.

(b) The Permittee shall take precautions to prevent accidental ignition or reaction of ignitable or reactive waste and shall follow the storage procedures specified in Section F of the Part B permit application.

C.11 Special Container Provisions for Incompatible Waste
OAC Rules 3745-54-17 and 3745-55-77

(a) The Permittee shall not store incompatible waste except in accordance with OAC Rules 3745-54-17(B) and 3745-55-77.

(b) The Permittee shall not place hazardous waste or mixed waste in an unwashed container that previously held an incompatible waste or material.

(c) The Permittee shall ensure that all containers of incompatible wastes are physically separated from other incompatible wastes or materials by a wall, berm, dike or other device, in accordance with OAC Rule 3745-55-77 and the Appendix to 3745-55-99. All containers of flammable wastes are to be stored in flammable storage cabinets in the X-326, X-330, X-345, and X-705 Area 1 buildings. Incompatible wastes are to be stored a minimum of one aisle away from each other and will not be stored in the same row. Sodium wastes are to be stored in containers filled with organic liquids such as kerosene.

C.12 Reserved

C.13 Closure and Post-Closure
OAC Rules 3745-55-10 through 3745-55-20 and 3745-55-78

(a) At closure of the container area, the Permittee shall remove all hazardous waste, mixed waste, hazardous waste residues, and mixed waste residues from the containment system, in accordance with the procedures in the Closure Plan set forth in Section I of the approved Part B permit application.