



GEORGIA
DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

Richard E. Dunn, Director

EPD Director's Office
2 Martin Luther King, Jr. Drive
Suite 1456, East Tower
Atlanta, Georgia 30334
404-656-4713

CERTIFIED MAIL
Return Receipt Requested

Mr. Michael Roberts
EnviroAnalytics Group, LLC
1650 Des Peres Road
Suite 230
St. Louis, MO 63131

FEB 14 2018

Re: Class 3 Permit Modification
GAD084914787
Georgia Atlantic Port, LLC Site
Port Wentworth, Chatham County

Dear Mr. Roberts:

Enclosed is the modified Post Closure Care Permit Number HW-055(D) issued to Georgia Atlantic Port, LLC, Port Wentworth, Georgia, EPA ID number GAD084914787.

No comments were received during the public comment period, which ended February 2, 2018. The Permit is effective immediately; however, it is subject to appeal for thirty (30) days pursuant to the Georgia Rules for Hazardous Waste Management Chapter 391-3-11-.11(4)(f).

If you have any questions concerning Permit HW-055(D), please contact Cherona Levy, of my staff, at (404) 656-7802.

Sincerely,

Richard E. Dunn
Director
Environmental Protection Division

FILE: Georgia Atlantic Port LLC (Y)

Enclosure



GEORGIA

DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

AMENDMENT TO HAZARDOUS WASTE FACILITY PERMIT

In accordance with the provisions of the Georgia Hazardous Waste Management Act and the Rules, Chapter 391-3-11, (as amended through September 28, 2017), adopted pursuant to that Act, Permit No. HW-055(D), issued on June 16, 2009, to

Georgia Atlantic Port, LLC

I.D. No. GAD084914787

for the following:

Post-closure care and corrective action for a hazardous waste surface impoundment closed as a landfill with stabilized waste, contaminated subsoil, and contaminated groundwater remaining in place.

Is hereby amended as follows:

Addition of a newly regulated unit (staging pile); extend the post closure care period to a rolling 30 years.

Reason for Amendment:

Class 3 Modification, per 40 CFR 270.42(b)(6)(i)(C)(2) of the rules, due to the addition of a newly regulated unit (staging pile) to a facility that was originally in post-closure care.

This Permit Amendment 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 Amendment. This Amendment is hereby made a part of Permit No. HW-055(D) and compliance with this Amendment is hereby ordered.



Richard E. Dunn, Director
Environmental Protection Division

Permit Number: HW-055(D)

Georgia Atlantic Port, LLC, Savannah, Georgia, GAD084914787 is hereinafter referred to as the Permittee.

SECTION I. GENERAL PERMIT CONDITIONS

I.A. Scope and Effect of Permit

1. The Permittee is allowed to treat, store, and dispose of hazardous waste only in accordance with the conditions of this permit. Any hazardous waste treatment, storage or disposal not authorized in this permit is prohibited. The Permittee must comply with the Georgia Hazardous Waste Management Act and the Rules for Hazardous Waste Management, Chapter 391-3-11, which Rules include certain portions of the Federal Hazardous Waste Regulations (found at 40 CFR Parts 260-268, 270, and 124). Where a citation to the Federal Regulations is made in this permit, it refers to the specific regulations adopted by EPD.
2. The issuance of this permit does not convey any property rights in either real or personal property, nor any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringements 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 18, Emergency Powers, of the Georgia Hazardous Waste Management Act, O.C.G.A. Section 12-8-75, 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. Section 12-8-81 – Section 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, 270.43, 270.50(d) and 270.51(a). The filing of a request for a permit modification, revocation and reissuance, or termination; or the notification of planned changes or anticipated non-compliance 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. The Permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility, or any planned changes in the process generating the hazardous waste, which changes might affect the performance of the permitted facility with respect to any regulated activities.
2. The Permittee shall maintain at the facility the following documents and amendments, revisions and modifications to these documents:
 - (a) Complete copy of this permit and permit application
 - (b) Post-closure plans
 - (c) Cost estimate for facility post-closure care
 - (d) Financial assurance instrument for post-closure care
 - (e) Corrective action plan
 - (f) Groundwater sampling and analysis plan
 - (g) Operating record as required by 40 CFR 264.73
 - (h) Inspection logs
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 required by applicable rules.
4. When the Permittee becomes aware that the Permittee failed to submit any relevant facts in the permit application, or submitted incorrect information in a permit application or in any report to the Director, the Permittee shall promptly submit corrected facts or information.
5. 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 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 a back-up or auxiliary facility or similar systems only when necessary to achieve compliance with the conditions of this permit.
6. The Permittee may not commence treatment, storage or disposal of hazardous waste at any new or modified portion of the facility or corrective action for contaminated groundwater or soil until the Permittee has submitted to the Director by certified mail, or hand delivery, a letter signed by the Permittee and a registered professional engineer or, when appropriate, registered professional geologist, stating that the facility has been constructed or modified in compliance with the permit where appropriate; and the Director has inspected the modified or newly constructed facility

and finds it is in compliance with the conditions of the permit; or the Director has either waived the inspection of, or within 15 days has not notified the Permittee of his or her intent to inspect.

7. The Permittee shall treat, store and dispose of all contaminated groundwater and other contaminated environmental media in accordance with all applicable federal, state and local laws.

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, 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 samples shall be conducted in accordance with methods and procedures acceptable to the Director.
2. The Permittee 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 and records required by this permit and records of all data used to complete the application for this permit, 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. The Permittee shall maintain records on-site for all groundwater monitoring wells noted in the permit and associated groundwater surface elevations, including groundwater flow rate and direction throughout the post closure period, in accordance with 40 CFR 264.73(b)(6).
4. 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
 - (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
 - (f) The flow directions and flow rates in the uppermost aquifer at the point of compliance
 - (g) The results of such analyses and measurements in table format.
- 5. The Permittee shall report to the Director or his representative orally as soon as possible, but no later than twenty-four (24) hours from the time the Permittee becomes aware of any circumstances resulting from the operation of the hazardous waste management facility (including periods of non-compliance) which may endanger human health or the environment, including but not limited to:
 - (a) Release of any hazardous waste that may cause an endangerment to public drinking water supplies;
 - (b) Release or discharge of hazardous waste or a fire or explosion which could threaten human health or the environment outside the facility.

The description of the occurrence shall include:

- (i) Name, address and telephone number of the owner or operator;
 - (ii) Name, address, and telephone number of facility;
 - (iii) Date, time and type of incident;
 - (iv) Name and quantity of materials 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.
- 6. Within fifteen (15) days of becoming aware of any reportable incident as in Condition I.C.5. above, which may endanger human health or the environment, the Permittee shall submit a written report of the incident covering the following:
 - (a) Description of occurrence as in Condition I.C.5 above
 - (b) Cause of occurrence
 - (c) Period of occurrence, including exact dates and times
 - (d) Time occurrence expected to continue (if not already corrected)
 - (e) Steps taken or planned to reduce, eliminate, and prevent recurrence.
- 7. 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 fourteen (14) days following each schedule date.
- 8. The Permittee shall report instances of non-compliance, other than those described in Conditions I.C.5 and I.C.7, semi-annually on July 15 (covering January 1 - June 30)

and January 15 (covering July 1 - December 31). The report shall cover the information requested in Condition I.C.5 for each incident.

9. All reports or other information requested by the Director shall be signed and certified according to the requirements in 40 CFR 270.11.
10. The Permittee shall immediately notify the Division through the Department of Natural Resources Emergency Operations Center of any spill or release of oil or a hazardous substance as soon as the Permittee knows of the spill or release, as required by O.C.G.A. §12-14-3.

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 is not transferable to any persons except after notice to the Director. This permit may be transferred to a new owner or operator only if it is modified or revoked and reissued pursuant to 40 CFR 270.40(b) or 270.41(b)(2). Before transferring ownership or operation of the facility during its operating life or during its post-closure care period, the Permittee shall notify the new owner or operator in writing of the requirements of 40 CFR Parts 264 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 non-compliance is authorized by an emergency permit. Any other non-compliance 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 denial of a permit renewal application.

4. Duty to Reapply. 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. Pursuant to 40 CFR 270.51, this permit and all conditions herein will remain in effect beyond the permit's expiration date if the Permittee has submitted a timely and complete application for a new permit and, through no fault of the Permittee, the Director has not issued a new permit on or before the expiration date of this permit.
5. Need to Halt or Reduce Activity Not a Defense. It shall not be a defense for a 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 the environment or human health resulting from non-compliance 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 non-compliance with permit requirements.
9. Reporting Planned Changes. The Permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions, which impact any SWMUs, AOCs or the areas contaminated by them, including voluntary corrective measures, to the SWMUs or AOCs referenced in Appendix A of this permit.

I.E. Definitions

For purposes of this permit, terms used herein shall have the same meaning as those in 40 CFR Parts 124, 260, 264, 268 and 270, 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. Land Disposal Facility for the purposes of this permit is a facility and all contiguous property under control of the owner or operator that uses a surface impoundment, landfill, land treatment or waste pile unit to manage or dispose of hazardous waste pursuant to Section 12-8-66 of the Georgia Hazardous Waste Management Act, as amended, and RCRA Section 3004, as amended.
2. Hazardous Constituents for the purpose of this permit are those substances listed in 40 CFR Part 261 Appendix VIII and 40 CFR Part 264 Appendix IX, The Ground-Water Monitoring List, as revised or superseded.
3. Solid Waste Management Unit for the purposes of this permit includes, but is not limited to, any landfill, surface impoundment, waste pile, land treatment 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 water 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.
4. Release for the purposes of this permit includes any unpermitted 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 constituents.
5. Contamination for the purposes of this permit refers to the presence of any hazardous waste, hazardous waste constituents or hazardous constituents in a concentration, which exceeds the naturally occurring concentrations of that waste or constituent in the immediate vicinity of the facility (in areas not affected by the facility).
6. Corrective Action for prior or continuing releases from solid waste management units, as well as for other releases as described in Condition I.E.4. above, for the purposes of this permit shall be as specified in 40 CFR 264.101 and may include "corrective action" as provided for in 40 CFR 264.100 and other remedial actions for any environmental media as deemed appropriate by the Director to protect public health or the environment. The terms "releases" and "other releases", when used in reference to corrective action requirements of this permit, shall not include releases that the Permittee can demonstrate have been fully remediated within thirty (30) days of discovery.
7. Area of Concern (AOC) for the purpose of this permit includes any area having probable release of a hazardous waste, hazardous constituent, or hazardous waste 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, Code Section 12-8-60, *et seq.* and 40 CFR 270.32(b)(2) in order to ensure adequate protection of human health and the environment.

8. Corrective Action Management Unit (CAMU) for the purposes of this permit includes any area within a facility that is designated by the Director under 40 CFR Subpart S, for the purpose of implementing corrective action requirements under 40 CFR 264.101. A CAMU shall only be used for the management of remediation waste pursuant to implementing such corrective action requirements at the facility.
9. Temporary Unit (TU) for the purposes of this permit includes any temporary tanks and/or container storage areas used solely for treatment of storage of hazardous remediation waste during specific remediation activities. Designated by the Director, such units must conform to specific standards, and may only be in operation for a period of time as specified in this permit.
10. Qualified Groundwater Scientist for the purposes of this permit means 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 state registration and completion of accredited university courses, that enable that individual to make sound professional judgments regarding groundwater monitoring and contaminant fate and transport.
11. Remediation Waste for the purposes of this permit includes all solid and hazardous wastes, and all media (including groundwater, surface water, soils, and sediment) and debris, which contain listed hazardous wastes or which themselves exhibit a hazardous waste characteristic, that are managed for the purpose of implementing corrective action requirements under 40 CFR 264.101 and RCRA 3008(h). For a given facility, remediation wastes may originate only from within the facility boundary, but may include waste managed in implementing RCRA Sections 3004(v) or 3008(h) for releases beyond the facility boundary.
12. Staging Pile for the purpose of this permit includes an accumulation of solid, non-flowing remediation waste that is not a containment building and is used only during remedial operations for temporary storage at a facility. A staging pile must be located within the contiguous property under the control of the owner/operator where the waste to be managed in the staging pile originated. Staging piles must be designated by the Director according to the requirements of 40 CFR 264.554.

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

1. The Permittee must follow the procedures and plans described in detail in the permit application dated March 2008, as amended, which are hereby incorporated by reference and include at least the following:
 - (a) Post-closure Care Plan Section H.2
 - (b) Corrective Action Plan Section E.8.c
2. The following activities must be carried out as prescribed in 40 CFR 264 Subparts B and E:
 - (a) Security - 40 CFR 264.14(b) and (c)
 - (b) Inspection and Repairs - 40 CFR 264.15(c) and (d)
 - (c) Personnel Training - 40 CFR 264.16
 - (d) Operating Record - 40 CFR 264.73(b) (5, 6, 8, and 9)
 - (e) Disposition of Records - 40 CFR 264.74
 - (f) Reports - 40 CFR 264.73, 40 CFR 264.74, 40 CFR 264.75 and 40 CFR 264.77
3. The following activities must be carried out as prescribed in 40 CFR Part 264 Subparts G and H and Section I of the permit application:
 - (a) Post-Closure Care and Use of Property - 40 CFR 264.117
 - (b) Post Closure Plan, Amendment of Plan - 40 CFR 264.118
 - (c) Post-Closure Notices- 40 CFR 264.119
 - (d) Certification of Completion of Post-Closure Care - 40 CFR 264.120
 - (e) Financial Assurance for Post-Closure. Continuous compliance with 40 CFR 264.145 must be maintained by the Permittee for the amount of the cost estimate for post-closure and corrective action as required by 40 CFR 264.144 until released by the Director as provided in 40 CFR 264.145(i). Continuous compliance with Rule 391-3-11-.05 is also required.
 - (f) Revision of post-closure cost estimate - 40 CFR 264.144
4. The Permittee must comply with 40 CFR 264.148 whenever necessary.

I.G. Special Conditions Applicable to Entire Facility

1. The Permittee shall be required to certify no less often than annually that the Permittee has a program in place to reduce the volume and toxicity of hazardous waste that is generated to the degree determined by the Permittee to be economically practicable, and the proposed treatment, storage or disposal is that practicable method

currently available to the Permittee, which minimizes the present and future threat to human health and the environment in accordance with 40 CFR 264.73(b)(9).

2. Land Disposal Restrictions: The Permittee shall comply with all provisions of 40 CFR 268.

SECTION II. STORAGE OF REMEDIATION WASTE IN A STAGING PILE

II.A. Unit Identification

The Permittee may store remediation waste in a staging pile located on the drip pad structure. The drip-pad structure is approximately 11,250 square feet in area (450 feet in length and 25 feet in width). The height of the drip-pad structure roof is about 30 feet above the drip-pad floor. The staging pile has a maximum approximate height of 10 feet at its apex. The location of the staging pile is identified on Figure D-1 and Figure D-2 of the 2017 Post-Closure Care Permit Application and Class 3 Modification Request.

II.B. Waste Identification

Approximately 4,000 cubic yards of soil are stored in the staging pile located on the drip pad structured and covered with temporary liner. The waste materials stored in the staging pile are from previous site remedial activities, and are managed as RCRA hazardous waste as they can potentially contain wastewater and/or process residuals and/or bottom sediment sludge from wood preserving and water treatment activities. A Waste Analysis Plan for waste placed in the staging pile is included in Appendix C-2 of the 2017 Post Closure Care Permit Application and Class 3 Modification Request. No soils that are reactive or ignitable by definition or contain free liquids will be placed on the staging pile.

II.C. Monitoring and Inspection

1. The Permittee shall follow an inspection schedule as required by 40 CFR 264.15(a).
2. The Permittee shall inspect the staging at least weekly and within 24 hours after storms lasting at least 1 hour to detect any evidence of deterioration or improper operation as required under 40 CFR 264.15.

II.D. Closure

1. The Permittee shall perform closure activities for the staging pile as detailed in Appendix I of the 2017 Post-Closure Care Permit Application and Class 3 Modification Request. Waste from the staging pile will be placed in an on-site CAMU per regulatory requirements specified in 40 CFR 264.552.

SECTION III. POST CLOSURE CARE FOR A SURFACE IMPOUNDMENT CLOSED AS A LANDFILL

III.A. Unit Identification

The Permittee shall provide post-closure care for a 430x110x15 foot storage surface impoundment which was closed as a landfill with stabilized waste, contaminated subsoil, and contaminated groundwater remaining in-place. The location of the closed impoundment/landfill is identified on Figure B-2 of the permit application.

III.B. Waste Identification

Hazardous waste number K001 was stored in the surface impoundment until closure. Waste remaining in the landfill included stabilized soil with visual contamination as described in Section H.1e(1) of the permit application, plus an undetermined quantity of K001-contaminated soils at levels below visual detection, plus contaminated groundwater.

III.C. Monitoring and Inspection

1. The Permittee shall follow the inspection schedule as discussed in Section H of the permit application and as required by 40 CFR 264.15(a).
2. The Permittee shall inspect the landfill at least weekly and within 24 hours after storms lasting at least 1 hour to detect any evidence of deterioration or improper operation as described in Section H of the permit application and as required under 40 CFR 264.15 and 40 CFR 264.310.
3. The Permittee shall operate the leachate collection and removal system as described in Section H of the permit application and as required by 40 CFR 264.310(b)(2).

III.D. Post-Closure Care

1. The Permittee shall perform post-closure care for the closed surface impoundment/landfill in accordance with the post-closure plan in Section H of the permit application and as required by 40 CFR 264.228(b) and 40 CFR 264.310(b).
2. The facility's post-closure care period will continue until an adequate site specific demonstration can be made that the contamination no longer poses a threat to human health and the environment, pursuant to 40 CFR 264.117(a)(2)(ii).

SECTION IV. GROUNDWATER MONITORING AND CORRECTIVE ACTION FOR THE REGULATED UNIT

IVA. Monitoring Well Location and Construction

1. The Permittee shall install and/or maintain a groundwater monitoring system to comply with the requirements of 40 CFR 264.95, 264.97, and 264.100 as specified below:

(a) The Permittee shall maintain the following groundwater monitoring wells at the locations specified on Figure B-2 of the permit application.

MW-1	MW-12D	MW-16
MW-7A	MW-13	MW-17
MW-7B	MW-14A	MW-18
MW-7C	MW-14C	MW-20
MW-12A	MW-15	MW-34

(b) Monitoring wells MW-7A, MW-7B and MW-7C shall define the point of compliance for the closed surface impoundment/landfill.

(c) MW-1 shall serve as the background monitoring well for the facility.

2. The Permittee shall install and maintain additional wells as necessary, or as specified by the Director, to assess changes in the rate and extent of any plume of contamination, to assess the effectiveness of corrective action, or otherwise deemed necessary to maintain compliance with 40 CFR 264.95, 264.97, and 264.100. A plan for the design, location and installation of any additional monitoring wells shall be submitted thirty (30) days prior to installation, which, at a minimum, shall include:

- (a) Well construction techniques;
- (b) Well development method(s);
- (c) A description of well construction materials;
- (d) A schedule of implementation of construction; and
- (e) Provisions for determining the lithologic character and grain size distribution for the applicable aquifer unit(s) at the location of the new well(s).

3. The Permittee shall maintain, in addition to wells referred to in Condition IV.A.1. and IV.A.2., the following wells identified in Figure B-2 of the permit application which are not a part of the 40 CFR 264.100 corrective action monitoring systems: MW-2, MW-3, MW-4, MW-8, MW-9, MW-10, MW-11, MW-12B, MW-14B, MW-19, MW-21, MW-21B, MW-22, MW-22B, MW-23, MW-24, MW-24B, MW-25, MW-26, MW-27, MW-28, MW-29, MW-30, MW-31, MW-32, MW-33, MW-35, MW-36, MW-37, MW-38, MW-39, MW-39B, MW-40, MW-41, and MW-42.

IV.B. Groundwater Protection Standard

1. The groundwater protection standard as required under 40 CFR 264.92 shall consist of Table 1, which lists the hazardous constituents and their respective concentration limits as required under 40 CFR 264.93 and 40 CFR 264.94, respectively.
1. The groundwater protection standard further applies to all hazardous waste, hazardous waste constituent, or hazardous constituent releases as deemed appropriate by the Director to protect human health and the environment.

TABLE 1: GROUNDWATER PROTECTION STANDARD

<u>Hazardous Constituent</u>	<u>Concentration Limit (mg/L)</u>
2-chlorophenol	Background*
phenol	"
2,4-dimethylphenol	"
2,4,5-trichlorophenol	"
2,4,6-trichlorophenol	"
2,3,4,6-tetrachlorophenol	"
4 chloro-3 methyl phenol (p-chloro-m-cresol)	"
2,4-dinitrophenol	"
pentachlorophenol	"
naphthalene	"
acenaphthene	"
phenanthrene	"
anthracene	"
fluoranthene	"
chrysene	"
benzo(a)anthracene	"
benzo(b)fluoranthene	"
benzo(k)fluoranthene	"
benzo(a)pyrene	"
indeno(1, 2, 3-cd)pyrene	"
dibenzo(a,h)anthracene	"
carbazole	"
3 methyl phenol (o-cresol)	"
3 & 4 methyl phenol (m+p-cresol)	"
dibenzofuran	"
fluorene	"
pyrene	"
2-methylnaphthalene	"
toluene	"
xylene	"
benzene	"

Permit Number: HW-055(D)
Georgia Atlantic Port, LLC

ethylbenzene	"
carbon disulfide	"
1,1 biphenyl	"
sulfide	"
vanadium	"
barium	1.0**
arsenic	0.05**
chromium	0.05**

* To be determined according to procedures specified in Section E.8d(3) of the permit application
** Concentration limit derived from 40 CFR 264.94 Table 1.

IV.C. Compliance Period

1. The compliance period under 40 CFR 264.96 shall begin with the effective date of the permit and continue until the end of the post-closure care period defined in 40 CFR 264.117.
2. If the Permittee is engaged in a corrective action program at the end of the compliance period as defined in Condition IV.C.1., the compliance period is extended until the Permittee demonstrates that the groundwater protection standard of 40 CFR 264.92 has not been exceeded for a period of three (3) consecutive years, as required by 40 CFR 264.96(c), and until corrective action as required under 40 CFR 264.100 has been terminated, as specified in Condition IV.H.

IV.D. Monitoring Program to Demonstrate Effectiveness of Corrective Action Program

The Permittee shall establish and implement a groundwater monitoring program to demonstrate the effectiveness of the corrective action program required under 40 CFR 264.100 (and 40 CFR 264.101 as related to other releases intersecting any plume emanating from the regulated unit). Groundwater monitoring shall be conducted in conformance with the requirements of 40 CFR 264.100(d) and as specified below:

1. The Permittee shall collect, preserve, track, control, ship and analyze all groundwater samples as required by Condition IV.F and as specified by the Sampling and Analysis Plan found in Appendix E-8 of the permit application.
2. The Permittee shall monitor wells MW-7A, MW-7C, MW-12A, MW-13, MW-15 and MW-17 for free product levels. These determinations shall be made semi-annually. If at two consecutive times free product is no longer present in any of these wells then that well will be incorporated into the semi-annual sampling required by Condition IV.D.3.
3. Samples from wells MW-1, MW-7B, MW-14A, MW-16 and MW-34 shall be collected and analyzed at least semiannually for those constituents listed in Table 2.

4. Samples from wells MW-1, MW-7B, MW-12D, MW-14A, MW-16, MW-18 and MW-20 shall be collected and analyzed at least annually for those constituents listed in Table 1.
5. A sample from well MW-14C shall be collected and analyzed at least annually for those constituents listed in Table 2.
6. If free product is detected during two consecutive events in any of the wells required to be sampled by Condition IV.D.3., IV.D.4., or IV.D.5 then the sampling of that well will be discontinued and that well will be incorporated into the free product measurement program required by Condition IV.D. 2.
7. The groundwater monitoring program must include a determination of the groundwater surface elevation at every well identified in Condition IV.A.1., IV.A.2., and IV.A.3. each time groundwater is sampled.
8. The Permittee shall determine the groundwater flow rate and direction in the uppermost aquifer at least semi-annually.
9. The Permittee must analyze a sample from compliance point well MW-7B, or any additional wells specified by the Director, for all constituents in Appendix IX of 40 CFR Part 264 at least annually to determine whether additional hazardous constituents are present in the uppermost aquifer and, if so, at what concentrations. The Appendix IX results must be submitted within one hundred twenty (120) days of the sampling. If the Permittee finds Appendix IX constituents in the groundwater that are not identified in the groundwater protection standard in Table 1, then the Permittee may resample within one (1) month of receiving the laboratory analytical report and repeat the analysis. If the second analysis confirms the presence of additional hazardous constituents or the Permittee chooses not to resample, then the Permittee must report the concentrations of these additional constituents to the Director within seven (7) days of receiving the laboratory analytical report and add these additional constituents to Table 1.
9. Compliance with the groundwater protection standard, as defined under Condition IV.B. will be based upon groundwater monitoring data obtained under Condition IV.D. that indicate that all constituents listed in Table 1 no longer exceed the groundwater protection standard at the point of compliance and throughout the contaminant plume. Comparisons for the purpose of determining compliance shall be made when necessary utilizing the statistical procedure described in Section E.8d(3) of the permit application, as required by 40 CFR 264.97(h) and (i).

TABLE 2: SEMI-ANNUAL MONITORING LIST

2-chlorophenol	naphthalene	benzo(a)pyrene
phenol	acenaphthene	ideno(1,2,3-cd)pyrene
2,4-dimethylphenol	phenanthrene	dibenzo(a,h)anthracene
2,4,6-trichlorophenol	anthracene	carbazole
p-chloro-m-cresol	fluoranthene	benzene
tetrachlorophenols	chrysene	ethylbenzene
2,4-dinitrophenol	benzo(a)anthracene	toluene
pentachlorophenol	benzo(b,k)fluoranthene	xylene

IV.E. Corrective Action Program

1. The Permittee shall continue with the corrective action program for releases of hazardous constituents to groundwater from the unit identified in Condition III.A. as required under 40 CFR 264.100 and as described in Section E.8 of the permit application for those hazardous constituents that exceed the groundwater protection standard in Table 1.
2. The Permittee shall conduct a corrective action program for contamination defined as originating from the unit identified in Condition III.A. to remove or treat in place any hazardous constituents in the groundwater protection standard (Condition IV.B.) that exceed concentration limits in Table 1 in groundwater between the point of compliance and the downgradient property boundary as required under 40 CFR 264.100(e)(1), and beyond the property boundary as required under 40 CFR 264.100(e)(2), unless the Permittee can demonstrate to the satisfaction of the Director that, despite the Permittee's best efforts, the Permittee was unable to obtain the necessary permission to undertake such action beyond the property boundary, or such action is not necessary to protect public health or the environment.
3. The Permittee shall treat, store, and dispose of all contaminated groundwater in accordance with all applicable federal, state, and local laws.
4. If the groundwater protection standard is met during the compliance period, the Permittee must continue corrective action to the extent necessary to ensure that the groundwater protection standard is not exceeded. Corrective action must continue until the groundwater protection standard has not been exceeded for three (3) consecutive years as required under 40 CFR 264.100(f).

IV.F. Sampling and Analysis Procedures

The Permittee shall use the following techniques and procedures when obtaining and analyzing samples from the groundwater monitoring wells described in Condition IV.A. to

provide a reliable indication of the quality of the groundwater as required under 40 CFR 264.97(d) and (e):

1. Samples shall be collected, preserved, and shipped (when shipped off-site for analysis) in accordance with the procedures specified in Appendix E-8 of the permit application.
2. Samples shall be analyzed according to the procedures specified in Appendix E-8 of the permit application or as specified in the most recent editions of Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, SW 846 or Standard Methods for the Examination of Water and Wastewater; (or an equivalent method as specified in the Waste Analysis Plan), using whichever procedure is most recent at the time of analysis.
3. Samples shall be tracked and controlled using the chain of custody procedures specified in Appendix E-8 of the permit application.
4. All samples must be analyzed by a laboratory meeting the Georgia Rules for Commercial Environmental Laboratory Accreditation as specified in Chapter 391-3-26.

IV.G. Reporting, Recordkeeping, and Response

1. The Permittee shall enter all monitoring, testing, and analytical data obtained pursuant to Conditions IV.D., IV.E, and Section V. in the operating record, as required by 40 CFR 264.73(b)(6).
2. The Permittee shall submit a report to the Director on the effectiveness of the corrective action program semi-annually as required by 40 CFR 264.100(g) to include all monitoring, testing and analytical data obtained under Conditions IV.D. and IV.E.

IV.H. Permit Modification

1. If the Permittee at any time determines that the corrective action program no longer satisfies the requirements of 40 CFR 264.100 or Condition IV.E. for releases of hazardous waste, hazardous waste constituents or hazardous constituents that originate from the regulated unit he must within ninety (90) days submit an application for a permit modification to make any appropriate changes in the program.
2. If the Permittee meets or exceeds the requirements of 40 CFR 264.100 and meets the groundwater protection standard at the point of compliance and throughout the contaminant plume for three (3) consecutive years, the Permittee may submit an application for a permit modification pursuant to 40 CFR 270.41 and 270.42 to terminate corrective action and establish an alternate groundwater monitoring program.

IV.I. Duty of Permittee

The Permittee shall assure that groundwater monitoring and corrective action measures necessary to achieve compliance with 40 CFR 264.100 and the groundwater protection standard are taken during the compliance period.

SECTION V. CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS AND OTHER RELEASES

V.A. RCRA Facility Assessment (RFA) Report

1. The conditions of this Section apply to all known solid waste management units and any units discovered during the course of future groundwater monitoring, on-going field investigations, environmental audits, and other means.
2. The EPD has prepared a solid waste management unit assessment report for each solid waste management unit which is known or suspected to have contained hazardous waste, hazardous constituents, or hazardous waste constituents. The Permittee shall notify EPD of any additional management units not identified in the Assessment Report discovered during the course of groundwater monitoring, field investigations, environmental audits or other means within fifteen (15) days of discovery. The Permittee shall prepare a solid waste management unit assessment report for all solid waste management units discovered in the future. The report will include, at a minimum, the following information for each unit:
 - (a) Type of unit
 - (b) Location of each unit on a topographic map of appropriate scale
 - (c) General dimensions and capacities
 - (d) Function of unit
 - (e) Dates that the unit was operated
 - (f) Description of the wastes that were placed in the unit
 - (g) Description of any known releases or spills (to include groundwater data, soil analyses, and/or surface water data).
3. The assessment report for solid waste management units discovered after the effective date of this permit shall be prepared by the Permittee within sixty (60) days of discovery by the Permittee.

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V.B. RCRA Facility Investigation (RFI) Plan

1. The Permittee shall prepare an RFI plan for all solid waste management units identified under Condition V.A. from which a release to the environment may have occurred and for any other releases of hazardous constituents regardless of the point of origin. The plan should include schedules of implementation and completion for specific actions necessary to determine the nature and extent of the releases, and the potential pathways of contaminant releases to the air, land, surface water, and groundwater. The Permittee must provide documentation that a release is not probable if a unit identified in the assessment report is not included in the RFI plan.
2. The Permittee shall submit the RFI plan within ninety (90) days of submittal of the assessment report as required by Condition V.A.

V.C. Corrective Action Plan

1. The Director shall review the final reports on the investigations conducted under Condition V.B. and 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).
2. Upon determination that corrective action is needed, the Permittee shall submit a corrective action plan in accordance with a schedule to be determined by the Director. The proposed corrective action plan must include a description of the corrective measures to be taken at each unit, a schedule of implementation and completion, a cost estimate for completion of corrective action, and assurance of financial responsibility for completing such corrective action.
3. If the Permittee at any time determines that the RFI or corrective action plans required under Conditions V.B. or V.C. no longer satisfy the requirements of 40 CFR 264.101 or this permit for prior or continuing releases of hazardous waste, hazardous constituents or hazardous waste constituents he must submit an amended plan(s) to the Director within ninety (90) days of such determination.

V.D. Interim Measures

1. The Permittee may conduct interim measures to contain, remove or treat contamination resulting from the release of hazardous constituents from a SWMU or release in order to protect human health and the environment, upon approval by the Director. Such interim measures may be conducted concurrently with investigations required under the terms of this permit.
2. The Permittee shall notify the Director of any proposed interim measures at least thirty (30) days prior to implementation. The notice shall include a description and a schedule of implementation of any proposed interim measures.

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3. The Permittee shall give notice to the Director as soon as possible of any planned changes, reduction or additions to the interim measures.
4. Incorporation of interim measures into the corrective action plan shall be done in accordance with Condition IV.E. or Condition V.C. as appropriate.
5. Upon completion of interim measures, the Permittee shall complete and submit an interim measures report. The report shall provide the following information:
 - (a) A description of interim measures implemented;
 - (b) A summary of all data or other information obtained during implementation of interim measures; and
 - (c) A summary of the effectiveness of the interim measures in achieving the objective of 40 CFR 264.101.

V.E. Schedule of Compliance

1. All plans and schedules shall be subject to approval by the Director prior to implementation. The Permittee shall revise all submittals as specified by the Director.
2. If the time required to complete any interim activity is more than one year, the schedule shall specify interim dates for the submission of reports of progress toward satisfaction of the interim requirements.
3. The results of all plans and reports shall be submitted in accordance with the 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.
4. Upon approval by the Director all plans and schedules shall be enforceable as conditions of this permit.

V.F. Permit Modification

If required to develop a corrective action plan under Condition V.C., the Permittee shall apply for a permit modification pursuant to 40 CFR 270.42 to incorporate the plan into the permit.

V.G. Dispute Resolution

1. Dispute resolution only applies to disagreements with the Director's revision of a submittal or disapproval of any revised submittal required by this Section of the permit. The requirements of this condition are not a part of and do not effect the right of appeal of the Director's decision. Rules and Regulations of the State of Georgia, Section 391-1-2(1998) provide the mechanism for an appeal of a final decision of the Director.

2. Notwithstanding any other provision in this Section of the permit, in the event the Permittee disagrees, in whole or in part, with the Director's revision of a submittal or disapproval of any revised submittal required by this Section of the permit the following may, at the Permittee's discretion apply:
 - (a) In the event that the Permittee chooses to invoke the provisions of this condition, the Permittee shall notify the Director in writing within thirty (30) days of receipt of the Director's revision of a submittal or disapproval of a revised submittal. Such notice shall set forth the specific matters in dispute, the position the Permittee asserts should be adopted as consistent with the requirements of the permit, the basis for the Permittee's position, and any matters considered necessary for the Director's determination.
 - (b) The Director and the Permittee shall have an additional thirty (30) days from EPD's receipt of the notification provided in Condition V.G.2.(a) to meet or confer to resolve any disagreement.
 - (c) In the event agreement is reached, the Permittee shall submit the revised submittal and implement the same in accordance with and within the time frame specified in such agreement.
 - (d) If agreement is not reached within a thirty (30) day period, the Director will notify the Permittee in writing of his/her decision on the dispute, and the Permittee shall comply with the terms and conditions of the Director's decision in the dispute. For the purposes of this provision in this permit, the responsibility for making this decision shall not be delegated below the Director.
 - (e) With the exception of those conditions under dispute, the Permittee shall proceed to take any action required by those portions of the submission and of the permit that the Director determines are not affected by the dispute.

APPENDIX A-1

List of SWMUs and AOC:

<u>SWMU/AOC Number</u>	<u>SWMU/AOC Name</u>
1.A	Fill Area near Ditch to Canal
1.B	Ditch to Impoundment
1.C	Ditch to Canal
2.A	Diked Tank Farm
2.B	Tanks 5, 6 & 7
2.C	Concrete oil/water separator
2.D	Pit at Maintenance Shop
2.E	Tank Bottom disposal areas
2.F	Soil along south ditch
2.G	Drip Track area
2.H	Creosote railcar containment area
3.A	Treating Room
3.B	Cylinder House floor and door pits
3.C	No. 6 fuel oil tank
3.H	Laboratory septic tank/drain field
3.I	Creosote pipelines from river

APPENDIX A-2

List of SWMUs and AOC that require no further action at this time:

<u>SWMU/AOC Number</u>	<u>SWMU/AOC Name</u>
2.I	Penta unloading containment pad
2.J	Diesel UST
2.K	Boiler ash disposal area
3.D	Cooling water pond
3.E	Pavement from tank bottoms and cleanouts
3.F	Groundwater treatment facility
3.G	90-day drum accumulation area