

HAZARDOUS WASTE FACILITY PERMIT

In compliance with the provisions of the Vermont Waste Management Act, as amended,
(10 V.S.A. Chapter 159)

**Green Mountain Power
296 Greens Hill Lane
Rutland, Vermont 05701**

EPA ID No: VTD007939614

is authorized to operate a hazardous waste storage facility at the above location in accordance with the conditions and requirements set forth in this permit.

This permit shall become effective on the date of signing.

Signed this **27th** day of **September 2024**

Julia S. Moore, Secretary
Vermont Agency of Natural Resources

By _____
Matthew Chapman, Director
Waste Management & Prevention Division
Vermont Department of Environmental Conservation
1 National Life Drive, Davis 1
Montpelier, Vermont 05620-3704

Appeals

Any person aggrieved by this certification or permit may appeal to the Superior Court – Environmental Division within 30 days of the issuance of this permit in accordance with 10 V.S.A. Chapter 220 and the Vermont Rules Environmental Court Proceedings. If this certification or permit relates to a renewable energy plant for which a certificate of public good is required under 30 V.S.A. §248, any appeal must be filed within 30 days of the issuance with the Vermont Public Service Board in accordance with Board rules.

**State of Vermont
Agency of Natural Resources**

HAZARDOUS WASTE FACILITY PERMIT

**10 V.S.A. Chapter 159
Vermont Hazardous Waste Management Regulations § 7-504**

Applicant: Green Mountain Power
163 Acorn Lane
Colchester, Vermont 05446

EPA ID No: VTD007939614

Facility: Green Mountain Power Electrical Maintenance Facility
296 Greens Hill Lane
Rutland, Vermont 05701

Permit Period: Ten (10) years from date of signing

FINDINGS OF FACT

1. The Green Mountain Power Electrical Maintenance Facility (hereafter called GMP) is an electric utility which serves customers throughout Vermont. To serve its customers efficiently, GMP has a network of operating districts throughout its service territory, as well as several power production plants. GMP owns and operates a hazardous waste storage facility (hereafter called "GMP facility" or "facility") located at 296 Greens Hill Lane in Rutland, Vermont, so that hazardous wastes generated in remote locations, such as district substations, can be transported to a central location for storage prior to being shipped for further management. A description and drawings of the GMP facility are provided in Appendices A and B of this permit.
2. Maintenance operations conducted at electric utilities in the service territory and plants which sustain GMP's electrical distribution system often result in the generation of federal and state hazardous wastes. GMP has service agreements to perform electrical equipment and line maintenance services with its affiliate, the Vermont Electric Power Company (VELCO), so pursuant to those service agreements, GMP stores VELCO hazardous wastes. In addition, GMP stores Universal Waste, Used Oil, and TSCA (Toxic Substances Control Act) waste generated from the repair and disposal of VELCO electrical equipment.
3. On October 1, 2012, GMP and Central Vermont Public Service (CVPS) merged to become Green Mountain Power Corporation. The GMP facility located at Greens Hill Lane in Rutland was previously owned and operated by CVPS and was first issued a hazardous

waste facility permit on February 5, 1988. The CVPS facility was issued subsequent renewal permits until the merger with GMP in 2012, and the GMP facility was then issued a renewal permit on September 25, 2013, which was scheduled to expire on September 25, 2023. Through GMP's submittal of a timely and administratively complete renewal application on March 29, 2023, the permit issued on September 25, 2013, was continued in full force and effect pursuant to the Vermont Hazardous Waste Management Regulations (hereafter called VHWMR) § 7-504(h).

4. This permit governs the management and storage of hazardous waste pursuant to 10 V.S.A. Chapter 159 and the VHWMR, non-hazardous waste and waste that is exempted or conditionally exempted from regulation under the VHWMR at the GMP facility.
5. GMP uses a portion of the facility to operate a waste storage area for hazardous wastes which include broken batteries; gasoline; solvents; painting-related materials; dirt and debris contaminated with oils from servicing vehicles and electrical equipment or resulting from spills and leaks from electrical equipment; and PCB-contaminated media and debris. Exempt Universal Waste, Used Oil, and TSCA waste (refer to **Appendix A** of this permit) may also be stored in this area.
6. GMP has submitted information determined by the Agency to be equivalent to a RCRA Facility Assessment (RFA) and RCRA Facility Investigation (RFI). This information is included in the administrative record for the GMP facility within the Waste Management & Prevention Division's Sites Management Section electronic files. This information describes whether any releases or likely releases have occurred. Any required corrective action at this facility is identified in **Section 11** of this permit.
7. A list of permits issued to the GMP facility by the Vermont Agency of Natural Resources is identified in **Appendix J** (Part A – Application Forms).
8. In October 2019 and January 2020, a site investigation was performed in response to the identification of PCB concentrations in soils east and south of GMP's Electrical Maintenance Facility at concentrations above VT Department of Environmental Conservation's (DEC's) non-residential Vermont Soil Standards (VSS). The source of the contaminated soils was thought to be from historic releases of PCB oil to surface soils from leaking oil-filled equipment and or oil transfer activities.

GMP developed a Corrective Action Plan and Self Implementing Plan (CAP/SIP) in September 2020. The CAP/SIP was implemented in December 2020, and a soil excavation was performed. Post-excavation sampling confirmed that concentrations of total PCBs were below the non-resident VSS, indicating that the excavations were successful in achieving soil cleanup goals. Currently, and in accordance with 40 CFR Part 264 Subparts F and S, no corrective action, as referenced in Section 11, is necessary at this time.

CONDITIONS

Section 1: General Conditions

- 1.1 For the purposes of this permit, the terms used herein shall have the same meaning as those in the VHWMR and **40 CFR Parts 124, 264, 266, 268 and 270**, unless this permit specifically states otherwise. Where terms are not defined in the VHWMR, 40 CFR, 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.
- 1.2 As used in this permit, the term “permit” has the same meaning as “certification” as used in the VHWMR and **10 VSA § 6606**.
- 1.3 As used in this permit, the term “Director” means:

Division Director - Waste Management & Prevention Division
Department of Environmental Conservation
Vermont Agency of Natural Resources
- 1.4 As used in this permit, the term “waste” means hazardous waste, non-hazardous waste and waste that is exempted or conditionally exempted from regulation under the VHWMR.
- 1.5 “Secretary” means the Secretary of the Vermont Agency of Natural Resources or his or her duly authorized representative. When implementing the provisions of **10 V. S. A. §§ 6608a and 6608b** relating to economic poisons and low-level radioactive wastes, the term Secretary includes the Secretary of Agriculture, Food & Markets and the Commissioner of Health.
- 1.6 “Agency” means the Vermont Agency of Natural Resources.
- 1.7 “RCRA” means Resource Conservation and Recovery Act (RCRA) of 1976, (42 USC 6901 et seq.).
- 1.8 GMP shall maintain compliance with the VHWMR as amended. GMP shall modify this permit in accordance with **Condition 2.5** if an amendment to the VHWMR results in conflict between the permit and the amended VHWMR.
- 1.9 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, such a determination shall not have any effect on the validity of the remainder of the permit, or on the application of the provision to other circumstances.
- 1.10 The permit does not convey any property rights of any sort, or any exclusive privilege.
- 1.11 This permit is not transferable to any person except after notice to the Secretary. The Secretary may require modification or revocation and reissuance of the permit to change the

name of the permittee and incorporate such other requirements as may be necessary under **40 CFR § 270.40**.

- 1.12 In the event that the land on which the facility is located is transferred to a new owner, any actions or inactions of the new landowner, or refusal by the new landowner to provide access to GMP or the Secretary, shall not be a defense for GMP for any non-compliance with this permit or the VHWMR.
- 1.13 GMP shall comply with all applicable statutes, rules, and regulations of any federal, state, or local authority as may be amended. This permit shall not be a shield to the continued conformance to regulatory requirements.
- 1.14 The Secretary may require GMP to establish and maintain an information repository at any time, based on the factors set forth in **40 § CFR 124.33(b)**. The information repository will be governed by the provisions in **40 CFR §§ 124.33(c) through (f)**.
- 1.15 All waste received by the GMP facility shall be managed according to the terms of this permit, as renewed and modified.
- 1.16 Unless otherwise specified, when reference is made to a specific subchapter, section or subsection of the VHWMR, the reference is to the VHWMR which became effective February 1, 2022.

Section 2: Duration, Modification and Renewal of Permit

- 2.1 This permit shall be effective for 10 years from the date of signing.
- 2.2 If GMP wishes to continue an activity regulated by this permit after the expiration date of this permit, GMP must apply for and obtain a new permit.
- 2.3 If the GMP facility wishes to continue an activity regulated by this permit after the expiration date of this permit, GMP shall submit a new application at least 180 days before the expiration date of this permit, unless permission for a later date has been granted by the Secretary.
- 2.4 This permit and all conditions will remain in effect beyond the permit's expiration date, if GMP has submitted a timely, administratively complete application for a renewed permit, and, through no fault of GMP, the Secretary has not issued a new permit. Permits continued under this section remain fully effective and enforceable.
- 2.5 If any of the causes for modification found in **VHWMR §7-507(e)** apply, GMP shall seek a permit modification prior to making physical alterations or operational changes. Class I modifications for which prior approval is not required under **40 CFR § 270.42** may be implemented without prior notice or approval by the Secretary if notice of the modification is submitted to the Director within seven (7) calendar days after the change is put into effect.

- 2.6 This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by GMP for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

Section 3: Compliance and Enforcement

- 3.1 GMP shall allow the Secretary, or an authorized representative, upon the presentation of credentials and other documents as may be required by law to:
- (a) Enter at reasonable times upon the GMP facility premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
 - (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
 - (d) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by RCRA, any substances or parameters at any location.
- 3.2 GMP shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. GMP may not treat, store, or dispose of hazardous waste in any modified portion of the facility except as provided in **40 CFR § 270.42**, until:
- (a) GMP has submitted to the Director by certified mail or hand delivery a letter signed by GMP and a registered professional engineer stating that the facility has been constructed or modified in compliance with the permit; and
 - (b) (i) The Director has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the permit; or

(ii) Within 15 days of the date of submission of the letter in paragraph (a) of this condition, GMP has not received notice from the Director of his or her intent to inspect, prior inspection is waived and GMP may commence treatment, storage, or disposal of hazardous waste.
- 3.3 Notwithstanding any other provisions of this permit, enforcement actions may be brought pursuant to **10 V.S.A. Chapters 159, 201, and 211**.

- 3.4 It shall not be a defense for GMP 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.
- 3.5 Compliance with the terms of this permit does not constitute a defense to any order issued or any action brought under **10 V.S.A. Chapters 159, 201, or 211, or Sections 3008(a), 3008(h), 3013, or 7003** of the Resource Conservation and Recovery Act (RCRA) of 1976, (42 USC 6901 et seq.) or **§ 106(a), 104 or 107** of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980 (42 U.S.C. 9601 et seq.), or any other law providing for protection of public health or the environment.

Section 4: Duties of the Permit Holder

- 4.1 GMP must comply with all conditions of this permit, except that GMP need not comply with the conditions of this permit to the extent and for the duration such noncompliance is authorized in an emergency permit. Any permit noncompliance, except under the terms of an emergency permit, constitutes a violation of the appropriate Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- 4.2 In the event of noncompliance with the permit, GMP 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.
- 4.3 GMP shall furnish to the Secretary, within a reasonable time, any relevant information which the Secretary may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. GMP shall also furnish to the Secretary, upon request, copies of records required to be kept by this permit.
- 4.4 GMP shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility.
- 4.5 The Contingency Plan contained in **Appendix G** shall be reviewed and, if necessary, amended in accordance with **Condition 2.5** of this permit, whenever:
 - (a) This permit is amended;
 - (b) The plan is implemented;
 - (c) The facility changes (in its design, construction, operation, maintenance or other circumstances) in a way that materially increases the potential for fires, explosions, or the release of a hazardous waste or its constituents, or changes the response to an emergency;

- (d) The list of emergency coordinators changes;
 - (e) The list of emergency equipment changes;
 - (f) Updates to the federal or state flood projection maps are issued and contain revisions to the designated boundaries of a projected 100-year flood that include the permitted location of the facility, or if the facility is directly impacted by a flood event. In such events, GMP shall amend its Contingency Plan to include Procedures for predicted 100-year flood emergencies within 90 days. If federal or state flood projection maps do not change to include GMP facility within the designated flood boundaries, by January 1, 2030, GMP shall amend its Contingency Plan to include emergency procedures for flooding.
- 4.6 GMP shall submit a copy of the Contingency Plan, and all amendments of that plan, to the local police department, fire department, hospital(s) and any other state or local emergency service provider(s) that may be called upon in the event of an emergency. A record of transmittal of the Contingency Plan to each service provider named above shall be maintained at the facility.
- 4.7 GMP shall attempt to maintain emergency service arrangements with the state and local authorities specified in **Condition 4.6**. If any of these authorities decline to enter into such an arrangement, GMP must document this refusal in the facility operating record.
- 4.8 The GMP facility shall retain copies of all reports required by the terms and conditions of this permit and records of all data used to complete its permit application for at least three (3) years from the date of the report or the submission of the application. This retention period and other retention periods required by the terms and conditions of this permit shall be automatically extended during the pendency of any unresolved enforcement action involving the GMP facility.
- 4.9 GMP shall maintain a written operating record, either at the facility or at an alternative location approved by the Secretary, which includes all applicable requirements of **40 CFR § 264.73** and any additional requirements listed below. The information contained in the written operating log shall be maintained, as it becomes available, in the operating record until facility closure is completed in accordance with **Section 9**.
- 4.10 GMP shall maintain the following personnel documents and records at the facility:
- (a) A listing of the job title for each position at the facility related to hazardous waste management and the name of the employee filling that position;
 - (b) A written job description for each position listed above which includes the requisite skill, education, or other qualification, and duties of employees assigned to the position;

- (c) A written description of the employee training required for each position listed in **Appendix H**; and
 - (d) Records verifying that the employee training program contained in **Appendix H** has been presented to, and completed by, appropriate facility personnel.
- 4.11 Training records on current personnel shall be kept until facility closure is completed in accordance with **Section 9**. Training records on former employees shall be kept for at least three (3) years from the date the employee last worked at the facility. Personnel training records may accompany personnel transferred within the company.
- 4.12 GMP shall follow the waste analysis procedures contained in **Appendix C**.
- 4.13 Prior to accepting waste from a source, GMP shall follow the waste approval process described in the Waste Analysis Plan contained in **Appendix C**. At a minimum, the waste approval process shall identify for each waste all of the information necessary for shipment to, and acceptance by, an appropriate treatment, storage and disposal facility. In addition, the waste approval process shall be followed in the event that GMP is notified or has reason to believe that the process generating the waste has changed.
- 4.14 All sampling, monitoring, and/or analysis performed in relation to activities covered by this permit shall be performed according to the appropriate method specified in the edition of "Test Methods for Evaluating Solid Waste, SW-846, Standard Methods of Wastewater Analysis", or an equivalent method, such as those developed by the American Society for Testing and Materials (ASTM) incorporated in the VHWMR by reference or approved by EPA through rulemaking or by the Secretary in writing. If other methods are to be used, GMP shall receive approval from the Secretary prior to utilizing the methods. The Secretary may reject any data that does not meet the requirements of EPA analytical methods and may require re-sampling and additional analysis.
- 4.15 GMP shall document the name(s), address(es), and telephone number(s) of any consultant(s) and/or laboratory(ies) retained by GMP to perform sampling, monitoring, and/or analysis required by the Waste Analysis Plan contained in **Appendix C**.
- 4.16 GMP shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, the certification required by **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 3 years from the date of the sample, measurement, report, certification, or application. This period may be extended by request of the Secretary at any time. GMP shall maintain records from all groundwater monitoring wells and associated ground-water surface elevations, for the active life of the facility, and for disposal facilities for the post-closure care period as well.

Records for monitoring information shall include:

- (a) The date, exact place, and time of sampling or measurements;
 - (b) The individual(s) who performed the sampling or measurements;
 - (c) The date(s) analyses were performed;
 - (d) The individual(s) who performed the analyses;
 - (e) The analytical techniques or methods used; and
 - (f) The results of such analyses.
- 4.17 GMP shall submit to the Director, upon request, the results of all sampling and/or tests or other data generated pursuant to **Section 11** (Corrective Action).
- 4.18 GMP shall provide written information regarding waste quantities, types, and locations at the facility, to state and local authorities (including SERCs and LEPCs) and first responders for the purpose of emergency preparedness and prevention and place a copy of this information in the facility's operating record. Such information shall be updated as necessary, and the updates shall be provided to state and local authorities and first responders. The written information shall also describe the layout of the facility, locations where personnel normally work, and entrances and possible evacuation routes.

Section 5: Facility Design and Operation

- 5.1 GMP 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 GMP 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 procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.
- 5.2 GMP shall design, maintain and operate the facility in a manner which minimizes the possibility of a fire, explosion, or any unplanned, sudden or non-sudden release of a hazardous waste or hazardous waste constituents to air, soil, surface waters or groundwater which could threaten human health or the environment. At a minimum, GMP shall maintain and operate the facility in accordance with the preparedness and prevention procedures contained in **Appendix F**.
- 5.3 In the event of a fire, explosion, or any unplanned sudden or non-sudden release of a hazardous waste or hazardous waste constituents to air, soil, surface waters or groundwater which could threaten human health or the environment, GMP shall take all actions necessary

- to minimize the threat by immediately implementing the applicable provisions of the Contingency Plan contained in **Appendix G**.
- 5.4 Spills, leaks, drips and other discharges which occur as a result of the storage, loading, transfer, or other handling of waste shall be immediately cleaned up in accordance with the procedures in the Contingency Plan contained in **Appendix G**. Any spill debris generated from such events shall be managed in accordance with this permit and the VHWMR.
 - 5.5 GMP shall inspect the facility for malfunctions and deterioration, operator errors, and discharges which may be causing, or may lead to, release of hazardous waste constituents to the environment, or a threat to human health. GMP shall conduct these inspections often enough to identify problems in time to correct them before they harm human health or the environment. At a minimum, GMP shall follow the facility inspection schedules contained in **Appendix F**.
 - 5.6 GMP shall remedy any deterioration or malfunction of equipment or structures which the inspection reveals on a schedule which ensures that the problem does not lead to an environmental or human health hazard. Where a hazard is imminent or has already occurred, remedial action shall be taken immediately in accordance with the Contingency Plan contained in **Appendix G**.
 - 5.7 Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
 - 5.8 All monitoring equipment required by this permit shall be properly installed, used and maintained and the appropriate monitoring methods used.
 - 5.9 Hazardous waste treatment, storage, or disposal activities other than those specified in this permit are prohibited.
 - 5.10 GMP may receive from off-site, store, and/or transfer for treatment and/or disposal only those hazardous wastes specified in **Appendix A**.
 - 5.11 GMP shall store, and/or transfer for disposal waste only in those areas specified in **Appendix D**.
 - 5.12 The maximum quantity of waste that may be stored in the facility at any time is 264 55-gallon drums or its equivalent.
 - 5.13 GMP shall maintain aisle space between rows of containerized waste stored at the facility that is sufficient to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment and decontamination equipment. In no circumstance shall the aisle space be less than 24 inches wide.

- 5.14 GMP shall stack containerized wastes no greater than two high. When containers are stacked, the containers on the second tier must be palletized (e.g., placed on a pallet that typically measures 4' x 4') and secured with banding.
- 5.15 GMP shall manage all containerized waste stored at the facility in accordance with the procedures contained in **Appendix D**.
- 5.16 GMP shall maintain at the facility the equipment identified listed **Appendix G**.
- 5.17 GMP shall prevent the unknowing entry of, and minimize the possibility for unauthorized entry of, persons or livestock onto any portion of the facility. GMP shall maintain security devices and warning signs in accordance with the Security Plan contained in **Appendix F**.
- 5.18 Any work plans developed for the purposes of closure, post-closure, or corrective action shall be approved by the Secretary prior to implementation.
- 5.19 With the exception of wastes specified in **Condition 5.20**, all wastes accepted by the GMP facility shall be shipped to a designated facility within one year, unless it can be demonstrated that insufficient quantities exist to facilitate proper recovery, treatment or disposal. Records demonstrating the storage of hazardous waste at the facility that was necessary for a period beyond one year shall be recorded in the written facility operating record pursuant to **Condition 4.9**.
- 5.20 With the exception of wastes specified in **Condition 5.19**, all wastes accepted by the GMP facility shall be shipped to a designated facility within one year, unless it can be demonstrated that unforeseen circumstances prevented shipments of the waste for proper recovery, treatment or disposal, and approval for waste storage for over one year has been requested and approved by the Secretary. Records demonstrating the storage of hazardous waste at the facility that was necessary for a period beyond one year shall be recorded in the written facility operating record pursuant to **Condition 4.9**.

Section 6: Reporting Requirements

- 6.1 All applications, reports, or information submitted to the Director shall be signed and certified in accordance with **VHWMR § 7-108**.
- 6.2 All reports, notifications, and submissions required by this permit shall either be sent by certified mail with shipment tracking and receipt documentation to the address below *or* submitted via ANR/NRB Online Services Portal at the web address below:

*Division Director, Waste Management & Prevention Division
Vermont Agency of Natural Resources
1 National Life Drive – Davis 1
Montpelier, Vermont 05620-3704
<https://anronline.vermont.gov>*

- 6.3 Monitoring results shall be reported at the intervals specified elsewhere in this permit.
- 6.4 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 no later than 14 days following each schedule date.
- 6.5 Reporting noncompliance:
- (a) GMP shall orally report any noncompliance which may endanger health or the environment immediately upon discovery of the noncompliance, including:
 - (i) Information concerning release of any hazardous waste that may cause an endangerment to public drinking water supplies.
 - (ii) Any information of a release or discharge of hazardous waste or of a fire or explosion at the facility, which could threaten the environment or human health outside the facility.
 - (b) The description of the occurrence and its cause shall include:
 - (i) Name, address, and telephone number of the owner or operator;
 - (ii) Name, address, and telephone number of the facility;
 - (iii) Date, time, and type of incident;
 - (iv) Name and quantity of material(s) involved;
 - (v) The extent of injuries, if any;
 - (vi) An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable; and
 - (vii) Estimated quantity and disposition of recovered material that resulted from the incident.
 - (c) A written submission shall also be provided within five (5) days of the time GMP becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The Secretary may waive the five-day written notice requirement in favor of a written report within fifteen days.
- 6.6 If a significant discrepancy in a manifest is discovered, GMP must attempt to reconcile the discrepancy. If not resolved within fifteen days, GMP must submit a letter report, including a copy of the manifest, to the Director.

- 6.7 An unmanifested waste report must be submitted to the Director within 15 days of receipt of unmanifested waste.
- 6.8 A biennial report must be submitted covering facility activities during the previous odd numbered calendar years. The biennial report shall be submitted electronically to EPA's RCRAinfo database.
- 6.9 GMP shall report all instances of noncompliance not reported under **Conditions 6.3, 6.4, and 6.5** of this permit at the time monitoring reports are submitted. The reports shall contain the information listed in **Condition 6.5** of this permit.
- 6.10 Where GMP becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

Section 7: Waste Transport

- 7.1 GMP shall comply with the manifest requirements of VHWMR Subchapter 7.
- 7.2 Any hazardous waste removed from the facility shall be transported by a Vermont-permitted hazardous waste transporter, in accordance with 10 V.S.A. § 6607a and the VHWMR, to a designated facility.
- 7.3 GMP shall not accept any shipment of hazardous waste which is not accompanied by a manifest, unless the waste is generated by a very small quantity generator who is exempt from the manifest requirements pursuant to **VHWMR Section 7-306(c)(3)**.
- 7.4 GMP shall notify the Director and the EPA RCRA Headquarters Import/Export Coordinator, in writing, at least 60-days in advance of the date GMP expects to receive hazardous waste from a non-U.S. source, as required by **40 CFR § 264.12(a)**, **40 CFR §§262.80 through 262.84 (Subpart H)**, and **VHWMR § 7-109(b)(5)**. Notice of subsequent shipments of the same waste from the same foreign source in the same calendar year is not required.

Section 8: Personnel Training

- 8.1 All facility personnel involved in the handling of hazardous waste shall successfully complete a program of classroom instruction or on-the-job training that prepares them to perform their hazardous waste management duties. This introductory training shall be conducted in accordance with the Training Plan contained in **Appendix H**.
- 8.2 All facility personnel shall complete their introductory training within six (6) months after the date of their employment at the facility. An employee may not work in an unsupervised position until completing the introductory training program.

- 8.3 All facility personnel involved in the handling of hazardous waste shall take part in an annual training program which includes a review of the introductory training program. This annual training shall be conducted in accordance with the Training Plan contained in **Appendix H**.

Section 9: Facility Closure

- 9.1 GMP shall close the facility in a manner that eliminates threats to human health or the environment due to the post-closure escape of a hazardous waste or its constituents, directly or through leachate or surface run-off, or the escape of waste decomposition products to the ground or surface waters or ambient air. At a minimum, closure shall be conducted in accordance with the Closure Plan contained in **Appendix I**. The Closure Plan shall be amended whenever changes in operations or facility design affect the plan or when there is a change in the expected year of closure.
- 9.2 GMP shall maintain a written estimate of the cost of closing the facility and shall amend that estimate whenever there is an amendment to the existing Closure Plan contained in **Appendix I**. Any amended closure cost estimate shall be equal to the cost of closing the facility at the point in the facility's operating life when the extent and manner of its operation would make closure the most expensive, as indicated in the Closure Plan.
- 9.3 GMP shall annually update the closure cost estimate for inflation according to applicable requirements of **40 CFR 264.142(b)**. The initial closure cost estimate, and all subsequent closure cost estimates shall be recorded in the written facility operating record pursuant to **Condition 4.9**.
- 9.4 GMP shall notify the Director in writing of its intent to close the facility at least six (6) months prior to the date on which it expects to begin final closure.
- 9.5 Within three (3) months after receiving the final volume of hazardous waste, GMP shall remove all waste from the facility in accordance with the Closure Plan contained in **Appendix I**. Within six (6) months after receiving the final volume of waste at the facility, GMP shall complete all closure activities in accordance with the Closure Plan.
- 9.6 Facility closure shall not be considered to have been completed until:
- (a) GMP and an independent Vermont-licensed professional engineer have provided the Director written certification that the closure has been completed in accordance with the provisions of the Closure Plan; and
 - (b) The Secretary has inspected the facility;
 - (c) The Secretary has given written approval of the closure.

Section 10: Financial Requirements

- 10.1 GMP shall maintain liability coverage for claims arising from sudden accidental occurrences, which occur as a result of the operations of the facility, that cause injury to persons and property in an amount of at least one million dollars (\$1,000,000) per occurrence with an annual aggregate of at least two million dollars (\$2,000,000) until closure of the facility has been completed. This liability coverage must be equivalent to the coverage held by GMP at the time of issuance of this permit, as evidenced by the documents included in **Appendix I**.
- 10.2 GMP shall demonstrate liability coverage for claims arising from sudden accidental occurrences in the amount of at least \$1 million per occurrence, with an annual aggregate of at least \$2 million, exclusive of legal defense costs. This liability coverage shall be demonstrated using one of the financial assurance instruments specified in **40 CFR 264.147(a)**. Documentation of proof of insurance shall be included in **Appendix I**.
- 10.3 GMP shall establish financial assurance as required by **40 CFR 264.143**. Financial assurance shall be in at least the amount required by **Conditions 9.2 and 9.3**.
- 10.4 GMP shall demonstrate its capability to close the facility at any time by providing documentation of financial assurance in one of the instruments described by **40 CFR 264.151** in at least the amount of the cost estimates required by **Condition 9.2 and 9.3**.
- 10.5 GMP shall maintain financial assurance for closure of the facility until closure has been certified in accordance with **40 CFR 264.115** and the Director approves the release of the financial instrument in accordance with **40 CFR 264.143(i)**.
- 10.6 Any changes in the financial assurance mechanism shall be approved by the Secretary.
- 10.7 GMP shall notify the Director by certified mail of the commencement of any voluntary or involuntary proceeding under the United States Bankruptcy Code (Title 11, U.S. Code), naming the owner or operator as debtor, within 10 days after commencement of the proceeding.
- 10.8 In the event of the bankruptcy of or suspension of issuing authority of the trust fund trustee or trustee institution issuing any surety bond, letter of credit or insurance policy required by this permit, GMP shall establish other financial assurance or liability coverage within 60 days after the event and in accordance with **Condition 10.6** of this permit.

Section 11: Corrective Action

- 11.1 If GMP determines that hazardous waste or hazardous materials have been released to the environment at the facility or that there is a likelihood of a release of hazardous waste or hazardous materials to the environment, then GMP shall immediately notify the Director of any such release and comply with the applicable requirements of **VHWMR § 7-105**.

- 11.2 In the event of a release at the facility, GMP shall report the release to the Director and conduct an assessment of the release in accordance with **VHWMR § 7-105**. Information submitted must be sufficient to determine whether further investigation is necessary.
- 11.3 Corrective action may be required beyond the facility's boundary if the Secretary determines that it is necessary to protect human health and the environment.

APPENDICES

APPENDIX A	GENERAL INFORMATION
APPENDIX B	FACILITY DESCRIPTION
APPENDIX C	WASTE ANALYSIS PLAN
APPENDIX D	PROCESS INFORMATION
APPENDIX E	GROUNDWATER MONITORING
APPENDIX F	HAZARD PREVENTIONS
APPENDIX G	CONTINGENCY PLAN
APPENDIX H	TRAINING
APPENDIX I	CLOSURE – FINANCIAL ASSURANCE
APPENDIX J	PART A APPLICATION