ATTACHMENT 2

SUMMARY OF RCRA PERMIT APPEAL ISSUES

6/30/94

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SUMMARY OF RCRA PERMIT APPEAL ISSUES

Facility and Appeal Number	Region	Corrective Action Issues						Other RCRA Issues			
		RFI Conditions									
		Too Vague	Not Justified	Technically Inappropriate	Def. of SWMU	Due Process	Other Corrective Action Issues	Procedural Issues	Level of Detail	Joint Permitting	Miscellaneous Other
DuPont 86-1	III		●		●		(compliance schedule)				(recordkeeping and reporting)
Allied-Baltimore 86-4	III	●			●	●	(previous submittal of remedial investigation, risk assessment, gwm plans; financial assurance demonstration)			●	
American Cyanamid-Willow Island 86-4A	III				●						
Texaco Research Center Beacon 86-5	II	●	●			●				●	(definition of facility boundaries; other specific conditions)
Vulcan Materials 87-1	VII					●	(use of existing data and reports; compliance schedule; submittal of bi-monthly progress reports)			●	(permitting of incinerators under TSCA; other PCB-related issues; storage of off-site wastes; clarification of waste streams)
Heritage Environ Services 87-4	V							●	●	●	(inspection of and liquid removal from secondary leachate collection system; soil thickness of final cover)
Allied-Metropolis 87-6	V	●	●		●	●	(sampling requirements)	●			(surface impoundment requirements)
Sandoz Chemicals 87-7	IV	●	●			●	(corrective action for newly-discovered SWMUs)				(duration of permit; definition of "solid waste")
3M 87-8	V	●	●	●		●	(RFI work plan provisions; NPDES discharges; definition of "facility")			●	
Mobay-Kansas City 87-9	VII					●					
Mobay-Bushy Park 87-10	IV					●					
Erieway 87-11	V									●	(compliance with Part 264 standards)
CWM-Emelle 87-12	IV							●	●		(compliance with RCRA and NEPA specific unit design and operating standards)
Hoechst Celaness-Greer 87-13	IV	●	●		●	●	(definition of "contamination")	●	●		

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SUMMARY OF RCRA [illegible]RMIT APPEAL ISSUES (cont'd)

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Ecolotec 87-14	V										(facility location; ground-water monitoring and sampling requirements)
Interstate Lead 87-16	IV										(compliance with liability requirements)
Pacific Gas & Electric 87-18	IX						(parameters for gwm; ground-water terminology)	●			(surface impoundment retrofitting)
Shell Oil-Deer Park 87-19	VI										(surface impoundment retrofitting)
Monsanto Agricultural 88-1	VI		●		●	●	(use of term "disposal areas," format of draft report; detail in RFI work plan)	●		●	
Utah Power & Light 88-2	X		●								(force majeure provision; non-compliance situations; incorporation of applicable standards; ground-water monitoring)
Navajo Refining 88-3	VI	●	●				(submittal of preliminary report)			●	
CWM-Kettleman Hills 88-4	IX					●		●	●		(closure schedule; vague language; use of MCLs)
CID 88-5	V	●	●	●		●	(off-site monitoring, trigger levels)	●	●	●	(manifests; testing waste shipments)
Chem-Security Systems 88-6	X			●			(modification of cost estimates)	●	●		("harmless" condition, record of wastes)
Eli Lilly 88-7	V								●		(storage for recovery of Part 268 restricted wastes; waiver from storage prohibition; storage of PCBs)
Waste Tech Services 88-8	V							●			(level and effectiveness of monitoring; health effects/hazards associated with current facility operations and demonstration; hazardous waste storage transport, and volume, insurance, conflict of interest)
Pearl Harbor Public Works Center 88-9	X										(location; additional safety considerations)

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Amerada Hess (Port Reading) 88-10	II		●		●		(financial assurance)				(legal name of permittee)
American Cyanamid-Westwego 88-11	VI		●		●			●	●	●	(submittal of plans; gw protection standards; closure of surface impoundments; tank treatment)
L-TEC Company 88-12	IV		●		●						
USX Corporation 88-13	V									●	(permit denial)
Environ. Waste Control 88-14	V							●			(bases for permit denial)
Ross Incineration Services 88-15	V							●			(storage or treatment at new or modified units; incinerator test performance requirements; emission plans; typographical error)
CWM-Emelle 88-16	IV							●			(omnibus provision, carbon monoxide limitations; feed rate of metals)
ThermalKEM 88-17	IV							●		●	(metals limitations on incinerator waste feed)
Olin Corp-BAAP 88-18	V										(permitting of government-owned, contractor-operated (GOCO) facility operators)
UT-Pratt & Whitney West Palm Beach 88-19	IV		●				(release reporting requirements)				
Tennessee Eastmari 88-20	IV		●		●	●	(definition of "hazardous constituent;" regulation of fly ash; notification of additional SWMUs)			●	(requirement to provide information, reporting planned changes; anticipated noncompliance)
Dayton-Walther 88-21	V							●			(permit denial; compliance with financial responsibility requirements; submittal of waste analysis plans)
American Cyanamid-Santa Rosa 88-22	IV				●						

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CECOS Intl.-Williamsburg 88-23	V							●			(permit denial)
Marathon Petroleum-Robinson 88-24	V	●	●	●			(applicability of RCRA corrective action)				
CWM of Indiana 88-25	V	●					(choice of ground-water monitoring parameters)	●		●	(effective date of permit; various land disposal restrictions conditions; waste stabilization testing; minimum technology requirements)
Texaco Refining & Marketing-Wyoming 88-26	VIII							●			(denial of RCRA operating permit)
Sherwin-Williams 88-27	VII		●		●	●		●			(failure to incorporate agreed upon changes in permit)
Thermal Oxidation 88-28	IV		●					●			(metals emission limits)
Hughes Aircraft-AFP 44 88-29	IX										(inadequate ground-water monitoring; evidence of radioactive contamination; permitting of a closed unit)
Frontier Oil & Refining 88-30	VIII							●			(permit denial)
Westinghouse Electric 88-31	III							●			(erroneous information, Agency consistency; testing and monitoring; exceeding NPDES limits, transportation and disaster response, air quality guidelines)
Mare Island Naval Shipyard 88-32	IX							●		●	(Regional authority to issue a conditional final permit; denial of conditional permit; Federal facilities revision of closure plan; demand for post-closure permit, landfill foundation)
Union Carbide Caribe-PR 88-33	II						(deadline for installation and operation of a recovery well system)				
UT-Pratt & Whitney-Middletown 88-34	I		●	●		●	(denial of ACL demonstration)	●		●	(length of permit)

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IT Corp -Imperial Valley 88-35	IX							●	●		(waste analysis and sampling; reporting; construction certification)
Schuykill Metals 88-36	VII	●	●	●	●	●	(submission of work plans; financial assurance for corrective action)	●		●	
Rhone-Poulenc Ag 88-37	III	●	●		●	●	(submission of work plans and reports)	●		●	(incorrect citations)
National Steel-Midwest Steel Div. 88-38	V						(submittal of information on newly-discovered SWMUs, financial assurance; clean closure versus corrective action)	●			(land disposal ban recordkeeping requirements; acceptance of off-site waste; new landfill notification and technical standards requirements; boundary of the existing landfill)
Texaco Refining & Marketing-Texas 88-39	VI		●		●	●		●		●	(applicability of permit modification procedures)
Envirosafe Serv. of Ohio 88-40	V		●				(need for an additional RCRA Facility Assessment)	●		●	(financial responsibility; gw monitoring; level of specificity in permit; air emissions; compliance schedules; inspection and personnel training requirements; decontamination of waste hauling vehicles; emergency provisions; requirements for non-hazardous materials; limitation of design flexibility; revised statistical analysis protocol; waste analysis plan; recordkeeping and reporting requirements; unseverable permit conditions; closure/post-closure requirements)
Envirosafe Serv. of Idaho 88-41	X		●			●	(financial assurance)	●			(sampling and testing methods; monitoring frequency; reconstruction of piezometers; use of field, trip, and matrix blank data)
Union Carbide Sistersville 88-42	III		●		●		(use of PQLs as triggers for investigations; reporting time frames; applicability of Part 264 Subpart F gwm requirements to SWMUs)	●			(duty to provide information; measurement of leachate collection action rates; notification deadlines; unit closure)

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CECOS Intl. Westlake 88-43	VI		●	●			(additional gw recovery and monitoring wells; work plan time frames; gwps; laboratory and bench-scale studies; leachate collection system modification)	●		●	
Conoco Inc 88-44	VI		●	●		●	(gwm parameters)			●	(reporting frequency; receipt of wastes from other Conoco facilities)
Hytek Finishes 88-45	X							●			(transfer of property and permit responsibilities)
Sun Refining & Marketing Co 88-46	VI		●		●	●	(cost-effectiveness as a criterion for remedy selection)				
CA Thermal Treatment (CTTS) 88-47	IX							●			(applicability of NEPA EIS requirements to RCRA; applicant's history of noncompliance; environmental hazards associated with facility operations; timing of submittals)
Shell Oil-Anacortes 88-48	X		●		●						
Amoco Performance Products 89-1	V						(management of waste residues generated by the previous facility)				(location standards; contingency planning for highway emergencies)
Hess Oil Virgin Islands 89-2	II		●		●		(scope of work for corrective action activities; financial assurance for corrective action)	●			(land treatment unit monitoring; extension of time for commencement of closure)
Hoechst Celanese-Rock Hill 89-3	IV	●	●		●	●		●		●	(waste minimization certification; land disposal restrictions)
BP Chemicals America, Inc 89-4	V									●	(burning of hydrogen cyanide vapor, incinerator cutoff provisions and other operating requirements, requirements for deepwell treatment; pre-1987 facility submittals; dilution of restricted waste; classification of reactive wastes; changes in the final permit)
Sohio Oil-Toledo 89-5	V							●			(denial of operating permit for landfarms)

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American Cyanamid-Charlotte 89-6	IV		●	●			(definition of "contamination" and "contaminant release")				
International Paper 89-7	VII		●		●		(definition of "contamination" and "corrective action;" standards for corrective action for solid waste management units; termination of ground-water monitoring)				
American Cyanamid-Kalamazoo 89-8	V		●		●						
Marathon Petroleum-Garyville 89-9	VI		●			●	(inconsistent references to solid waste management units)	●		●	
Texaco Refining & Marketing and Star Enterprise-Convent 89-10	VI							●		●	
Texas Ecologists 89-11	VI							●		●	
Texas Refining & Marketing-Anacortes 89-12	X		●	●	●						(personal liability)
BP Oil-Ferndale 89-13	X										(State portion of the permit)
GE-Arkansas City 89-14	VII	●	●		●	●	(definition issues related to corrective action; applicability/appropriateness of other RFI/CMS conditions and terms; air characterization requirements)	●		●	
ThermalKEM-Rock Hill 89-15	IV							●			(incinerator feed rate)
BP Oil-Lima 89-17	V							●			(basis of the permit denial)
Avganic Industries 89-18	V	●	●					●			
Allied-Signal Birmingham 89-19	IV	●	●		●	●	(delegation of Agency responsibilities to private parties)	●		●	

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RMI Extrusion 89-20	V						(ground-water assessment)	●			(emergency planning and response; capacity and structural integrity of the containment system; storage and inspection of mixed radioactive waste; health concerns for worker safety)
Safety-Kleen-Elgin 89-21	V							●	●		(allowable changes to Class 2 permit modification application; technical appropriateness of certain permit conditions; vagueness of certain permit conditions)
GSX Services-SC 89-22	IV		●		●			●	●	●	(duration of permit; due process issues associated with submittal and approval of the waste analysis plan and leachate collection system plan; waste testing for compliance with the land disposal restrictions; compliance with minimum technology requirements and performance standards; exposure information provisions; imposition of facility location standards; leak detection system requirements; definition of leachate)
Safety-Kleen-Elgin 89-23	V							●	●		(allowable changes to Class 1 permit modification application; technical closure issues; vagueness of certain permit conditions)
CWM-Carylss 89-24	VI		●			●	(requirement to perform a CMS; remedy selection; use of Appendix IX ground-water monitoring parameters to characterize releases from SWMUs)				
Cargill 89-25	IX							●		●	(basis for permit denial)
Chevron USA 89-26	III		●		●					●	(incinerator feed rate limitations)
WMI 89-27	V	●				●					
WR Grace 89-28	I	●				●	(schedule of compliance)	●			

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BFGoodrich 89-29	IV		●		●		(release reporting and recordkeeping requirements)	●			(reporting requirements for planned facility changes)
M&T Chemicals 89-30	IV							●			(imposition of metals feed limitations)
Burroughs Wellcome 89-31	IV		●				(definition of "solid waste")	●			(limitations on toxic metals feeds; testing requirements; errors in the permit)
Velsicol Chemical 89-32	IV							●			(limitations on toxic metals feeds)
Coplay Cement 89-33	V		●		●	●					(errors in the permit; other plan requirements)
Ashland Chemical 89-34	IX							●			(duration of the permit; requirements to perform a second trial burn and a partial repeat trial burn; schedule for submittal of the second trial burn plan and results)
SD Warren 89-35	I		●	●			(media protection standards; corrective action beyond the facility boundary)				
Eliskim 89-36	IV		●								
Owen Electric 89-37	IV	●	●		●		(definition of corrective action; applicability of waste minimization to SWMUs; reporting requirements)	●		●	(applicability of LDRs)
Morrison-Knudsen 89-38	X			●							(statistical significance; post-closure care requirements; inspection schedule)
Monsanto-Queeny 89-39	VII	●			●		(definitional concerns; schedule of compliance)			●	(errors in the permit)
Hercules/DOA-RAAP 89-40	III		●			●	(lack of appropriated funds)	●			(incinerator lead feed rate; joint permittees)
Allied-Signal-Hopewell 89-41	III				●	●		●			(technical appropriateness of metals feed rate limitations)
Sentinel 89-42	VI						(financial assurance; well location, installation, and construction; ground-water protection standards; ground-water monitoring for additional constituents)	●			(liability requirements; ground-water monitoring well assessment)

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Oil & Solvent 90-1	IX		●			●		●			
PPG Industries 90-2	VI	●	●		●	●	(submission of preliminary corrective action report)	●		●	(reporting requirements for waste minimization)
Allied-Signal-SC 90-3	IV		●		●	●	(references to "permitted" solid waste management units; definition of contamination; requirement for an RFI work plan for newly-identified SWMUs; notification provisions)			●	
LCP Chemicals-NC 90-4	IV		●								
U.S. Dept. Navy 90-5	V										
Squibb Mfg.-PR 90-6	II							●			(restrictions on the storage of dioxin waste) (inclusion of the caloric incinerator as interim status unit; other incineration provisions; minor amendments)
Olin Corp-LA 90-7	VI		●			●		●			
Hercules-NJ 90-7A	II		●				(time frame for data submission)	●		●	
Tenneco 90-8	II						(chemical standards; quality assurance program; interim measures; minor edits to the HSWA permit)			●	
Wayne & Michigan Disposal 90-9 & 90-9A	V		●				(corrective action provisions not in the draft permit)	●	●	●	(permit conditions that are technically inappropriate; inclusion of Ford as permittee; waste testing for compliance with LDRs)
Olin Corp-IL 90-10	V	●	●		●		(solid waste management areas; indicator constituents; RFI implementation schedule; reporting requirements; force majeure provision; dispute resolution provision)				
CWMI 90-11	IX							●			
Los Alamos 90-12	VI							●			(regulation of radionuclides)

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Chevron Chemical-Louisiana 90-13	VI		●		●						
American Cyanamid 90-14	VII							●			(CO limitations: incineration of non-hazardous wastes, testing of waste feed cutoff system: zero variances; schedule for submittal of incinerator information, submittal of plans for approval, schedule for secondary containment; anticipated closure completion date; approval of D001 and D002 wastes; container storage requirements; volume limitations for container storage; definition of hazardous waste; permit modifications)
Chevron Chemical-California 90-15	IX							●			(waste feed limitation, mass feed rates of toxic metals, source reduction and recycling requirements; monitoring requirements; cumulative risk assessment, reapplication requirements; other corrections)
Shell Oil-California 90-16	IX							●			(technical issues associated with conducting the trial burn, dioxin and furan emissions, recycling requirements for toluene, off site sources of hazardous waste)
Morton Inter 90-17	IV		●		●						
Georgia Gulf 90-18	VI	●	●		●	●		●		●	
Southern Wood Piedmont Co 90-19	IV		●		●	●	(remediation restrictions)	●	●		(designation of facility owner compliance with HSWA as a defense to other orders)
T&S Brass & Bronze Works 90-20	IV		●	●	●	●		●			(waste minimization certification)
Romic Chemical Corp 90-21	IX							●		●	(impact of facility expansion on the environment, impact of facility expansion on ground water, inconsistencies in the permit and supporting documents)

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Pitman-Moore Inc 90-22	V	●	●	●		●	(financial assurance for corrective action; schedule for corrective action tasks; revision to reflect proposed rule language)			●	(inspector entry, force majeure; reporting requirements; designation of facility operator)
Atochem North America 90-23	IV							●		●	
GMC-North & South Plant 90-24 & 90-25	V	●	●		●	●	(CMS provisions; standards for approval of selected alternatives; definition of hazardous waste)	●		●	(reporting requirements; confidentiality of photographs; permit terms and conditions)
Macdermid Inc 90-26	V		●								
Allied-Signal Inc 90-27	III		●			●	(notification requirements for releases from SWMUs; force majeure)	●			
Reilly Industries 90-28	V				●		(RCRA/CERCLA integration; air monitoring under the corrective action program)	●			
Roche Products, Inc 90-29	II				●						
Kirtland Air Force Base 90-30	VI	●	●		●	●	(schedule for remediation of SWMUs; deadlines for g-w sampling and installation of g-w monitoring wells; community relations plan)	●	●		(reporting requirements; annual waste analysis)
Rho-Chem Corp 90-31	IX							●			
Georgetown Steel Corporation 91-1	IV		●					●			
Heritage Environmental Services Inc 91-2	V	X									(revision of TC waste identification, definition of wastewater treatment unit)
US DOE-Pinellas Plant 91-3	IV						(standards for cleaning up radioactive waste)				(air emissions regulation of plutonium)
Safety-Kleen Corp 91-4	IV							●			(compliance issues associated with the organic air emissions requirements)

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Chem Clear, Inc 91-5	IX						(corrective action provisions)				(facility location; emergency contingency plan; waste minimization; fugitive air emissions; public outreach; alternate transportation routes)
General Electric Co 91-6, 91-7, 91-8, & 91-9	I	●	●	●	●	●	(containment of PCB-contaminated sediments during interim measures)	●		●	
Vista Chemical Company 91-10	VI		●		●	●	(schedules of compliance)	●		●	
USPCI-Lone Mountain Facility 91-11	VI							●			(RCRA compliance history; requirements for Environmental Impact Statement (EIS))
Penberthy Electromelt 91-12	X							●			(operating under a Part A versus Part B permit; subversion of national policy to promote innovative technologies; stifling of fair trade practices; personality conflicts during permitting)
Occidental Chemical Corporation 91-13	II							●			
Sandoz Pharmaceuticals Corporation 91-14	II	●	●		●		(action levels; compliance deadlines)				
Channel Master 91-15	II					●				●	
Nalco Chemical 91-16	VI						(corrective action standards for SWMUs that require a CMS)	●			
Chemical Waste Management Inc.-Kettleman City 91-17	IX							●			

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Atlas Environmental Services Inc 91-18	VII									●	(cumulative impact of expected air emissions, design flaw in the waste analysis sampling, improper assessment of existing gw contamination, incinerator feed rates, insufficient geologic & hydrologic data, lack of confirmation of miscellaneous unit operations)
Erickson Treatment Transfer Station 91-19	IX										(discriminatory siting of hazardous waste sites)
Allied Signal Inc Portland 91-20	X	●	●				(establishing media cleanup standards, references to pump & treat gw remediation system, including the corrective measures implementation plan as part of the CMS report)				
UOP Shreveport Plant 91-21	VI				●	●	(trigger for CMS, scope of work applicability)	●			(time requirements, concentration level objectives, corrective action beyond facility boundary)
Atochem N America 91-22	IV						(post-closure permitting)			●	
Lubrication Co of America 91-23	IX										(bases for permit denial)
Southern Wood Piedmont 91-24	IV		●				(failure to designate a SWMU, improper designation of AOCs)			●	(defensibility of compliance to HSWA permits)
Beazer East, Inc & Koppers Ind Inc 91-25	IV		●			●	(use of appendices as guidance, reporting requirements for releases, time frames for submitting final RFI report and conducting confirmatory samples)	●		●	(effect of permit)
Mallinckrodt Specialty Chemicals Co 91-26	IV	●	●	●	●	●	(expanding corrective action authority through omnibus provision, scope of CMS, work plan, criteria governing decision whether to require CMS, limits on Region IV's discretion to require more investigations and revise work plans, time periods for submitting confirmatory sampling report and CMS plan)	●			

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Babcock & Wilcox Co. 91-27	III										(recordkeeping requirements)
Ciba-Geigy Corp. 91-28	II									●	
Allied-Signal, Inc. 92-1	V					●		●			
Adcom Wire Company 92-2	IV										(RCRA applicability)
Pollution Control Industry of Indiana 92-3	V										(TCLP testing)
ThermalKEM Inc. 92-4	IV							●			(basis of permit denial)
IBM Corporation 92-5	II										(incorrect well listings, incomplete constituent listing, definition of total volatile organics)
Laidlaw Environmental Services, Inc. (Imperial Valley) 92-6	IX						(detection monitoring parameters)	●	●		(duration of permit, preacceptance evaluation and verification requirements, failure to incorporate agreed upon changes in the permit, preacceptance program, well depth monitoring, waste minimization, dedicated fire water storage tanks, access road imporovements, double containment for ancillary piping, submittal of flood diversion report)
Waste Technologies Industries, Inc. 92-7	V										(co-permittee status)
Safety Kleen Corporation 92-8	IX									●	(storage of transfer station wastes, use of the omnibus provision, waste analysis plan)
Star Enterprise, Delaware City Refinery 92-9	III										(basis of permit modification denial)
Waste Technology Industry 92-10	V							●			(inadequate emergency response procedures, reports of noncompliance, analysis of metals and Appendix VIII constituents, financial assurance)

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		RFI Conditions									
		Too Vague	Not Justified	Technically Inappropriate	Def. of SWMU	Due Process	Other Corrective Action Issues	Procedural Issues	Level of Detail	Joint Permitting	Miscellaneous Other
Waste Technology Industry 92-11	V							●			(spray dryer emissions)
Waste Technology Industry 92-12	V							●			
Waste Technology Industry 92-13	V							●			
Cargill, Inc 92-14	IX							●			
Waste Technology Industry 92-15	V										(absence of a base line study for the spray dryer)
Waste Technology Industry 92-16	V							●			(technical issues associated with the spray dryer)
Brush Wellman Inc 92-17	V		●				(schedule of compliance, additional SWMUs, permit completeness)				
IBM Federal Systems Company 92-18	II										(definition of facility)
Chemical Waste Management Inc 92-19	IX							●			(post-closure monitoring)
Laidlaw Environmental Serives 92-20	IV										(metals feed rates and emission limits)
Amoco Oil Co Mandan Refinery 92-21	VIII		●	●	●	●	(point of gw compliance; soil sample strategy; CAMU language; CMS outline)	●			(application of Appendix E requirements, force majeure, report submittal dates, definition of conditional remedy, definition of construction season)
Beckman Instruments 92-22	IX	●	●		●	●	(definition of action level)				(retention of LDR records, source reduction requirements, annual waste analysis)
Buffalo Color Corp 92-23	II	●	●		●	●		●			(use of omnibus provision; use of boiler plate language)

ATTACHMENT 2
SUMMARY OF RCRA PERMIT APPEAL ISSUES (cont'd)

Facility and Appeal Number	Region	Corrective Action Issues						Other RCRA Issues			
		RFI Conditions									
		Too Vague	Not Justified	Technically Inappropriate	Def. of SWMU	Due Process	Other Corrective Action Issues	Procedural Issues	Level of Detail	Joint Permitting	Miscellaneous Other
Witco Corporation 92-24	IX		●								
LCP Chemicals 92-25	II					●				●	(failure to prepare a complete responsiveness summary)
Safety-Kleen 92-26 (no fact sheet prepared, turned over to the state for resolution)	IX										
Witco Corporation 92-27	VI										(annual submission of certified waste minimization plan; annual waste analysis; air emission standards)
Black & Decker Corp & County of Monroe Industrial Development Agency 92-28	II		●			●		●		●	(improper identification of permittees; dispute resolution)
Quemetco, Inc. 92-29	V	●	●	●	●			●			(community relations program; conflict with consent decree; schedule of compliance)
Allied-Signal, Inc. 92-30	II	●	●			●		●		●	
Sandia National Labs, New Mexico 92-31	IV	●	●			●	(CMS plan submittal dates; compliance with DOE; RFI/CMS scope of work)	●		●	(community relations program, data collection quality assurance plan; data retention; definition of facility, facility boundary, hazardous waste, information repository, off-site, and permittee; demographic profile; dispute resolution, financial responsibilities; funding; information submittal; integrated demonstration program; miscellaneous definitions, permit modifications; waste minimization)
Owen Electric Steel Co. of South Carolina, Inc. 92-32	IV		●		●						
Burlington Environmental Inc. 92-33	X	●	●				(specification of gw sampling methods)				(permit modifications, required state inspections)

ATTACHMENT 2
SUMMARY OF RCRA PERMIT APPEAL ISSUES (cont'd)

Facility and Appeal Number	Region	Corrective Action Issues						Other RCRA Issues			
		RFI Conditions									
		Too Vague	Not Justified	Technically Inappropriate	Def. of SWMU	Due Process	Other Corrective Action Issues	Procedural Issues	Level of Detail	Joint Permitting	Miscellaneous Other
Great Lakes Chemical Corporation 92-34	VI						(gw discharge; off-site testing; air monitoring; underground injection; change of cleanup levels)				(compliance status, identification of potential releases; request for information; submittal dates; reporting requirements; replacement of CAO)
FMC Corporation (FMC) 92-35	VIII		●				(need for additional RCRA Facility Assessment and preliminary risk assessments; ground water protection standards; financial assurance)	●			(scope of permit; definition of facility; inappropriate use of guidance documents; other inconsistencies)
Great Lakes Chemical Corporation (GLCC) 92-36	VI						(toxic release inventory reporting)			●	(waste analysis plan)
Great Lakes Chemical Corporation 92-37	VI										(impact on cultural resources)
Monsanto Company 92-38	V	●	●					●			(annual waste analysis; typographical errors)
Environmental Waste Control, Inc 92-39	V	●	●		●	●	(incorporation of future corrective action regulations; basis for disapproval of RFI and CMS reports; schedules of compliance; definition of contamination; point of compliance)	●		●	(standard permit conditions; duty to submit revised information; record of retention; Federally permitted releases; waste minimization; list of restricted wastes)
CP Chemicals, Inc 93-1	II									●	
Cavenham Forest Industries Inc (CFI) 93-2	VI		●							●	(application of land disposal restrictions (LDR's) to the reinjection of treated ground water; waste minimization provisions)
Ross Incineration Services 93-3	V										(metal feed rates)
Metalworking Lubricants Company 93-4	V		●							●	
General Motors Corporation (GMC) 93-5	V				●	●	(split sampling; expression of Region V's intent in the permit)			●	(unilateral modification of permits)

ATTACHMENT 2
SUMMARY OF RCRA PERMIT APPEAL ISSUES (cont'd)

Facility and Appeal Number	Region	Corrective Action Issues						Other RCRA Issues			
		RFI Conditions									
		Too Vague	Not Justified	Technically Inappropriate	Def. of SWMU	Due Process	Other Corrective Action Issues	Procedural Issues	Level of Detail	Joint Permitting	Miscellaneous Other
U.S. Naval Public Works Center - Conforming Storage Facility 93-6	IX						(schedule for RFI work plans)	●			(term of permit; designation of permittee; hazardous waste storage restrictions)
Heritage Environmental Services, Inc. 93-8	V							●			(landfill design; leachate collection system)
Delco Electronics Corporation 93-10	V	●				●	(remedy selection factors; use of guidance documents)	●			(requirement of notice of any planned facility changes)
Waste Technologies Industries 93-11	V							●		●	(current operators are not permitted; notification of change in operators)
McDonnell Douglas Corporation, Air Force Plant No. 3 93-12	VI					●		●			(denial of request for termination a permit; reissuance of a terminated permit)
Monroe Auto Equipment Company 93-13	VII		●		●	●	(corrective action requirements are not applicable; dispute resolution; expending corrective action through omnibus provision; definition of release; financial assurance)	●			(effective date for regulating former surface impoundments; reporting requirements; relevance of land disposal and waste minimization requirements)
Flying J Petroleums, Inc. 93-14	VIII		●		●	●	(facility wide corrective action; financial assurance)				(permitting authority, inappropriate use of guidance documents)
Texaco Refining and Marketing, Inc. 93-15	V						(definition of hazardous waste management)				
Waste Technologies Industries 93-16	V										(technology-based standard for dioxins/ furans is too stringent; municipal waste combuster standards are not appropriate for BIF's; omnibus authority, violation of the Administrative Procedure Act; insufficient cause for permit modification; performance testing; operating requirements)
McConnell Air Force Base 93-17	VII						(identification of solid waste management units; relationship between RCRA and CERCLA interim measures)	●			(permit language too vague; dispute resolution, community relations plan)

ATTACHMENT 2
SUMMARY OF RCRA PERMIT APPEAL ISSUES (cont'd)

Facility and Appeal Number	Region	Corrective Action Issues						Other RCRA Issues			
		RFI Conditions									
		Too Vague	Not Justified	Technically Inappropriate	Def. of SWMU	Due Process	Other Corrective Action Issues	Procedural Issues	Level of Detail	Joint Permitting	Miscellaneous Other
Safety-Kleen Corp. Odenton Service Center 94-1	III									●	(conditionally exempt small quantity generator requirements; toxicity characteristic leaching procedure hazardous wastes; frequency of waste sampling and analysis; inappropriate methodologies for determining specific gravity; other industrial solvent waste analysis requirements; other antifreeze waste requirements; definition of paint waste; other paint waste and immersion cleaner waste requirements)
CITGO Petroleum Corp., Calcasieu Parish 94-3	VI		●			●	(mandatory requirement for a CMS; reporting requirements)			●	(land ban requirements)
Armco Inc 94-4	VII		●				(improper designation of AOCs)	●		●	(waste minimization certification)
National Cement Co. of California 94-5	IX							●			(basis for permit denial; alternative certification by absentee owner; contradiction to interests of public health and the environment)
National Cement Co. of California 94-6	IX										(basis of permit denial)
National-Standard Co 94-7	IV		●		●	●	(defintion of area of concern; corrective action management unit provisions; continual reporting of AOCs and SWMUs during the life of the permit)	●	●	●	(reporting deadlines; waste minimization provisions)
Exxon Company, U.S.A 94-8	VI	●	●	●	●	●	(definition of area of concern; notification requirements for newly-identified SWMUs; criteria for selecting interim measures and corrective measures alternatives)	●		●	(reporting requirements are too vague)
Yellowstone Refining Co., Cody Refinery 94-9	VIII		●				(corrective action provisions are duplicative; corrective action for AOCs and other sources of contamination; corrective action beyond the facility boundary; applicability of corrective action provisions to non-regulated units; remedial approach is too specific; definition of contamination)	●			(basis of permit issuance; financial assurance requirements; applicability of other permitting requirements to post-closure permits)