

APPENDIX XX

SUBPART CC COMPLIANCE PLAN

FOR

EVOQUA WATER TECHNOLOGIES

PARKER REACTIVATION FACILITY

PARKER, ARIZONA

Revision 6
July 2014

Subpart CC Compliance Plan

Hazardous Waste Treatment, Storage and Disposal Facilities
and Hazardous Waste Generators; Organic Air Emission
Standards for Tanks, Surface Impoundments and Containers

Evoqua Water Technologies

Parker, Arizona

Revision 6
July 2014

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Evoqua Water Technologies

Subpart CC Compliance Plan

1. Introduction

This document summarizes the applicable air emission standards that apply to tanks, surface impoundments and containers used to manage hazardous waste relative to the Evoqua Water Technologies, Parker, Arizona facility under the U.S. Environmental Protection Agency (EPA) final Subpart CC regulations, and provides the plan to assure compliance with these standards. As discussed below, the Subpart CC regulations specifically exempt waste management operations performed in tanks and containers that comply with the National Emission Standards for Benzene Waste Operations promulgated by the EPA under the Section 112 of the Clean Air Act - National Emission Standards for Hazardous Air Pollutants (NESHAP), codified at 40 CFR Part 61, Subpart FF.

2. Facility Description

A detailed description of the facility operations is provided in Section D of the facility's Part B application dated April 2012.

3. Management Summary of Rule Requirements

Under Section 3004(n) of the authority of the Resource Conservation and Recovery Act (RCRA), the EPA has established standards to control air emissions from hazardous waste treatment, storage and disposal facilities as may be necessary to protect human health and the environment. Briefly, the EPA has established air emission standards for the following hazardous waste management units:

- **Process Vents** - referred to as Subpart AA regulations (codified at 40 CFR §264.1030, *et seq.* For permitted Treatment Storage and Disposal Facilities (TSDF) and 40 CFR §265.1030, *et seq.* for TSDFs allowed to manage hazardous waste under interim status.)
- **Equipment Leaks from Pumps, Valves and Compressors** - referred to as Subpart BB regulations (codified at 40 CFR §264.1050, *et seq.* or permitted Treatment Storage and Disposal Facilities (TSDF) and 40 CFR §265.1050, *et seq.* for TSDFs allowed to manage hazardous waste under interim status.

- **Tanks, Surface Impounds and Containers** - referred to as Subpart CC regulations (codified at 40 CFR §264.1080, *et seq.* or permitted Treatment Storage and Disposal Facilities (TSDF) and 40 CFR §265.1080, *et seq.* for TSDFs allowed to manage hazardous waste under interim status.)¹

None of the waste management units at the facility are subject to Subpart AA or BB. Briefly, the facility is not subject to Subpart AA as there are no process vents associated with distillation, fractionation, thin-film evaporation, solvent extraction, or air or steam stripping (§265.130). Evoqua has conducted a waste determination and has determined that the organic loading of materials currently being managed at the facility is less than 10% by weight. Therefore the RCRA Subpart BB standards do not apply. Information regarding the waste determination is presented in Appendix XIX of the Part B Application. (§265.1050(b)). This compliance plan deals only with EPA Subpart CC standards that apply to tanks, surface impounds and containers that manage hazardous waste at the facility.

Relative to the Parker facility, the facility manages wastes in tanks and containers but not in surface impoundments. The tanks at the facility that are used for waste management are exempt from *all* Subpart CC emission control, monitoring, sampling, testing, reporting and record keeping requirements *provided* the facility certifies that these waste management units are equipped and operated with air emission controls in accordance with the Benzene Waste Operations NESHAP (40 CFR §61.340, *et seq.*). The final standards, as amended on November 25, 1996 provide in pertinent part that:

(b) The requirements of this subpart [Subpart CC] do not apply to the following waste management units at the facility:

* * * * *

(7) A hazardous waste management unit that the owner or operator certifies is equipped with and operating air emission controls in accordance with the requirements of an applicable Clean Air Act regulation codified under 40 CFR 60, 61 or part 63. For the purpose of complying with this paragraph, a tank for

¹ Subpart CC regulations have a lengthy regulatory history. Briefly, the final standards were originally promulgated on December 6, 1994 (59 FR 69826). The final rule caused much confusion and met with substantial opposition from the regulated community. The effective date of the rule was extended on three separate occasions (60 FR 26828, May 19, 1995; 60 FR 56952, November 13, 1995 and 61 FR 28508, June 5, 1996); EPA issued three subsequent final interpretive ruling to clarify Subpart CC requirements and to request additional public comment (60 FR 41870, August 14, 1995 and 61 FR 4903, February 9, 1996 and 61 FR 59932, November 25, 1996).

which the air emission control includes an enclosure, as opposed to a cover, must be in compliance with the enclosure and control device requirements of §265.1085(l), except as provided in §265.1080(c)(5). [40 CFR §265.1080(b)(7)]

A tank or container for which all hazardous waste entering the unit has an average volatile organic (VO) concentration at the point of waste origination of less than 500 parts per million by weight (ppmw) is subject to Subpart CC, but is exempt from air emissions control requirements (§265.1082(c)). The average VO concentration is to be determined either by sampling and testing as directed by Subpart CC or by operator knowledge of the waste (§264.1084). If test data are used as the basis for knowledge, then the operator must document the test method, sampling protocol, and the means by which sampling and analytic variability are accounted for in determination of average VO concentration (§265.1084(b)(4)(ii)). Operators that rely on average VO concentration in a hazardous waste to exempt a unit from air emission controls must review and update, as necessary, this determination at least once every 12 months following the initial determination ((§265.1082(c)(1)).

For containers at the facility that are used for waste management, those that contain hazardous waste with an average VO concentration greater than 500 ppmw (and are not subject to the Benzene Waste NESHAP) must comply with prescribed air emission control requirements, testing, monitoring and reporting provisions of Subpart CC (§§265.1085-1088). Currently, only certain containers at the facility meet these prerequisites and are subject to air control requirements of Subpart CC. This plan applies to those containers as described below.

4. Evoqua Water Technologies Subpart CC Compliance Plan

The Subpart CC compliance plan for the Evoqua Water Technologies facility identifies three types of waste management units:

- Waste management units (containers) that are regulated per Subpart CC requirements:
- Waste management units that are exempt from Subpart CC requirements because they are otherwise regulated under the Benzene Waste Operation NESHAP; and
- Waste management units that have a volatile organic (VO) concentration less than 500 ppmw, and are therefore exempt from the Subpart CC air emissions control requirements ((§§265.1085-1087). Record keeping and monitoring requirements under Subpart CC apply to these exempt units §265.1082(c)(1 and 1090(f)).

Compliance requirements for each of these categories of waste management units is

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discussed below.

4.1 Subpart CC Applicability

4.1.1 Tanks Standards

Under the final Subpart CC regulations, tanks that are equipped with and comply with the Benzene Waste Operations NESHAP (Subpart FF) are exempt from all Subpart CC requirements (see 40 CFR §265.1080(b)(7)). Therefore, the facility will demonstrate compliance with Subpart CC regulations by assuring that all tanks used to manage hazardous waste are equipped with appropriate air emission controls as required by, and operate in compliance with, Subpart FF.

4.1.2 Container Standards 40 CFR 264.1086 (c)

For containers that are not regulated under Subpart FF, a variety of container types are used to store and manage spent carbon at the Facility. All of these containers, including bulk bags, drums, various types of spent carbon adsorption vessels, and other portable vessels, must meet the performance standards for containers in 40 CFR §264.1086 when managing Subpart CC regulated hazardous waste. This section applies only to those containers not regulated under Subpart FF.

1. Container Requirements for Subpart CC

- A. Containers with a design capacity less than or equal to 26.4 gallons are exempt from Subpart CC requirements. 40 CFR §264.1080(b)(2).
- B. Containers with a design capacity greater than 26.4 gallons and no more than 119 gallons are subject to Level 1 controls.
- C. Containers with a design capacity of greater than 119 gallons that are not in light material service are subject to Level 1 controls.
- D. Containers with a design capacity of greater than 119 gallons that are in light material service are subject to Level 2 controls.
- E. Containers with a design capacity of greater than 26.4 gallons that are used for treatment of a hazardous waste by a waste stabilization process are subject to Level 3 controls. The Facility does not treat hazardous waste in containers using a waste stabilization process and therefore Level 3 controls are not further discussed.

In light material service is defined as managing a material for which both of the following conditions apply: (i) the vapor pressure of one or more of the organic constituents in the material is greater than 0.3 kPa at 20° C; and (ii) the total concentration of the pure organic constituents having a vapor pressure great than 0.3 kPa at 20° C is equal to or greater than 20 percent by weight. 40 CFR §265.1081.

4.1.2.1 Containers - Level 1 Controls.

For containers subject to Level 1 controls, the Facility complies with Subpart CC as follows:

- A. All Level 1 containers are subject to the following requirements:
 - (i) Level 1 containers must be compliant with US DOT hazardous material packaging requirements - *i.e.*, these containers meet the requirements of 49 CFR Parts 178 and 179, and waste is managed in accordance with 49 CFR Parts 107 (subpart B), 172, 173 and 180 (no exceptions to 178 or 179 are allowed for this purpose) (see 40 CFR §264.1086(f)); or
 - (ii) Level 1 containers must be equipped with a cover and closure devices that form a continuous barrier such that there are no visible holes, gaps or other open spaces.
- B. All containers are inspected upon receipt (on or before the date of acceptance at the Facility), and repairs are conducted where defects are observed, as follows:
 - (i) visual inspections are conducted to ensure the containers are equipped with a cover and closure devices that form a continuous barrier over the container openings such that when the cover and closure devices are secured in a closed position there are no visible cracks, holes, gaps or other open spaces into the interior of the containers. 40 CFR §264.1086(c)(1)(ii) and 264.1086(c)(4)(i); and
 - (ii) visual inspections also confirm that the containers meet the applicable US DOT requirements on packaging hazardous materials for transportation in 49 CFR Parts 107, 172, 173, 178, and 180. 40 CFR §264.1086(d)(i) and 1086(f) see 40 CFR §264.1086(c)(1)(i)); and
 - (iii) where defects in containers are detected, the Facility makes first

attempts to repair no later than 24 hours from detection and completes repair with as soon as possible and in any event within 5 calendar days, or alternatively transfers the waste to an intact container or tank.

- C. Where containers are initially placed in service at the Facility, the inspection occurs when the cover is applied to the container. If containers were to remain in use at the Facility for a period of one year or more, the Facility would conduct a visual inspection at least once every 12 months as discussed in item A above. (Since storage of hazardous waste is currently prohibited for more than one year, these inspections are not anticipated.) See 40 CFR §264.1086(c)(4)(ii).
- D. The Facility's operating practice is to only open containers subject to Level 1 controls for the following reasons:
 - (i) to remove wastes in a continuous process until the container is RCRA empty (40 CFR §261.7(b)); or to remove waste in batches, in which case containers are closed upon completion of the batch removal for 15 minutes or if the operator leaves the immediate vicinity;
 - (ii) to perform routine activities other than waste transfer, provided that the containers are promptly closed; and
 - (iii) to open a safety device to avoid an unsafe condition.

4.1.2.2 Containers - Level 2 Controls

For containers subject to Level 2 controls, the Facility complies with Subpart CC as follows:

- A. All Level 2 containers are subject to the following requirements:
 - (i) Level 2 containers must be compliant with US DOT hazardous material packaging requirements - *i.e.*, containers meet the requirements of 49 CFR Parts 178 and 179, and waste is managed in accordance with 49 CFR Parts 107 (subpart B), 172, 173 and 180 (no exceptions to 178 or 179 are allowed for this purpose) (see 40 CFR §264.1086(f)); or
 - (ii) Level 2 containers must be tested upon receipt to confirm that they operate with no detectable organic emissions as determined through Method 21.

- B. All containers are inspected upon receipt (on or before the date of acceptance at the Facility), and repairs are conducted where defects are observed, as follows:
- (i) visual inspections confirm that the containers are equipped with a cover and closure devices that form a continuous barrier over the container openings such that when the cover and closure devices are secured in a closed position there are no visible cracks, holes, gaps or other open spaces into the interior of the containers. 40 CFR §264.1086(d)(4)(i);
 - (ii) visual inspections also confirm that the containers meet the applicable US DOT requirements on packaging hazardous materials for transportation in 49 CFR Parts 107, 172, 173, 178, and 180. 40 CFR §264.1086(d)(i) and 1086(f); and
 - (iii) where defects in containers are detected, the Facility makes first attempts to repair no later than 24 hours from detection and completes repair with as soon as possible and in any event within 5 calendar days, or alternatively transfers the waste to an intact container or tank. 40 CFR §264.1086(d)(4)(iii).
- C. Where a container is initially placed in service at the Facility, the inspection occurs when the cover is applied to the container. 61 Fed. Reg. 59947. If containers remain in use at the Facility for a period of one year or more, the Facility conducts a visual inspection at least once every 12 months as discussed in item B above. (Since storage of hazardous waste is currently prohibited for more than one year, these annual inspections are not anticipated.) 40 CFR §264.1086(d)(4)(ii).[
- D. All transfers of hazardous waste subject to Subpart CC out of a container is conducted to minimize exposure of the waste to the atmosphere, to the extent practical, considering the physical properties of the waste and good engineering and safety practices for handling the wastes.

4.1.2.3 Container Recordkeeping

Level 1 and Level 2 containers are subject to very limited recordkeeping requirements under Subpart CC. See 61 Fed. Reg. 59947 (Nov. 25, 1996). The facility's Waste Tally sheet is used to document that the containers meet USDOT and visual inspection requirements.

Listed below, in Table 1, are the waste management units at the facility that are potentially

subject to Subpart CC requirements, together with the applicable Benzene NESHAP Subpart FF requirement:

Table 1

I.D. NO.	DESCRIPTION	APPLICABLE SUBPART FF STANDARD (40 CFR §)	COMMENTS
N/A	Spent Carbon Containers Subject to Subpart FF	§61.345	Subpart FF wastes are stored in drums and other containers. All RCRA drums and containers received at the facility that are also regulated under Subpart FF are managed as Subpart FF-affected wastes.
N/A	Debris Bin and Associated Drums.	§61.345 §61.34(f)	All RCRA waste drums at the facility are managed as Subpart FF-affected wastes. Benzene wastes shipped offsite must meet container and offsite shipment requirements.
H-1 H-2	Spent carbon unloading hoppers, Nos. 1 and 2.	§61.348	Both hoppers H-1 and H-2 receive spent carbon from containers and are managed as Subpart FF-affected units. Emissions from these hoppers are directed to WS-2.
T-1	Spent Carbon Storage Tank	§61.343	Tank T-1 is managed as a Subpart FF-affected unit. Tank vapors are controlled by carbon adsorber (WS-1).
I.D. NO.	DESCRIPTION	APPLICABLE SUBPART FF STANDARD (40 CFR §)	COMMENTS
	Spent Carbon Storage		Tank T-2 is managed as a Subpart

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T-2	Tank	§61.343	FF-affected unit. Tank vapors are controlled by carbon adsorber (WS-1).
T-5	Spent Carbon Storage Tank	§61.343	Tank T-5 is managed as a Subpart FF-affected unit. Tank vapors are controlled by carbon adsorber (WS-1).
T-6	Spent Carbon Storage Tank	§61.343	Tank T-6 is managed as a Subpart FF-affected unit. Tank vapors are controlled by carbon adsorber (WS-1).
T-11	Scrubber/Recycle/Boiler and Cooling Tower Blow- Down Water Storage Tank	§61.342(c)	Exempt from treatment since benzene concentration is less than 10 ppmw.
T-19	Packed Bed Scrubber Recirculation Tank	§61.342(c)	Exempt from treatment since benzene concentration is less than 10 ppmw.
RF-2 AB-2	Reactivation Furnace No.2 and Afterburner No. 2	§61.348	Regenerated carbon must contain less than 10 ppmw benzene and the unit must meet 99+% benzene destruction efficiency.
WS-1	Carbon Adsorber No.1	§61.349	Carbon canister, used to control volatile emissions from Tanks T-1, T-2, T-5, T-6, and T-9.
WS-2	Carbon Adsorber No.2	§61.349	Carbon canister, used to control volatile emissions from Hoppers H-1 and H-2.
WS-3	Carbon Adsorber No.3	§61.349	Carbon canister, used to control volatile emissions from Tank T-18 (T-18 is not a RCRA-regulated tank).

Listed below, in Table 2, are the waste management units at the facility that are subject to Subpart CC requirements as they are not regulated under Subpart FF.

Table 2

I.D. NO.	DESCRIPTION	APPLICABLE SUBPART CC STANDARD (40 CFR §)	COMMENTS
N/A	Spent Carbon Containers	40 CFR 264.1086 (c)	All non-FF RCRA containers received at the facility are managed in accordance with the applicable portions of the US DOT hazardous material packaging requirements - <i>i.e.</i> , for containers, 49 CFR Parts 178 and for waste, 49 CFR Parts 107 (subpart B), 172, 173 and 180 (no exceptions to 178 or 179 are allowed for this purpose) (see 40 CFR §264.1086(f)). Each container is equipped with a cover and/or closure devices that form a continuous barrier such that there are no visible holes, gaps or other open spaces.

As summarized above, all process units, debris bins and waste management containers at the facility are subject to the Benzene Waste NESHAPs with the exception Tanks T-19 and T-11. Tank T-19 recirculates water to the packed bed scrubber and is the introduction point for makeup water added to the scrubber system. City water is used for makeup. Tank T-11 collects scrubber water blow down, cooling water blow down, boiler blow down and excess recycle water. T-11 is therefore potentially subject to regulation under Subpart CC, as it is not regulated under the Benzene Waste Operations NESHAP.

4.2 Waste Management Units Exempt From Subpart CC Control Requirements

As summarized in Section 4.1, Tank T-11 is subject to Subpart CC because it is not is not regulated under the Benzene Waste Operations NESHAP, and not otherwise exempt under §265.1080. As demonstrated below, Tank T-11 is not subject to the Subpart CC air emission control requirements because the average VO concentration in the waste entering the unit is less than 500 ppmw (§264.1082(c)(1)). Tank T-11 is, however, subject to

monitoring and record keeping requirements (§§265.1082(c)(1) and 1090(f)(1)), which are discussed below.

4.3 VO Concentration Determination Procedures

4.3.1 Initial VO Concentration Determination

Operator knowledge provides the basis to conclude that the average VO concentration of hazardous waste entering Tank T-11 is less than 500 ppmw from T-9. The following test data from sampling previously conducted confirm that the average VO concentration of waste entering Tank T-11 is less than 500 ppmw:

- On November 30, 1994, the facility sampled the recycle water that drains from Tank T-12 to Tank T-11. Samples were collected from the process line that connects these two tanks. This sampling point was selected to assure that the sample will be representative of the VO concentration at the point of generation. A sample cannot be obtained directly from T-11, as the tank also receives scrubber water blow down, boiler blow down and cooling tower blow down. Further, obtaining a sample from the process line assures that there will be no gravitational or phase separation of VO constituents, which may bias the sample.
- On February 22, 1994, December 19, 1994 and October 12, 1995, the facility sampled the water discharged from Tank T-11 prior to discharge, under permit, to the sanitary sewer. This sampling point was selected as representative of the average VO concentration at the point of discharge.

The sample collection and handling procedures were in accordance with EPA Publication No. SW-846, "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", as amended by Update I, November 15, 1992. Briefly, screw cap VOA vials with Teflon lined silicone septa were used to collect the sample. Care was taken to assure that no air bubbles were entrained in the vial prior to closure. Samples were preserved as required in the applicable methods, stored at 4° C, and analyzed within holding times. Concentration of VO constituents were determined by EPA Methods 8260 (volatile organics), 8270 (semi-volatile organics), 8080 (organochlorine pesticides and PCBs) and 8015 (GC/FID Alcohol Screen).

Total VO concentration reported in each of these four sampling events are summarized in Table 2, below:

Table 3

Summary of VO Concentration Reported in Prior Sampling of Tank T-11

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Sampling Event	Reported Total VO Concentration
November 30, 1994	519 µg/l
February 22, 1994	Below Detection Limits
December 19, 1994	22 µg/l
October 12, 1995	23 µg/l

4.3.2 Future VO Concentration Determinations

The facility must review, and as necessary, update this VO determination every 12 months (§265.1082(c)(1)). The annual confirmatory analyses of the annual samples can be found in Appendix B. If the Facility staff determines that the initial VO concentration determination defined in Section 4.2.1 is no longer valid, additional waste determination sampling must be performed. Such sampling must comply with requirements outlined in (§§265.1084(a)(2) and (3), which are briefly summarized below:

- Must identify and record the point of origination for the hazardous waste (§265.1084(a)(3)(I)).
- Sampling must be performed pursuant to a sampling plan, and must meet the following requirements:
 - Identification of where in the process the samples are to be taken.
 - The appropriate averaging period to be used to determine the average VO concentration in the sample. The averaging period cannot exceed one (1) year. Record the date, time and location that each sample is collected and maintain these data in the Subpart CC sampling plan.
 - The sample collection method used to minimize volatilization of organic compounds contained in the sample. At least four (4) samples are required to calculate the average volatile organic concentration.
 - The analytic methods used to determine concentrations of volatile organic compounds. Acceptable analytic methods include: Method 25D, Methods 8260(latest version) and 8270(latest version) as defined in SW-846, Methods 624, 625, 1624 and 1625 as defined in 40 CFR Part 136. If any method aside from Method 25D is used, the facility must demonstrate that all target

compounds in the sample are included amount those compounds listed by the EPA as ones for which the method is considered appropriate. If target compounds are not on this list, additional requirements will apply to the analytic methods (see §265.1084(a)(3)(iii)). The sampling plan must include a quality assurance plan to document the specific procedures used to minimize loss of VO compounds due to volatilization, reaction, biodegradation, or sorption during the sample collection, storage, and preparation steps, and a measurement of the overall accuracy and precision of the specific procedures. Further, if analytic methods other than Method 25D are used, the facility may exclude those organics with a Henry's Law constant values less than 0.1 mole-fraction-in-the-gas-phase/mole-fraction-in-the-liquid-phase. A list of all such compounds is included in Appendix VI to the final Subpart CC regulations.

Sampling locations are shown in Figure 1. A sampling plan is provided in Appendix C. EPA reference analytical methods are shown in Appendix D. Laboratory SOPs for the analytical methods are presented in Appendix E.

4.4 Monitoring Requirements

Provided the VO concentration of liquids contained in Tank T-11 remains below 500 ppmw, the facility must perform the following monitoring of its operations:

- Assure that the facility complies with all applicable requirements as defined in the Benzene Waste Operations NESHAP - Subpart FF.
- Review the waste determination for Tank T-11 on an annual basis, no later than December 4 of each calendar year (see §265.1083(c)(1)).

This section must be updated should either the exemption status of T-11 change or if the applicability determinations for Subpart FF are modified.

4.5 Record Keeping Requirements

The Facility must maintain the following records as part of the Subpart CC Plan:

- Maintain the sampling data attached in Appendix B ((see §265.1090(f)(1)).

This section must be updated should either the exemption status of T-11 change or if the applicability determinations for Subpart FF be modified.

4.6 Reporting Requirements

Under the final regulations promulgated on November 25, 1996, Subpart CC applicability was amended to exempt any hazardous waste management unit that the facility certifies is equipped with and operating air emission controls in accordance with the Benzene Waste Operations NESHAP (Subpart FF). The notification and reporting provisions included in the final Subpart CC regulations do not specifically require that the facility send such a certification to the U.S. EPA (see §265.1090). However, to assure compliance with this revised applicability standard, the facility has made this certification in letter to the U.S. EPA, Region IX. A copy of this letter is attached at Appendix A.

Under 40 CFR Part 270, facilities that manage hazardous waste under interim status must amend their Part B permit application to define the inspection and control systems employed at the facility to comply with Subpart CC requirements. As discussed above, no such inspection or control requirements apply to the facility, as all waste units are either exempt under §265.1080(b)(7), or are exempt from control requirements under §265.1083(c). Thus there is no requirement to modify the Part B permit application for the facility. The letter certifying compliance with Subpart CC advises EPA Region IX that no such modification to the Part B permit application is required for the facility.