

PERMIT NO. HW-036(D)-3
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 amended through October 5, 2020), adopted pursuant to that Act,

Delta Air Lines, Inc.

I.D. No. GAD006924872

is issued a Permit for the following:

Post-closure care and corrective action for a closed underground storage tank (UST) that will be treated as a landfill unit, and corrective action for solid waste management units.

at the following location:

**1775 M H Jackson Service Road
Atlanta, Georgia 30354**

This Permit is conditioned upon compliance with all provisions of the Georgia Hazardous Waste Management Act, the Rules, Chapter 391-3-11 (as amended through October 5, 2020), 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 June 2023, 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 twenty-seven (27) pages, which pages are a part of this Permit. This Permit expires ten years from the Issuance Date above.



David B. Dove, Interim Director
Environmental Protection Division

SECTION I. GENERAL PERMIT CONDITIONS

A. Scope and Effect of Permit

1. The Permittee is allowed to store 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 260-264, 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, 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 18, Emergency Powers, of the Georgia Hazardous Waste Management Act, O.C.G.A. §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 or under the Georgia Hazardous Waste Management Act, O.C.G.A. §§ 12-8-81 – 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 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.

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 of any planned changes to the process generating the hazardous waste that might affect the performance of the permitted facility.

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, including all amendments,
 - b. Post-closure plan,
 - c. Inspection log,
 - d. Groundwater Sampling and Analysis Plan,
 - e. Operating record as required by 40 CFR 264.73,
 - f. Cost estimate for corrective action and post closure care as required by 40 CFR 264.144, and
 - g. Proof of financial assurance for corrective action and post-closure care, as required by 40 CFR 264.145 and the Georgia Hazardous Waste Management Act, O.C.G.A. § 12-8-68 as amended.
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. 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 such 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 or corrective action for contaminated groundwater at any new or modified portion of the facility until the Permittee has submitted to the Director a letter signed by the Permittee and a registered professional engineer 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.

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. 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 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.
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 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; and
 - f. The results of such analyses and measurements in tabular and/or graphic format; and
5. The Permittee shall report to the Director or his/her representative orally within one (1) hour from the time the Permittee becomes aware of any circumstances resulting from the operation of the hazardous waste management facility (including periods of noncompliance) which may endanger human health or the environment, including but not limited to:
 - a. Release of any hazardous waste(s), hazardous waste constituent(s), or hazardous constituent(s) that may cause an endangerment to public drinking water supplies.
 - b. Release or discharge of hazardous waste(s), hazardous waste constituent(s), hazardous constituent(s), 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 Section I.C.5 above which may endanger human health or the environment, 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.5;
 - 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.
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 to the Director no later than 14 days following each schedule date.
8. The Permittee shall report to the Director instances of noncompliance, other than those described in Section I.C.5 and Section I.C.7, in the semi-annual/annual report. The report shall include information as required under Condition Section I.C.5 for each incident.
9. All reports of other information requested by the Director shall be signed and certified according to the requirements in 40 CFR 270.11.
10. All geologic and engineering reports required by this permit shall be signed and sealed by the appropriate Georgia registered professional as defined by State law. Additionally, the following certification statement shall accompany reports containing ground water data or interpretation:

I certify that I am a qualified ground-water scientist who has received a baccalaureate or post-graduate degree in the natural sciences or engineering and have sufficient training and experience in ground-water hydrology and related fields, as demonstrated by state registration and completion of accredited university courses, that enable me to make sound professional judgments regarding groundwater monitoring and contaminant fate and

transport. I further certify that this report was prepared by myself or by a subordinate working under my direction.

11. 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, to the extent required by O.C.G.A. § 12-14-3.

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.
 - 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 Permit. This permit is not transferable to any person(s) 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) and 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 applicable 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 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 for 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 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 of Mitigate. The Permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment or human health 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 of any planned physical alterations or additions which impact any Solid Waste Management Units (SWMUs), Area of Concern (AOCs) or the areas contaminated by them, including voluntary corrective measures.

E. Definitions

For purposes of this permit, terms used herein shall have the same meaning as those in 40 CFR Parts 124 and 260 through 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. Area of Concern (AOC) for the purposes of this permit includes any area having a probable release of a hazardous waste(s) or hazardous waste constituent(s) or hazardous constituent(s) 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.

2. Contamination for the purposes of this permit refers to the presence of any hazardous waste(s), hazardous waste constituent(s), or hazardous constituent(s) in a concentration which exceeds the naturally occurring concentration of that waste or constituent(s) in the immediate vicinity of the facility (in areas not affected by the facility).
3. Corrective Action for prior or continuing releases from solid waste management units, as well as for other releases as described in Section I.E.10 below, 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 human 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 30 days of discovery.
4. Director shall mean the director of the EPD or his/her delegated representative.
5. EPA shall mean the United States Environmental Protection Agency and any successor departments or agencies of the United States.
6. EPD shall mean the Georgia Environmental Protection Division of the Department of Natural Resources and any successor departments or agencies of the State of Georgia.
7. Hazardous Constituents for the purpose of this permit are those substances listed in 40 CFR Part 261 Appendix VIII and Part 264 Appendix IX, as revised or superseded. Hazardous Waste Constituent for the purposes of this Permit means a constituent that caused the USEPA Administrator to list the hazardous waste in 40 CFR Part 261, Subpart D, or a constituent listed in Table 1 of 40 CFR 261.24.
8. Hazardous Waste for the purposes of this Permit means a hazardous waste as defined in 40 CFR 261.3, and newly defined hazardous waste by USEPA or EPD subsequent to the issuance of this permit.
9. Land Disposal Facility for the purposes of this permit is a facility that uses a surface impoundment, landfill, land treatment, waste pile or miscellaneous unit to manage or dispose of hazardous waste pursuant to Section 12-8-66 of the Georgia Hazardous Waste Management Act, as amended, and Section 3004 of RCRA, as amended.

10. 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 stormwater handling, elementary neutralization unit, transfer station, or recycling unit or any other unit from which hazardous waste(s), hazardous waste constituent(s), or hazardous constituent(s) might migrate, irrespective of whether the units were intended for the management of solid and/or hazardous waste.
11. 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(s), hazardous waste constituent(s), or hazardous constituent(s).

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

1. The extent applicable to the post-closure care of the Closed Varsol Regulated (CVR) Unit described in Section II, Permittee must follow the procedures and plans described in detail in the permit application dated June 2023, as amended, which are hereby incorporated by reference and include at least the following:
 - a. Inspection Schedule Section PC-19
 - b. Post Closure Plan Section PC-23
 - c. Groundwater Sampling & Analysis Plan Attachment B-2
2. To the extent applicable to the post-closure care of the CVR Unit, the following activities must be carried out as prescribed in 40 CFR Part 264, Subparts B, C, D, and E, and in accordance with the appropriate Sections of the permit application.
 - a. Security - 40 CFR 264.14(b) and (c);
 - b. Repairs and inspection log – 40 CFR 264.15(c) and (d);
 - c. Personnel training – 40 CFR 264.16;
 - d. Operating record- §264.73;
 - e. Disposition of records- 40 CFR 264.74;
 - f. Reports - 40 CFR 264.73, 264.74, 264.75 and 264.77;
 - g. Annual review of training- §264. 16;
 - h. General requirements for ignitable, reactive and incompatible wastes - §264.17;
 - i. Design and operation- §264.31;
 - j. Access to communications or alarm system- §264.34;
 - k. Testing and maintenance of equipment - §264.33;
 - l. Arrangements with local authorities- §264.37;
 - m. Amendment of contingency plan - §264.54;
 - n. Maintain aisle space - §264.35;

- o. Required Notices - §264.12(a) and (b); and
 - p. Manifest System- §264.70 through 264.72
- 3. To the extent applicable to the post-closure care of the CVR Unit, the following activities must be carried out as prescribed in 40 CFR Part 264, Subpart G and H, and Section PC-25 of the permit application.
 - a. Post closure care & use of property - 264.117
 - b. Amendment of Post Closure Plan - 264.118
 - c. Notice to local land authorities and in deed to property - 264.119 and 264.120
 - d. Revision of cost estimate - 264.144
 - e. Financial Assurance for Post-Closure, and Corrective Action. Continuous compliance with 264.145 and 264.147 must be maintained by the Permittee for the amount of the cost estimate for post-closure, and corrective action as required by 264.144 until released by the Director as provided in 264.145(i).
- 4. To the extent applicable to the post-closure care of the CVR Unit, the Permittee must comply with §264.148 whenever necessary.
- 5. For all other purposes, the requirements of 40 CFR Part 262, Standards Applicable to Generators of Hazardous Waste, shall apply to Permittee's activities at the facility.

SECTION II. POST-CLOSURE CARE FOR CLOSED VARSOL REGULATED UNIT

A. Unit Identification

- 1. The Permittee shall perform post-closure care for a regulated unit known as the CVR Unit. The CVR Unit is closed as a landfill and identified on Figure B-3 of the June 2023 permit application, and as further amended.
- 2. The Permittee must maintain permanent and readily identifiable benchmarks showing the boundaries of the regulated unit as established in the closure certification for each unit. Such benchmarks must be initially placed by a registered surveyor.

B. Waste Identification

The Permittee has disposed of characteristic hazardous waste D001 (ignitable waste) in the CVR Unit, as described in the permit application dated June 2023, and as further amended.

C. Monitoring and Inspection

The Permittee shall follow the inspection schedule for the CVR Unit in accordance with

the post-closure inspection plan in Section PC-19 of the permit application dated June 2023, and as further amended.

D. Post-Closure Care

1. The Permittee shall perform post-closure care for the CVR Unit in accordance with the post-closure care plan in Section PC-23 of the permit application, as such may be amended, and as required by 40 CFR 264.310.
2. During the facility's post-closure care/compliance period, the Director may, in accordance with the permit modification procedures in 40 CFR Parts 124 and 270, extend the post-closure period for the CVR Unit if he or she finds that the extended period is necessary to protect human health and the environment pursuant to 40 CFR 264.117(a)(2)(ii).

SECTION III. GROUNDWATER MONITORING

A. 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, or as otherwise approved in writing by EPD:
 - a. The Permittee shall maintain the groundwater monitoring wells and piezometers at the locations specified in Table 2 of this permit.
 - b. Monitoring wells 4, C, and MW-4 shall define the point of compliance as required by 40 CFR 264.95.
 - c. Monitoring well MW-UG shall serve as the background well for the site.
2. The Permittee shall install and maintain additional monitoring wells as necessary to assess changes in the rate and extent of any plume of contamination, or as deemed necessary to be consistent with 40 CFR 264.95 and 264.97 and 264.100. A plan for the design, location and installation of any additional monitoring wells shall be submitted ninety (90) days prior to installation which, at a minimum, shall include:
 - a. Well construction techniques including casing depth and proposed total depth of well(s);
 - b. Well development method(s);
 - c. A description of well construction materials;
 - d. A schedule of implementation for construction; and
 - e. Provisions for determining the hydraulic conductivity of 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 III.A.1., any additional wells identified in Figures B-9 – B-13 of the permit application which are not part of the 40 CFR 264.100 corrective action monitoring system, or as otherwise approved in writing by EPD.

B. Groundwater Protection Standard

1. The groundwater protection standard as required under 40 CFR 264.92 shall consist of Table 1 of the permit which list the hazardous constituent(s) and their respective concentration limits as required under 40 CFR 264.93 and 264.94, respectively, or such alternative standard as may be approved in writing by EPD.
2. The groundwater protection standard applies to releases of hazardous waste(s), hazardous waste constituent(s) or hazardous constituent(s) in accordance with 40 CFR 264.93 and 40 CFR 264.94.

C. Compliance Period

1. The compliance period under 40 CFR 264.96 shall continue until the end of the post-closure care period established by 40 CFR 264.117 and Condition II.D.2. The compliance period shall begin with the effective date of the permit.
2. If the Permittee is engaged in corrective action at the end of the compliance period as defined by Condition III.C.1. above, 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 required under 40 CFR 264.100 has been terminated as specified in Condition IV.K.3.

D. Monitoring Program

The Permittee shall maintain a groundwater monitoring program to demonstrate the effectiveness of the corrective action program required under 40 CFR 264.100 (and 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, or as otherwise approved in writing by EPD:

1. The Permittee shall collect, preserve and analyze all groundwater samples as required by Condition III.E and as specified by the Sampling and Analysis Plan (SAP) found in Attachment B-2 of the permit application, and as further amended.
2. The Permittee shall determine groundwater quality at all compliance point monitoring wells for all the parameters specified in Table 1 throughout the compliance period including any extension to the compliance period as defined under Condition III.C.2.

3. The Permittee shall determine background concentrations in well MW-UG for all parameters listed in Table 1 throughout the compliance period including any extension to the compliance period as defined under Condition III.C.2.
4. The Permittee must sample and analyze groundwater from the wells listed in Table 2 at the frequency specified therein, or more frequently if specified by the Director, for the constituents listed Table 1. The constituents to be analyzed for and the frequency of analysis may be changed upon approval from EPD.
5. The groundwater monitoring program must include a determination of the groundwater surface elevation from all wells each time groundwater is sampled.
6. The Permittee shall determine the groundwater flow rate and direction in the uppermost aquifer at least annually.
7. The Permittee must analyze a sample from at least one of the compliance point monitoring wells (4, C, MW-4) identified in Condition III. A.1.b, plus any additional wells specified by the Director, for all constituents in Appendix IX of 40 CFR 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 sampling will be rotated annually among the compliance point wells so that each well is sampled every three years. The Appendix IX results must be submitted within 120 days of the sampling. If the Permittee finds Appendix IX constituents in the groundwater that are not identified 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 new hazardous constituents, 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 request that these additional constituents be added to Appendix A. If the Permittee chooses not to resample under either of the above regimes, then the Permittee must report the concentrations of those additional hazardous constituents to the Director within seven (7) days after receiving the results of the initial analysis and request that these hazardous constituents be added to Appendix A.
8. Compliance with the groundwater protection standard, as defined under Condition III.B, will be based upon groundwater monitoring data obtained under Condition III.D.2. that indicates that all constituents listed in Table 1 no longer exceed the groundwater protection standard or such alternative standard as may be approved by EPD at the point of compliance and throughout the contaminant plume. Comparisons for the purpose of determining compliance shall be made utilizing the statistical procedure described in 40 CFR 264.97(h) and (i).

E. 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 III.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 the SAP found in Attachment B-2 of the permit application, and as further amended.
2. Samples shall be analyzed according to the analytical program and procedures specified in the SAP found in Attachment B-2 of the permit application, as such may be amended, or in the most recent EPA Manual SW-846, using whichever procedure is more recent at the time of analysis.
3. Samples shall be tracked and controlled using the chain of custody procedures specified in the SAP found in Attachment B-2 of the permit application, and as further amended.

F. 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 IV. POST CLOSURE CARE AND CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS AND AREAS OF CONCERN

A. Applicability

1. The requirements of this section apply to the determination of the need for and subsequent implementations of corrective action for releases from all solid waste management units (SWMUs), including the CVR Unit described in Condition II.A., and areas of concern (AOC) contained within the facility property boundary as required by 40 CFR 264.101(a) and, as required by 40 CFR 264.101(c), those extending beyond the facility property boundary. The requirements of this section apply specifically to the following SWMUs:
 - a. The SWMUs and AOC identified in Attachment A-1, which require further investigations at this time.
 - b. The SWMUs and AOC identified in Attachment A-2, which require no further investigations at this time.
 - c. The SWMUs and AOC identified in Attachment A-3, which are regulated units as defined by 40 CFR 264.90(a)(2).

- d. The SWMUs and AOC identified in Attachment A-4, which require Corrective Action at this time.
- e. Any additional SWMUs or AOC within the permitted facility discovered after the date of issuance of this permit due to groundwater monitoring, on-going field investigations, environmental audits and other means.

B. Notification and Assessment Requirements for Newly Identified SWMUs

1. Within fifteen (15) days of the Permittee's discovery of any SWMUs under Condition IV.A.1.e., the Permittee shall notify the Director in writing of such discovery.
2. The Director shall notify the Permittee in writing of the discovery of any SWMUs under Condition IV.A.1.e.
3. Within sixty (60) days of the Permittee's discovery pursuant to Condition IV.B.1. or within sixty (60) days of receipt of the Director's notification under Condition IV.B.2., the Permittee shall submit to the Director the following information for each SWMU:
 - a. Location on a topographic map of appropriate scale as required under 40 CFR 270.14(b)(19);
 - b. Designation of type and function of the unit;
 - c. General dimensions, capacities and structural description (supply any available plans/drawings);
 - d. Dates of that the unit was operated;
 - e. Specification of all wastes that have been managed at/in the SWMU to the extent available; and
 - f. All available information pertaining to any release of hazardous waste, hazardous constituents, or hazardous waste constituents (to include groundwater data, soil analyses, air and/or surface water data).
4. The Director shall review the information submitted pursuant to Condition IV.B.3. and notify the Permittee in writing as to the need for further investigation and /or corrective action as required by Conditions IV.D., IV.F., or IV.G.

C. Notification Requirements for Newly Discovered Releases at Previously Identified SWMUs

1. Within thirty (30) days of the Permittee's discovery of a previously unidentified release(s) from any SWMU identified under IV.A., the Permittee shall notify the Director in writing of such discovery.
2. The Director shall notify the Permittee in writing of the discovery of any previously unidentified release(s) from any SWMU previously discovered under Condition IV.A.

3. Within one hundred eighty (180) days of the date of the Permittee's discovery under Condition IV.C.1. or within one hundred eighty (180) days of the date of receipt of the Director's notification under IV.C.2., the Permittee, if requested by the Director, shall submit to the Director a RCRA Facility Investigation Work Plan pursuant to Condition IV.F.

D. Verification Investigation

1. The Director may require the Permittee to submit a Verification Investigation (VI) Work Plan for any SWMU discovered under Condition IV.A.1.e. on a schedule to be determined by the Director. The VI Work Plan shall describe all actions necessary to verify the presence or absence of a release from any SWMU discovered after the date of issuance of this permit. The VI Work Plan shall include a schedule of implementation, which includes intermediate milestones beginning with the Permittee's receipt of the Director's written approval of the VI Work Plan continuing through submission of the VI Report required by Condition IV.D.3.
2. Upon receipt of the Director's written approval of the VI Work Plan, the Permittee shall implement the Work Plan in accordance with the schedule of implementation contained therein.
3. The Permittee shall submit a VI Report in accordance with the schedule of implementation contained within the approved VI Work Plan. The VI Report shall describe all actions taken to verify the presence or absence or releases including all data collected during the VI. The Director shall review the VI Report and notify the Permittee in writing of the need for further investigation and/or corrective action pursuant to Condition IV.F. and/or IV.G.

E. Interim Measures (IM)

Upon the Director's concurrence, the Permittee may conduct interim measures to contain, remove or treat contamination resulting from releases from any SWMU or AOC as necessary to protect human health and the environment. Such interim measures may be conducted concurrently with any investigations required by this permit.

F. RCRA Facility Investigation (RFI)

1. Within one hundred and eighty (180) days of the date of receipt of the Director's written request with respect to any SWMU identified pursuant to Condition IV.A.1. or written notice pursuant to Conditions IV.B.4., IV.C.3. and/or IV.D.3., the Permittee shall submit to the Director a complete RFI Work Plan.
2. The RFI Work Plan shall provide a description of the specific actions necessary to determine the nature and extent of releases from any SWMU identified by Condition IV.A.1., IV.B.4., IV.C.3. and IV.D.3., including potential migration pathways for those 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 Work Plan. Such deletions are subject to the approval of the Director.

3. The RFI Work Plan shall include a schedule of implementation, which includes intermediate milestones beginning with the Respondent's receipt of the Director's written approval of the RFI Work Plan and continuing through submission of the RFI Report required by Condition IV.F.4. Upon approval by the Director the Permittee shall implement the RFI Work Plan in accordance with the schedule contained in the approved Work Plan.
4. The Permittee shall submit a complete RFI Report in accordance with the schedule of implementation contained in the approved RFI Work Plan. The Report shall provide a summary of all activities undertaken during the RFI to implement the approved Work Plan. The Report shall provide a complete description of the nature and extent of all releases evaluated during the RFI including sources, migration pathways, actual or potential receptors and applicable background concentrations. The RFI Report 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 Work Plan, or such action is not necessary to protect public health or the environment.
5. The Director shall review the RFI Report required under Condition IV.F.4. and notify the Permittee in writing of the need for further investigation and/or corrective action as required by Condition IV.G. and 40 CFR 264.101(a).

G. Corrective Action: General

1. Within one hundred eighty (180) days of the Permittee's receipt of the Director's written notice referenced in Condition IV.B.4., IV.D.3., or IV.F.5. the Permittee shall submit a Corrective Action Plan (CAP) to the EPD. The CAP shall provide a description of the corrective measures to be taken with regard to releases from any SWMU identified in Condition IV.B.4., IV.D.3. or IV.F.4. as necessary to protect human health and the environment. The CAP shall be submitted as a request for permit modification in accordance with 40 CFR 270.42.
2. The CAP shall include a schedule of implementation, intermediate milestones beginning with the approval of the permit modification requested pursuant to Condition IV.K. and continuing through the post-closure period.
3. The CAP shall include a calculation of the cost of the proposed corrective action, an explanation of how the Permittee intends to demonstrate financial responsibility for the proposed corrective action, and applicable financial statement(s). The Permittee shall be required to formally demonstrate financial responsibility for such

corrective action, as required by 40 CFR 264.101(b), within thirty (30) days of the date the Director issues a modified permit incorporating the CAP.

H. Post Closure Care Corrective Action Program for CVR Unit, SWMUs and AOCs

1. The Permittee shall perform corrective action as described in Condition IV.G. above.
2. The Permittee is required to:
 - a. Conduct a corrective action program for releases to groundwater originating from the CVR Unit and/or SWMUs and AOCs to remove or treat in place any hazardous constituents that exceed concentration limits in Table 1 in groundwater, or such alternative standard as may be approved in writing by EPD, between the point of compliance and the downgradient property boundary as required under 40 CFR 264.100(e)(1); and
 - b. Conduct corrective action beyond the property boundary for releases to groundwater originating from the CVR Unit and/or SWMUs and AOCs 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. Compliance Period for CVR Unit and/or SWMUs and AOCs
 - a. The compliance period under 40 CFR 264.96 shall continue until the end of the post-closure care period established by Condition III.C. and defined in 40 CFR 264.117.
 - b. 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.
 - c. If the Permittee is engaged in a corrective action program at the end of the compliance period as defined in Condition IV.H.3.a above, the compliance period is extended until corrective action as required under 40 CFR 264.100 has been terminated, as specified in Condition IV.H.9.
4. The Permittee is not relieved of all responsibility to clean up a release to groundwater from the CVR Unit and/or SWMUs and AOCs that has migrated beyond the facility's boundary where off-site access is denied as required under 40 CFR 264.100(e)(2).

5. The corrective action system for the CVR Unit and/or SWMUs and AOCs must be installed and operated in such a manner as to mitigate the release of any hazardous waste, hazardous constituent(s) or hazardous waste constituent(s) to the environment.
6. The corrective action system for the CVR Unit and/or SWMUs and AOCs must be installed and operated in a manner so as to preclude further migration of the contaminant plume.
7. The Permittee shall treat, store, and dispose of all contaminated groundwater in accordance with all applicable federal, state and local laws.
8. Compliance with the groundwater protection standard, as defined under Condition III.B. will be based upon groundwater monitoring data obtained under Condition III.D.2. 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 utilizing the statistical procedure described in 40 CFR 264.97(h) and (i).
9. If the groundwater protection standard is not met during the compliance period, the Permittee must continue corrective action for the CVR Unit and/or SWMUs and AOCs 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 consecutive years, as required under 40 CFR 264.100(f).
10. The Permittee shall operate and maintain in good working order recovery wells RW-3A, RW-4, RW-5, RW-7, RW-8, RW-9, MW-3, H, and RW-12 in a manner designed to achieve the purpose of the CAP as referenced in Section IV.H.
11. The Permittee shall install, operate, and maintain additional recovery wells as necessary to achieve the purpose of the CAP as referenced in Section IV.H.
12. The Permittee shall insure that adequate arrangements are made with either the Permittee's resources or outside contractors to insure continuous operation of the recovery wells and treatment system. Except as required for operation and maintenance activities, all shutdowns of one or more recovery wells or treatment systems must be reported to the EPD by telephone within twenty-four (24) hours, and confirmed in writing within three (3) days.
13. The Permittee may suspend the operation of any recovery well(s) required pursuant to Section IV.H.10 or IV.H.11., for such period of time to be specified and agreed to by the Permittee and EPD, to perform any test, evaluation or study of groundwater conditions, constituents of concern or the performance of the corrective action system, upon written approval by EPD.

I. Schedule of Compliance

1. All plans and reports required by this Section are subject to the approval of the Director prior to implementation. The Director shall specify in writing any deficiencies of any plan and/or report submitted by the Permittee pursuant to this Section of the permit, including a schedule for resubmission of revised documents to address said deficiencies. The Permittee shall address all comments and concerns included in the Director's written notice of deficiency and submit revised documents in accordance with the schedule approved by the Director.
2. For any schedule of implementation required by this Section, if the time required to complete any interim activity is more than one (1) year, the schedule shall specify interim dates for the submission of reports of progress towards satisfaction of the interim requirements.
3. All plans and reports shall be submitted in accordance with the approved schedule. Extensions of the due date for the submittal of any plan or report pursuant to the approved schedule or otherwise required by the permit may be granted by the Director based on the Permittee's demonstration that sufficient justification for the extension exists. Extensions of over thirty (30) days must be requested in writing.
4. Upon approval by the Director, all plans and reports shall be enforceable as Conditions of this Permit. If at any time the Permittee determine that any plan, report or schedule required under this Section no longer satisfies the requirements of this permit or 40 CFR 264.101, the Permittee must submit an amended plan, report or schedule to the Director within thirty (30) days of such determination.
5. If at any time the Director determines that any plan, report or schedule required under this Section no longer satisfies the requirement of this permit or 40 CFR 264.101, the Director will so notify the Permittee in writing and request that an amended plan, report or schedule be submitted within sixty (60) days of such determination.

J. Permit Modification

1. If required to develop a corrective action plan under Condition IV.G., the Permittee shall apply for a permit modification pursuant to 40 CFR 270.42 to incorporate the plan into the permit.
2. If at any time the Permittee determines that the corrective action plan(s) no longer satisfies the requirements of 40 CFR 264.101 or Condition IV.H. for releases of hazardous constituent(s) originating from a the CVR Unit, SWMU or AOC, the Permittee must within one hundred eighty (180) days, submit an application for a permit modification to make any appropriate changes in the plan(s).

3. If the Permittee meets or exceeds the requirements of 40 CFR 264.101 and Condition. III.B. for three (3) consecutive years for any SWMU or AOC, the Permittee may submit an application for permit modification pursuant to 40 CFR 270.42 to the Director to discontinue the active portion of the corrective action plan(s) and to establish an alternate groundwater monitoring program for that unit(s).

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TABLE 1. GROUNDWATER PROTECTION STANDARD

<u>Hazardous Constituent</u>	<u>Concentration Limit (mg/L)</u>
<i>Volatile Organic Compounds</i>	
benzene	0.005
chlorobenzene	0.1
chloroethane	Background*
1,1-dichloroethane	Background*
1,1-dichloroethene	0.007
cis-1,2-dichloroethene	0.007
isopropylbenzene	Background*
naphthalene	Background*
n-butylbenzene	Background*
n-propylbenzene	Background*
sec-butylbenzene	Background*
tert-butylbenzene	Background*
tetrachloroethene	0.005
trichloroethene	0.005
vinyl chloride	0.002
<i>Dioxins and Furans</i>	
OCDD**	Background*

* To be determined according to procedures specified in 40 CFR 264.97

**POC Well Annually

TABLE 2. GROUNDWATER MONITORING WELL PROGRAM			
Well	Monitoring Schedule	Required Analysis	Comments
<i>Area 1</i>			
4	Semi-Annual	All Table 1 Constituents*	POC Well
C	Semi-Annual	All Table 1 Constituents*	POC Well
MW-4	Semi-Annual	All Table 1 Constituents*	POC Well
2-PL	Annual	All Table 1 Constituents	
5	Annual	All Table 1 Constituents	
A	Annual	All Table 1 Constituents	
G	Annual	All Table 1 Constituents	
H	Annual	All Table 1 Constituents	
I	Annual	All Table 1 Constituents	
MW-1	Annual	All Table 1 Constituents	
MW-2	Annual	All Table 1 Constituents	
MW-3	Annual	All Table 1 Constituents	
MW-7/B-11	Annual	All Table 1 Constituents	
MW-AOC-10	Biennial	All Table 1 Constituents	
RW-3A	Annual	All Table 1 Constituents	
RW-9	Annual	All Table 1 Constituents	
1	Semi-Annual	Water Level and Product Measurements	
2	Semi-Annual	Water Level and Product Measurements	
3	Semi-Annual	Water Level and Product Measurements	
B	Semi-Annual	Water Level and Product Measurements	
D	Semi-Annual	Water Level and Product Measurements	
E	Semi-Annual	Water Level and Product Measurements	
F	Semi-Annual	Water Level and Product Measurements	
J	Semi-Annual	Water Level and Product Measurements	
MW-5	Semi-Annual	Water Level and Product Measurements	
MW-6	Semi-Annual	Water Level and Product Measurements	
MW-AOC-13	Semi-Annual	Water Level and Product Measurements	
MW-AOC-14	Semi-Annual	Water Level and Product Measurements	
MW-AOC-8	Semi-Annual	Water Level and Product Measurements	
PZ-18R	Semi-Annual	Water Level and Product Measurements	
PZ-RW-11	Semi-Annual	Water Level and Product Measurements	
RW-4	Semi-Annual	Water Level and Product Measurements	
RW-5	Semi-Annual	Water Level and Product Measurements	
RW-7	Semi-Annual	Water Level and Product Measurements	

TABLE 2. GROUNDWATER MONITORING WELL PROGRAM			
Well	Monitoring Schedule	Required Analysis	Comments
RW-7A	Semi-Annual	Water Level and Product Measurements	
RW-8	Semi-Annual	Water Level and Product Measurements	
<i>Area 2</i>			
MW-L1	Annual	All Table 1 Constituents	
MW-L9**	Annual	All Table 1 Constituents	
MW-L6	Biennial	All Table 1 Constituents	
MW-D5	Biennial	All Table 1 Constituents	
MW-L2	Semi-Annual	Water Level and Product Measurements	
<i>Area 3</i>			
MW-UG	Semi-Annual	All Table 1 Constituents	Background Well
MW-D2	Semi-Annual	Water Level and Product Measurements	
PZ-20	Semi-Annual	Water Level and Product Measurements	
PZ-21	Semi-Annual	Water Level and Product Measurements	
PZ-24A	Semi-Annual	Water Level and Product Measurements	
PZ-26A	Semi-Annual	Water Level and Product Measurements	
PZ-RW-12	Semi-Annual	Water Level and Product Measurements	
PZ-RW-14	Semi-Annual	Water Level and Product Measurements	
RW-12	Semi-Annual	Water Level and Product Measurements	
RW-14	Semi-Annual	Water Level and Product Measurements	
<i>Area 5</i>			
MW-7-1	Annual	All Table 1 Constituents	
MW-D4	Annual	All Table 1 Constituents	
RW-15	Semi-Annual	Water Level and Product Measurements	
RW-16	Semi-Annual	Water Level and Product Measurements	
RW-17	Semi-Annual	Water Level and Product Measurements	
RW-18	Semi-Annual	Water Level and Product Measurements	

Notes:

* POC wells will be tested on an annual rotating basis for Appendix IX parameters.

** Well will only be sampled when a sheen is not detected.

ATTACHMENT A-1
SOLID WASTE MANAGEMENT UNITS (SWMUs) WHICH REQUIRE
FURTHER INVESTIGATION AT THIS TIME

None

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**ATTACHMENT A-2
SOLID WASTE MANAGEMENT UNITS (SWMUs) WHICH REQUIRE NO
FURTHER ACTION AT THIS TIME**

SWMU Number	SWMU Name
8	East End Fill Area

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ATTACHMENT A-3
SOLID WASTE MANAGEMENT UNITS (SWMUs) WHICH ARE REGULATED UNITS

SWMU Number	SWMU Name
2a	Former Varsol Underground Piping
2b	Former Varsol Tank System

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ATTACHMENT A-4
SOLID WASTE MANAGEMENT UNITS (SWMUs) WHICH REQUIRE
CORRECTIVE ACTION AT THIS TIME

SWMU Number	SWMU Name
1	Underground Storage Tanks A-F
3	Wastewater Treatment Plant
4	Fuel Storage Tank, Defueling Tank, and Fueling-Defueling Pits
5	Settling Pond
6	Old Plating Shop Floor Pits
7	Bay 5 Extension Fuel Tank

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