

PERMIT NO. HW-016(CA)

ISSUANCE DATE:



# GEORGIA

DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

## HAZARDOUS WASTE FACILITY PERMIT

In accordance with the provisions of the Georgia Hazardous Waste Management Act and the Rules, Chapter 391-3-11, (as effective on the date of issuance of this permit) adopted pursuant to that Act,

**Augusta Liquidations, LLC  
(formerly known as Fibrant, LLC)  
Augusta, Georgia**

**EPA ID No. GAD051011609**

is issued a Permit for the following:

**to conduct investigation and corrective action to remediate releases of hazardous constituents into the environment**

at the following location:

**1472 Columbia Nitrogen Road,  
Augusta, Georgia 30901**

This Permit is conditioned upon compliance with all provisions of the Georgia Hazardous Waste Management Act, the Rules, Chapter 391-3-11 (as effective on the date of issuance of this permit), adopted pursuant to that Act, and any other condition of this Permit.

This Permit is subject to revocation, suspension, modification or amendment by the Director for cause including evidence of noncompliance with any of the above; or for any misrepresentation made in the application(s) dated September 30, 2022, supporting data entered therein or attached thereto, or any subsequent submittals or supporting data; or for failure to disclose fully all relevant facts; or when the facility poses a threat to the environment or the health of humans.

This Permit is further subject to and conditioned upon the terms, conditions, limitations, standards, or schedules contained in or specified on the attached 22 pages, which pages are a part of this Permit. This Permit expires ten years from the Issuance Date above.



Richard E. Dunn, Director  
Environmental Protection Division

Permit Number: HW-016 (CA)

Augusta Liquidations, LLC, is hereinafter referred to as the Permittee.

## **SECTION I. GENERAL PERMIT CONDITIONS**

### **I.A. Scope and Effect of Permit**

1. The Permittee is required to investigate contamination at Solid Waste Management Units (SWMUs), Solid Waste Management Areas (SWMAs), and Areas of Concern (AOCs) and perform corrective action to remediate contamination in accordance with the conditions of this permit. The Permittee must comply with the Georgia Hazardous Waste Management Act and the Georgia Rules for Hazardous Waste Management, Chapter 391-3-11, which Rules include certain portions of the Federal Hazardous Waste Regulations (found at 40 CFR 260-268, 270, 279 and 124). Where a citation to the Federal Regulations is made in this Permit, it refers to the specific regulations adopted by Environmental Protection Division of the Department of Natural Resources.
2. The issuance of this Permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.
3. Compliance with this Permit does not constitute a defense to any action brought by the Director under Section §12-8-75 "Powers of Director in situations involving imminent and substantial endangerment to the environment or to public health," of the Georgia Hazardous Waste Management Act, as amended.
4. Nothing in this Permit shall be construed to preclude the institution of any legal action under Section 3008 of the Federal Resource Conservation and Recovery Act (RCRA) or under the Georgia Hazardous Waste Management Act, O.C.G.A. §§ 12-8-81 through 12-8-82, as amended.
5. This Permit may be modified, revoked and reissued, or terminated for cause as specified in Rule 391-3-11.11(7) and 40 CFR 270.41, 270.42, and 270.43. The filing of a request for a permit modification, revocation and reissuance, or termination or the notification of planned changes or anticipated noncompliance on the part of the Permittee does not stay the applicability of any permit condition.
6. The provisions of this Permit are severable, and if any provision of this Permit or the application of any provision of this Permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this Permit shall not be affected thereby.

I.B. Management Requirements

1. Unless otherwise specifically authorized by the Director, the Permittee may not treat, store or dispose of hazardous waste on any portion of the facility, not specifically authorized by this Permit, until the Permittee has submitted to the Director by certified mail or hand delivery an application for a permit modification to do so and the Director has modified the permit for that activity.
2. The Permittee shall maintain at a location available for inspection the following documents and amendments, and any revisions and modifications to these documents:
  - a. Complete copy of this Permit and Permit Application;
  - b. Financial assurance cost estimate and mechanisms;
  - c. Groundwater sampling and analysis plan; and
  - d. Corrective Action Plan(s).
3. All amendments, revisions and modifications to any plan or cost estimates required by this Permit shall be submitted to the Director for approval and permit modification, as necessary.
4. The Director may require the Permittee to establish and maintain an information repository at any time, based on 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).

I.C. Monitoring and Reporting

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. The method used to obtain a representative sample of the waste to be analyzed must be the appropriate method from Appendix I of 40 CFR Part 261. Laboratory methods must be those specified in the most recent editions of Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, EPA Manual SW-846, or Standard Methods for the Examination of Water and Wastewater (or an equivalent method as specified in the Waste Analysis Plan). Sampling and analyses of groundwater and other environmental media samples shall be conducted in accordance with methods and procedures found in the most recent version of EPA Region 4's Field Branches Quality System and Technical Procedures.
2. The Permittee shall retain all 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 and records required by this Permit and records of all data used to complete the application for this Permit including the certification required by 40 CFR 264.73(b)(9) for a period of at least three (3) years from the date of the sample, measurement, report or record. These periods are automatically extended during the course of any unresolved enforcement action regarding this facility and also may be extended at any time at the Director's discretion.

3. Records of 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, the method of sample preservation, and quality assurance methods including method blanks; and
  - f. The results of such analyses or measurements.
4. Twenty-Four Hour Reporting. The Permittee shall report to the Director or his representative orally within twenty-four (24) hours from the time the Permittee becomes aware of any circumstances resulting from the operation of the permitted facility which may endanger human health or the environment, or any unauthorized releases (including fires and explosions) from the operation of the facility (including periods of non-compliance).

The description of the occurrence shall include:

- a. Name, address and telephone number of the owner or operator;
  - b. Name, address and telephone number of facility;
  - c. Date, time and type of incident;
  - d. Name and quantity of materials involved;
  - e. The extent of injuries, if any;
  - f. An assessment of actual or potential hazards to the environment and human health inside and outside the facility, where this is applicable; and
  - g. Estimated quantity and disposition of recovered material that resulted from the incident.
5. Within fifteen (15) days of becoming aware of any reportable incident as in Section I.C.4. above, the Permittee shall submit a written report of the incident to the Director including the following:
  - a. Description of occurrence as in Section I.C.4.c above;
  - b. Cause of occurrence;
  - c. Period of occurrence, including exact dates and times;
  - d. Time occurrence expected to continue (if not already corrected); and
  - e. Steps taken or planned to reduce, eliminate, and prevent recurrence.
6. Compliance Schedules. 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 to the Director no later than fourteen (14) days following each schedule date.

7. Other Non-compliance. The Permittee shall report to the Director instances of noncompliance, other than those described in Sections I.C.4. and I.C.6., semiannually on July 15 (covering January 1 - June 30) and January 15 (covering July 1 - December 31). The report shall include information as required under Section I.C.4. for each incident.
8. Signatory Requirements. All reports of other information requested by the Director shall be signed and certified according to the requirements in 40 CFR 270.11.
9. All reports and other documents containing geologic interpretation must be signed and affixed with the seal of a qualified groundwater scientist.
10. Biennial Report. A biennial report must be submitted, if applicable, covering the facility activities during odd number calendar years in accordance with 40 CFR 264.75.
11. Monitoring Reports. Monitoring results shall be reported at intervals specified elsewhere in this Permit.

I.D. Responsibilities

1. Right of Entry. The Permittee shall allow the Director of EPD, the Regional Administrator of EPA, and/or their authorized representatives, agents, or employees, upon the presentation of credentials and other documents as may be required by law to:
  - a. Enter at reasonable times upon the Permittee's 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 the Georgia Hazardous Waste Management Act, any substances or parameters at any location.
2. Transfer of Permits. This Permit may be transferred to a new owner or operator only after notice to the Director and if it is modified or revoked and reissued pursuant to 40 CFR 270.40(b) or 270.41(b)(2) to identify the new Permittee and incorporate such other requirements as may be necessary under the appropriate Act. Before transferring ownership or operation of the facility during its operating life, the Permittee shall notify the new owner or operator in writing of the applicable requirements of 40 CFR Parts 264, 268, and 270.

3. Duty to Comply. The Permittee shall comply with all conditions of this Permit, except to the extent and for the duration such noncompliance is authorized by an emergency permit. Any noncompliance with this Permit constitutes a violation of the Georgia Hazardous Waste Management Act and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or for denial of a permit renewal application.
4. Duty to Re-apply. If the Permittee wishes to continue an activity regulated by this Permit after the expiration date of this Permit, the Permittee must submit a complete application for a new permit at least one hundred eighty (180) days before this Permit expires. If the Permittee has closed all regulated units, has not met the requirements of Permit Sections II and III, and has not met the groundwater protection standard for three (3) consecutive years, within one hundred eighty (180) days before the expiration date of this Permit, the Permittee must submit a complete application for reissuance of the Permit.
5. Need to Halt or Reduce Activity Not a Defense. It shall not be a defense, for the Permittee in an enforcement action, that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit.
6. Duty to Mitigate. The Permittee shall take all reasonable steps to minimize or correct any adverse impact on human health or the environment resulting from noncompliance with this Permit.
7. Duty to Provide Information. The Permittee shall furnish to the Director, within a reasonable time, any relevant information which the Director may request, to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit, or, to determine compliance with the Permit. The Permittee shall also furnish to the Director, upon request, copies of records required to be kept by this Permit.
8. Anticipated Non-Compliance. The Permittee 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.
9. Reporting Planned Changes. The Permittee shall give notice to the Director at least thirty (30) days prior to any planned physical alterations or additions to the permitted facility, including any investigative or corrective action activities (including voluntary corrective measures) which may impact any SWMAs, SWMUs, AOCs and/or other regulated units. Compliance with the modification requirements of 40 CFR 270.42 must be adhered to.
10. Obligation for Corrective Action. The Permittee will continue corrective action as required in this Permit. The Permit will be continued as necessary to complete corrective action.
11. Proper Operation and Maintenance. The Permittee shall at all times properly operate and maintain all facilities which are installed or used by the Permittee to achieve compliance with the conditions of this Permit. Proper operation and maintenance include 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 a backup or auxiliary facility or similar systems only when necessary to achieve compliance with the conditions of this Permit.

12. Other Information. When the Permittee becomes aware that the Permittee failed to submit any relevant facts in the Permit Application or corrective action plan, or submitted incorrect information in a permit application, corrective action plan or in any report to the Director, the Permittee shall promptly submit corrected facts or information.

I.E. Definitions

For purposes of this permit, terms used herein shall have the same meaning as those in 40 CFR Parts 124, 260 through 268, 270, 273 and 279, unless this permit specifically provides otherwise. Where terms are not defined in the regulations or the permit, the meaning associated with such terms shall be defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.

1. Hazardous Constituents for the purpose of this Permit are those substances listed in 40 CFR Part 261 Appendix VIII and Part 264 Appendix IX "Ground-Water Monitoring List", as revised or superseded.
2. Solid Waste Management Unit (SWMU) for the purposes of this Permit includes, but is not limited to, any landfill, surface impoundment, waste pile, land treatment unit, miscellaneous unit, incinerator, injection well, tank (including storage, treatment, and accumulation tanks), container storage unit, wastewater treatment unit, including all conveyances and appurtenances used in waste management or storm handling, elementary neutralization unit, transfer station, or recycling unit from which hazardous waste, hazardous waste constituents, or hazardous constituents might migrate, irrespective of whether the units were intended for the management of solid and/or hazardous waste.
3. Release for the purposes of this Permit includes any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment of any hazardous waste, hazardous waste constituents, or hazardous constituent.
4. Contamination for the purposes of this Permit refers to the presence of any hazardous waste, hazardous waste constituent, or hazardous constituent in a concentration which exceeds the naturally occurring concentration of that waste or constituent in the immediate vicinity of the facility (in areas not affected by the facility).
5. Corrective Action for prior or continuing releases from solid waste management units and areas of concern at the facility, as well as for other releases as described in Section I.E.3 above, for the purposes of this Permit shall be any measures necessary to protect human

health and the environment for all releases of hazardous waste or hazardous constituents from said solid waste management units and/or areas of concern at the facility, regardless of the time at which waste was placed in the unit, as required under 40 CFR 264.100 and/or 264.101, and as required under the Georgia Hazardous Waste Management Act §12-8-60, et. seq. Corrective action may address releases to air, soils, surface water, sediment, or groundwater.

6. Director shall mean the director of the Georgia Environmental Protection Division of the Department of Natural Resources or his/her delegated representative.
7. EPD shall mean the Georgia Environmental Protection Division.
8. Interim Measures for the purpose of this Permit are short-term actions necessary to minimize or prevent the further migration of contamination or to limit actual or potential human and environmental exposure to contamination while long-term corrective action remedies are evaluated and, if necessary, implemented.
9. Land Disposal Facility: for the purpose of this Permit is a facility that uses a surface impoundment, landfill, land treatment or waste pile to manage or dispose of hazardous waste pursuant to §12-8-66 of the Georgia Hazardous Waste Management Act, as amended, and §3004 of RCRA, as amended.
10. Area of Concern (AOC) for purposes of this Permit includes any area having a probable release of a hazardous waste or hazardous constituent, which is not from a solid waste management unit and is determined by the Director to pose a current or potential threat to human health or the environment. Such areas of concern may require investigations and remedial action as required under the Georgia Hazardous Waste Management Act §12-8-60, et. seq. and 40 CFR 270.32(b)(2) in order to ensure adequate protection of human health and the environment.
11. Extent of contamination for the purposes of this Permit is defined as the horizontal and vertical area in which the concentrations of hazardous waste, hazardous waste constituents or hazardous constituents in the environmental media being investigated are above estimated quantitation limits, as defined in the most recent version of SW-846 or naturally occurring concentrations representative of the facility.
12. Facility for the purposes of this Permit include all contiguous land and structures, other appurtenances, and improvements on the land, used for treating, storing, or disposing of hazardous waste. A facility may consist of several treatment, storage, or disposal operational units (e.g., one or more landfills, surface impoundments, or a combination of them). For the purposes of implementing corrective action under 40 CFR 264.101, a facility includes all contiguous property under control of the owner or operator seeking a permit under the Georgia Hazardous Waste Management Act.



13. Qualified Groundwater Scientist for the purposes of this Permit is a scientist who has received a baccalaureate or post-graduate degree in the natural sciences or engineering and has sufficient training and experience in groundwater hydrology and related fields, as demonstrated by a current Georgia registration and completion of accredited university courses, that enable that individual to make sound professional judgments regarding groundwater monitoring and contaminant fate and transport.
14. Remediation Waste for the purposes of this Permit includes all solid and hazardous wastes, and all media (including groundwater, surface water, soils, and sediments) and debris, which contain listed hazardous wastes or which themselves exhibit a hazardous waste characteristic, that are managed for the purposes of implementing corrective action requirements under 40 CFR 264.101 and Section 12-8-71(b) of the Georgia Hazardous Waste Management Act. For a given facility, remediation wastes may originate only from within the facility boundary but may include waste managed in implementing corrective action required under 40 CFR 264.101(c) for releases beyond the facility boundary.
15. Solid Waste Management Areas (SWMAs) for the purposes of this Permit refers to grouping of nearby SWMUs into SWMAs for investigative and corrective action purposes. A listing of the SWMUs assigned to each SWMA is contained in Section J of the September 2022 Permit Renewal Application.
16. Treatment for the purposes of this Permit refers to any method, technique, or process, including neutralization, designed to change the physical, chemical or biological character or composition of any hazardous waste so as to neutralize such waste, or so as to recover energy or material resources from the waste, or so as to render such waste non-hazardous, or less hazardous; safer to transport, store, or dispose of; or amenable for recovery, amenable for storage or reduced in volume.

I.F. Conditions Related to Compliance with General Facility Standards  
(40 CFR Part 264 Subparts B, C, D, E, G, H)

1. The Permittee must comply with 40 CFR 264.148 “Incapacity of owners or operators, guarantors, or financial institutions” whenever necessary.

I.G. Special Conditions Applicable to Entire Facility

1. Land Disposal Restrictions. The Permittee shall comply with all provisions of 40 CFR Part 268 “Land Disposal Restrictions” for all wastes to which they are applicable.

**SECTION II. RCRA FACILITY INVESTIGATION FOR RELEASES FROM SOLID WASTE MANAGEMENT UNITS AND AREAS OF CONCERN**

II.A. Applicability

The conditions of this Section apply to the SWMAs, SWMUs and AOCs listed in Attachment A, as identified in the August 1, 1994 RCRA Facility Assessment (RFA), and any additional SWMUs and/or AOCs discovered by any other means. The determination of the need for and subsequent implementation of corrective action is required by 40 CFR 264.101(a) and §12-8-66 of the Georgia Hazardous Waste Management Act for releases from all SWMUs and AOCs contained within the facility's property boundary and, as required by §12-8-66 of the Georgia Hazardous Waste Management Act and 40 CFR 264.101(c), for releases extending beyond the facility property boundaries.

II.B. Notification and Assessment Requirements for Newly Identified SWMUs and AOCs

1. The Permittee shall notify the Director in writing, within fifteen (15) calendar days of discovery of any additional SWMUs and/or AOCs discovered during the course of groundwater monitoring, on-going field investigations, environmental audits, or by other means. This shall include, but is not limited to, newly discovered releases at previously identified SWMUs and/or AOCs. Notification shall include, at a minimum, the location of the SWMU and/or AOC and all available information pertaining to the nature of the release (e.g., media affected, hazardous constituents released, magnitude of release, etc.). The Permit shall be modified in accordance with 40 CFR Part 270 to incorporate the newly discovered SWMUs or AOCs.
2. The Permittee shall prepare a SWMU Assessment Report (SAR) for each additional SWMU or AOC discovered subsequent to issuance of this Permit which is known or suspected to have releases to the environment. The SAR shall be submitted within sixty (60) days of discovery of a new SWMU or AOC. The report must also include, at a minimum, the following information for each SWMU or AOC:
  - a. Type of unit;
  - b. Location of each unit on a topographic map of appropriate scale such as required under 40 CFR 270.14(b)(19);
  - c. General dimensions, capacities and structural description of the unit(s) [supply available plan(s)/drawing(s)];
  - d. Function of the unit(s);
  - e. Dates that the unit(s) operated;
  - f. Description of the wastes that have been managed at/in the unit(s) to the extent available. Include any available data on hazardous constituents in the wastes; and
  - g. Description of any known releases or spills (to include groundwater data, soil analyses, sediment, air, and/or surface water data). If the report is being prepared as a

result of a newly discovered release at a previously identified SWMU or AOC, the data may be limited to that pertaining to the newly discovered release, as long as a brief summary of the investigative and remedial actions taken in response to previous releases at the SWMU or AOC is provided, along with the current status in relation to those releases.

3. Based on the contents of the SAR, the Director shall determine the need for further investigations at the SWMUs and/or AOCs covered in the report. If the Director determined that such investigations are needed, the Permittee shall be notified to prepare a RCRA Facility Investigation (RFI) Workplan, as outlined in Permit Section II.C, for such investigations.

#### II.C. RCRA Facility Investigation (RFI)

1. The Permittee shall compete and submit a RFI Workplan for SWMAs, SWMUs and AOCs identified pursuant to Permit Section II.B as requiring investigation. This workplan shall be submitted no later than ninety (90) days after notification by EPD pursuant to Permit Condition II.B.3.
2. The RFI Workplan required by Permit Condition II.C.1 shall include, but is not limited to, a schedule for implementation and report submittal; a description of the specific actions necessary to determine the nature and extent of contamination (including releases that extend beyond the facility's property boundary); potential migration pathways for Releases (e.g. air, land, surface water, and groundwater), actual or potential receptors; and applicable background concentrations. The Permittee must provide sufficient justification that migration through a potential pathway is not likely if a potential migration pathway associated with a release is not included in the Workplan. Such deletions are subject to the approval of the Director.
3. Upon approval by the Director of the RFI Workplan(s) required by Permit Section II.C, the Permittee shall conduct the RFI(s) in accordance with the schedule contained therein.
4. RFI Reports
  - a. The Permittee shall complete and submit the RFI Report(s) in accordance with the schedule contained in the RFI Workplan required by Permit Condition II.C.1. The report(s) shall provide a summary of all activities undertaken during the RFI(s) to implement the approved workplan. The report(s) shall provide a complete description of the nature and extent of contamination identified during the RFI(s) including sources, migration pathways, actual or potential receptors, and applicable background concentrations. The RFI Report(s) shall address all releases which extend beyond the facility property boundary unless the Permittee demonstrates to the Director's satisfaction that, despite the Permittee's best efforts, the Permittee was unable to obtain permission to undertake actions required by the workplan(s).

- b. If the time required to conduct the RFI(s) is greater than one hundred eighty (180) calendar days, the Permittee may be required to provide the Director with quarterly RFI Progress Reports (90-day intervals) beginning ninety (90) calendar days from the initiation of the RFI(s), as specified in the approved RFI Workplan(s). The progress report(s) shall, at a minimum, contain the following information:
  - i. A description of the portion of the RFI completed;
  - ii. Summary of findings;
  - iii. Summaries of any deviations from the approved RFI Workplan during the reporting period;
  - iv. Summaries of all contacts with local community public interest groups or State government regarding RFI investigations;
  - v. Summaries of any problems or potential problems encountered during the reporting period;
  - vi. Actions taken to rectify problems;
  - vii. Changes in relevant personnel; and
  - viii. Projected work for the next reporting period.
5. The Director shall review the RFI Report(s) required by Permit Condition II.C.4, and upon determination that each report is complete, shall notify the Permittee of the need for further investigative actions and/or the need for corrective action as required under 40 CFR 264.101(a) and 264.101(c), and §12-8-71(b) of the Georgia Hazardous Waste Management Act.

II.D. Corrective Action Plan (CAP)

1. The Permittee shall continue implementation of the Design Phase Work Plan, dated September 7, 2017, as amended, and submit for Director approval, an updated schedule for completion of all studies and investigations, including submittal of a CAP. Upon Director approval, this schedule shall be incorporated into this Section by reference and become an enforceable part of this Permit. The updated schedule shall be submitted within forty-five (45) days of Permit issuance by the Director.
2. The Permittee shall submit a Corrective Action Plan (CAP) within twenty-four (24) months of Permit issuance by the Director. The CAP must include a description of the remedial actions to be taken at each SWMA, SWMU and/or AOC, a schedule of implementation and completion, a cost estimate for completion of corrective action, and financial assurance as required by 40 CFR §264.101(b).
3. Upon approval by the Director of any CAP, the Permittee shall implement any required corrective action in accordance with the schedule in the approved CAP.
4. Upon approval by the Director of any CAP, the Permittee shall apply for a permit modification pursuant to 40 CFR 270.42(c) to incorporate the plan into the permit.

## II.E. Interim Measures (IM)

### 1. Requirement for IM

The Permittee shall conduct interim measures for any SWMU and/or AOC, either upon notification by the Director that IM are necessary or if the Permittee decides to implement IM at a SWMU and/or AOC in order to stabilize a release.

### 2. IM Workplan

- a. If the Permittee is notified by the Director that IM are necessary, an IM Workplan shall be submitted within thirty (30) days of such notification. If the Permittee chooses to conduct IM prior to notification by the Director, the Permittee shall submit a workplan for that activity. IM may be conducted concurrently with investigations required under the terms of this Permit.
- b. An IM Workplan submitted pursuant to Permit Condition II.E.2.a above shall be consistent with and, if required by the Director integrated into any long-term corrective action at the facility. The IM Workplan shall include: the IM objectives, procedures for implementation (including any designs, plans, or specifications), schedules for implementation and completion, and schedules for the submittal of progress reports.
- c. The IM Workplan must be approved by the Director, in writing, prior to implementation.

### 3. IM Implementation

- a. The Permittee shall implement the approved IM Workplan in accordance with the schedule of implementation contained therein.
- b. The Permittee shall give notice to the Director, for approval, at least fifteen (15) days prior to any planned changes, reductions or additions to the IM Workplan.
- c. If corrective action required by 40 CFR 264.101 and/or Permit Section II.D. is achieved through IM, the Permittee shall apply for a permit modification pursuant to 40 CFR 270.42(c) to incorporate the IM into the Permit as the final corrective action.

### 4. IM Reports

- a. Within forty-five (45) days of completion of IM, the Permittee shall complete and submit to the Director an IM Report. The report shall provide, but is not limited to, the following information:
  - i. A description of IM implemented;

- ii. A summary of all data or other information obtained during implementation of IM;
  - iii. A summary of the effectiveness of the IM in achieving the objective of containing, removing, and/or treating contamination resulting from a release from a SWMU and/or AOC in order to protect human health and the environment;
  - iv. A summary of all problems encountered during the IM implementation, and the solutions to those problems; and
  - v. Copies of all relevant laboratory/monitoring data.
- b. If the time required for completion of IM is greater than one year, the Permittee shall provide the Director with progress reports at intervals specified in the approved IM Workplan. The progress reports shall contain the following information at a minimum:
- i. A description of the portions of the IM completed;
  - ii. Summaries of any deviations from the IM Workplan during the reporting period;
  - iii. Summaries of any problems or potential problems encountered during the reporting period and the solutions to those problems;
  - iv. Projected work for the next reporting period; and
  - v. Copies of laboratory/monitoring data.

II.F. Groundwater Monitoring System

1. Permittee shall continue groundwater monitoring in accordance with the Groundwater Sampling and Analysis Plan, dated March 2020, unless superseded by a revised Plan approved by the Director.
2. The Permittee shall maintain, well-marked and in good working order, all groundwater monitoring wells required by Permit Section II.F. All groundwater monitoring wells shall be maintained as follows:
  - a. A measuring point shall be clearly marked on the inner protective casing;
  - b. Wells shall be locked to prevent unauthorized entry; and
  - c. The concrete surface seal and well apron shall be maintained with no cracks and gaps and with no erosion under the pad.
3. The Permittee shall inspect all wells each time that they are sampled to determine if the wells are accessible, are clearly labeled with their ID, and are in good working order as required by Permit Condition II.F.2. All inspections should be documented and should include descriptions of any problems found and the remedial actions taken to correct problems.

4. The Permittee may petition the Director, and if approved, may cease sampling any monitoring well, with the exception of sentinel wells (clean wells that indicate the boundaries of the plume), if the Permittee can demonstrate to the satisfaction of the Director that the monitoring is not necessary to protect human health or the environment.
5. If the Permittee believes that a sample result from a well is anomalous, the Permittee may resample the well(s).
6. The Permittee shall install additional wells as necessary to assess changes in the rate and extent of any plume of contamination or to assess the effectiveness of corrective action. Any plan for the design, location and installation of any additional monitoring wells shall be submitted thirty (30) days prior to installation. All monitoring wells shall be installed in accordance with the USEPA's Region 4 SEDS Field Branches Quality System and Technical Procedure for the Design & Installation of Monitoring Wells or, if it is superseded, its USEPA successors, unless a specific alternate procedure is approved by the Director. If a specific alternate procedure is approved, the remainder of the above referenced document is not affected.

II.G. Reporting, Recordkeeping and Response

1. All workplans and schedules shall be subject to approval by the Director prior to implementation. Upon approval, the Permittee shall implement all workplans and schedules as written, or as specified by the Director.
2. All workplans and reports shall be submitted in accordance with the approved schedule. Extensions of the due date for the submittal of any plan or report may be granted by the Director based on the Permittee's demonstration that sufficient justification for the extension exists.
3. The Permittee shall enter all monitoring, testing and analytical data obtained pursuant to the conditions of this Permit into the operating record, as required by 40 CFR 264.73(b)(6).
4. The Permittee shall have all workplans and reports, which involve installation of groundwater monitoring wells or systems and/or interpretation of data gathered from those wells or systems, prepared and certified by a Qualified Groundwater Scientist.
5. In the event of the Director's disapproval (in whole or in part) of any document required by this Permit Section, the Director shall specify any deficiencies in writing. In the event of disagreement, the Permittee shall revise all submittals as specified by the Director.
6. All raw data, such as laboratory reports, drilling logs, bench-scale or pilot-scale data and any other supporting information gathered and generated during activities undertaken pursuant to this Section shall be maintained at the facility or designated off-site storage location during

the term of this Permit, including any reissued permits. The Permittee shall furnish to the Director, upon request, copies of any records stored at a designated off-site storage location.

7. All plans and schedules required by the conditions of Permit Section II are, upon approval by the Director, incorporated into this Section by reference and become an enforceable part of this Permit. Any non-compliance with such approved plans and schedules shall be termed non-compliance with this Permit.
8. The Permittee shall ensure that all plans, reports, notifications, and other submissions to the Director required in Permit Section II are signed and certified in accordance with 40 CFR 270.11.
9. If the Director or the Permittee at any time determines that any plan, report, or activities required under this Section no longer satisfy the requirements of this Permit, 40 CFR 264.101, or the intent of that plan or report for continuing releases, the Permittee must submit an amended plan to the Director in accordance with a schedule to be specified.

#### II.H. Permit Modification

1. If the Director or the Permittee at any time determines that the corrective action program no longer satisfies the requirements of 40 CFR 264.101 or this Section for releases of hazardous waste, hazardous waste constituents, or hazardous constituents, the Permittee must submit an application requesting a Permit modification, within ninety (90) days of such determination, to make any appropriate changes in the program.
2. If the Director determines that further actions beyond those provided in this Section or changes to that which is stated herein are warranted, the Permittee shall submit a modification to the Permit according to the modification procedures under 40 CFR 270.42, which is incorporated into the Georgia Rules for Hazardous Waste Management by reference.

#### II.I. Financial Assurance for Corrective Action

The Permittee shall provide cost estimates and assurance of financial responsibility for corrective action which addresses both on-site and off-site contamination at such time the corrective action is approved pursuant to 40 CFR 264.101. Such financial assurance must conform to 40 CFR Part 264 Subpart H.



**SECTION III. CORRECTIVE ACTION FOR GROUNDWATER CONTAMINATION AT, AND/OR FROM THE OSB, FORMER CHROME, AND SETTLING PONDS (SOLID WASTE MANAGEMENT AREA D)**

III.A. Applicability

The conditions of this Section apply to the corrective action of Benzene and Chromium groundwater contamination in the area of three (3) ponds [the Oil Stripper Bottoms (OSB), Former Chrome, and Settling Ponds] in Solid Waste Management Area D (SWMA D) of the facility, as depicted in the figures of Section J of the Permit Renewal Application dated September 30, 2022, and as described in the *Corrective Action Plan for Solid Waste Management Area D*, dated December 10, 1999 (hereinafter referred to as “CAP”).

III.B. Corrective Action Program

1. The Permittee shall conduct, for the duration of the Compliance Period, corrective action for Benzene and Chromium groundwater contamination underlying Solid Waste Management Area D (as defined in Section III.A) as required under §12-8-66 of the Georgia Hazardous Waste Management Act, as amended, and Permit Condition III.B.2.

The corrective action shall be accomplished as follows:

- a. Pumping Horizontal Groundwater Recovery Well HW-1 to recover contaminated groundwater containing Benzene and Chromium. Recovered groundwater shall be discharged to the city’s publicly-owned treatment works subject to the Georgia Rules for Water Quality Control.
2. The Permittee shall operate the horizontal well corrective action system as required under 40 CFR 264.101 and as described in Section 5.1 of the CAP, dated December 10, 1999, as amended, for those constituents listed in Condition III.A within and beyond the facility boundaries. The Permittee shall continue operations of the horizontal well corrective action system as necessary until approval of a revised CAP is approved following implementation of the Design Phase Work Plan, dated September 7, 2017.
3. The Permittee shall inspect and maintain the horizontal well corrective action system described in Permit Condition III.A and the approved CAP. Inspections of the system shall be performed on a monthly basis to ensure that the system is operating as designed and is not leaking or releasing contaminants to the environment, as long as corrective action is implemented. All inspections should be documented and should include descriptions of what was evaluated, any problems found, and the remedial actions taken to correct problems.
4. The Permittee shall make arrangements to ensure effective operation of the horizontal well corrective action system. If any component of the system is shut down for more than

seventy-two (72) hours, the shut-down must be reported to the Director within twenty-four (24) hours, or the next regular workday, and confirmed in writing within fifteen (15) days.

5. The Permittee shall treat, store and/or dispose of all remediation-derived groundwater and soil in accordance with all applicable federal, state and local laws.
6. The horizontal well corrective action system must be operated in such a manner as to mitigate any further release of any hazardous waste, hazardous waste constituent, or hazardous constituent to the environment.
7. The Permittee is not relieved of responsibility to clean up a release that has migrated beyond the facility's property boundary where off-site access is denied.
8. The Permittee may remediate the contamination to background concentrations or approved risk-based concentrations for those constituents without a Maximum Contaminant Level (MCL), which shall be the groundwater protection standard(s). All risk assessments must follow the procedures described in the Georgia EPD document *Guidance for Selecting Media Remediation Levels at RCRA Solid Waste Management Units*. For constituents with a MCL, the groundwater protection standard is the MCL.
9. Any plan for changes in the horizontal well corrective action system shall be submitted thirty (30) days prior to commencement of said changes. Minor actions, including the installation of additional extraction wells, monitoring wells, new equipment, and other similar actions, shall not require a permit modification, but shall be incorporated into the permit upon approval. Major modifications, including a change in the corrective action using a different method than that described in Permit Condition III.B.1 and/or in a new area of contamination, shall require a permit modification to incorporate into the permit.

### III.C Compliance Period

1. The compliance period shall be defined as beginning with the approval of the CAP and continuing until hazardous constituent concentrations in the groundwater have not exceeded the groundwater protection standards as set forth in Condition III.C.2 below. Anomalous sampling events, as provided for in Permit Condition II.F.5, shall not be counted as a sampling event.
2. If the groundwater protection standards are met for two (2) consecutive sampling events during the compliance period, the Permittee may cease corrective action, but must continue to monitor the facility's groundwater quality on a quarterly basis until the groundwater protection standards have not been exceeded for three (3) consecutive years from the date that the groundwater protection standards were achieved. If the groundwater protection standards are exceeded in any one well at any time during the compliance period, the Permittee shall resume operation of the corrective action systems, as described in the CAP,

within thirty (30) days of the exceedance. Anomalous sampling events, as provided for in Permit Condition II.F.5, shall not be counted as a sampling event.

#### III.D. Reporting, Recordkeeping and Response

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. The method used to obtain a representative sample of the groundwater must be the applicable procedures found in the most recent version of EPA Region 4's *Field Branches Quality System and Technical Procedures*. Laboratory Methods must be those specified in the most recent edition of *Test Methods for Evaluating Solid Waste Physical/Chemical Methods, SW-846*.
2. The Permittee shall have all reports, which involve the installation of groundwater monitoring wells or systems and/or interpretation of data gathered from those wells or systems, prepared and certified by a Qualified Groundwater Scientist.
3. The Permittee shall ensure that all plans, reports, notifications, and other submissions to the Director required in this Section are signed and certified in accordance with 40 CFR 270.11.
4. The results of all plans and reports shall be submitted in accordance with the EPD approved schedule. Extensions of the due date for submittals may be granted by the Director based on the Permittee's demonstration that sufficient justification for the extension exists.
5. The Permittee shall enter all monitoring, testing, and analytical data obtained pursuant to the conditions of this Section in the operating record, as required by 40 CFR 264.73(b)(6).
6. All raw data, such as laboratory reports, drilling logs, bench-scale or pilot-scale data and any other supporting information gathered and generated during activities undertaken pursuant to this Section shall be maintained at the facility or designated off-site storage location during the term of this Permit, including any reissued permits. The Permittee shall furnish to the Director, upon request, copies of any records stored at a designated off-site storage location.
7. All plans and schedules required by the conditions of this Section are, upon approval by the Director, incorporated into this Section by reference and become an enforceable part of this Permit. Any non-compliance with such approved plans and schedules shall be termed non-compliance with this Permit.

#### III.E. Permit Modification

1. If the Director or the Permittee at any time determine that the corrective action program no longer satisfies the requirements of 40 CFR 264.101 or this Section for releases of hazardous waste, hazardous waste constituents or hazardous constituents, the Permittee must submit an application requesting a permit modification, within thirty (30) days of such determination to make any appropriate changes in the program.

2. If the Director determines that further actions beyond those provided in this Section or changes to that which is stated herein are warranted, the Permittee shall submit a modification to the Permit according to the modification procedures under 40 CFR 270.41.

### III.F. Effectiveness of Corrective Action

1. The Permittee shall document the effectiveness of the corrective action required in this Section and as described in the CAP and shall submit this information in an annual progress report which is due on or before July 1 each year during the compliance period. The report shall include, but is not limited to the following:
  - a. Removal or destruction rates of the contaminants listed in Permit Condition III.C.2;
  - b. Progress toward the remedial goals, including an estimate of when corrective action will be completed using the data collecting thus far;
  - c. An evaluation of the data and the corrective action program in accordance with the CAP, including a discussion of any changes in environmental conditions (i.e., geochemical, hydrogeologic, microbial, or other changes), the detection of any toxic or mobile transformation products, the effectiveness of land use controls, whether the plume is expanding or stable, and any recommendations and/or conclusions.
  - d. Tabulations of all data collected during the corrective action program.
  - e. Graphical representation of all data collected during the corrective action program including trend graphs and maps of sample locations with isoconcentration lines showing the extent of contamination;
  - f. Groundwater elevation tables and maps depicting groundwater flow in each of the aquifers each time water level data is collected; and
  - g. Reports and discussions of anomalies, problems, and anticipated problems with the data and any deviations to the approved CAP.

### III.G. Permit Modification

1. If the Director or the Permittee at any time determines that the corrective action program no longer satisfies the requirements of 40 CFR 264.101 or this Section for releases of hazardous waste, hazardous waste constituents, or hazardous constituents, the Permittee must submit an application requesting a Permit modification, within ninety (90) days of such determination to make any appropriate changes in the program.

2. If the Director determines that further actions beyond those provided in this Section or changes to that which is stated herein are warranted, the Permittee shall submit a modification to the Permit according to the modification procedures under 40 CFR 270.42, which is incorporated into the Georgia Rules for Hazardous Waste Management by reference.

III.H. Financial Assurance for Corrective Action

The Permittee shall provide cost estimates and assurance of financial responsibility for corrective action which addresses both on-site and off-site contamination at such time the corrective action is approved pursuant to 40 CFR 264.101. Such financial assurance must conform to 40 CFR Part 264 Subpart H. The financial assurance requirements of this paragraph and Paragraph II.I. may be combined into a single financial assurance instrument that complies with 40 CFR Part 264 Subpart H.

## ATTACHMENT A

UNIT	STATUS*
<b>Solid Waste Management Area A</b>	
SWMU-42 Cyclohexanone Storage Tank	NFA
<b>Solid Waste Management Area B</b>	
SWMU-1 Hazardous Waste Storage Area	NFA
SWMU-2 Non-Hazardous Waste Storage Area	RFI
SWMU-3 Light Residue Storage Tank (T-527B)	RFI
SWMU-4 Tin Storage Buildings	NFA
SWMU-5 Sand Blasting Area	RFI
SWMU-6 Lab Collection Vessel	NFA
SWMU-7 Packing Saddles Storage Area	NFA
SWMU-8 Scrap Equipment Storage Area	NFA
SWMU-9 Paint Area	RFI
SWMU-10 Fuel Oil Tanks and Pump Station	NFA
SWMU-11 Gasoline Storage Tanks	RFI
SWMU-12 Fire Training Area	NFA
SWMU-13 Trash Receptacles	NFA
SWMU-14 Battery Spill Area	NFA
SWMU-15 Old Nitric Acid Area	NFA
SWMU-16 Anone/Anol Tank	NFA
SWMU-17 Wastewater Appurtenances	RFI
SWMU-18 Anone Loading Area	NFA
SWMU-19 Product Loading Area	RFI
SWMU-20 Fuel Oil Truck Loading	RFI
SWMU-21 Railroad Loading Area	RFI
SWMU-22 Flammable Material Storage Area	RFI
SWMU-23 Lab Spent Sample Area	RFI
SWMU-24 Sulfuric Acid Area	RFI
SWMU-25 Product Storage Area	NFA
SWMU-26 Weir 001	RFI
SWMU-27 Weir 002	RFI
SWMU-28 Weir 003	RFI
SWMU-38 Boiler H-002	RFI
SWMU-39 Boiler H-2002	RFI
SWMU-41 Sodium Hydroxide Tank Farm	RFI

Permit Number: HW-016 (CA)  
 Augusta Liquidations, LLC

UNIT	STATUS*
SWMU-52 Central Shops Tank	RFI
SWMU-53 Borrow Trench Area	RFI
<b>Solid Waste Management Area C</b>	
SWMU-32 Sludge Thickener (S-102)	NFA
SWMU-33 Settler (S-101)	NFA
SWMU-34 Oxidation Basin (R-102)	RFI
SWMU-35 Equalization Basin (R-101)	RFI
SWMU-36 Sludge Disposal Area	RFI
SWMU-40 OSB Transfer Area	RFI
<b>Solid Waste Management Area D</b>	
SWMU-29 Sedimentation Pond (Formerly OSB Pond I)	RFI & Corrective Action in accordance with Section III of the Permit
SWMU-30 OSB Pond II	
SWMU-31 Chrome Pond	Corrective Action in accordance with Section III of the Permit
<b>Solid Waste Management Units Not Associated with SWMAs A Through D</b>	
SWMU-37 Sludge Spray Field	NFA

**Note:** SWMUs 43-51 are being addressed by PCS Nitrogen per Consent Order No. EPD-HW-1251.

\* STATUS

NFA = No Further Action at this time

RFI = RCRA Facility Investigations (RFI) are required, are being conducted, or have been conducted in accordance with Section II.C. Corrective Action Plan has not been approved.

Corrective Action = Remediation of contamination as specified by the identified section of the Permit