

DEPARTMENT OF HEALTH SERVICES

714/744 P STREET
SACRAMENTO, CA 95814



C.T. 019
 Facility: Smilo Chemical)
 Company, Inc.)
 500 Kirkham Street)
 Alameda County)
 Oakland, CA 94607)
 Operator: Barney Smilo)
 500 Kirkham Street)
 Oakland, CA 94607)

INTERIM STATUS DOCUMENT

Number: CAD 029247319

Effective Date: April 6, 1981

Pursuant to Section 25200.5 of the California Health and Safety Code, this Interim Status Document is hereby granted to Barney Smilo subject to the conditions set forth in Attachment A which by this reference is incorporated herein.

Harvey F. Collins
 Harvey F. Collins, Ph.D., Chief
 Environmental Health Branch

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OFFICE OF
 SOLID WASTE MANAGEMENT

ATTACHMENT A

Interim Status Document

Smilo Chemical Company, Inc.
500 Kirkham Street
Alameda County
Oakland, CA 94607

I. GENERAL CONDITIONS

1. Identification and general responsibilities of operator.

Barney Smilo, hereinafter called the operator and/or owner, shall comply with the provisions of the California Health and Safety Code, including Chapter 6.5 of Division 20, and with the Minimum Standards for Management of Hazardous and Extremely Hazardous Wastes (Chapter 30, Division 4, Title 22 of the California Administrative Code). The following requirements set forth in Chapter 30, Division 4, Title 22, California Administrative Code, should be particularly noted:

- (a) The owner or operator shall ensure that the operation of the facility will not imperil public health and safety, wildlife, domestic livestock, or the environment.
- (b) The owner or operator shall allow the California State Department of Health Services or the local health agency to inspect the facility, take samples of wastes, and inspect pertinent records.
- (c) The owner or operator shall maintain the qualified personnel and the equipment necessary to provide for the safe operation of the facility.
- (d) The owner or operator shall notify the California State Department of Health Services of a proposed change in ownership of the facility, in the method of operation of the facility, or of proposed closure of the facility 30 days prior to such event.
- (e) The operator shall report to the California State Department of Health Services, within 24 hours after occurrence, all accidents involving hazardous wastes which resulted in, or could have resulted in, a hazard to public health and safety, wildlife, domestic livestock, or to the environment.

2. Records.

The owner or operator shall file this Interim Status Document at the facility and at his place of business.

3. Operation plan.

Unless he has already done so, the owner or operator shall submit to the California State Department of Health Services within six months of the effective date of this document, an operation plan in accordance with Section 66376, Title 22 of the California Administrative Code.

4. Prohibited acts.

The owner or operator shall not do any of the following acts:

- (a) Treat, store, or dispose of hazardous wastes which are not identified.
- (b) Employ processes not described in the application.
- (c) Make substantial modifications or additions to the facility.

5. Limitation.

The owner or operator shall comply with the conditions of this document and with any new or modified conditions which the California State Department of Health Services deems necessary to protect public health or the environment. A new interim status condition or a modification of an existing interim status condition shall become effective on the date that written notice of such change is received by the owner or operator.

NOTE: Unless explicitly stated otherwise, all cross references to items in this Interim Status Document shall refer only to items occurring within the same Part. All Parts are identified by Roman numerals. The items set forth in each Part shall apply to the owner, operator, and/or facility in addition to the items set forth in any preceding and/or following Part of this document.

II. SPECIAL CONDITIONS

1. Storage in containers.

- (a) Containers used for storing hazardous waste shall be in a condition such that the containers can be safely transported, handled or moved.
- (b) Areas used for storing containers of hazardous waste shall be widely separated, or physical barriers shall be provided to ensure that commingling of incompatible hazardous wastes cannot occur if a container on one pad ruptures.
- (c) A label shall be maintained on all containers in which hazardous wastes are stored for 90 days or more and records for the storage of all hazardous wastes shall be maintained pursuant to Section 66545, Title 22 of the California Administrative Code. Labels shall include the following information:
 - (1) Composition and physical state of the waste;
 - (2) Special safety recommendations and precautions for handling the waste;
 - (3) Statement or statements which call attention to the particular hazardous properties of the waste;
 - (4) Amount of waste and name and address of the person producing the waste; and
 - (5) Date of acceptance at the storage facility.
- (d) Empty containers contaminated with hazardous materials shall be stored, handled, processed and disposed of as hazardous wastes.

2. Transfer of wastes.

- (a) Hazardous wastes shall not be permanently disposed of at the facility.
- (b) All equipment, pipes, and lines used at the facility to handle, transfer, pump, or store hazardous wastes shall be maintained in a manner that prevents the leaking and spilling of hazardous wastes.

3. Management of extremely hazardous wastes.

The operator shall ensure that extremely hazardous wastes are handled in accordance with the terms of an Extremely Hazardous Waste Disposal Permit issued by the California State Department of Health Services, pursuant to Article 7, Chapter 30, Division 4, Title 22, California Administrative Code.

4. Management of powdered wastes.

To prevent hazardous waste from being blown by the wind, hazardous waste in the form of powder, dust or a fine solid shall be handled, treated, stored and disposed of in covered containers or, if the waste is not water reactive, shall be wetted as a slurry.

5. Wastes prohibited.

Hazardous wastes described below shall not be handled at the facility:

- (a) Extremely hazardous wastes as defined in Sections 66064 and 66685, Title 22, California Administrative Code, unless specifically approved by a written permit from the California State Department of Health Services.
- (b) Burning wastes.
- (c) Forbidden and Class A explosives as defined in Sections 173.51 and 173.53, Title 49, Code of Federal Regulations.

6. Management of incompatible wastes.

Each of the following categories of incompatible hazardous wastes shall be adequately separated during all handling, storage, and disposal operations:

- (a) Alkalies and cyanides.
- (b) Acids.
- (c) Toxic wastes, pesticides and flammable wastes.
- (d) Strong oxidizers.

7. Management of pesticide wastes.

The operator shall store, handle, treat and dispose of emptied pesticide containers in accordance with the requirements of Chapter 30, Division 4, Title 22 of the California Administrative Code, and Article 10, Group 3, Subchapter 3, Chapter 4, Title 3 of the California Administrative Code.

8. Public water supply.

If a public water supply is used at the facility, the service connection shall be protected from contamination as specified in Section 7604, Title 17 of the California Administrative Code.

9. Fencing.

The perimeter of the hazardous waste area of the facility shall be secured by a well-maintained fence, capable of preventing the intrusion of livestock and of discouraging entry by unauthorized persons. If the entire facility is appropriately fenced, if the general public does not have access to the hazardous waste area, and if the hazardous waste area is posted with warning signs as described elsewhere in this document, no additional fence shall be required around the hazardous area unless the absence of such a fence could result in a hazard to health, safety, or the environment.

10. Telephone or radio communications.

A telephone or radio for summoning aid in the event of an emergency shall be in workable condition and available for immediate use by personnel working in the hazardous waste area of the facility.

11. Safety showers.

The owner or operator shall provide to personnel working in the hazardous waste area of the facility adequate numbers of safety showers. The safety showers shall be in workable condition and available for immediate use.

12. Eyewashes.

The owner or operator shall provide to personnel working in the hazardous waste area of the facility adequate numbers of eyewashes. The eyewashes shall be in workable condition and available for immediate use.

13. First-aid kit.

The owner or operator shall provide to personnel working in the hazardous waste area of the facility adequate numbers of industrial-type first-aid kits. The kits shall be maintained and available for immediate use.

14. Protective clothing.

The owner or operator shall provide to personnel working in the hazardous waste area of the facility adequate numbers of the following National Institute of Occupational Safety and Health (NIOSH) approved equipment if appropriate:

- (a) Protective head gear and face masks.
- (b) Chemically resistant apparel and gloves.
- (c) Self-contained breathing apparatus and respirators with the approved cartridges.

III. SAFETY, EQUIPMENT, AND EMERGENCY RESPONSE

1. Identification number.

The facility owner or operator shall have an identification number issued by the U.S. Environmental Protection Agency (EPA).

2. Notices.

(a) If the owner or operator has arranged to receive hazardous waste from a foreign source, he shall notify the California State Department of Health Services in writing at least four weeks in advance of the date that the waste is expected to arrive at the facility. Notice of subsequent shipments of the same waste from the same foreign source is not required.

(b) Before transferring ownership or operation of the facility during its operating life or during the post-closure care period, the owner or operator shall notify the new owner or operator in writing of the conditions of this document.

3. Analysis of waste.

(a) (1) Before the owner or operator treats, stores, or disposes of a particular type of hazardous waste for the first time, he shall obtain a detailed chemical and physical analysis of a representative sample of the waste. At a minimum, this analysis shall contain all the information which must be known to treat, store, or dispose of the waste in accordance with the conditions of this document.

(2) The analysis may include data developed for other purposes, and existing published or documented data on the hazardous waste or on waste generated from similar processes.

(3) The analysis shall be repeated as necessary to ensure that it is accurate and up-to-date. At a minimum, the analysis must be repeated when the owner or operator is notified, or has reason to believe, that the process or operation generating the hazardous waste has changed.

(b) Upon the effective date of this document, the owner or operator shall follow a written waste analysis plan which describes the procedures which will be used to comply with Item 3 (a). The plan shall be subject to approval by the California State Department of Health Services and shall be kept at the facility. At a minimum, the plan shall specify:

- (1) The parameters for which each hazardous waste will be analyzed and the rationale for the selection of these parameters;
- (2) The test methods which will be used to test for these parameters;
- (3) The sampling method which will be used to obtain a representative sample of the waste to be analyzed. A representative sample may be obtained using either:
 - (i) One of the sampling methods described in Appendix I, Part 261, Title 40, Code of Federal Regulations; or
 - (ii) An equivalent sampling method approved by the California State Department of Health Services.
- (4) The frequency with which the initial analysis of the waste will be reviewed or repeated to ensure that the analysis is accurate and up-to-date;
- (5) Where applicable, the methods which will be used to meet any additional waste analysis requirements for specific waste management methods as specified elsewhere in this document.

4. Security.

- (a) The owner or operator shall prevent the unknowing entry, and minimize the possibility for the unauthorized entry, of persons or livestock onto the active portion of the facility.
- (b) The facility shall have:
 - (1) A 24-hour surveillance system which continuously monitors and controls entry onto the active portion of the facility; or
 - (2) (i) An artificial or natural barrier which completely surrounds the active portion of the facility and which would prevent unauthorized entry; and
 - (ii) A means to control entry, at all times, through the gates or other entrances to the active portion of the facility (e.g., an attendant, television monitors, locked entrance, or controlled roadway access to the facility).

- (c) Upon the effective date of this document, a sign with the legend, "Caution - Hazardous Waste Area - Unauthorized Persons Keep Out," shall be posted at each entrance to the active portion of the facility, and at other locations, in sufficient numbers to be seen from any approach to this active portion. The legend shall be written in English and Spanish, "Cuidado! Zona De Residuos Peligrosos. Prohibida La Entrada A Personas No Autorizadas", and shall be legible from a distance of at least 25 feet. Existing signs with a legend other than "Caution - Hazardous Waste Area - Unauthorized Persons Keep Out" may be used if the legend on the sign indicates that only authorized personnel are allowed to enter the active portion, and that entry onto the active portion can be dangerous.

5. Inspections.

- (a) The owner or operator shall inspect the facility for malfunctions and deterioration, operator errors, and discharges which may be causing--or may lead to--release of hazardous waste constituents to the environment or a threat to human health. The owner or operator shall conduct these inspections often enough to identify problems in time to correct them before they harm human health or the environment.
- (b) (1) The owner or operator shall follow a written schedule for inspecting all monitoring equipment, safety and emergency equipment, security devices, and operating and structural equipment (such as dikes and sump pumps) that are important to preventing, detecting, or responding to environmental or human health hazards.
- (2) The schedule shall be subject to approval by the California State Department of Health Services.
- (3) He shall keep this schedule at the facility.
- (4) The schedule shall identify the types of problems (e.g., malfunctions or deterioration) which are to be looked for during the inspection (e.g., inoperative sump pump, leaking fitting, eroding dike, etc.).
- (5) The frequency of inspection may vary for the items on the schedule. However, it shall be based on the rate of

possible deterioration of the equipment and the probability of an environmental or human health incident if the deterioration or malfunction or any operator error goes undetected between inspections. Areas subject to spills, such as loading and unloading areas shall be inspected daily when in use. At a minimum, the inspection schedule shall include the items and frequencies called for elsewhere in this document.

- (c) The owner or operator shall remedy any deterioration or malfunction of equipment or structures which the inspection reveals on a schedule which shall be subject to approval by the California State Department of Health Services and which shall ensure that the problem does not lead to an environmental or human health hazard. Where a hazard is imminent or has already occurred, remedial action shall be taken immediately.
- (d) The owner or operator shall record inspections in an inspection log or summary. He shall keep these records for at least three years from the date of inspection. At a minimum, these records shall include the date and time of the inspection, the name of the inspector, a notation of the observations made, and the date and nature of any repairs or other remedial actions.

6. Personnel training.

- (a) (1) Facility personnel shall successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the conditions of this document. The owner or operator shall ensure that this program includes all the elements described under Item 6 (a)(3).
- (2) This program shall be directed by a person trained in hazardous waste management procedures, and shall include instruction which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed.
- (3) At a minimum, the training program shall be designed to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment, and emergency systems, including where applicable:
 - (i) Procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment;
 - (ii) Key parameters for automatic waste feed cut-off systems;

- (iii) Communications or alarm systems;
 - (iv) Response to fires or explosions;
 - (v) Response to ground-water contamination incidents;
and
 - (vi) Shutdown of operations.
- (b) Facility personnel shall have successfully completed the program required in Item 6 (a) by the effective date of this document or within six months after the date of their employment or assignment to a facility, or to a new position at a facility, whichever is later. Employees hired after the effective date of this document shall not work in unsupervised positions until they have completed the training requirements of Item 6 (a).
- (c) Facility personnel shall take part in an annual review of the initial training required in Item 6 (a).
- (d) The owner or operator shall maintain the following documents and records at the facility:
- (1) The job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job.
 - (2) A written job description for each position listed under Item 6 (d)(1). This description may be consistent in its degree of specificity with descriptions for other similar positions in the same company location or bargaining unit, but shall include the requisite skill, education, or other qualifications, and duties of facility personnel assigned to each position;
 - (3) A written description of the type and amount of both introductory and continuing training that will be given to each person filling a position listed under Item 6 (d) (1); and
 - (4) Records that document that the training or job experience required under Items 6 (a), (b), and (c) has been given to, and completed by, facility personnel.
- (e) Training records on current personnel as required in Item 6 (d) 4 shall be kept until closure of the facility. Training records on former employees shall be kept for at least three years from the date the employee last worked at the facility. Personnel training records may accompany personnel transferred within the same company.

7. Ignitable, reactive, or incompatible wastes.

- (a) The owner or operator shall take precautions to prevent accidental ignition or reaction of ignitable or reactive waste. This waste shall be separated and protected from sources of ignition or reaction. While ignitable or reactive waste is being handled, the owner or operator shall confine smoking and open flame to specially designated locations. "No Smoking" signs shall be conspicuously placed wherever there is a hazard from ignitable or reactive waste.
- (b) The treatment, storage, or disposal of ignitable or reactive waste, and the mixture or commingling of incompatible wastes, or incompatible wastes and materials shall be conducted so that it does not:
 - (1) Generate extreme heat or pressure, fire or explosion, or violent reaction;
 - (2) Produce uncontrolled toxic mists, fumes, dusts, or gases in sufficient quantities to threaten human health;
 - (3) Produce uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosions;
 - (4) Damage the structural integrity of the device or facility containing the waste; or
 - (5) Through other like means threaten human health or the environment.

8. Maintenance and operation of facility.

The facility shall be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

9. Testing and maintenance of equipment.

All facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, shall be tested and maintained as necessary to ensure its proper operation in time of emergency.

10. Required aisle space.

The owner or operator shall maintain aisle space as needed to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency.

11. Arrangements with local authorities.

(a) Upon the effective date of this document, the owner or operator shall attempt to make the following arrangements, as appropriate for the type of waste handled at the facility and the potential need for the services of these organizations:

- (1) Arrangements to familiarize police, fire departments, and emergency response teams with the layout of the facility, properties of hazardous waste handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to roads inside the facility, and possible evacuation routes;
- (2) Where more than one police and fire department might respond to an emergency, agreements designating primary emergency authority to a specific police and a specific fire department, and agreements with any others to provide support to the primary emergency authority;
- (3) Agreements with State emergency response teams, emergency response contractors, and equipment suppliers; and
- (4) Arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility and the types of injuries or illnesses which could result from fires, explosions, or releases at the facility.

(b) Where State or local authorities decline to enter into such arrangements, the owner or operator shall document the refusal in the operating record.

12. Purpose and implementation of contingency plan.

(a) Upon the effective date of this document, the owner or operator shall have a contingency plan for the facility. The contingency plan shall be subject to approval by the California State Department of Health Services and shall be designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water.

- (b) The provisions of the plan shall be carried out immediately wherever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment.

13. Content of contingency plan.

- (a) The contingency plan shall describe the actions facility personnel shall take to comply with Items 12 and 17 in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility.
- (b) If the owner or operator has already prepared some other emergency or contingency plan, he need only amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with the conditions of this document.
- (c) The plan shall describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services pursuant to Item 13.
- (d) The plan shall list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator (see Item 18), and this list shall be kept up to date. Where more than one person is listed, one shall be named as primary emergency coordinator and others shall be listed in the order in which they will assume responsibility as alternates.
- (e) The plan shall include a list of all emergency equipment at the facility (such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment), where this equipment is required. This list shall be kept up to date. In addition, the plan shall include the location and a physical description of each item on the list, and a brief outline of its capabilities.
- (f) The plan shall include an evacuation plan for facility personnel where there is a possibility that evacuation could be necessary. This plan shall describe signal(s) to be used to begin evacuation routes, and alternate evacuation routes (in cases where the primary routes could be blocked by releases of hazardous wastes or fires).

14. Copies of contingency plan.

A copy of the contingency plan and all revisions to the plan shall be:

- (a) Maintained at the facility; and
- (b) Submitted to the California State Department of Health Services and to all local police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services.

15. Amendment of contingency plan.

The contingency plan shall be reviewed, and immediately amended, if necessary, whenever:

- (a) Applicable regulations are revised;
- (b) The plan fails in an emergency;
- (c) The list of emergency coordinators changes; or
- (d) The list of emergency equipment changes.

16. Emergency coordinator.

At all times, there shall be at least one employee either on the facility premises or on call (i.e., available to respond to an emergency by reaching the facility within a short period of time) with the responsibility for coordinating all emergency response measures. This emergency coordinator shall be thoroughly familiar with all aspects of the facility's contingency plan, all operations and activities at the facility, the location and characteristics of waste handled, the location of all records within the facility, and the facility layout. In addition, this person shall have the authority to commit the resources needed to carry out the contingency plan.

17. Emergency procedures.

- (a) Whenever there is an imminent or actual emergency situation, the emergency coordinator (or his designee when the emergency coordinator is on call) shall:
 - (1) Immediately activate internal facility alarms or communication systems, where applicable, to notify all facility personnel;
 - (2) Immediately notify appropriate State or local agencies with designated response roles if their help is needed; and
 - (3) Notify the California State Department of Health Services by telephone or telegraph within 24 hours of occurrence.

- (b) Whenever there is a release, fire, or explosion, the emergency coordinator shall immediately identify the character, exact source, amount, and areal extent of any released materials. This may be done by observation or review of facility records or manifests and, if necessary, by chemical analysis.
- (c) Concurrently, the emergency coordinator shall assess possible hazards to human health or the environment that may result from the release, fire, or explosion. This assessment shall consider both direct and indirect effects of the release, fire, or explosion (e.g., the effects of any toxic, irritating, or asphyxiating gases that are generated, or the effects of any hazardous surface water run-offs from water or chemical agents used to control fire and heat-induced explosions).
- (d) If the emergency coordinator determines that the facility has had a release, fire, or explosion which could threaten human health, or the environment, outside the facility, the findings shall be reported as follows:
- (1) The emergency coordinator shall immediately notify either the government official designated as the on-scene coordinator for that geographical area (in the applicable regional contingency plan under Part 1510, Title 40, Code of Federal Regulations), or the National Response Center (using their 24-hour toll free number: 800/424-8802). The report shall include:
 - (i) Name and telephone number of reporter;
 - (ii) Name and address of facility;
 - (iii) Time and type of incident (e.g., release, fire);
 - (iv) Name and quantity of material(s) involved, to the extent known;
 - (v) The extent of injuries, if any; and
 - (vi) The possible hazards to human health, or the environment, outside the facility.
 - (2) If his assessment indicates that evacuation of local areas may be advisable, appropriate local authorities shall be notified immediately. The emergency coordinator shall be available to help appropriate officials decide whether local areas should be evacuated.
- (e) During an emergency the emergency coordinator shall take all reasonable measures necessary to ensure that fires, explosions, and releases do not occur, recur, or spread to other hazardous

waste at the facility. These measures shall include, where applicable, stopping processes and operations, collecting and containing released waste, and removing or isolating containers.

- (f) If the facility stops operations in response to a fire, explosion or release, the emergency coordinator shall monitor for leaks, pressure buildup, gas generation, or ruptures in valves, pipes, or other equipment, wherever this is appropriate.
- (g) Immediately after an emergency, the emergency coordinator shall provide for treating, storing, or disposing of recovered waste, contaminated soil or surface water, or any other material that results from a release, fire, or explosion at the facility.
- (h) The emergency coordinator shall ensure that, in the affected area(s) of the facility:
 - (1) No waste that may be incompatible with the released material is treated, stored, or disposed of until cleanup procedures are completed; and
 - (2) All emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed.
- (i) The owner or operator shall notify the California State Department of Health Services and local authorities, that the facility is in compliance with Item 17 (h) before operations are resumed in the affected area(s) of the facility.
- (j) The owner or operator shall note in the operating record the time, date, and details of any incident that requires implementing the contingency plan. Within 30 days after the incident, he shall submit a written report on the incident to the California State Department of Health Services. The report shall include:
 - (1) Name, address, and telephone number of the owner or operator;
 - (2) Name, address, and telephone number of the facility;
 - (3) Date, time, and type of incident (e.g., fire, explosion);
 - (4) Name and quantity of material(s) involved;
 - (5) The extent of injuries, if any;

- (6) An assessment of actual or potential hazards to human health or the environment, where this is applicable; and
- (7) Estimated quantity and disposition of recovered material that resulted from the incident.

IV. RECORDKEEPING

1. Operating record.

- (a) The owner or operator shall keep a written operating record at the facility.
- (b) The following information shall be recorded, as it becomes available, and maintained in the operating record until closure of the facility:
 - (1) A description and the quantity of each hazardous waste received, and the method(s) and date(s) of its treatment, storage, or disposal at the facility;
 - (2) The location of each hazardous waste within the facility and the quantity at each location. This information shall include cross-references to specific manifest document numbers, if the waste was accompanied by a manifest;
 - (3) Records and results of waste analyses and trial tests performed;
 - (4) Summary reports and details of all incidents that require implementing the contingency plan;
 - (5) Records and results of inspections (except these data need be kept only three years);
 - (6) Monitoring, testing or analytical data where required; and
 - (7) All closure cost estimates.

2. Availability, retention, and disposition of records.

- (a) All records including plans, required in this document shall be furnished upon request, and made available at all reasonable times for inspection, by any officer, employee, or representative of the California State Department of Health Services who is duly designated by the Director;
- (b) The retention period for all records required in this document is extended automatically during the course of any unresolved enforcement action regarding the facility or as requested by the California State Department of Health Services;

- (c) A copy of records of waste disposal locations and quantities in Item 1 (b)(2) shall be submitted to the California State Department of Health Services and local land authority upon closure of the facility.

3. Annual report.

The owner or operator shall prepare and submit a single copy of an annual report to the California State Department of Health Services by March 1 of each year beginning March 1, 1982. The annual report shall cover facility activities during the previous calendar year and shall include the following information:

- (a) The EPA identification number, name, and address of the facility;
- (b) The calendar year covered by the report;
- (c) A description and the quantity of each hazardous waste the facility received during the year;
- (d) The method of treatment, storage, or disposal for each hazardous waste;
- (e) Monitoring data where required;
- (f) The most recent closure cost estimate;
- (g) The certification signed by the owner or operator of the facility or his authorized representative.

4. Additional reports.

In addition to submitting the annual report required in Item 3, the owner or operator shall also report to the California State Department of Health Services:

- (a) Releases, fires, and explosions;
- (b) Ground-water contamination and monitoring data;
- (c) Facility closure.

V. CLOSURE

1. Closure.

The owner or operator shall close his facility in a manner that: (a) minimizes the need for further maintenance, and (b) controls, minimizes or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous waste constituents, leachate, contaminated rainfall, or waste decomposition products to the ground water, or surface waters, or to the atmosphere.

2. Closure plan and amendment of plan.

- (a) The owner or operator shall have a written closure plan. This plan shall be subject to approval by the California Regional Water Quality Control Board and shall be kept at the facility. This plan shall identify the steps necessary to close the facility completely at any point during its intended life and at the end of its intended life. The closure plan shall include, at least:
- (1) A description of how and when the facility will be partially closed, if applicable, and ultimately closed. The description shall identify the maximum extent of the operation which will be unclosed during the life of the facility, and how Item 1 and other applicable conditions of this document will be met;
 - (2) An estimate of the maximum inventory of wastes in storage or in treatment at any given time during the life of the facility;
 - (3) A description of the steps needed to decontaminate facility equipment during closure; and
 - (4) A schedule for final closure which shall include, as a minimum, the anticipated date when wastes will no longer be received, the date when completion of final closure is anticipated, and intervening milestone dates which will allow tracking of the progress of closure. (For example, the expected date for completing treatment or disposal of waste inventory shall be included, as must the planned date for removing any residual wastes from storage facilities and treatment processes.)

- (b) The owner or operator may amend his closure plan at any time during the active life of the facility. (The active life of the facility is that period during which wastes are periodically received.) The owner or operator shall amend his plan any time changes in operating plans or facility design affect the closure plan.
- (c) The owner or operator shall submit his closure plan to the California Regional Water Quality Control Board at least 180 days before the date he expects to begin closure. The California Regional Water Quality Control Board will modify, approve, or disapprove the plan within 90 days of receipt and after providing the owner or operator and the affected public (through a newspaper notice) the opportunity to submit written comments.
3. Time allowed for closure.
- (a) Within 90 days after receiving the final volume of hazardous wastes, the owner or operator shall treat all hazardous wastes in storage or in treatment, or remove them from the site, or dispose of them on-site, in accordance with the approved closure plan.
- (b) The owner or operator shall complete closure activities in accordance with the approved closure plan and within six months after receiving the final volume of wastes. The California Regional Water Quality Control Board may approve a longer closure period under Item 2 (c) if the owner or operator can demonstrate that: (1) the required or planned closure activities will, of necessity, take him longer than six months to complete, and (2) that he has taken all steps to eliminate any significant threat to human health and the environment from the unclosed but inactive facility.
4. Disposal or decontamination of equipment.
- When closure is completed, all facility equipment and structures shall have been properly disposed of, or decontaminated by removing all hazardous waste and residues.
5. Certification of closure.
- When closure is completed, the owner or operator shall submit to the California Regional Water Quality Control Board certification both by the owner or operator and by an independent registered professional engineer that the facility has been closed in accordance with the specifications in the approved closure plan.

VI. FINANCIAL RESPONSIBILITY

I. Cost estimate for facility closure.

- (a) The owner or operator shall have a written estimate of the cost of closing the facility in accordance with the applicable closure requirements of this document. The owner or operator shall keep this estimate, and all subsequent estimates, at the facility. The estimate shall equal the cost of closure at the point in the facility's operating life when the extent and manner of its operation would make closure the most expensive, as indicated by its closure plan.
- (b) The owner or operator shall prepare a new closure cost estimate whenever a change in the closure plan affects the cost of closure.
- (c) On each anniversary of the effective date of this document, the owner or operator shall adjust the latest closure cost estimate using an inflation factor derived from the annual Implicit Price Deflator for Gross National Product as published by the U.S. Department of Commerce in its *Survey of Current Business*. The inflation factor shall be calculated by dividing the latest published annual Deflator by the Deflator for the previous year. The result is the inflation factor. The adjusted closure cost estimate shall equal the latest closure cost estimate (see Item 1(b)) times the inflation factor.

VII. STORAGE OF CONTAINERS

1. Condition.

If a container holding hazardous waste is not in good condition, or if it begins to leak, the owner or operator shall transfer the hazardous waste from this container to a container that is in good condition, or manage the waste in some other way that complies with the conditions of this document.

2. Compatibility of waste.

The owner or operator shall use a container made of or lined with materials which will not react with, and are otherwise compatible with, the hazardous waste to be stored, so that the ability of the container to contain the waste is not impaired.

3. Management.

(a) A container holding hazardous waste shall remain closed during storage, except when it is necessary to add or remove waste.

(b) A container holding hazardous waste shall not be opened, handled, or stored in a manner which might rupture the container or cause it to leak.

4. Inspections.

The owner or operator shall inspect areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors.

5. Ignitable or reactive waste.

Containers holding ignitable or reactive waste shall be situated at least 15 meters (50 feet) from the property line of the facility.

6. Incompatible wastes.

(a) Incompatible wastes, or incompatible wastes and materials, shall not be placed in the same container, unless the requirements of Item 7 (b), Part III of this document are met.

(b) Hazardous waste shall not be placed in an unwashed container that previously held an incompatible waste or material unless the requirements of Item 7 (b), Part III of this document are met.

- (c) A storage container holding a hazardous waste that is incompatible with any waste or other materials stored nearby in other containers, piles, open tanks, or surface impoundments shall be separated from the other materials or protected from them by means of a dike, berm, wall, or other device.