



March 28, 2017

Mr. Henry Krier
Badger Disposal Inc.
5611 Hemlock Street
Milwaukee WI 53223

Subject: Class 1 Plan Modification Determination
Transfer of Ownership and Name Change
Badger Disposal of Wisconsin, Inc.,
EPA ID# WID 988580056
FID # 241384000

Dear Mr. Kreir:

The department has completed its review of Badger Disposal of Wisconsin, Inc.'s (Badger) Class 1 plan modification dated March 16, 2017, submitted by Mr. Anthony Handzlik on behalf of Badger. The plan modification regards a change in ownership and name of the licensee. The plan modification was received by the department via e-mail on March 16, 2017.

This letter serves as notice that the Department has completed its review of your request and is issuing a determination to conditionally approve your Class 1 modification request at this time to incorporate the name and ownership change. Please contact Dennis Gawronski at 608-266-1486 regarding Badger's financial responsibility requirements.

This plan modification must be kept with the FPOR determination, the operating license, and all plan modifications for the licensed facility.

If you have any questions or concerns regarding this approval, please contact Doug Coenen at douglas.coenen@wisconsin.gov or at (608) 264-9258.

Sincerely,



Edward K. Lynch, P.E., Chief
Hazardous Waste Section
Bureau of Waste and Materials Management

cc: Matthew Matrise – SE Region
Jennifer Rashel – LE/8
Dennis Gawronski – WA/5
Dong-Son Pham – NE Region
Mike Ellenbecker – Sturtevant SC
Jae Lee - U.S. EPA Region 5
Tita LaGrimas, Tradabe

**BEFORE THE STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES**

**CLASS 2 LICENSE MODIFICATION
FINAL DETERMINATION**

**BADGER DISPOSAL OF WISCONSIN, INC.
EPA ID# WID988580056
FID# 241384000**

FINDINGS OF FACT

The department finds that:

1. Badger Disposal of Wisconsin, Inc. (Badger) is licensed to operate a hazardous waste storage and treatment facility at 5611 West Hemlock Street in Milwaukee, Wisconsin. The storage and treatment facility is owned by Badger Investment Realty, LLC.
2. On April 19, 1996, the department issued a final determination to conditionally approve the Feasibility and Plan of Operation Report (FPOR) for the EOG Disposal, Inc. facility located at 5611 West Hemlock Street in Milwaukee, Wisconsin. The conditional approval was for the storage of hazardous waste in an existing warehouse building and in several proposed units, including an addition to the existing warehouse building to be used for the storage of non-ignitable waste.
3. On June 29, 2007, the department issued a final determination to conditionally approve the March 17, 2006, FPOR. The approval included conditions for the proposed storage of hazardous waste in the addition to the warehouse building. In a letter dated August 1, 2007, the department re-issued the storage license for the existing warehouse building and issued a treatment license for fuel blending to Badger. The storage and treatment licenses are effective for 10 years or until August 1, 2017.
4. On March 16, the department received Badger's Class 1 plan modification dated March 16, 2017, submitted by Mr. Anthony Handzlik on behalf of Badger. The plan modification indicated that there is anticipated sale of all of Badger's equity interests and requests a change in ownership and name of the licensee from Badger to Tradebe Treatment and Recycling of Wisconsin, LLC (Tradebe), a Delaware limited liability company.
5. In a letter dated March 17, 2017 to Badger, the department acknowledged receipt of the Class 1 plan modification and transmitted an invoice for the plan review fee required in NR 670.
6. The Class 1 plan modification requests that the change be effective on the date of the sale.
7. The Class 1 plan modification proposes that Badger will maintain financial assurance for closure and liability insurance and that at the time of sale, Badger intends to submit a surety bond in substitution for the current letter of credit.

8. On March 20, 2017, The department received payment for \$400 for the Class 1 permit modification review fee established in NR 670, Appendix II.
9. In a letter dated March 27, 2017, Badger amended its Class 1 plan modification to address the requirements of NR 670.011(1) and 670.014(2)(x).

CONCLUSIONS OF LAW

1. The department has promulgated chs. NR 660 to 679, Wis. Adm. Code, establishing minimum requirements for hazardous waste management under the authority of ch. 291, Wis. Stats.
2. The department has authority pursuant to s. 289.30(6), Wis. Stats., and s. NR 670.042(4)(b)2., Wis. Adm. Code, to approve a class 1 modification to a license or plan of operation.
3. In accordance with s. NR 670.042(4)(a), Wis. Adm. Code, the department concludes that the revision described in Findings of Fact number 4 requires a class 1 license modification needing department approval.
4. Section 289.46 (1), Wis. Stats., provides that any person acquiring rights of ownership, possession or operation in a licensed hazardous waste facility at any time after the facility begins to accept waste is subject to all requirements of the license approved for the facility including any requirements relating to long-term care of the facility and is subject to any negotiated agreement or arbitration award related to the facility under s. 289.33, Wis. Stats. Upon acquisition of the rights, the Department shall issue a new operating license if the previous licensee is no longer connected with the operation of the facility, if the new licensee meets all requirements specified in the previous license, the approved plan of operation, if any, and the rules promulgated under s. 291.05 or 291.07, Wis. Stats., if applicable.
5. Section NR 670.040(2), Wis. Adm. Code, provides the previous owner shall be responsible for compliance with the closure, financial responsibility and liability coverage requirements for the facility specified in s. NR 660.02 and subch. H of ch. NR 664, Wis. Adm. Code, until the person acquiring the rights of ownership, possession or operation has demonstrated compliance with the closure, financial responsibility and liability requirements for the facility specified in s. NR 660.02 and subch. H of ch. NR 664, Wis. Adm. Code, to the Department, and the Department notifies the previous owner, in writing, that an adequate demonstration has been made.

DETERMINATION AND CONDITIONS OF APPROVAL

Based on the foregoing Findings of Fact and Conclusions of Law, the department hereby approves the March 16, 2017, class 1 modification request under s. NR 670.042(4)(b)2., Wis. Adm. Code, and s. 289.30(6), Wis. Stats., and in accordance with the license and the most recent FPOR approval and the conditions set forth as follows:

1. The department has the right to modify this determination and to require additional information at any time. Nothing in this conditional approval shall relieve the owner or operator of the legal obligation to comply with applicable federal, state and local requirements. Except as may be expressly provided below, no other terms or conditions of the FPOR approval or license, or any subsequent modifications thereto, are affected by this determination.
2. The licensee shall comply with all conditions of the FPOR approval and subsequent modifications, the requirements of ch. 291, Wis. Stats., chs. NR 660 through 679, Wis. Adm. Code.
3. The licensee shall provide the Department with documentation that a notice of this modification was mailed to all persons on the facility mailing list, including all appropriate units of state and local governments, within 90 calendar days of the date of this approval, as required by s. NR 670.042(1)(a)2., Wis. Adm. Code.
4. Badger shall remain responsible for compliance with the closure, financial responsibility and liability coverage requirements for the facility specified in subchs. G and H of ch. NR 664, Wis. Adm. Code, until Tradebe has demonstrated compliance with the closure, financial responsibility and liability requirements for the facility and the Department notifies Badger, that an adequate demonstration has been made.
5. The licensee shall demonstrate compliance with the closure, financial responsibility and liability requirements for the facility specified in subchs. G and H of ch. NR 664, Wis. Adm. Code, to the Department within 6 months of the date of the change of ownership or operational control of the facility, whichever occurs first.
6. This approval is effective on the date of the transfer of ownership of Badger to Tradebe. This approval will become invalid unless the transfer of ownership of Badger to Tradebe, as described in the Class 1 plan modification dated March 16, 2017 occurs within 60 days of the date of this approval.
7. The licensee shall notify the department in writing of the change of ownership and name within 5 days of the actual date of the transfer of ownership and name change from Badger to Tradebe.

NOTICE OF APPEAL RIGHTS

If you believe you have a right to challenge this decision made by the department, you should know that Wisconsin statutes and administrative codes establish time periods and requirements for reviewing department decisions.

To seek judicial review of the department's decision, sections 227.52 and 227.53, Stats., establish criteria for filing a petition for judicial review. You have 30 days after the decision is mailed or otherwise served by the department to file your petition with the appropriate circuit court and serve the petition on the department. The petition shall name the Department of Natural Resources as the respondent.

This approval is based on the information available to the department as of the date of approval. If additional information, project changes or other circumstances indicate a possible need to modify this approval, the department may ask you to provide further information relating to this activity. Likewise, the department accepts proposals to modify approvals, as provided for in state statutes and administrative codes.

Dated: March 28, 2017

WISCONSIN DEPARTMENT OF NATURAL RESOURCES
FOR THE SECRETARY



Edward K. Lynch, P.E., Chief
Hazardous Waste Section
Bureau of Waste and Materials Management
Wisconsin Department of Natural Resources



Doug Coenen, Waste Management Specialist
Hazardous Waste & Mining Section
Bureau of Waste and Materials Management
Wisconsin Department of Natural Resources

Badger Disposal

FPOR

Volume 1a

APPENDIX A

SECTION CROSS-REFERENCE

SPCC Plan
Section Cross-Reference and Completion Checklist [112.7] & [112.8]

-SPCC Plan Section	General Requirements for Spill Prevention, Control and Countermeasure Plans per [112.7]
1.1	Provide Professional Engineer's Certification [112.3(b), 112.7]
1.1	Preparation of plan in accordance with good engineering practices.
1.2	Full management approval at a level of authority to commit necessary resources to fully implement this plan.
1.3	Prepare plan in writing.
1.4, App. A	Follow sequence specified in [112.7] or include a Section Cross-Reference with the plan
1.5	Discuss additional facilities, procedures, methods, or equipment not fully operational at the time this plan was written. Include separate paragraphs for each with details of installation and start-up.
1.6	Amend plan every five years or when there is a change in facility design, construction, operation, or maintenance that materially affect the potential for oil discharge [112.5].
1.7, App. B	(a)(1) Discuss conformance with the requirements of Part 112.
1.7	(a)(2) Comply with all applicable requirements listed in Part 112. Where the plan does not conform to the applicable requirements, state the reasons for non-conformance and describe alternate methods that will achieve environmental protection.
3.4, App. D	(a)(3) Describe the physical layout of the facility and include a facility diagram marking the location and the contents of each container. Facility diagram must include buried tanks, transfer stations, and connecting pipes. Also address the following items:
4.1.1	(i) Type of oil stored in each container;
4.1.2	(ii) Discharge prevention measures including procedures for routine handling of products;
4.1.3	(iii) Discharge or drainage controls such as secondary containment and procedures for control of a discharge;
4.1.4	(iv) Countermeasures for discharge discovery, response, and cleanup for facility and contractor;
4.1.5	(v) Methods of disposal of recovered materials in accordance with applicable legal requirements;
4.1.6	(vi) Contact list and phone numbers for facility response coordinator, National Response Center, cleanup contractors and all appropriate Federal, State, and local agencies that must be contacted in case of an oil discharge.
4.2, App. E	(a)(4) Exact address, location and phone number of facility provided for person reporting a spill. Also list additional information required when reporting a spill.
4.3	(a)(5) Describe procedures used when a discharge occurs and make them readily usable in an emergency. Supporting information to be included in Appendices.
4.4, Table 1	(b) Prediction of direction, rate of flow, and total quantity of oil that could be discharged from each major equipment failure.
4.5	(c) Provide appropriate containment and/or diversionary structures or equipment to prevent discharges of oil. At a minimum, include impervious dikes, berms, retaining walls, curbing, culverting, gutters, or other drainage systems for onshore facilities.
4.6	(d) Determination of practicability of structures or pieces of equipment. If not practicable, provide an explanation of why not. If not practicable for bulk storage containers, conduct both periodic integrity testing of the containers and periodic integrity and leak testing of the valves and piping, unless a response plan has been submitted under 112.20, provide the following:
4.6	(d)(1) An oil spill contingency plan following the provisions of Part 109 of this Chapter.
1.2, 4.6	(d)(2) A written commitment of manpower, equipment, and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful.
4.7	(e) <i>Inspections, tests, and records.</i> Conduct inspections required in accordance with written procedures developed by Certifying Engineer. Keep signed records on file for three years. Reference these records if not conducted specifically for SPCC Plan and filed separately.
4.8	(f) <i>Personnel, training, and discharge prevention procedures.</i>
4.8	(f)(1) At a minimum train oil-handling personnel in the operation of equipment, discharge procedure protocols, applicable pollution control laws, rules and regulations, general facility operations, and the contents of the SPCC Plan.

SPCC Plan
Section Cross-Reference and Completion Checklist [112.7] & [112.8]

4.8	(f)(2) Designate a person at each applicable facility who is accountable for discharge prevention and who reports to facility management.
4.8	(f)(3) Schedule and conduct discharge briefings for oil-handling personnel at least once a year. Briefings must include known discharges, failures, malfunctioning components, and any recently developed precautionary measures.
4.9	(g) <i>Security.</i> Security measures at the facility must include the following:
4.9	(g)(1) Fully fence the facility and lock or guard gates when not in production or unattended.
4.9	(g)(2) Ensure master flow and drain valves from containers have adequate security and remain in closed position when not in operation.
4.9, App. G	(g)(3) Lock starter controls in "off" position on all oil pumps and only allow operation by authorized personnel.
4.9	(g)(4) Securely cap or blank off loading and unloading connections to pipelines when not in service.
4.9	(g)(5) Provide facility lighting that will allow the discovery of discharges by operating and non-operating personnel and will prevent discharges occurring from acts of vandalism.
4.10	(h) <i>Facility tank car and tank truck loading/unloading rack.</i> Tank car and tank truck loading and unloading facilities must include the following:
4.10	(h)(1) Where loading/unloading area drainage does not flow into a catch basin or treatment facility, use a quick drainage system for tank car or tank truck loading and unloading areas. Design of any containment system must hold at least the maximum capacity of any single compartment of the tank car or tank truck.
4.10	(h)(2) Provide interlocked warning light or physical barrier system, warning signs, wheel chocks, or vehicle brake interlock system in loading and unloading areas to prevent premature departure of vehicle.
4.10	(h)(3) Prior to filling or departure, inspect the lowermost drain and all outlets of vehicles to ensure that they are tightened adjusted or replaced to prevent liquid discharge.
4.11	(i) If a field-constructed aboveground container is repaired or altered due to a change in service or a discharge due to brittle fracture, evaluate the container for risk of discharge or failure due to brittle fracture and take appropriate action.
4.12	(j) Provide a discussion of conformance with the applicable requirements and other effective discharge prevention and containment procedures or any applicable more stringent State rules, regulations or guidelines.
	Spill Prevention, Control and Countermeasure Plan requirements for onshore facilities per [112.8]
4.13	(b) <i>Facility Drainage:</i>
4.13	(b)(1) Restrain drainage from diked storage areas by valves or by manually activated pumps or ejectors. Inspection is required prior to discharge to ensure no oil is released.
4.13	(b)(2) Use manual open-and-close drain valve design. Flapper-type drain valves are not acceptable. Inspection of drainwater is required prior to discharge if facility drains directly to watercourse.
4.13	(b)(3) Design facility drainage system, from undiked areas with potential to discharge, to ponds, lagoons, or catchment basins designed to retain oil and return it to the facility. Catchment basins cannot be located in areas subject to periodic flooding.
4.13	(b)(4) If facility drainage is not designed as in (b)(3) above, equip all final discharge ditches in the facility with diversion systems that retain oil in the facility in the event of an uncontrolled discharge.
4.13	(b)(5) Provide two lift pumps with one pump permanently installed in any continuous treatment systems, or use other techniques to prevent a discharge in case there is a failure of equipment.
4.14	(c) <i>Bulk Storage Containers:</i>
4.14	(c)(1) Only use containers that are material compatible and are designed for the storage temperature and pressure for storage of oil.

SPCC Plan
Section Cross-Reference and Completion Checklist [112.7] & [112.8]

4.14	(c)(2) Construct bulk storage container installations with impervious secondary containment means for the entire capacity of the largest container and sufficient freeboard for precipitation. Examples are dikes, containment curbs, pits and drainage trenches terminating at catchment basins or ponds.
4.14	(c)(3) Do not allow drainage of uncontaminated rainwater from diked areas into a storm drain, open water course, lake or pond, bypassing the treatment facility unless; the bypass valve is normally sealed closed, the rainwater is inspected to ensure no discharge of oil, the bypass valve is opened and resealed following drainage under supervision, adequate records of these events are kept.
4.14	(c)(4) Provide coating or cathodic protection and regularly leak test any underground metallic storage tank installed on or after January 10, 1974.
4.14	(c)(5) Do not use partially buried or bunkered storage tanks for the storage of oil unless the buried section of tank is protected from corrosion with a coating or cathodic protection.
4.14	(c)(6) Conduct integrity testing on all aboveground containers and foundations/supports on a regular schedule and when there are any material repairs made. A visual inspection must be combined with another test technique such as: hydrostatic testing, radiographic testing, ultrasonic testing, acoustic testing, emission testing or another non-destructive shell testing technique. Keep test records.
4.14	(c)(7) Control leakage through defective heating coils by monitoring steam return and exhaust lines that discharge into an open watercourse or pass them through a settling tank, skimmer, or other separation/retention system.
4.14	(c)(8) Engineer or update all containers in accordance with good engineering practices to include: a high level alarm (audible and visual), a high level pump cut-off device to stop flow at a predetermined container level, a direct audible or code signal communication between the container gauger and the pump station, or a fast response system for determining tank level such as digital computers, telepulse, or direct vision gauges with monitoring personnel present during filling. This equipment must be regularly tested to ensure proper operation.
4.14	(c)(9) Observe effluent treatment facilities often enough to detect upsets that could cause a discharge.
4.14	(c)(10) Promptly remove any accumulation of oil in a diked area and promptly correct and visible discharges of oil from a container seam, gasket, piping, pumps, valves, rivets or bolts.
4.14	(c)(11) Position or locate mobile/portable oil storage containers to prevent discharge by means of containment with sufficient capacity to contain the largest single compartment with sufficient freeboard to contain precipitation.
4.15	<i>(d) Facility transfer operations, pumping, and facility process:</i>
4.15	(d)(1) Provide a protective wrapping or coating along with cathodic protection for any buried pipe installed or replaced on or after August 16, 2002 in order to meet the requirements of part 280.
4.15	(d)(2) Cap or blank-flange the terminal connection at the transfer point and mark it as origin when not in service for any extended period of time.
4.15	(d)(3) Properly design pipe supports to minimize abrasion, corrosion and allow for expansion and contraction.
4.15	(d)(4) Regularly inspect all aboveground valves, piping and appurtenances to assess the general condition of flange joints, expansion joints, valve glands and bodies catch pans, pipeline supports locking valves and metal surfaces. Also conduct integrity and leak testing of buried pipe at the time of installation, modification, construction, relocation or replacement.
4.15	(d)(5) Warn all vehicles entering the facility to be sure that no vehicle will endanger aboveground piping or oil transfer operations.

SPILL PREVENTION CONTROL AND COUNTERMEASURE (SPCC) PLAN

PREPARED FOR:

BADGER DISPOSAL OF WISCONSIN, INC.
5611 W. HEMLOCK ST.
MILWAUKEE, WI 53223



PROJECT NO. 08740
Rev. August 18, 2010

19395 West Capitol Drive, Brookfield, Wisconsin 53045
262-783-7725 • FAX 262-783-7726



**SPCC PLAN
EMERGENCY CONTACTS FOR
BADGER DISPOSAL
5611 West Hemlock Street
Milwaukee, WI 53223**

CONTACT	OFFICE PHONE	HOME PHONE	CELL PHONE
Spill Prevention Contacts:			
Ron Mitchell, General Manager	(414) 760-9175	(262) 569-8918	(414) 236-1082
Henry Krier, President	(414) 760-9175	(262) 252-3463	(414) 236-1080
Government Agencies:			
	Emergency	Office / Non-Emergency	
U.S. EPA (Region 5)	(312) 353-2318	(312) 353-2318	
U.S. Coast Guard National Response Center	(800) 424-8802		
Wisconsin Emergency Government	(800) 943-0003		
Wisconsin DNR – Southeast District Scott Ferguson – Spill Coordinator	(800) 943-0003	(414) 263-8685	
Wisconsin State Emergency Response Board	(608) 242-3221	(608) 242-3221	
Local Emergency Contacts:			
	Emergency	Non-Emergency	
Milwaukee Fire Department – Engine Station 9 Headquarters	911	(414) 933-4444	
Milwaukee Police Department -Dist #4	911	(414) 935-7243	
Milwaukee County Sheriff	911	(414) 278-4700	
Ambulance	911		
St. Joseph Hospital	911	(414) 447-2000	
Milwaukee Co. Emergency Management		(414) 278-4709	
Milwaukee Metropolitan Sewerage District	(414) 282-7200	(414) 272-5100	

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**Section 1
PLAN APPROVAL AND CERTIFICATION**

1.1 Professional Engineer's Certification [40 CFR 112.3(b) and 112.7]

I hereby certify that I have examined this facility, and being familiar with the provisions of 40 CFR, Part 112, attest that this Spill Prevention Control and Countermeasures (SPCC) Plan has been prepared in accordance with good engineering practices, including consideration of applicable industry standards.

Engineer: Jeffrey M. Noll, P.E.

Registration No.: E-30335

State: Wisconsin



Date: 8/18/10 Signature: Jeffrey M. Noll

1.2 Full Management Approval [40 CFR 112.7]

Badger Disposal of WI, Inc. will commit the necessary manpower and resources to implement this Spill Prevention Control and Countermeasure (SPCC) Plan as described herein.

Date: 8/24/10 Signature: Henry Krier

Name: Henry Krier

Title: President

1.3 Location of SPCC Plan [40 CFR 112.3(e)(1) and 112.7]

This Spill Prevention Control and Countermeasure (SPCC) Plan covers the Milwaukee, Wisconsin facility. The original written version of this SPCC Plan is retained on file in the Main Office, at 5611 W. Hemlock Street, Milwaukee, Wisconsin.

Any other printed versions of this document are considered uncontrolled, and it is the user's responsibility to ensure the latest revision is being referenced.

1.4 Section Cross-Reference [40 CFR 112.7]

This SPCC Plan has been prepared in accordance with 40 CFR 112. The plan format has been developed based on the requirements set forth in Sections 112.7 and 112.8 along with EPA Draft No. 14 (10-21-02) Sample Document of an SPCC Plan. Therefore, a section cross-reference is not required. However, a copy of a Section Cross-Reference has been provided in Appendix A to indicate the outline of this plan and to indicate the sections of 40 CFR 112 that are applicable to the facility.

1.5 Conditions of Certification [40 CFR 112.7]

This SPCC Plan has been prepared by Spectrum Engineering Incorporated and certified with the understanding that Badger Disposal of WI, Inc. (Badger Disposal) will implement the spill prevention and control procedures and recommendations contained in this plan. Badger Disposal further agrees to commit whatever resources are necessary to respond to a spill in a timely manner and to take corrective action to remediate any contamination caused by a spill.

1.6 SPCC Plan Review and Amendment Record [40 CFR 112.5]

In accordance with 40 CFR 112.5, this SPCC Plan shall be amended whenever there is a change in facility design, construction, operation, or maintenance, which materially affects the facility's potential for the discharge of oil. At a minimum, this SPCC Plan shall be reviewed by the plant owner or operator every *five years*. This plan shall be amended within six months of the review. This plan must be amended to include more effective prevention and control technology if the technology has been field-proven at the time of the review and will significantly reduce the likelihood of an oil discharge from the facility. Technical amendments to this SPCC Plan must be certified by a Registered Professional Engineer.

SPCC Plan Review Logsheet

Review Date	Name/Title of Person Completing Review	Amendment Needed (Yes or No)	Comments on Action/Updates	P.E. Certification Required (Yes/No)
<i>Initial Plan</i>	<i>John Cimmermancic, P.E. RMT</i>	<i>Initial Plan Completed (Sept.7,1994)</i>		Yes
<i>August 25, 2006</i>	<i>Jeffrey M. Noll, P.E. Spectrum Engineering Incorporated</i>	<i>Yes, per new SPCC requirements and scheduled review.</i>		<i>Yes, updated to meet new reqm'ts of 40 CFR 112</i>
<i>July 31, 2009</i>	<i>Jeffrey M. Noll, P.E. Spectrum Engineering Incorporated</i>	<i>Yes, added oil container, and revisions per new SPCC requirements.</i>		<i>Yes, updated to meet new reqm'ts of 40 CFR 112 and to include oil storage container</i>
<i>November 10, 2009</i>	<i>Jeffrey M. Noll, P.E. Spectrum Engineering Incorporated</i>	<i>Yes, revised oil storage and transfer activities due to added containment at Dock #4.</i>		<i>Yes, major change in oil handling activities requires P.E. Review and Certification</i>
<i>August 18, 2010</i>	<i>Jeffrey M. Noll, P.E. Spectrum Engineering Incorporated</i>	<i>Yes, revised oil storage and transfer activities due to elimination of oil storage tank.</i>		<i>Yes, major change in oil handling activities requires P.E. Review and Certification</i>

Note: If no amendment is deemed necessary by owner or operator, indicate the date that the review was conducted and provide a signed statement that reads as follows: "I have completed a review and evaluation of the SPCC Plan for Badger Disposal on (DATE), and will not amend the Plan as a result."

1.7 Conformance with Part 112 [40 CFR 112.7(a)(1) and (a)(2)]

This SPCC Plan has been prepared in accordance with 40 CFR 112. The plan has been developed to conform with the applicable requirements of Part 112.

If a non-transportation related onshore facility has the potential to cause “substantial harm to the environment”, a Facility Response Plan must be prepared in accordance with 40 CFR 112.20. Copies of the completed Flowchart of Criteria for Substantial Harm and Substantial Harm Certification forms are provided in Appendix B of this report for reference. Based on the flowchart and certification statement, a Facility Response Plan is not required for the Badger Disposal facility because the facility does not transfer oil over water, to or from vessels, and the facility does not have a total storage capacity greater than 1 million gallons.

1.8 Spill History

Badger Disposal has indicated that there have been no reportable spills on the property within the last five years. A blank Spill Reporting Form is provided in Appendix E for reporting any spills that may occur on the site in the future.

Section 2 GENERAL INFORMATION

2.1 Purpose of SPCC Plan

This SPCC Plan has been prepared in accordance with the amended SPCC Regulations. The plan has been developed to conform to the applicable requirements of 40 CFR 112. The original SPCC Plan is retained on file in the Main Office.

In accordance with 40 CFR 112 - Oil Pollution Prevention, owners or operators of facilities engaged in drilling, producing, gathering, **storing, processing**, refining, **transferring**, distributing, **or consuming oil and oil products**, and which could reasonably be expected to discharge oil in harmful quantities into or upon the navigable waters of the United States or adjoining shorelines, are required to prepare a written Spill Prevention Control and Countermeasure (SPCC) Plan.

An SPCC Plan is required for any non-transportation-related facility which:

- Stores oil aboveground at capacities in excess of 1,320 gallons aggregate (excluding tanks and oil-filled equipment below 55 gallons in a single container), or;
- Stores oil underground at capacities in excess of 42,000 gallons (excluding those that are currently subject to all of the technical requirements of 40 CFR Part 280), and
- Due to its location, could reasonably be expected to discharge oil into the waters of the United States should a spill occur.

The purpose of this SPCC Plan is to prevent the discharge of oil to the navigable waters of the United States by identifying potential spills and establishing equipment and procedures to prevent the occurrence of a spill and to provide immediate response and notification should a spill occur. This SPCC Plan identifies potential spill sources at the facility and describes in-place controls and procedures designed for spill prevention and control.

2.2 Definitions and Abbreviations

Definitions for key terminology used in this plan follow.

Oil means oil of any kind or in any form, including, but not limited to: fats, oils, or greases of animal, fish, or marine mammal origin; vegetable oils, including oils from seeds, nuts, fruits, or kernels; and, other oils and greases, including petroleum, fuel oil, sludge, oil refuse or oil mixed with wastes other than dredged spoil.

Discharge includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

Discharge of oil in harmful quantities includes discharges that violate applicable water quality standards or cause a film or sheen upon or discoloration of the surface of the water or adjoining shorelines or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.

Sheen is defined as an iridescent appearance on the surface of the water.

Sludge means an aggregate of oil or oil and other matter of any kind in any form other than dredged spoil having a combined specific gravity equivalent to or greater than water.

Navigable waters means the waters of the United States, including the territorial seas. It includes all waters that are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters subject to the ebb and flow of the tide; all interstate waters and wetlands; all other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds; and tributaries of these waters.

Abbreviations used in this SPCC Plan follow.

LEPC	Local Emergency Planning Committee
SPCC	Spill Prevention Control and Countermeasure

2.3 Plan Submittal Requirements [40 CFR 112.4(a)]

This SPCC Plan is not required to be filed with U.S. EPA, but a copy must be available for on-site review by the Regional Administrator (RA) during normal working hours. The SPCC Plan must be submitted to the U.S. EPA Region V Regional Administrator and the Wisconsin DNR along with the other information specified in 40 CFR 112.4(a) if either of the following occurs:

- 1) The facility discharges more than 1,000 gallons of oil into or upon the navigable waters of the United States or adjoining shorelines in a single event; or
- 2) The facility discharges more than 42 gallons of oil into or upon the navigable waters of the United States or adjoining shorelines in two spill events within any twelve-month period.

Spill information must be reported to U.S. EPA Region V and the Wisconsin DNR within 60 days if either of the above thresholds is reached. The report is to contain the following information:

- 1) Name of facility;
- 2) Name(s) of the owner or operator of the facility;
- 3) Name of individual submitting the information;
- 4) Location of the facility;
- 5) Date and year of initial facility operation;
- 6) Maximum storage or handling capacity of the facility and normal daily throughput;
- 7) Description of the facility, including maps, flow diagrams, and topographical map;

- 8) A complete copy of the SPCC Plan including any amendments and all appendices;
- 9) A copy of the Spill Reporting Form (Appendix E);
- 10) The cause(s) of the spill(s), including a failure analysis of system or subsystem in which the failure(s) occurred;
- 11) The corrective actions and/or countermeasures taken, including an adequate description of equipment repairs and/or replacements;
- 12) Additional preventive measures taken or contemplated to minimize the possibility of recurrence; and
- 13) Such other information as the Regional Administrator may reasonably require pertinent to the Plan or spill event.

A copy of a Spill Report Form is included in Appendix E for reference.

2.4 Spill Prevention Contact Person

The Spill Prevention Contact Person is responsible for insuring that the spill prevention and control measures contained in this SPCC Plan are followed. This person is also responsible for implementation of the Contingency Plan if a release occurs. The primary and alternate Spill Prevention Contact Persons at the Plant are as follows:

Mr. Ron Mitchell
General Manager

Plant Telephone: (414) 760-9175
Home Telephone: (262) 252-3463
Cell Phone (414) 236-1080

The alternate Spill Prevention Contact Person is as follows:

Mr. Henry Krier
President

Plant Telephone: (414) 760-9175
Home Telephone: (262) 569-8918
Cell Phone (414) 236-1082

A list of personnel to be contacted in the event of a spill is kept in the main office and is also included in copies of the Contingency Plan, which are located throughout the Plant. An Emergency Contact List, with telephone numbers, is included in the front of this SPCC Plan and is available in the Main Office.

Section 3
FACILITY INFORMATION

3.1 Facility Location Information

Name of Facility: Badger Disposal of WI, Inc.

Facility Location: 5611 Hemlock Street
Milwaukee, Wisconsin 53223

Type of Facility: Hazardous Waste Storage, Fuel Blending and Transfer

Year of Initial Operation: 1990

Year of Initial Operation As Badger Disposal: 2002

Purchase of Lab Pack Bldg.: 2008

3.2 Nearest Navigable Waterway

The nearest navigable waterway to the Badger Disposal facility is Lincoln Creek. A United States Geological Survey Map that shows the location of the Badger Disposal facility in relation to navigable waters is included in Appendix C.

3.3 Facility Sewer Systems

The facility is served by both storm sewer and sanitary sewer systems. Roof conductors convey precipitation runoff directly to the storm sewer system. The bermed loading dock area outside the west side of the plant at Dock #4 does not have any sewer connections and provides approximately 300 gallons of secondary containment.

Sanitary wastewater from the facility is conveyed to the Milwaukee Metropolitan Sewerage District sewer system.

3.4 Facility Layout and Diagram [40 CFR 112.7(a)(3)]

Badger Disposal is located in the City of Milwaukee. The hazardous waste storage, fuel blending and transfer facilities are located on the south side of Hemlock Street, at the end of an industrial cul-de-sac. Employee parking is on the north side of the two buildings.

The plant consists of two (2) one-story buildings, totaling 18,977 square-feet, where, repackaging, storage, fuel blending and shipping of waste takes place. All oil storage containers are located within the building. The buildings are curbed and ramped at all doorways and the floor slab is coated to resist chemical leaching. Calculations, showing the building containment capacity, are included in Appendix F.

The Badger Disposal facility is located on approximately 4.0 acres of generally flat and level land. The buildings are constructed of masonry and cover approximately 11.7 percent of the property. The remaining areas of the property are either paved or are covered with gravel or grass. Over 50% of the property remains unused at this time. A Site Plan drawing showing the property lines and fencing along with a Facility Diagram are provided in Appendix D for reference.

Section 4 SPILL PREVENTION AND CONTROL MEASURES

Badger Disposal is a WDNR Licensed Hazardous Waste Storage, Fuel Blending and Transfer facility. As such, they are required to maintain an updated Contingency Plan that describes procedures for handling spills of hazardous waste, which includes waste oil. Typically, the types of oil handled at this facility include used crankcase oils, motor oils and oily water mixtures. This section provides spill prevention and control measures for the oil storage areas at the plant. In order to prevent discrepancies and duplication errors, the Contingency Plan procedures are referenced whenever possible. Copies of the Contingency Plan are available at the Main Office of the facility.

4.1 Controls and Countermeasures [40 CFR 112.7(a)(3)(i-vi)]

4.1.1 Description of Oil Containers and Contents [40 CFR 112.7(a)(3)(i)]

Based on the definition of oil and information gathered during our site visits conducted at the facility on April 16, 2009, October 29, 2009, and July 29, 2010, Spectrum Engineering has concluded that the following locations should be included in this SPCC Plan as oil, or oil storage areas. These sources are shown on Spectrum Engineering Drawing No. 05490-G2, Revised 8/5/10, in Appendix D, and are described as follows:

- 1) 2009 Lab Pack Building where 55-gallon drums of oils are accumulated until a complete shipment is warranted. The waste oil tanker truck parks inside the Dock #4 containment area during transfer of the 55-gallon drum contents into the vacuum tanker truck. The 2009 Lab Pack Building is ramped or bermed at all entrances to the building.
- 2) Loading/Unloading Dock #4 where 55-gallon waste oil drums are unloaded and transferred into storage areas within the building. Hose connections to the vacuum truck are made in this location.

A Regional Map and a Facility Diagram are provided in Appendices C and D of this plan, respectively. The Regional Map shows surface contours and navigable waterways. The Facility Diagram shows the oil storage and transfer areas at the facility.

4.1.2 Discharge Prevention Measures [40 CFR 112.7(a)(3)(ii)]

Discharge prevention measures are described in detail, by area, in Section 4.4.

4.1.3 Discharge or Drainage Controls [40 CFR 112.7(a)(3)(iii)]

Discharge or drainage controls are described in detail, by area, in Section 4.5.

4.1.4 Countermeasures for Facility and Contractors [40 CFR 112.7(a)(3)(iv)]

Spill clean-up kits are utilized to clean up minor spills at the facility. All plant personnel handling oils are provided with proper training. Outside contractors are not used for cleaning up spills at the facility. Additional spill control and countermeasure equipment is described in more detail in Section 4.4.

4.1.5 Disposal Methods [40 CFR 112.7(a)(3)(vi)]

Spills are cleaned up by plant personnel trained in the proper handling of oil. The materials used for clean-up are dependent on the size of the spill. Oil dry, absorbent spill socks and overpack drums, etc. are properly disposed of at the direction of the Spill Prevention Contact Person.

4.1.6 Contact List and Telephone Numbers [40 CFR 112.7(a)(3)(vii)]

The emergency contact list and telephone numbers are provided on a separate sheet at the beginning of this Plan.

4.2 Spill Reporting Information [40 CFR 112.7(a)(4)]

Badger Disposal requires that a copy of the Incident Report, included in Appendix A of the Contingency Plan, be completed for reporting any spill at the facility. In addition, if an oil spill occurs at the facility, a Spill Report Form should be completed. A copy of this report is included in Appendix E. This form must be filled out when reporting a spill to the proper authorities. The purpose of this report form is to instruct the SPCC Contact person regarding the proper procedures to follow prior to reporting a spill and to prompt the person for the proper information that must be provided. Only the SPCC Contact person(s) shall be responsible for reporting oil spills.

4.3 Description of Procedures Following a Discharge [40 CFR 112.7(a)(5)]

Section 4 of the Contingency Plan provides procedures for proper Notification, Spill or Release Cleanup Procedures, Fire/Explosion Residual Cleanup Procedures, as well as Storage and Treatment of Recovered Materials Procedures. These procedures should be referenced when cleaning up an oil spill at the facility.

4.4 Potential Oil Spills - Prediction and Control [40 CFR 112.7(b)]

Effective spill prevention and control requires anticipation of spill occurrences and designing methods to prevent or control these spills. These methods include the following:

- Identify potential spill sources
- Provide containment or temporary storage
- Install control equipment and alarms
- Periodically inspect drums, tanks, and associated piping
- Conduct periodic training of oil handling personnel
- Provide security to limit access to property
- Maintain a minimum of three feet of aisle space in storage areas to allow for proper response in the event of a release.

The potential sources of oil spills have been identified in the following subsections and have been summarized in Table 1. A Facility Diagram is included in Appendix D. The drawing shows the oil storage and handling locations. Petroleum products are stored in individual containers (55-gallon drums) located inside the 2009 Lab Pack Building. The following subsections provide detailed descriptions of each of these sources. Included in each source description are routine procedures for personnel to follow to prevent and control spills.

4.4.1 Used Oil Storage and Dock #4

Used oil and waste oil is stored in 55-gallon drums in Section B of the 2009 Lab Pack Building. All oil storage is in 55-gallon drums that are unloaded manually at Dock #4 inside the bermed containment area. Used oil is stored until a minimum of 20 drums has been accumulated. Once enough drums have been accumulated, the waste oil hauler is called in to transfer the drums to a vacuum tanker truck. The vacuum tanker truck parks inside the Dock #4 bermed area during transfers.

The building provides the necessary secondary containment required for the 55-gallon drums. The oil storage area and transfer area is contained within the building by 3.5" high curbs or ramps at all doorways. The containment capacity of the building is 6,573 gallons. Dock #4 is contained with 3.5" high berms and curbs. The secondary containment calculations for loading Dock #4 and the building ramps/curbing, are included in Appendix F for reference.

Potential failures in the storage area could include a leaking drum, or a spill during moving of material. A maximum volume of 55 gallons of used oil could be released if the drum fails or is spilled. Since the building secondary containment capacity is 6,682 gallons, a release from a 55-gallon drum, or even a pallet of 4 drums (220 gallons), would be contained in the building.

Potential failures at Loading Dock #4 could include a leaking drum located within the bermed area. The loading dock area serves as a secondary containment for oil unloading activities with a containment capacity of 298 gallons. A failure of a drum in this area could result in a maximum spill of 55 gallons of oil, therefore, the loading dock secondary containment is adequately sized for a worst case release. Oil is only unloaded at this location after the secondary containment bermed area is free of any rainwater or snow. All other oil handling activities are conducted inside the contained area of the building.

Table 1
BADGER DISPOSAL
POTENTIAL SPILLS - PREDICTION AND CONTROL

SOURCE	PRODUCT(S) STORED/USED	TYPE OF CONTAINER	POTENTIAL FAILURES	FLOW DIRECTION OF SPILL	SECONDARY CONTAINMENT	SPILL PREVENTION AND CONTROL MEASURES
1) 2009 Lab Pack Building	<ul style="list-style-type: none"> ▪ Used oil and Waste oil including motor oils, crankcase oils and oily water. 	<ul style="list-style-type: none"> ▪ 55-gallon drums (Qty varies). 	<ul style="list-style-type: none"> ▪ Rupture or damage to drum causing leak or spill. 	<ul style="list-style-type: none"> ▪ Containment within building. ▪ Loading dock is contained. 	<ul style="list-style-type: none"> ▪ Containment within building during storage and transfer to waste hauler truck. ▪ Secondary containment at loading dock. 	<ul style="list-style-type: none"> ▪ Periodic inspection, training & documentation. ▪ Maintain spill absorbent material in building. ▪ Trained plant personnel shall be present during loading. ▪ DOT type drums are used for Oil storage.
3) Parking Lots and Truck Traffic	<ul style="list-style-type: none"> ▪ Gasoline and Fuel Oil 	<ul style="list-style-type: none"> ▪ Vehicle Fuel Tanks 	<ul style="list-style-type: none"> ▪ Vehicle Fuel Tank Leak or Failure 	<ul style="list-style-type: none"> ▪ To storm sewer inlets in parking lot or street. 	<ul style="list-style-type: none"> ▪ Not Required 	<ul style="list-style-type: none"> ▪ Periodic inspection, training & documentation ▪ Provide resources and manpower to address oil spills. ▪ Any spills reported immediately to Maintenance Dept. and cleaned-up in accordance with Contingency Plan. ▪ Gasoline and Fuel Oil Tanks for Vehicle Consumption are DOT Approved and Exempt from SPCC Requirements.

4.4.2 Parking Lots and Truck Traffic

As with any industrial manufacturing facility, there are employee parking lots, truck parking lots, truck loading docks, and shipping and receiving truck traffic associated with the daily operations. Vehicle fuel tanks are used for gasoline and fuel oil storage for these vehicles. These tanks meet DOT requirements and there is no vehicle fueling conducted on-site, therefore, the probability of a spill or leak from these vehicles is very low.

4.5 **Description of Containment and Diversionary Structures [40 CFR 112.7(c)]**

Locations of each containment and diversionary structure at the Badger Disposal facility are shown on the Facility Diagram located in Appendix D. In accordance with 40 CFR 112.7(c), a short description of each secondary containment or diversionary structure is summarized below.

4.5.1 Lab Pack Building Secondary Containment

As previously discussed, the Lab Pack Building 55-gallon drum storage area in Section B is fully contained within the building by use of 3.5" high ramps and curbs at all building doors. The secondary containment calculations, included in Appendix F, indicate that the facility has a containment capacity of 6,682 gallons. The floor slab is also coated to prevent permeation of liquid into the concrete floor. This coating also serves as protection against oil spills and makes cleanup much easier. Therefore, the Badger Disposal Drum Storage Warehouse does have adequate containment to comply with the SPCC requirements.

4.5.2 Dock #4 Secondary Containment

The Loading Dock #4 bermed/curbed area serves as a containment area during oil unloading activities. It is a manually pumped containment area with no drainage or sump pump. The area consists of curbs and berms on three sides surrounding the overhead door entrance to the building. The calculations provided in Appendix F indicate that the Dock #4 containment area has a capacity of 298.2 gallons. This is more than adequate to contain the largest spill that would most likely occur in this area (55 gallons), therefore, this containment area complies with the SPCC requirements as long as the containment is always empty before unloading activities occur, and as long as the trailer backs up to unload within the bermed/curbed area.

4.6 **Determination of Practicability [40 CFR 112.7(d)]**

In accordance with 40 CFR 112, this SPCC Plan contains a written commitment of manpower, equipment and materials required to expeditiously control and remove any harmful quantity of oil released from oil storage containers that are not equipped with secondary containment or diversionary structures. Current operations at Badger Disposal occur indoors within the containment of the building. Badger Disposal also maintains spill response equipment that is to be used in the event of a spill. If there is an oil spill at the facility, the spill response procedures presented in the Contingency Plan must be followed.

4.7 Inspection, Test and Records [40 CFR 112.7(e)]

All oil containing drums are stored on the warehouse floor or on containment pallets. They are visually inspected to identify potential leaks or failures as part of the daily operations. The loading/unloading dock is inspected before and after shipping or receiving of waste. Any signs of leaks or potential failure are immediately reported to the Spill Prevention Contact Person. A visual inspection checklist is provided in Appendix G.

4.8 Personnel Training [40 CFR 112.7(f)]

Any employee who is involved in the use, storage, or transfer of oils or petroleum products shall be knowledgeable of the Company's procedures for spill prevention and control. Training is provided at the time of hire, and annual reviews on the procedures are also conducted. All warehouse employees receive 40-hour OSHA training along with an annual 8-hour refresher course. Tests are also administered to cover DOT and EPA requirements.

Records from the training sessions are retained in a file for each employee. These records include the date of the training session, leader of the training session, attendee's names, and a brief description of the topics covered. The employee training files are maintained in the Main Office. As situations and procedures change, this SPCC Plan will be updated and the employees will be informed of the modifications. The Spill Prevention Contact Person will act as the SPCC Facilitator and will assist in the training of the employees.

Topics addressed in the training sessions include the following:

- Definition of a Spill and its Effects on the Environment.
- Hazard Potential of Materials Handled.
- Unloading, Storage, and Transfer of Materials.
- Potential Spill Sources.
- Spill Pathways;
- Spill Prevention Measures;
- Spill Response and Notification Procedures;
- Spill Control and Containment;
- Inspections and Recordkeeping;
- Review of Past Spills.
- Pollution Prevention Equipment;
- Discharge Procedure Protocol;
- New Pollution Control Laws and Regulations;
- Contents of the SPCC Plan
- Contents of the Storm Water Plan
- Contents of the Contingency Plan

4.9 Security [40 CFR 112.7(g)]

Security measures in place at the Badger Disposal facility to minimize the potential for a release are as follows:

- 1) All oil is stored inside the plant at this facility. Access to the plant is controlled by locked gates and locked doors at night. All visitors must enter through the main lobby.
- 2) The property is surrounded by a 6-foot high chain-linked fence with three barbed wires across the top. There are four access gates to the facility. Two of the access gates are unused and permanently locked. The loading dock gate is manual and must be unlocked and opened for access to the loading dock. The main entrance gate is electrically operated and is controlled with a key pad at the entrance, or, with a remote operator from inside the plant. All gates are normally closed during business and non-business hours.
- 3) There are no outdoor tanks associated with oil storage at this facility.
- 4) There are no outdoor pumps associated with oil storage at this facility.
- 5) There are no permanent loading/unloading lines at this facility.
- 6) The storm water sump pump is locked in the "off" position at the loading dock during loading/unloading activities.
- 7) The building is adequately lit inside and outside to allow discovery of spills. Vandalism is non-existent since all containers are housed within the facility.

4.10 Facility Tank Car and Tank Truck Loading/Unloading [40 CFR 112.7(h)]

Badger Disposal has procedures in place to minimize the potential for an oil release during loading/unloading operations.

All tanker truck loading and transfer operations are conducted within secondary containment berms or ramps. Prior to commencing loading or transfer operations, the building floor and secondary containment is checked for liquid. During loading/unloading operations, a plant employee and the truck driver are present at all times. The truck driver remains with the tanker truck and is prepared to terminate loading or transfer activities in the event of a product release (i.e., tank overfill, leaking connection, leaking hose).

- 1) Tank truck loading/unloading procedures should meet the minimum requirements and regulations established by the Department of Transportation. This includes chocking wheels during unloading.
- 2) All deliveries and transfers of oil products are supervised by at least one Badger Disposal employee.
- 3) During unloading operations, the truck driver is present at all times. The truck driver remains with the tanker truck and is prepared to terminate unloading activities in the event of a product release (i.e., tank overfill, leaking connection, leaking hose).
- 4) Spills would be contained within the building or the secondary containment berm.

- 5) Prior to departure of any tank truck, the lowermost drain and all outlets on the vehicle are closely examined for leakage, and if necessary, tightened, adjusted, or replaced to prevent liquid leakage while in transit. Badger Disposal personnel confirm that all valves are properly closed prior to departure of the truck from the loading dock area.

4.11 Field-Constructed Container Alterations [40 CFR 112.7(i)]

If a field-constructed aboveground container undergoes a repair, alteration, reconstruction, or a change in service that might affect the risk of a discharge or failure due to brittle fracture failure or other catastrophe, evaluate the container for risk of discharge or failure due to brittle fracture or other catastrophe, and as necessary, take appropriate action. Badger Disposal does not have any field-constructed containers on-site.

4.12 Conformance with Other Discharge Prevention and Containment Procedures [40 CFR 112.7(j)]

The State of Wisconsin has not developed or adopted standards for Oil Spill Prevention Control and Countermeasures Plans. The EPA Regulation 40 CFR 112 is currently the strictest standard to be followed at this time. Since Badger Disposal is a WDNR licensed hazardous waste storage and transfer facility, they are required to adhere to Chapter NR 600 of the Wisconsin Administrative Code. Many of these regulations are redundant with SPCC requirements. However, there are numerous rules in NR 600 that are stricter than the requirements of 40 CFR 112.

4.13 Facility Drainage [40 CFR 112.7(e)(1)]

In general, the oil management areas that have the potential to come in contact with rainwater and require regular attention are the Loading Dock. The outside recessed loading dock area provides containment during loading/unloading of oil materials. The area is inspected for signs of spills following the loading/unloading activity. All other oil storage areas (with the exception of transformers) are inside or sheltered from rainwater.

4.14 Bulk Storage Tanks [40 CFR 112.8(c)]

The bulk storage containers at the Plant, which are subject to 40 CFR 112.8(c), are described in detail in Sections 4.4 and are indicated on the Facility Diagram included in the Appendices. The bulk storage tanks (containers) used for storing oil mainly consist of 55 gallon drums. 55-gallon DOT drums are constructed of steel, which are also compatible with used oils.

- (i) The oil storage areas are provided with secondary containment curbing that has sufficient capacity to contain the contents of the largest tank or container. Since these drums are located inside the facility, provisions for freeboard due to precipitation are not required.

- (ii) The tanks/containers are located inside the manufacturing facility. Therefore, precipitation does not reach these areas.
- (iii) This facility does not have any buried or aboveground oil storage tanks.
- (iv) This facility does not have any partially buried oil storage tanks.
- (v) The containers are subject to visual inspection whenever they are filled and/or emptied. Damaged containers will be repaired or replaced prior to being returned to service.
- (vi) There are no internal heating coils in a storage tank or drum.
- (vii) The loading dock area is inspected before and after loading/unloading operations to assure that oil is not released to the storm sewer system.
- (viii) Visible oil leaks which result in a loss of oil from tank seams, gaskets, bolts, and fittings, are promptly corrected.
- (ix) The previous discussion items relate to the used oil tanks and product tote tanks.

40 CFR 112.8(c)(6) requires that Badger Disposal test each oil containing aboveground bulk storage container for integrity on a regular schedule, and whenever material repairs are made. The frequency and type of testing must take into account container size and design (such as floating roof, skid-mounted, elevated or partially buried). A visual inspection must be combined with another testing technique such as hydrostatic testing, radiographic testing, ultrasonic testing, acoustic emissions testing, or another system of non-destructive shell testing. Testing is to be conducted in accordance with recognized industry standards (STI-SP001 4th Edition), which defines the integrity testing technique and schedule for shop-fabricated tanks and portable containers. The owner must keep comparison records and must also inspect the container's supports and foundations. In addition, the owner must frequently inspect the outside of the container for signs of deterioration, discharges, or accumulation of oil inside diked areas. Records of inspections and tests kept under usual and customary business practices will meet this requirement. Table 2 summarizes the appropriate integrity testing requirements for each regulated container.

All bulk storage containers must be engineered or updated in accordance with good engineering practice to avoid discharges. This would include equipping each bulk storage container with one of the following devices:

- High-level alarm with audio or visual signal at a constantly attended location;
- High liquid level pump cut-off to stop flow at a predetermined level;
- Direct audible or code signal communication between the container gauge equipment and the pumping station; or
- A fast response system for determining the liquid level of each bulk storage container.
- Any liquid level sensing devices must be tested regularly.

In addition to the integrity testing requirements highlighted above, compliance with 40 CFR 112.8 is achieved as follows:

- The Plant does not have any buried oil storage tanks.
- The Plant does not have any partially-buried oil storage tanks.
- The Plant does not have any aboveground storage tanks for oil.
- Visible oil leaks that result in a loss of oil from containers, gaskets, rivets, bolts, and fittings, are corrected promptly.
- It is plant policy that no portable oil storage tanks (including drums) be maintained outside, without shelter and secondary containment.

4.15 Facility Transfer Operations, Pumping and Facility Process [40 CFR 112.8(d)]

In general, this section is not applicable to the Badger Disposal facility; however, the following measures are in place to prevent a release from oil transfer operations:

- 1) There are no buried oil pipelines.
- 2) There are no aboveground oil pipelines.
- 3) There are no pipe supports, hangers, or flanges associated with the oil storage at this facility.
- 4) There are no valves associated with transfer operations at this facility.
- 5) There is no overhead oil piping at this facility located outside the building, which may be subject to vehicular damage.

SUMMARY OF INTEGRITY TESTING REQUIREMENTS

Tank ID.	Description	Capacity (Gal)	Material of Construction	Recommended Integrity Testing Technique	Schedule for Completing Integrity Testing	Comments
N/A	Oil Drums	55	Carbon Steel	Steel Tank Institute SP-001 July 2006	Within 6 months of the date of this plan	<ul style="list-style-type: none"> ▪ Refer to AST Inspection Schedule below. ▪ Periodic Portable Container Inspection required.

AST Inspection Schedule Determination (In accordance with STI-SP001, 4th Edition, July 2006):

Step 1: Define Container Category

According to Table 5.4, a 55 gallon oil drum used inside a building and stored over a secondary containment system is defined as portable container with secondary containment dike/berm. This is considered equivalent to a tank having CRDM. Portable containers with CRDM are classified as **Category 1** Containers.

Step 2: Define AST Inspection Schedule

According to Table 5.5, the AST Inspection Schedule for Category 1 Shop-Fabricated AST's 0 to 1,100 gallons in capacity is **Periodic AST Inspection**.

According to Table 5.5, the Portable Container Inspection Schedule for Category 1 containers is also **Periodic AST Inspection**.

A **Periodic AST Inspection** is defined as a visual, documented inspection conducted by an owner's inspector, to assess the general AST conditions, as best possible, without suspending AST operations or removing the AST from service.

Step 3: Meet the requirements of **Periodic AST Inspections** listed in Section 6.0 of STI-SP001. These requirements have been summarized below.

1. Owner's appointed AST inspector must conduct periodic AST inspections using the checklist in STI-SP001 Appendix C as a guideline. **Not Applicable**
2. Owner's inspector must be knowledgeable of storage facility operations, types of AST's, and associated components/characteristics of the liquid being stored. **Not Applicable**
3. Owner's inspector must review prior inspection reports before each inspection and note special conditions for a particular AST. **Not Applicable**
4. Owner's inspector must complete the STI-SP001 AST Record for each AST or tank site as indicated on the checklist. Note special changes/alterations to tank. **Not Applicable**
5. Owner's inspector must complete the STI-SP001 Monthly Inspection Checklist for each AST each month. Note special instructions on checklist and any special conditions of tank. **Not Applicable**
6. Owner's inspector must complete the STI-SP001 Annual Inspection Checklist for each AST each year. Note special instructions on checklist and any special conditions of tank. **Not Applicable**
7. **For Portable Containers, the Owner's inspector is to complete only the STI SP001 Portable Container Monthly Inspection Checklist each month. Note special instructions on checklist and any special conditions of container.**
8. **NIA** (Applies to Field-Erected Tanks)
9. Refer to STI-SP001 Section 10.0 for any conditions that warrant immediate action.
10. By removing water or taking other corrective action on a regular basis, harmful microbial induced corrosion (MIC) is prevented. Monitor for water accumulation monthly. If corrosion is found due to MIC, treat the AST with a proper biocide or sterilize the AST. In addition, take necessary steps to repair or remove the AST from service, if warranted by the extent of corrosion (per STI-SP001 Section 10.0).

Section 5

SPILL CONTINGENCY PLAN

Since Badger Disposal meets all of the secondary containment requirements outlined in 40 CFR 112 and they have not designated secondary containment as being impracticable, they are not required to prepare a Contingency Plan in accordance with 40 CFR Part 109.

However, Badger Disposal is a WDNR Licensed Hazardous Waste Storage and Transfer facility. As such, they are required to have an updated Contingency Plan on site at all times that was prepared in accordance with Chapter NR 664(d) of the Wisconsin Administrative Code. The purpose of the Contingency Plan is to prevent or minimize hazards to human health or the environment from fires, explosions, or unplanned releases of hazardous waste, or hazardous waste constituents to air, land, or water. The Contingency Plan, prepared for handling hazardous waste at the facility, will also serve as a Contingency Plan for oil spills. The Contingency Plan for the facility was recently updated and is available at several locations throughout the Drum Storage Warehouse. The original copy is maintained in the Main Office of the plant.

Appendix C

SPILL PREVENTION CONTROL AND
COUNTERMEASURE PLAN (SPCC PLAN)

Very - Note =
Tubs A - H do not
appear to be
correct.
However, Tubs I - O
appear to be
consistent w/ TOC
in Vol. 1 Binder

APPENDIX E

SPILL REPORTING FORM

SPILL REPORT

Badger Disposal of WI, Inc.
5611 West Hemlock Street
MILWAUKEE, WISCONSIN 53223
PHONE: 414-760-9175

Date of Release _____

Time of Release _____

Weather Conditions _____

Release Reported By _____

Location of Release _____

Type of Material Involved _____

Estimated Quantity of Material _____

Known or Suspected Cause of Release _____

Extent of Injuries, if Any _____

Name, Address, and EPA I.D. No. of Generator, If Applicable _____

What was the flow direction of the release? _____

Did the Release Contaminate Any Soil? _____

Did the Release Enter the Storm or Sanitary Sewer System? _____

Was There a Release to the Air? _____

Action Taken to Investigate/Correct/Control Release _____

SPILL REPORT

Badger Disposal
5611 West Hemlock Street
MILWAUKEE, WISCONSIN 53223
PHONE: 414-760-9175

Agencies Contacted:

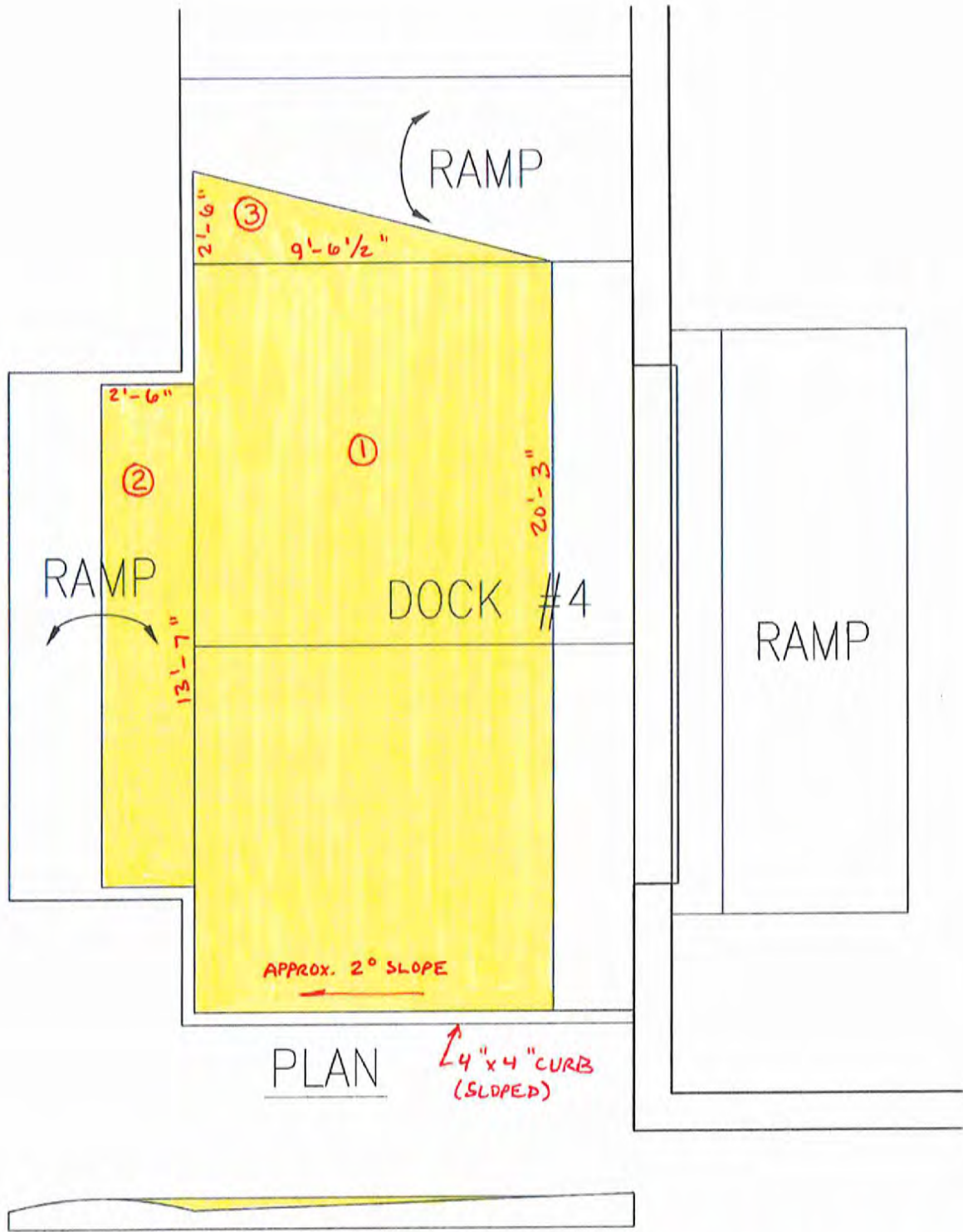
Agency	_____	Telephone	_____
Name of Contact	_____	Time	_____
Agency	_____	Telephone	_____
Name of Contact	_____	Time	_____
Agency	_____	Telephone	_____
Name of Contact	_____	Time	_____
Agency	_____	Telephone	_____
Name of Contact	_____	Time	_____
Agency	_____	Telephone	_____
Name of Contact	_____	Time	_____
Agency	_____	Telephone	_____
Name of Contact	_____	Time	_____
Agency	_____	Telephone	_____
Name of Contact	_____	Time	_____

Actions Recommended to Prevent Future Releases:

Signed _____ Date _____

APPENDIX F

CONTAINMENT VOLUME CALCULATIONS



PLAN

4" x 4" CURB (SLOPED)

ELEV.

Vol. ① = $9'-6\frac{1}{2}'' \times 20'-3'' \times 0'-4'' \times \frac{1}{2}$
 $= 32.2 \text{ ft}^3 \times 7.481 \text{ gal/ft}^3$
 $= \underline{241 \text{ gal}}$

Vol. ② = $13'-7'' \times 2'-6'' \times 0'-4'' \times \frac{1}{2}$
 $= 5.66 \text{ ft}^3 \times 7.481 \text{ gal/ft}^3$
 $= \underline{42.3 \text{ gal}}$

Vol. ③ = $9'-6\frac{1}{2}'' \times 2'-6'' \times 0'-4'' \times \frac{1}{2} \times \frac{1}{2}$
 $= 2.0 \text{ ft}^3 \times 7.481 \text{ gal/ft}^3$
 $= \underline{14.9 \text{ gal}}$

Vol. ④ = Vol. ① + Vol. ② + Vol. ③
 Vol. ④ = $241 + 42.3 + 14.9 \text{ gal}$
 $= \underline{298.2 \text{ gal}}$

NOTE: CONTAINMENT VOLUME CALC'S ARE APPROXIMATE ONLY. A SURVEY OF THIS AREA TO OBTAIN ACTUAL ELEVATIONS HAS NOT BEEN CONDUCTED.

APPENDIX F - LAST PAGE
 BADGER DISPOSAL
 DOCK #4 - 2ND CONTAIN.
 CALCULATIONS 11/11/09 J.M.V.

NORTH DRUM STORAGE WAREHOUSE – CURRENT OPERATIONS
BADGER DISPOSAL OF WI, INC.
BUILDING CONTAINMENT CALCULATIONS

CALCULATE BUILDING AREA

(Calculate total area from outer walls (west, north and east) to the separation wall on the south and subtract all ramps and secondary containment curbed areas from the total area)

Total Area = $A_{TOT} = 9,041.3$ s.f. (per AutoCAD layout drawing perimeter listing)
 $A_{TOT} = 9,041.3$ s.f.

CALCULATE GROSS VOLUME OF BUILDING CONTAINMENT (EMPTY):

Containment curb and ramp heights vary. Per photos and site visit, lowest containment curbing is 3 ½" (worst case).

Volume of empty containment = $V_E = A_{TOT} \times (3.5"/12")$

$V_E = 9,041.3$ s.f. \times 0.292 ft = 2,640 c.f.

$V_E = 2,640$ c.f. \times 7.481 gal/c.f.

$V_E = 19,749$ gal.

DETERMINE DRUM CAPACITY:

Badger's hazardous waste license allows 720 drums of hazardous waste to be stored on containment and wooden pallets on the floor. In accordance with drawing 05490-D1, the capacity of the building is 814 drums on the floor and 1,628 drums double-stacked. The volume of the building containment (V_E), minus the drum volume on the floor (V_D), minus the volume of the containment pallets (V_C), must be greater than 10% of the hazardous waste drum capacity (720) or the largest container.

720 drums \times 55 gal. = 39,600 gal.

CALCULATE VOLUME REQUIRED:

In accordance with NR 664.0175 of *Subchapter I - Containers*, the containment shall have sufficient capacity to contain 10% of the volume of containers. Containers that do not contain hazardous waste with free liquids, or hazardous waste, do not need to be considered.

Volume Required = $V_R = 720 \times 55$ gal. \times 0.10

$V_R = 3,960$ gal.

CALCULATE VOLUME OF PALLETS:

Volume of Wooden Pallet = 11.2 gal.

$V_P = 11.2$ gal. \times qty. of pallets

$V_P = 11.2$ gal. \times 181

$V_P = 2,072$ gal.

NORTH DRUM STORAGE WAREHOUSE – CURRENT OPERATIONS
BADGER DISPOSAL OF WI, INC.
BUILDING CONTAINMENT CALCULATIONS

CALCULATE VOLUME OF DRUMS ON THE FLOOR:

Volume of Drums on floor (worst case) = $V_D = \pi r^2 h$
 $V_D = \pi(1)^2 3.5"/12" \times \text{qty. drums} = 0.9163 \text{ c.f} \times 7.481 \text{ gal./c.f.} \times \text{qty. drums}$
 $V_D = 6.85 \text{ gal.} \times \text{qty. drums}$
 $V_D = 6.85 \text{ gal./drum} \times 0 \text{ drums on floor (current layout)}$
 $V_D = 0 \text{ gal.}$

CALCULATE VOLUME OF CONTAINMENT PALLETS:

Volume of 6 Drum Containment Pallet = 61 gal.

$V_{PC} = 69 \text{ gal.} \times \text{qty. of pallets}$
 $V_{PC} = 69 \text{ gal.} \times 3$
 $V_{PC} = 207 \text{ gal.}$

Volume of 8 Drum Containment Pallet = 82 gal.

$V_{PC} = 82 \text{ gal.} \times \text{qty. of pallets}$
 $V_{PC} = 82 \text{ gal.} \times 9$
 $V_{PC} = 738 \text{ gal.}$

$V_{PC(TOT)} = 207 + 738 = 945 \text{ gal.}$

CALCULATE NET VOLUME OF BUILDING CONTAINMENT (AT STORAGE CAPACITY):

Volume of Containment = $V_C = (V_E - V_P - V_D - V_{PC(TOT)})$
 $V_C = 19,749 \text{ gal.} - 2,072 \text{ gal.} - 0 - 945 \text{ gal.}$
 $V_C = 16,732 \text{ gal.}$

COMPARE CONTAINMENT VOLUME (AT STORAGE CAPACITY) TO CONTAINMENT VOLUME REQUIRED:

1. Volume Required $V_R = 3,960 \text{ gal.} < V_C = 16,732 \text{ gal.}$, therefore, there is adequate containment capacity for hazardous waste drums.
2. Volume of containment pallets (if used) = 82 gal. for 8 drum capacity and 61 gal. for 6 drum capacity. In both cases, the containment pallet capacity exceeds 10% of the volume that can be stored on pallets. Therefore, there is adequate containment capacity for incompatible hazardous waste drums.
 $6 \text{ drums} \times 55\text{-gal./drum} = 330 \text{ gal.}$
 $61 \text{ gal. of containment} = 61/330 \times 100 = 18.5\%$

 $8 \text{ drums} \times 55\text{-gal./drum} = 440 \text{ gal.}$
 $82 \text{ gal. of containment} = 82/440 \times 100 = 18.6\%$
3. Volume of Tanker (V_T) is 6,000 gal. Volume of Containment (V_C) must be adequate for a full tanker inside the building. $V_T = 6,000 \text{ gal.} < V_C = 16,732 \text{ gal.}$, therefore, there is adequate containment capacity for a tanker loading inside the building.

2007 WAREHOUSE ADDITION – CURRENT OPERATIONS
BADGER DISPOSAL OF WI, INC.
BUILDING CONTAINMENT CALCULATIONS

CALCULATE BUILDING AREA

(Calculate total area from outer walls (west, south and east), to the separation curb and ramp in the center of the room, to the wall on the north and subtract all ramps and secondary containment curbed areas from the total area)

Total Area (**Section A**) = $A_{TOT} = 2,811$ s.f. (per AutoCAD layout drawing perimeter listing)
 $A_{TOT} = 2,811$ s.f.

Total Area (**Section B**) = $B_{TOT} = 2,748$ s.f. (per AutoCAD layout drawing perimeter listing)
 $B_{TOT} = 2,748$ s.f.

CALCULATE GROSS VOLUME OF BUILDING CONTAINMENT (EMPTY):

Containment curb and ramp heights vary slightly. Per a site visit, the lowest containment curbing appears to be 3 1/2" (worst case). (This was not verified with a level transit).

Volume of empty containment = $V_E = \text{Area} \times (3.5"/12")$

V_E (A) = 2,811 s.f. x 0.292 ft = 821 c.f.

V_E (A) = 821 c.f. x 7.481 gal/c.f.

V_E (A) = 6,141 gal.

V_E (B) = 2,748 s.f. x 0.292 ft = 802 c.f.

V_E (B) = 802 c.f. x 7.481 gal/c.f.

V_E (B) = 6,000 gal.

DETERMINE DRUM CAPACITY:

Badger is allowed to store 492 drums of non-ignitable hazardous waste in the 2007 Warehouse Addition Section A (Calculation V_E (A) above), or, 492 drums of non-ignitable hazardous waste in Section B (Calculation V_E (B) above). Drums will be stored on wooden pallets so that any leaks can be detected. The volume of the building containment (V_E), minus the wooden pallets (V_P), must be greater than 10% of the drum capacities (492 and 492) or the largest container.

Section A Capacity = (492 drums x 55 gal.) = 27,060 gal.

Section B Capacity = (492 drums x 55 gal.) = 27,060 gal.

CALCULATE VOLUME REQUIRED:

In accordance with NR 664.0175 of *Subchapter I - Containers*, the containment shall have sufficient capacity to contain 10% of the volume of containers. Containers that do not contain hazardous waste with free liquids, or hazardous waste, do not need to be considered.

Volume Required = V_R (A) = 492 x 55 gal. x 0.10

V_R (A) = 2,706 gal.

V_R (B) = 492 x 55 gal. x 0.10

V_R (B) = 2,706 gal.

2007 WAREHOUSE ADDITION – CURRENT OPERATIONS

BADGER DISPOSAL OF WI, INC.

BUILDING CONTAINMENT CALCULATIONS

CALCULATE VOLUME OF PALLETS:

Volume of Wooden Pallets = 11.2 gal.

$V_P (A) = 11.2 \text{ gal.} \times \text{qty. of pallets}$

$V_P (A) = 11.2 \text{ gal.} \times 68$

$V_P (A) = 762 \text{ gal.}$

$V_P (B) = 11.2 \text{ gal.} \times \text{qty. of pallets}$

$V_P (B) = 11.2 \text{ gal.} \times 64$

$V_P (B) = 717 \text{ gal.}$

CALCULATE NET VOLUME OF BUILDING CONTAINMENT (AT STORAGE CAPACITY):

Volume of Containment = $V_C = (V_E - V_P)$

$V_C (A) = 6,141 - 762 \text{ gal.}$

$V_C (A) = 5,379 \text{ gal.}$

$V_C (B) = 6,000 - 717 \text{ gal.}$

$V_C (B) = 5,283 \text{ gal.}$

COMPARE CONTAINMENT VOLUME (AT STORAGE CAPACITY) TO CONTAINMENT VOLUME REQUIRED:

1. Volume Required $V_R (A) = 2,706 \text{ gal.} < V_C (A) = 5,379 \text{ gal.}$, therefore, there is adequate containment capacity in Warehouse Addition Section A.
2. Volume Required $V_R (B) = 2,706 \text{ gal.} < V_C (B) = 5,283 \text{ gal.}$, therefore, there is adequate containment capacity in Warehouse Addition Section B.
3. Badger Disposal may utilize containment pallets for incompatible waste drum storage. These pallets are designed to provide a minimum of 10% of the total volume stored, without considering the additional containment capacity provided by the room.
4. Volume of Tanker (V_T) is 6,000 gal. Volume of Empty Containment in Warehouse Addition Section B (Calc. $V_E (B)$) must be adequate for a full tanker inside the building. $V_T = 6,000 \text{ gal.} = V_E (B) = 6,000 \text{ gal.}$, therefore, there is adequate containment capacity for a full tanker inside the building, as long as all pallets and drums within Warehouse Addition Section B are removed during tanker loading. If drums are left in place on pallets along the south side of Section B (8 of 16 pallets), the containment capacity would be reduced to 5,642 gal. ($6,000 - (717/2)$). This would be adequate containment capacity for smaller tank trucks with 3,000 gal. compartments.

2009 LAB PACK BLDG. – CURRENT OPERATIONS
BADGER DISPOSAL OF WI, INC.
BUILDING CONTAINMENT CALCULATIONS

CALCULATE BUILDING AREA

(Section A)

(Calculate total area from outer walls (west, north and east), to the separation curb and ramp on the south, and subtract all ramps, curbs and steps from the total area)

Total Area (**Section A**) = $A_{TOT} = 2,876.3$ s.f. (per AutoCAD layout drawing perimeter listing)
 $A_{TOT} = 2,876.3$ s.f.

Containment curb and ramp heights vary slightly. Per a site visit, the lowest containment curbing appears to be 4" (worst case). (This was not verified with a transit).

Volume of empty containment = $V_E = A_{TOT} \times (4"/12")$

$V_E (A) = 2,876.3$ s.f. \times 0.333 ft = 957.8 c.f.

$V_E (A) = 957.8$ c.f. \times 7.481 gal/c.f.

$V_E (A) = 7,165$ gal.

DETERMINE DRUM CAPACITY:

Badger stores 384 drums of hazardous waste in the 2009 Lab Pack Building Section A (Calculation $V_E (A)$ above. Drums will be stored on containment pallets (oxidizers) and standard wood pallets (all others). The volume of the Section A building containment (V_E), minus the wood pallets (V_{PW}), minus the containment pallets (V_{PC}), must be greater than 10% of the drum capacities (345) or the largest container.

Section A Capacity = (345 drums \times 55 gal.) = 18,975 gal.

CALCULATE VOLUME REQUIRED:

In accordance with NR 664.0175 of *Subchapter I - Containers*, the containment shall have sufficient capacity to contain 10% of the volume of containers. Containers that do not contain hazardous waste with free liquids, or hazardous waste, do not need to be considered.

Volume Required = $V_R (A) = 345 \times 55$ gal. \times 0.10

$V_R (a) = 1,898$ gal.

CALCULATE VOLUME OF PALLETS:

Volume of Standard Wood Pallet = 1.5 c.f. = 11.2 gal.

$V_{PW} (A) = 11.2$ gal. \times qty. of pallets

$V_{PW} (A) = 11.2$ gal. \times 30

$V_{PW} (A) = 336$ gal.

2009 LAB PACK BLDG. – CURRENT OPERATIONS
BADGER DISPOSAL OF WI, INC.
BUILDING CONTAINMENT CALCULATIONS

CALCULATE VOLUME OF CONTAINMENT PALLETS:

Volume of 6 Drum Containment Pallet = 61 gal.

Assume all pallets are 6 drum containment pallets, 2 per row.

$V_{PC} = 69 \text{ gal.} \times \text{qty. of pallets}$

$V_{PC} = 69 \text{ gal.} \times 12$

$V_{PC} = 828 \text{ gal.}$

CALCULATE NET VOLUME OF BUILDING CONTAINMENT (AT STORAGE CAPACITY):

Volume of Containment = $V_C = (V_E - V_{PW} - V_{PC} - V_T)$

$V_C (A) = 7,165 - 336 - 828 \text{ gal.}$

$V_C (A) = 6,001 \text{ gal.}$

COMPARE CONTAINMENT VOLUME (AT STORAGE CAPACITY) TO CONTAINMENT VOLUME REQUIRED:

1. Volume Required $V_R (A) = 1,898 \text{ gal.} < V_C (A) = 6,001 \text{ gal.}$, therefore, there is adequate containment capacity in 2009 Lab Pack Building Section A.

2009 LAB PACK BLDG. – CURRENT OPERATIONS
BADGER DISPOSAL OF WI, INC.
BUILDING CONTAINMENT CALCULATIONS

CALCULATE BUILDING AREA

(Section B)

(Calculate total area from outer walls (west, south and east), to the separation curb and ramp on the north, and subtract all ramps, curbs and steps from the total area)

Total Area (Section B) = $B_{TOT} = 3,354.1$ s.f. (per AutoCAD layout drawing perimeter listing)
 $B_{TOT} = 3,354.1$ s.f.

Containment curb and ramp heights vary slightly. Per a site visit, the lowest containment curbing appears to be 4" (worst case). (This was not verified with a transit).

Volume of empty containment = $V_E = B_{TOT} \times (4"/12")$

$V_E (B) = 3,354.1$ s.f. \times 0.333 ft = $1,117$ c.f.

$V_E (B) = 1,117$ c.f. \times 7.481 gal/c.f.

$V_E (B) = 8,356$ gal.

DETERMINE DRUM CAPACITY:

Badger intends to store up to 36 drums of acids in Section B. Drums will be stored on standard wooden pallets in Section B. The volume of the Section B building containment (V_E), minus the wooden pallets (V_{PW}), must be greater than 10% of the drum capacities (36) or the largest container.

Section B Capacity – (36 drums \times 55 gal.) = 1,980 gal.

CALCULATE VOLUME REQUIRED:

In accordance with NR 664.0175 of *Subchapter I - Containers*, the containment shall have sufficient capacity to contain 10% of the volume of containers. Containers that do not contain hazardous waste with free liquids, or hazardous waste, do not need to be considered.

Volume Required = $V_R (B) = 36 \times 55$ gal. \times 0.10

$V_R (B) = 198$ gal.

CALCULATE VOLUME OF WOODEN PALLETS:

Volume of Standard Wooden Pallet = 1.5 s.f. = 11.2 gal.

$V_{PW} = 69$ gal. \times qty. of pallets

$V_{PW} = 69$ gal. \times 9

$V_{PW} = 101$ gal.

2009 LAB PACK BLDG. – CURRENT OPERATIONS
BADGER DISPOSAL OF WI, INC.
BUILDING CONTAINMENT CALCULATIONS

CALCULATE VOLUME OF DRUMS ON THE FLOOR:

Volume of Drums on floor (worst case) = $V_D = \pi r^2 h$

$V_D = \pi(1)^2 4''/12'' \times \text{qty. drums} = 1.047 \text{ c.f.} \times 7.481 \text{ gal./c.f.} \times \text{qty. drums}$

$V_D = 7.83 \text{ gal.} \times \text{qty. drums}$

145 empty drums on floor (given by Badger)

$V_D = 7.83 \text{ gal./drum} \times 145 \text{ drums}$

$V_D = 1,135 \text{ gal.}$

CALCULATE VOLUME OF 20 YD ROLLOFF ON THE FLOOR:

Volume of 20 yd Rolloff Container on floor = $V_R = L \times W \times H$

$V_R = 22' \times 8' \times 0.333'$

$V_R = 58.6 \text{ c.f.}$

$V_R = 58.6 \text{ c.f.} \times 7.481 \text{ gal/c.f.}$

$V_R = 438 \text{ gal.}$

CALCULATE NET VOLUME OF BUILDING CONTAINMENT (AT STORAGE CAPACITY):

Volume of Containment = $V_C(B) = (V_E - V_{PW} - V_D - V_R)$

$V_C(B) = 8,356 - 101 - 1,135 - 438 \text{ gal.}$

$V_C(B) = 6,682 \text{ gal.}$

COMPARE CONTAINMENT VOLUME (AT STORAGE CAPACITY) TO CONTAINMENT VOLUME REQUIRED:

1. Volume Required $V_R(B) = 198 \text{ gal.} < V_C(B) = 6,682 \text{ gal.}$, therefore, there is adequate containment capacity in 2009 Lab Pack Building Section B.

2009 LAB PACK BLDG. – CURRENT OPERATIONS
BADGER DISPOSAL OF WI, INC.
BUILDING CONTAINMENT CALCULATIONS

CALCULATE BUILDING AREA

(Section C) (Calculate total area from inside of containment curbing (west, north and east) to the separation curb on the south directly outside the double doors and subtract all wooden pallets from this area.)

AREA C = 380 s.f. (per AutoCAD layout drawing auto-calculations)

C = 380 s.f.

CALCULATE GROSS VOLUME OF BUILDING CONTAINMENT (EMPTY):

Containment curb and ramp heights vary slightly. Per a site visit, the lowest containment curbing appears to be 4" (worst case). (This was not verified with a transit).

Volume of empty containment = $V_E = A_{TOT} \times (4"/12")$

$V_E (H) = 380 \text{ s.f.} \times 0.333 \text{ ft} = 126.5 \text{ c.f.}$

$V_E (H) = 126.5 \text{ c.f.} \times 7.481 \text{ gal/c.f.}$

$V_E (H) = 946 \text{ gal.}$

DETERMINE DRUM CAPACITY:

Badger is allowed to store 48 drums of highly toxic hazardous waste in the 2009 Lab Pack Building Section C (Calculation $V_E (C)$ above. Drums will be stored on standard wood pallets. The volume of the building containment (V_E), minus the wood pallets (V_P), must be greater than 10% of the drum capacities (48) or the largest container.

Section C Capacity – (48 drums x 55 gal.) = 2,640 gal.

CALCULATE VOLUME REQUIRED:

In accordance with NR 664.0175 of *Subchapter I - Containers*, the containment shall have sufficient capacity to contain 10% of the volume of containers. Containers that do not contain hazardous waste with free liquids, or hazardous waste, do not need to be considered.

Volume Required = $V_R (C) = 48 \times 55 \text{ gal.} \times 0.10$

$V_R (C) = 264 \text{ gal.}$

CALCULATE VOLUME OF PALLETS:

Volume of Standard Wood Pallet = 1.5 c.f. = 11.2 gal.

$V_P (C) = 11.2 \text{ gal.} \times \text{qty. of pallets}$

$V_P (C) = 11.2 \text{ gal.} \times 6$

$V_P (C) = 67 \text{ gal.}$

2009 LAB PACK BLDG. – CURRENT OPERATIONS
BADGER DISPOSAL OF WI, INC.
BUILDING CONTAINMENT CALCULATIONS

CALCULATE NET VOLUME OF BUILDING CONTAINMENT (AT STORAGE CAPACITY):

$$\text{Volume of Containment} = V_C = (V_E - V_P)$$

$$V_C (C) = 946 - 67 \text{ gal.}$$

$$V_C (C) = \mathbf{879 \text{ gal.}}$$

COMPARE CONTAINMENT VOLUME (AT STORAGE CAPACITY) TO CONTAINMENT VOLUME REQUIRED:

1. Volume Required $V_R (C) = 264 \text{ gal.} < V_C (C) = 879 \text{ gal.}$, therefore, there is adequate containment capacity in 2009 Lab Pack Building Section C.

APPENDIX G

SPCC INSPECTION CHECKLIST

**BADGER DISPOSAL
SPCC INSPECTION CHECKLIST**

Equipment/Item	Interval	Action	Check if Inspected	Comments/Corrective Action
Waste and Used Oil Storage Area				
2009 Lab Pack Building	Daily	Check for signs of leaks or spills from oil drums.	<input type="checkbox"/>	
2009 Lab Pack Building	Monthly	Check area for appropriate spill clean-up materials	<input type="checkbox"/>	
2009 Lab Pack Building	Monthly	Complete the Portable Container Periodic Inspection Checklist and Keep on File	<input type="checkbox"/>	
Loading Dock				
Loading /Unloading Dock #4	As Required	Check area for signs of spills or leaks before and after transfer of oils as part of standard operating procedure.	<input type="checkbox"/>	

Inspection Performed By: _____ Title: _____

Date of Inspection: _____ Received By: _____

APPENDIX H

STI INSPECTION CHECKLIST

STI SP001 Portable Container Monthly Inspection Checklist

General Inspection Information:

Inspection Date: _____	Retain Until Date: _____	(36 months from inspection date)
Prior Inspection Date: _____	Inspector Name: _____	
Containers Inspected (ID #s): _____		

Inspection Guidance:

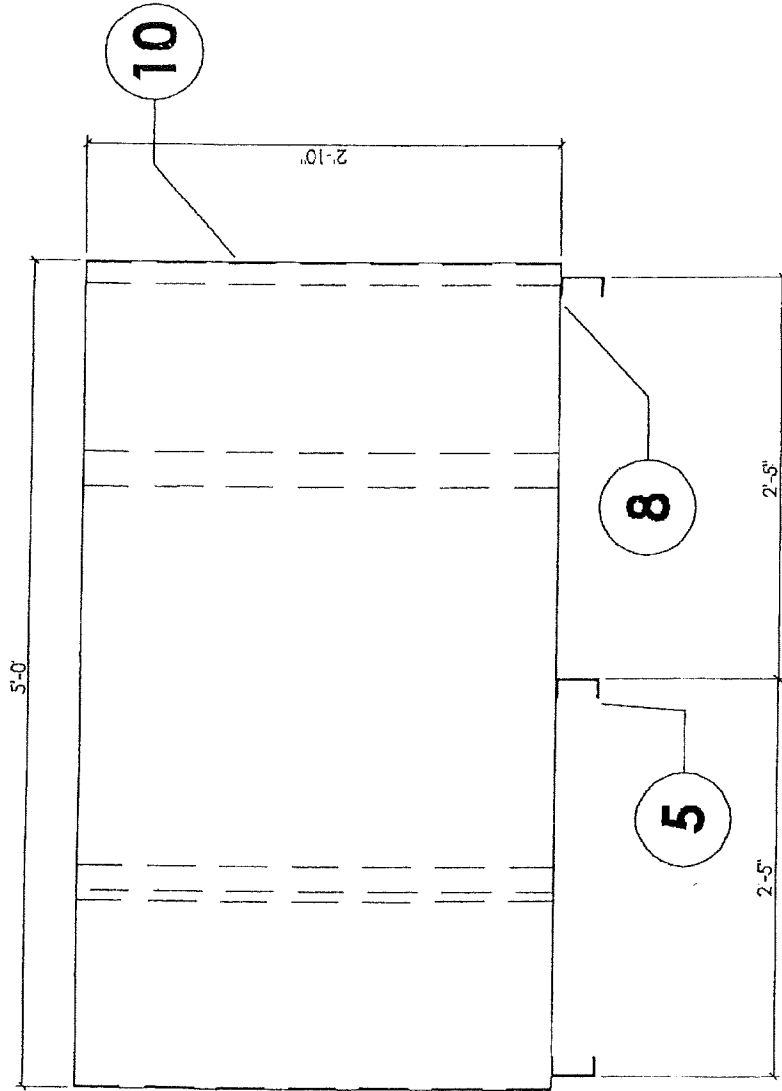
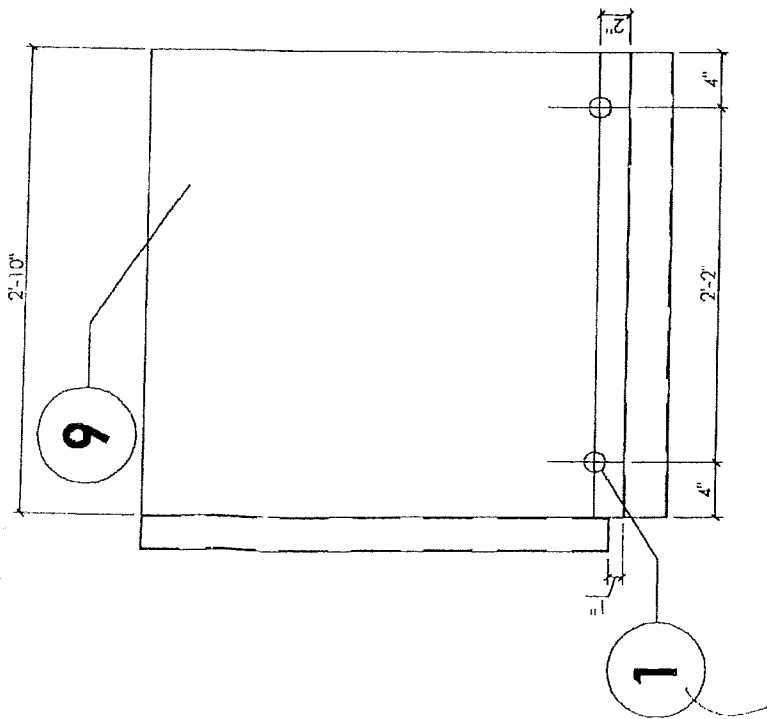
- For equipment not included in this standard, follow the manufacturer recommended inspection/testing schedules and procedures.
- The periodic AST Inspection is intended for monitoring the external AST condition and its containment structure. This visual inspection does not require a certified inspector. It shall be performed by an owner's inspector who is familiar with the site and can identify changes and developing problems.
- (*) designates an item in a non-conformance status. This indicates that action is required to address a problem.
- Non-conforming items important to tank or containment integrity require evaluation by an engineer experienced in AST design, a certified inspector, or a tank manufacturer who will determine the corrective action. Note the non-conformance and corresponding corrective action in the comment section.
- Retain the completed checklists for 36 months.

Item	Area: _____	Area: _____	Area: _____
1.0 AST Containment/Storage Area			
1.1 ASTs within designated storage area?	<input type="checkbox"/> Yes <input type="checkbox"/> No*	<input type="checkbox"/> Yes <input type="checkbox"/> No*	<input type="checkbox"/> Yes <input type="checkbox"/> No*
1.2 Debris, spills, or other fire hazards in containment or storage area?	<input type="checkbox"/> Yes* <input type="checkbox"/> No	<input type="checkbox"/> Yes* <input type="checkbox"/> No	<input type="checkbox"/> Yes* <input type="checkbox"/> No
1.3 Water in outdoor secondary containment?	<input type="checkbox"/> Yes* <input type="checkbox"/> No	<input type="checkbox"/> Yes* <input type="checkbox"/> No	<input type="checkbox"/> Yes* <input type="checkbox"/> No
1.4 Drain valves operable and in a closed position?	<input type="checkbox"/> Yes <input type="checkbox"/> No*	<input type="checkbox"/> Yes* <input type="checkbox"/> No	<input type="checkbox"/> Yes* <input type="checkbox"/> No
1.5 Egress pathways clear and gates/doors operable?	<input type="checkbox"/> Yes <input type="checkbox"/> No*	<input type="checkbox"/> Yes* <input type="checkbox"/> No	<input type="checkbox"/> Yes* <input type="checkbox"/> No

DISCLAIMER

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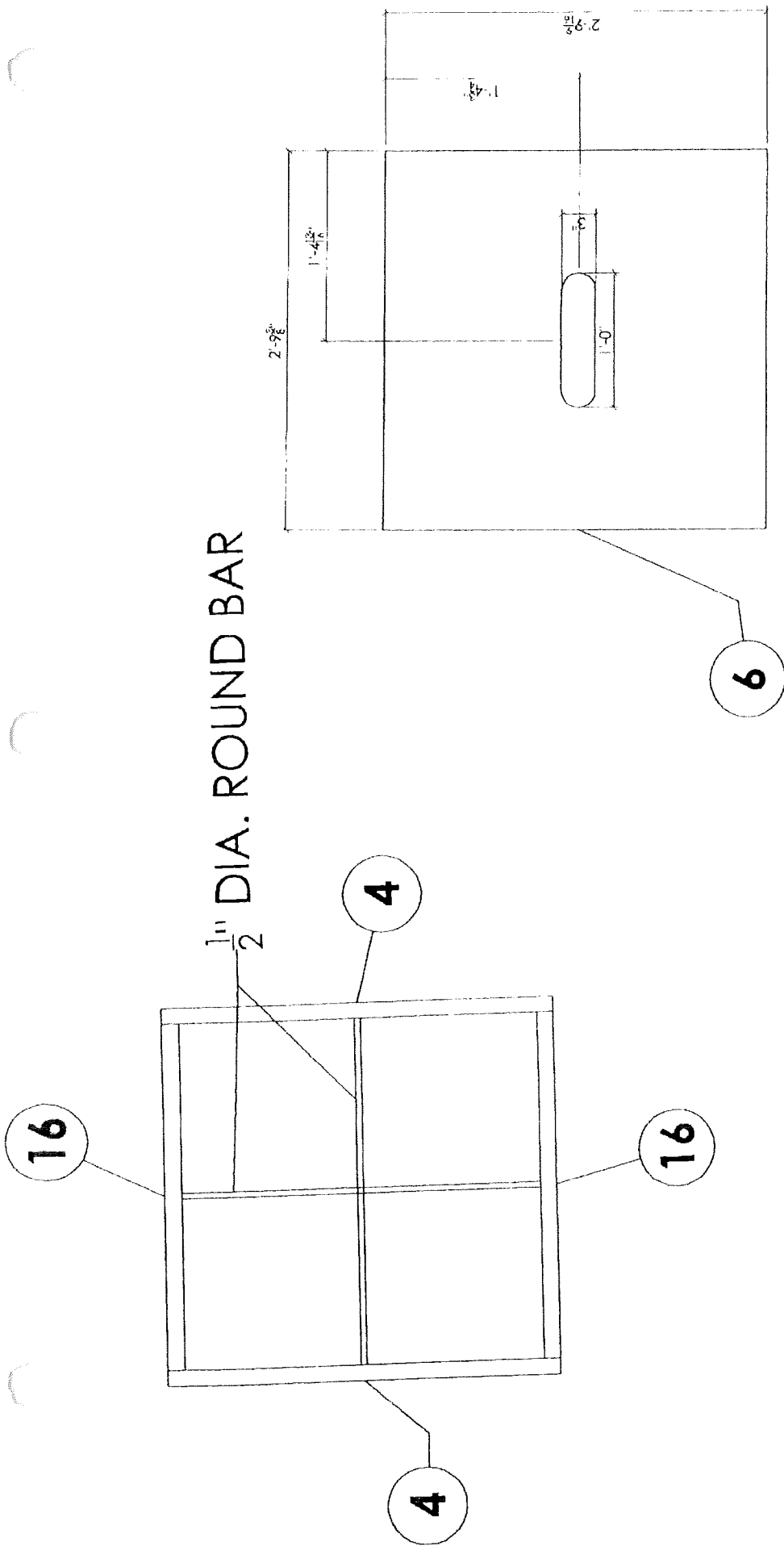
This Standard may be revised or withdrawn at any time without prior notice. This Standard does not necessarily address all of the applicable health and safety risks and precautions with respect to particular materials, conditions or procedures. Information concerning safety and health risks and precautions should be obtained from the applicable standards, regulations, suppliers of materials or material safety data sheets.



TANK MUST BE MANUFACTURED AND PRESSURE TESTED TO MEET UL STANDARDS # 3C.

OUTER SHELL OF TANK AND ALL WELDS ON TUBE HANGERS TO BE WELDED 1/8" ALL AROUND. ALL OTHER WELDS ARE 1/4" 2@6

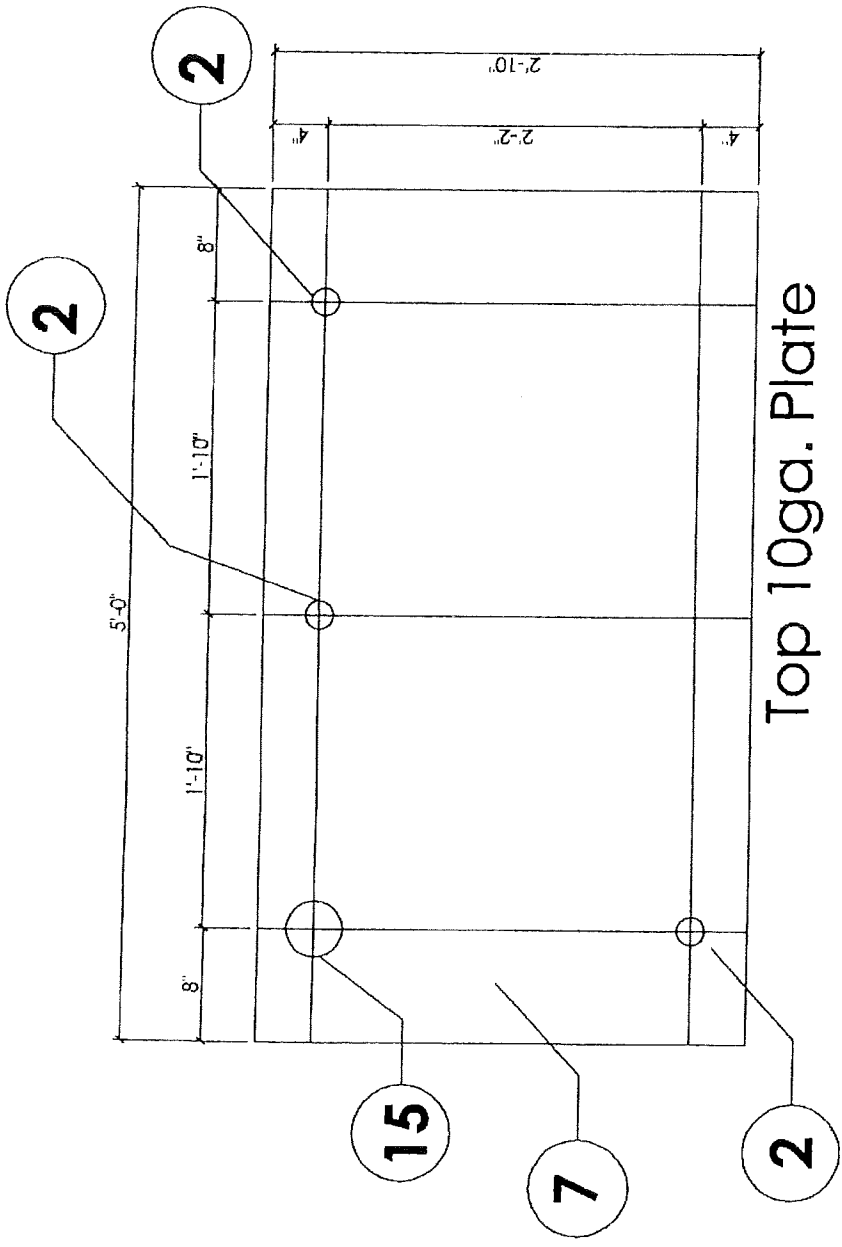
<p>INOV8 Waste Oil Burner Tank</p>	
<p>PROJECT NUMBER: 10424 ISSUE DATE: 3-27-07 SUBMITTAL DATE: DETAILER: CHECKER: PROJECT MGR: FILE NAME: FABRICATOR: QC INSPECTOR:</p>	<p>DWG. NUMBER: REV. DATE: 00/00/00</p> <p>WIF200 1/7</p>



TANK MUST BE MANUFACTURED AND PRESSURE TESTED TO MEET UL STANDARDS

OUTER SHELL OF TANK AND ALL WELDS ON TUBE HANGERS TO BE WELDED 1/8" ALL AROUND. ALL OTHER WELDS ARE 1/8" 2@6

INOV8	
Waste Oil Burner Tank	
PROJECT NUMBER: 10424	DWG NUMBER: 00706/700
DATE: 3-27-03	RTV DATE: 02/06/00
SUBMITTAL DATE: -	
DETAILER: -	
DESIGNER: -	
PROJECT MGR: -	
FILE NAME: -	
FABRICATOR: -	
QC INSPECTOR: -	
	WIF200
	2/1

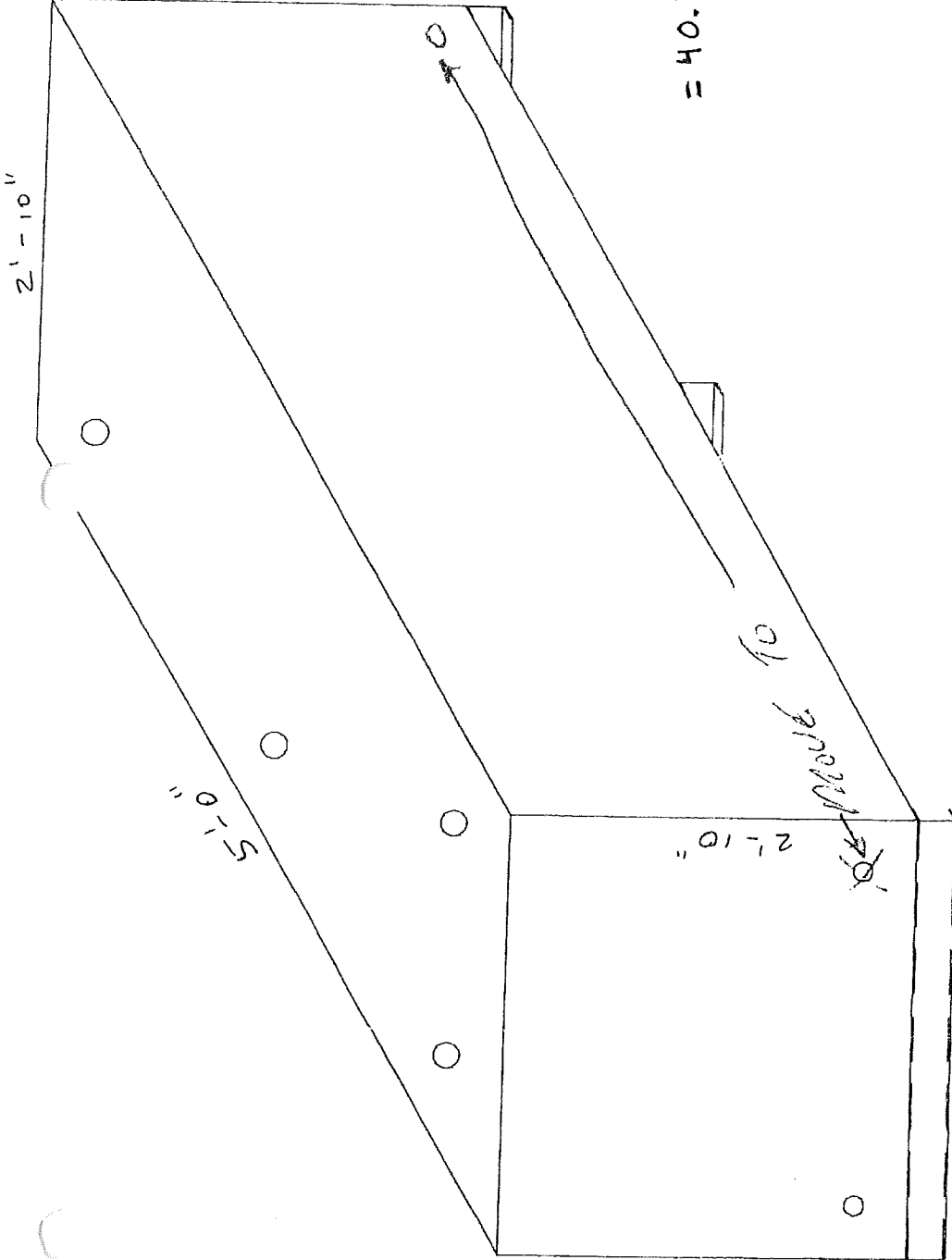


Top 10ga. Plate

TANK MUST BE MANUFACTURED AND PRESSURE TESTED TO MEET UL STANDARDS

OUTER SHELL OF TANK AND ALL WELDS ON TUBE HANGERS TO BE WELDED $\frac{1}{8}$ " ALL AROUND. ALL OTHER WELDS ARE $\frac{1}{8}$ " 2@6

PROJECT NUMBER: 10424	
ISSUE DATE: 3-27-07	
SUBMITAL DATE:	
DETAILER:	
CHECKER:	
PROJECT MGR:	
FILE NAME:	
FABRICATOR:	
QC INSPECTOR:	
INOV8	
Waste Oil Burner Tank	
DWG. NUMBER	REV. DATE
WIF200	3/7



← Outer of Tank
End of Tank

$$= 40.14 \text{ ft}^3 \times 7.481 \frac{\text{Gal}}{\text{ft}^3} = 300 \text{ GAL}$$

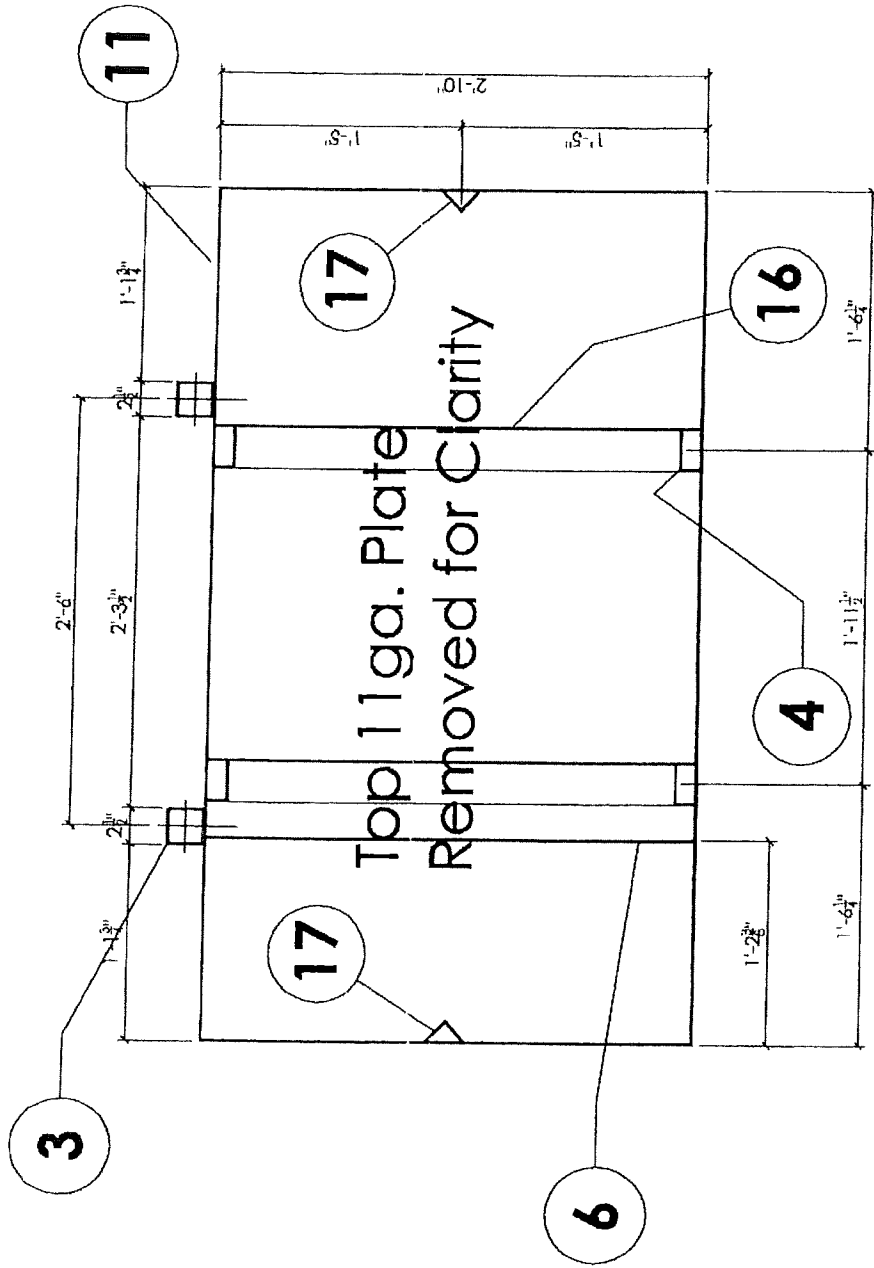
2'-10"
 Note to

TANK MUST BE MANUFACTURED AND PRESSURE TESTED TO MEET UL STANDARDS

OUTER SHELL OF TANK AND ALL WELDS ON TUBE HANGERS TO BE WELDED $\frac{1}{8}$ " ALL AROUND.

ALL OTHER WELDS ARE $\frac{1}{8}$ " 2@6

INOV8	
Waste Oil Burner Tank	
PROJECT NUMBER: 10424	REV. DATE: 00/00/00
ISSUE DATE: 3-27-07	DWG NUMBER: WIF200
SUBMITTAL DATE: _____	REV. DATE: _____
DETAILER: _____	DATE: _____
CHECKER: _____	PROJECT MGR: _____
FILE NAME: _____	FABRICATOR: _____
QC INSPECTOR: _____	DATE: 4/7



TANK MUST BE MANUFACTURED
 AND PRESSURE TESTED TO MEET
 UL STANDARDS

OUTER SHELL OF TANK
 AND ALL WELDS ON TUBE
 HANGERS TO BE WELDED
 1/8" ALL AROUND.
 ALL OTHER WELDS ARE 1/8" @ 6

INOVB8

Waste Oil Burner Tank

PROJECT NUMBER: 0424
 ISSUE DATE: 5-27-07
 SUBMITTAL DATE: _____
 DETAILER: _____
 CHECKER: _____
 PROJECT MGR: _____
 FILE NAME: _____
 FABRICATOR: _____
 QC INSPECTOR: _____

DWG NUMBER: _____ REV DATE: 00/00/00

WIF200

5/7

KEY

ITEM #	QTY	DESCRIPTION
1	2	3/4" NPT Half Coupling
2	3	2" NPT Half Coupling
3	2	2 1/2 x 2 1/2 x 11 ga. Tube x 33"
4	4	C3 x 4.1 X 33 5/8"
5	3	C3 x 4.1 X 33 5/8"
6	1	11 ga. PL x 33 5/8" x 33 5/8"
7	1	11 ga. PL x 34 x 60
8	1	11 ga. PL x 34 x 60
9	1	11 ga. PL x 34 x 34
10	1	11 ga. PL x 34 x 34
11	2	11 ga. PL x 34 x 60
12	2	2 x 2 x 11 ga. Tube x 35"
13	2	2 x 2 x 11 ga. Tube x 29 7/16"
14	2	2 x 2 x 3/16" Tube x 96"
15	1	3" NPT Half Coupling
16	4	C3 x 4.1 X 30 13/16"
17	2	L2" X 2" X 1/8" X 33 3/4"

TANK MUST BE MANUFACTURED AND PRESSURE TESTED TO MEET UL STANDARDS

OUTER SHELL OF TANK AND ALL WELDS ON TUBE HANGERS TO BE WELDED 1/8" ALL AROUND. ALL OTHER WELDS ARE 1/4" @ 6

INOVB8	
Waste Oil Burner Tank	
PROJECT NUMBER: 10424	REV. DATE: 06/30/00
ISSUE DATE: 3-27-00	
SUBMITTAL DATE:	
DETAILER:	
CHECKER:	
PROJECT MGR:	
FILE NAME:	
FABRICATOR:	
QC INSPECTOR:	
WIF200	
1/7	

APPENDIX I

CONTINGENCY PLAN

CONTINGENCY PLAN

**BADGER DISPOSAL OF WI., INC.
MILWAUKEE, WISCONSIN**

Revised November 12, 2007

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Recycled Paper

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Section 1
INTRODUCTION

1.1 Background

The purpose of the existing facility is to conduct exempt recycling of hazardous waste materials, including combustible waste, waste oil, paint waste, solvent waste, and other organic and inorganic materials. The activities conducted at this facility are based on a very simple concept--the re-direction of materials from the waste stream for the purpose of beneficial reuse whenever possible. The materials received at this facility are primarily generated by commercial, institutional and industrial companies that do not generate bulk quantities. Therefore, the function performed by this facility is primarily the bulking and transfer of hazardous and non hazardous wastes in order to gain access to secondary markets. Some of the organic materials are recycled by Badger Disposal for re-refining or energy recovery as a fuel for industrial furnaces, or some are recycled by a separate off-site licensed facility. Both liquid and solid materials are processed at this location. The facility also accepts labpacks for repackaging to allow for the cost effective re-direction of these materials for the purpose of beneficial use.

1.2 Purpose and Scope

The information contained herein is submitted for the Badger Disposal of WI., Inc. (Badger Disposal) in accordance with the requirements for a contingency plan, as contained in Chapter 630.22(1) and (2), Wisconsin Administrative Code. The purpose of this contingency plan is to prevent or minimize hazards to human health or the environment from fires, explosions, or unplanned releases of hazardous waste or hazardous waste constituents to air, land, or water. The provisions of this plan will be carried out immediately in the event of a fire, explosion, or release of hazardous waste or waste constituents which could threaten human health or the environment.

This contingency plan will also be implemented whenever hazardous conditions exist. Hazardous conditions, other than an actual incident, refer to any situation involving the imminent, or probable spillage, leakage, or release of a hazardous substance onto land, water, or the atmosphere that could create an immediate or potential danger to the public health or safety because of its quantity, strength, and toxicity; its mobility in the environment; and its persistence. Routine cleanup operations will be performed by operating personnel without implementing this contingency plan.

Section 2
IMPLEMENTATION CRITERIA

The decision to implement the contingency plan depends upon whether an imminent or actual incident could threaten human health or the environment. The purpose of this section is to guide the emergency coordinators, through decision-making criteria, in making this decision. Emergencies may occur at any time as a result of natural forces, trespassing, accidents, hazardous substance spills, or other situations that disrupt essential operations. Table 1 summarizes the type and nature of emergency situations that would require implementation of the contingency plan. If any of the criteria listed in Table 1 occur, then the contingency plan will be implemented. If a site emergency is initiated, the emergency coordinator will follow the procedures contained herein.

TABLE 1

CONTINGENCY PLAN IMPLEMENTATION CRITERIA

Emergency Type	Emergency Nature
Fire and/or Explosion	<ul style="list-style-type: none"> * A fire causes the release of toxic fumes, particulates, or smoke. * The fire is sufficiently large or uncontrolled to warrant outside assistance. * The fire could possibly spread to off-site areas. * Use of water or water and chemical fire suppressant could result in contaminated runoff reaching groundwater or the properties of others. * Imminent danger exists of an explosion that could cause a safety hazard because of flying fragments or shock waves. * An imminent danger of explosion exists. * An explosion has occurred.
Spills or Material Release	<ul style="list-style-type: none"> * The spill could release flammable liquids or vapors in sufficient quantities to cause a fire or gas explosion hazard. * The spill could release toxic particulates, liquids, or fumes in sufficient quantities or in a manner that is hazardous to human health. * The spill increases the potential for groundwater contamination. * The spill cannot be contained on-site and therefore results in off-site soil contamination and/or ground or surface water pollution.
Natural Disaster	<ul style="list-style-type: none"> * A tornado affecting the facility has occurred. * An earthquake affecting the facility has occurred. * Severe thunderstorms have occurred and caused release of hazardous wastes.

Section 3
COORDINATION OF EMERGENCY SERVICES

3.1 Emergency Coordinator

A list of Emergency Coordinators is provided in Table 2. In the event of an emergency, the Emergency Coordinator has the authority to commit resources to an emergency. In accordance with s. NR 630.22(1)(d), Wisconsin Administrative Code, at least one person with the responsibility of coordinating all emergency response measures will be present when the facility is in operation. When the facility is not in operation, a facility emergency coordinator will be present or on call and available to respond to an emergency by reaching the facility in a short period of time. The Emergency Coordinator (or designee) will perform the following tasks:

- Assess extent of emergency.
- Contact appropriate emergency support agencies if needed.
- Designate someone in charge at incident area to temporarily supervise immediate control action, radio report to coordinator for an update on conditions, and notify all personnel.
- Take precautions to prevent spreading of fire or other emergency conditions to other hazardous waste or waste disposal areas.
- Evacuate non-Badger Disposal personnel and non-essential Badger Disposal personnel from incident area particularly during operating hours.
- Assemble all personnel at a designated area for instructions and roll call. Direct company personnel in responding to fire or explosion, if appropriate, and wait for outside emergency personnel and assist in their efforts.
- If appropriate, prepare self-contained breathing apparatus, and distribute.
- Prevent additional traffic from entering incident area.
- Clear road(s) for emergency vehicles and equipment.
- Contact Chemical Coordinator, or check waste inventory log located in the laboratory for information to identify the nature of wastes in the incident area, and to determine potential hazards, such as toxic, irritating, or asphyxiating gases generated as a result of fire or explosion.
- Determine the need to evacuate the site based on evaluation of the following:

- The areal extent of the incident
- The nature of wastes involved, especially including the potential for generation of hazardous gases
- An estimate of the time required and equipment needed to bring the incident under control.
- Any other special conditions or factors that may have a bearing on the severity of the incident.
- In the event of fire, consider smoke visibility or toxic fume hazard in off-site areas, and notify Milwaukee County Fire Department personnel for action, if necessary.
- For occurrences requiring local traffic control, contact the Milwaukee County Sheriff's Department to coordinate evacuation activities, if necessary.
- If the emergency involves a spill or release, contact the State of Wisconsin Division of Emergency Government Spill Hotline (800-943-0003), the National Response Center (800-424-8802), the Wisconsin DNR-Southeast District Office – Spill Coordinator (414-263-8685, Milwaukee Metropolitan Sewerage District (414-282-7200), Milwaukee County Division of Emergency Management (414-278-4709) and report the following:
 - Name and telephone number of the reporter
 - Name and address of Badger Disposal
 - Date, time and type of incident
 - Name and quantity of material involved, to the extent known
 - Estimate of total quantity discharged, source of discharge, description of all affected material (air, water, soil etc.)
 - The extent of injuries, if any – evacuation
 - Possible hazards to human health, or the environment, outside the facility
 - Immediately after the incident, make an assessment to determine the need for recycling, recovery, and/or disposal of recovered waste, contaminated soil or surface waters, or any other material that results from a release, fire, or explosion at the facility (assume materials are hazardous). Obtain a sample of wastes involved in the incident for possible chemical analysis so that the cause of the incident can be definitely determined.
 - The emergency coordinator will evaluate the nature of materials (such as fire suppressants, neutralizing agents, waste residuals) in the affected area of the facility to determine if special cleanup efforts must be initiated before operation is resumed. The evaluation will include a determination as to whether the released materials would be incompatible with incoming wastes. If special fire suppressants have been used, the emergency coordinator (or site

TABLE 2

LISTING OF EMERGENCY COORDINATORS

Priority of Notification	Title	Employee Name	Business Phone Number	Mobile Number	Home Phone Number
1	Primary Emergency Coordinator	Ron Mitchell	414-760-9175	414-236-1080	262-252-3463
2	Alternate Emergency Coordinators	Henry J. Krier	414-760-9175	414-236-1082	262-569-8918
		Martin Schmit	414-760-9175	414-236-1081	262-285-3160 715-757-3573
3	24 Hour Emergency Line	Ron Mitchell	414-760-9175	414-236-1080	262-252-3463
4	24 Hour Emergency Pager	N/A	N/A	414-584-4746	N/A

NOTE:

One emergency coordinator will always be available, either on-site or on call 24 hours a day. In the event that more than one emergency coordinator is on-site at the time of an emergency, the chain of command will follow the priority of notification.

- The Emergency Coordinator will ensure that all emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed.
- The owner or operator will notify the appropriate state and local authorities, that the facility is in compliance with this Section before operations are resumed in the affected area(s) of the facility.
- The owner or operator will note in the operating record the time, date, and details of any incident that requires implementing the Contingency Plan. Within 15 days after the incident, a written report will be submitted on the incident to the Wisconsin Department of Natural Resources Director. The report will include the following:
 - Name, address, and telephone number of the owner or operator.
 - Name, address, and telephone number of the facility.
 - Date, time, and type of incident (e.g., fire, explosion).
 - Name and quantity of material(s) involved.
 - The extent of injuries, if any.
 - An assessment of actual or potential hazards to human health or the environment, where this is applicable.
 - Estimated quantity and disposition of recovered material that resulted from the incident.
 - A narrative describing the known or suspected causes of the incident and a statement describing the measures taken to investigate the cause. The narrative will also describe any necessary measures which have been or will be taken to prevent incidents in the future.
- Any amendments to the contingency plan.

3.2 Emergency Response Team

The Emergency Response Team is established at the facility to provide incident control and remediation during emergency situations. The team listed in Table 3 consists of an Emergency Coordinator plus industrial hygiene, health and safety, and other plant personnel who are trained for fire, chemical, first-aid, and maintenance assistance. Table 3 identifies Emergency Response Team personnel.

TABLE 3

EMERGENCY RESPONSE TEAM

Team Members	Name	Title
Emergency Response Team Chief	Ron Mitchell	General Manager
Emergency Response Team Members	Henry J. Krier Martin W. Schmit Dave Conley Craig Smith Leo Ford	President Plant Manager Lab Manager Warehouse Technician Warehouse Technician

3.3 Fire Brigade

The facility has a fire brigade who acts as a first line of defense against fire and explosion. The Fire Brigade, listed in Table 4, is organized and trained to respond to incipient fires (those in the early stages of development that can be successfully fought using hand extinguishers or hose lines) and more serious fires. Fires that present life-threatening situations will be fought with the help of outside fire companies.

3.4 Coordination Agreements with Local Authorities

The facility maintains close ties with local police and fire departments and health care facilities. Refer to Table 5 for a list of local emergency contacts. Numerous contacts have been made and are maintained throughout the year by Badger Disposal, such as emergency planning, fire prevention, and security personnel with various outside agencies. Copies of the Contingency Plan have been supplied to the appropriate local authorities to familiarize them with operations and emergency procedures (Appendix C). Any amendments to the Contingency Plan will also be supplied to the appropriate local authorities to familiarize them with any additional operations and emergency procedures.

Fire Department

The City of Milwaukee Fire Department personnel are offered annual inspection and familiarization tours of the Badger Disposal facility, and will work closely with Badger Disposal Fire Brigade personnel in establishing and maintaining effective prevention and protection programs. The interaction will include identification of the properties of hazardous waste handled at the facility, the associated hazards, and the fire control techniques, as well as a review of the contingency plan.

Police Department

The Badger Disposal Emergency Coordinator will interact with the City of Milwaukee Police Department and the Milwaukee County Sheriff to establish effective working relationships in dealing with potential emergency situations.

Medical Services

The Badger Disposal Emergency Staff will maintain close contact with ambulance squads and emergency medical personnel to ensure a thorough understanding of site hazards, building layouts, and emergency medical procedures. Diagnosis and treatment procedures for chemicals (including hazardous wastes) at Badger Disposal will be maintained at the site.

TABLE 4

FIRE BRIGADE PERSONNEL

Fire Brigade	Name	Title
Fire Brigade Chief	Ron Mitchell	Plant Manager
Fire Brigade Members	Henry J. Krier	President
	Martin W. Schmit Leo Ford Dave Conley Craig Smith	Plant Manager Warehouse Technician Lab Manager Warehouse Technician

TABLE 5
EMERGENCY RESPONSE CONTACTS AND TELEPHONE NUMBERS

<i>Local Emergency Response Contacts</i>	
City of Milwaukee Police Department	911
City of Milwaukee Fire Department	911
Milwaukee County Sheriff	911
State of Wisconsin Division of Emergency Government	800-943-0003
State Patrol	414-227-4691
EMS	911
<i>Local Hospital Emergency Numbers</i>	
St. Joseph's Hospital	414-447-2000

Revised September 15, 2006

Section 4
EMERGENCY RESPONSE PROCEDURES

4.1 Notification

Should an emergency situation arise, the Emergency Coordinator, or the designee, will be notified immediately. The Emergency Coordinator will then contact the Safety Officer and the Fire Brigade Chief as required. If any employee in the active hazardous waste disposal area or waste reception area encounters an emergency situation that they believe is a threat to the health or safety of themselves or others, the individual employee is authorized to alert others to the problem by radio or voice communication and to evacuate the area immediately.

4.2 General Emergency Action Procedure

During an emergency, the Emergency Coordinator will take all reasonable measures necessary to ensure that fires, explosions, and releases do not occur, recur, or spread to other hazardous wastes at the facility. These measures include, where applicable, stopping facility operations, collecting and containing released waste, and removing or isolating containers. If the facility stops operations in response to an emergency, the Emergency Coordinator or designee will then monitor for leaks, pressure buildup, gas generation, or ruptures in valves, pipes, or other equipment, as appropriate. The specific emergency action procedures followed are to control potential releases to air, soil, and water.

4.3 Fire/Explosion Action Procedure

Upon discovery of a fire or explosion at or outside of the Badger Disposal facility, the Emergency Coordinator will contact the necessary personnel to fight the fire. This may include the use of the Fire Brigade, who are trained in the proper method of fire fighting, and other Emergency Response Team personnel, who are trained in the proper methods of fire fighting. All untrained personnel will be required to leave the area. In addition, the Emergency Coordinator will direct all cleanup operations, determine the level of personnel protective equipment needed, and decide on the appropriate cleanup materials.

Regardless of the location of the fire/explosion, the Emergency Coordinator is responsible for the following:

- Determining a life-threatening potential
- Determining a property-threatening potential
- Determining an environmental impact potential

Depending on the availability of data, these assessments are accomplished through careful review of waste shipping manifests, detailed chemical analysis data, or "fingerprint" chemical analysis data.

On-site firefighting equipment that will be used to control fires/explosions at the Badger Disposal facility will include the following:

- Fire blankets
- Hand-held fire extinguishers located throughout the facility
- Portable fire extinguishers
- Automatic Aqueous Film Forming Foam (AFFF) fire suppression system

Upon discovery of a fire/explosion, individuals will initiate the fire/explosion action procedure as described below.

FIRE/EXPLOSION ACTION PROCEDURE

1. Notify Emergency Coordinator or designee.

Emergency Coordinator: Ron Mitchell
 Business Telephone - (414) 236-1080
 Home Telephone - (414) 252-3463

The Emergency Coordinator has the authority and responsibility to take all reasonable measures to ensure that fires, explosions and releases with the potential to cause a fire or explosion do not occur, recur, or spread to other wastes at the facility. Upon discovery of any fire or explosion at or outside the facility, the Emergency Coordinator will immediately, via telephone, contact the City of Milwaukee Fire Department, by dialing 911. He will inform the Fire Department of the current situation, including the

need for ambulances or other emergency equipment, should any injuries have occurred as a result of the fire or explosion. The Emergency Coordinator will designate a person to wait at the street entrance to the facility to direct emergency personnel to area of the incident when they arrive.

The Emergency Coordinator or designee then subsequently notifies the Badger Disposal Fire Brigade and Emergency Response Team.

2. Control access to area. Clear all nonessential personnel from area.
3. Extinguish fire with hand-held fire extinguishers, if possible, or take other immediate action to mitigate the emergency until the local Fire Department arrives.
4. Take all reasonable measures necessary to ensure that subsequent fires, explosions, or releases do not occur or spread to other areas. These measures may include, but are not limited to, the possible removal of unaffected drums of waste from the area and dowsing adjacent areas with water.
5. In response to a fire or explosion that may release hazardous materials, the Emergency Coordinator will direct activities to monitor for leaks, pressure build-up, gas generation, or for ruptured pipes or valves or other equipment, as appropriate.
6. If a fire or explosion causes the release of hazardous materials, the appropriate action procedure for spilled or released material will be followed, as described in Subsection 4.5.
7. The Emergency Coordinator will deploy additional personnel and equipment as required.
8. The Emergency Coordinator will document the event.

4.4 Fire/Explosion Residual Cleanup Procedure

Cleanup of fire residuals involving hazardous wastes is aimed at collecting as much of the hazardous waste as possible for recycling, recovery, and/or disposal as quickly as possible. Several techniques are available for on-site cleanup, and their use will be determined at the time of the incident, taking into account the extent of the cleanup. Procedures may require the use of sorbents, portable pumps, etc. Similarly, the type of personal protective equipment depends upon the type of material(s) involved.

All waste generated from post-fire cleanups involving hazardous waste will be placed in containers, sampled, and disposed accordingly. Any equipment used in cleaning fire residuals involving hazardous waste will be decontaminated prior to use elsewhere. Any collectable liquid generated from decontamination procedures will be tested and drummed for proper disposal.

Any residual liquid remaining from a fire at the facility will be cleaned up as described in the spill or material release section.

4.5 Spill or Material Release Action Procedure

In the event of an emergency involving a hazardous waste spill, the following general procedure will be used for a rapid and safe response and to maintain control of the situation.

- If an employee discovers a hazardous waste spill or a vapor release, the employee will immediately notify the area supervisor.
- The area supervisor will notify the Emergency Coordinator or designee.

When a spill or release occurs at the Badger Disposal facility, the Emergency Coordinator will contact the necessary personnel to contain and clean up the spill or release. Team members will be responsible for controlling the cause of the incident and for neutralizing or otherwise rendering the waste or waste constituents harmless so that others may enter the area to make repairs. Team members will also be well trained in spill control methods and equipment. This may include the use of the Fire Brigade and the Emergency Response Team who are properly trained in spill cleanup procedures. Maintenance personnel and other specialized employees not on the Emergency Response Team may assist in the cleanup after the emergency situation has subsided. In addition, the Emergency Coordinator will direct all cleanup operations, determine the level of personal protective equipment needed, and decide on the appropriate cleanup materials and procedures.

Regardless of the incident location on the property, the Emergency Coordinator will be responsible for the following:

- Identifying the spilled material
- Estimating the quantity of material spilled
- Determining the life-threatening potential
- Determining the property-threatening potential
- Determining the environmental impact potential

Depending on the availability of data, these assessments will be accomplished through careful review of waste shipping manifests, detailed chemical analysis data, or "fingerprint" chemical analysis data. If appropriate, chemical analysis will be performed on the spilled/ released material.

Upon discovery of a spill/release, individuals will initiate the action procedure as described below.

SPILL/RELEASE ACTION PROCEDURE

1. Report the incident to the Emergency Coordinator or designee.

Emergency Coordinator: Ron Mitchell
Business Telephone - (414) 236-1080
Home Telephone - (414) 252-3463

The Emergency Coordinator or designee will subsequently notify the Emergency Response Team.

2. Protect personnel.

Keep non-essential personnel away from area of spill; evacuate if necessary. Remove unaffected items from area only if ignition does not present a fire hazard.

3. Confine danger.

Stop spill at source or contain, if possible. Shut off or cap valves to contain as much run-off and spill as possible. If a truck is affected, every effort will be made to prevent the material from entering sewers. This will be accomplished by damming, diking, or channeling with sand, dirt, or spill pillows. If a leak is uncontrollable in a tanker, the remaining contents of the tanker will be transferred to appropriate storage tanks or drums.

4. Eliminate ignition sources.

Eliminate all sources of heat, open flame, sparks, and friction. Use non-sparking tools for spill cleanup. Refer to the appropriate action procedure if a significant fire or explosion risk exists.

5. Spill Response.

The Emergency Response Team will report to the scene and address the spill. Appropriate protective equipment and respiratory protection will be donned, and contaminant levels and spill neutralization needs will be assessed.

6. Handle wastes.

Properly package and label spilled materials absorbed by sorbents. Remove spilled materials and rinse water accumulated in containment areas via a portable vacuum unit. The contents will be discharged to the appropriate storage tank or drums. Absorb residual materials in the containment area with the appropriate sorbent; properly package and label materials.

7. Verify cleanup.

At the completion of the cleanup effort, the Emergency Coordinator will verify complete spill collection and neutralization as well as the absence of hazardous airborne contaminants.

8. Decontaminate equipment.

Decontaminate spill response materials, and return them to their proper locations. Adjust the inventory of the spilled materials to account for materials expended in the spill cleanup.

9. Report spill.

After achieving normal conditions, report the following to the appropriate agencies:

Badger Disposal Incident Report (Appendix A)

4.6 Spill or Material Release Cleanup Procedure

On-site spill cleanup is aimed at recovering as much of the spilled material as possible for recovery, recycling, and/or disposal as quickly as possible. Several techniques are available for on-site cleanup. Choice of a cleanup method will be determined at the time of the incident, taking into account the extent of the spill. Some cleanup alternatives include the following:

- Using sorbents, which are spill scavengers and cleanup agents, to absorb the spilled product is the most common method for handling spills or residual product left from a major spill. Application of the sorbents can be in the form of direct application where the sorbent is placed directly on the product, or it can be in pillows, large bats, or booms which can absorb a large amount of liquid and make recovery, recycling, and/or disposal easier. Three classes of sorbents are natural products (straw, sawdust, clays, and vermiculite), modified natural products (expanded perlite, cloth rags, charcoal, silicone-coated sawdust, surfactant-treated asbestos), and synthetic products (imbiber beads, imbiber bead blankets, and foam products). When using sorbents, it is necessary to recycle and/or dispose of spent products properly, unless recoverable sorbents are used.

- When selecting a sorbent material, important considerations are its capability to absorb all spilled product, its availability in sufficient quantities; and whether or not it is chemically inert and will not react with the spilled product to form toxic or otherwise hazardous substances. For corrosive materials, lime or other neutralizers are practicable.
- Direct suction pumping into drums using pumps which are driven by explosion proof motors or pneumatic operation. Consider applying a blanket of firefighting foam (AFFF) to control vapors.

4.7 Civil Unrest Action Procedure

This procedure will be followed should the Badger Disposal facility be subject to civil disturbance. The Emergency Coordinator will initiate the following actions:

- Call security to notify them of possible disturbances. If necessary, notify the facility General Manager who may call an immediate conference to determine an appropriate plan of action.
- If necessary, issue instructions to secure all entrances with security officers or managers to control access or egress from the buildings by either demonstrators or Badger Disposal employees.
- If necessary, the Security Coordinator will notify local law enforcement agencies, but they should be summoned to take action only as a last resort. An agreement has been made as to the conditions under which outside authorities are summoned, and Badger Disposal management is aware of the planned police action.
- If necessary, make every reasonable attempt to have the demonstrators approached by a Badger Disposal manager (with due regard for the manager's safety) and inform them that Badger Disposal does not permit such activity on its premises, and in a restrained and courteous manner, request that they leave.
- If necessary, prepare a restraining order as soon as possible.

4.8 Natural Disaster Action Procedure

This procedure will be followed in the event of an emergency caused by severe weather, such as tornadoes and high-intensity thunderstorms, earthquakes, or flooding.

The Emergency Coordinator will direct and control the following remedial actions if they can be accomplished without unduly endangering the lives of Badger Disposal personnel:

- Visually inspect area to ascertain structural integrity.
- Close windows and doors.
- Instruct employees to proceed to designated safety areas.

Even in the event of just a tornado warning, this portion of the plan will be implemented.

4.9 Storage and Treatment of Recovered Materials

Immediately after an emergency, the Emergency Coordinator will arrange for the analysis and characterization of representative samples of all recovered wastes, contaminated soils, and waters. Arrangements for any necessary recycling, treatment, or disposal will be completed within 90 days of the conclusion of the emergency. Accumulated materials will be containerized to the extent practicable for transportation. If large quantities of a hazardous waste are generated during the emergency cleanup operations, bulk trucks will be used to transport this waste as it is pumped, or made ready for storage, recycling, treatment, or disposal.

4.10 Incompatible Wastes

The Emergency Coordinator will ensure that wastes that may be incompatible with released materials are isolated from the spill area. Isolation will be accomplished by moving the waste to other accumulation areas, or by constructing dikes, berms, or ditches as appropriate. Wastes that are potentially incompatible with the released material will not be treated, stored, or accumulated in the affected area until cleanup procedures are complete. Concurrently, the Emergency Coordinator will ensure that released materials are not placed in containers or tanks that previously held materials that may be incompatible with the released material unless adequate decontamination has occurred.

Section 5
EMERGENCY EQUIPMENT

All emergency equipment is kept at the facility in an easily accessible location. Table 6 provides a list of emergency and decontamination equipment along with a list of places where it can be found at the facility. Attachment 15, Sheets 16, 17 and 18 show the location of safety and emergency equipment in a layout of the facility. Table 7 outlines personal protective equipment which is used by facility personnel.

After an emergency event, or as needed during the emergency event, all emergency equipment and supplies listed in Tables 6 and 7 will be decontaminated or replaced. All safety equipment will be inspected and evaluated for readiness before operations are resumed in the affected areas.

Emergency spill control equipment is located in an easily accessible area within the building. This equipment includes the following:

1. Bags of clay and vermiculite ("Speedi-Dry")
2. Sand bags
3. Spill pillows
4. Shovels
5. Push brooms
6. Long-handled squeegees
7. Fire extinguishers
8. Pipe balloon
9. Portable liquid vacuum units
10. Empty, 55-gallon drums
11. Sets of non-sparking tools
12. Sorbent boom
13. Personal protective equipment (clothing, boots, gloves)

TABLE 6**EMERGENCY AND DECONTAMINATION EQUIPMENT**

Type of Equipment	Location	Use
Hand-held fire extinguishers	Warehouse entrances and exists.	To put out a larger than 3-foot-diameter fire and easily moved
Eye wash	Entrance to the warehouse Restrooms.	To flush splashed materials from eyes or face
Safety showers	Entrance to the warehouse Restrooms.	To wash off material that may be splashed on an employee
Hand-held air horn	All processing stations throughout the warehouse.	To sound alarm for emergencies
First aid stations	Laboratory and warehouse.	To handle non-serious injuries
Alarm actuators	All entrances and exits throughout the warehouse.	For security and for emergencies
Internal telephone communications	Warehouse building walls	To notify and instruct in the event of an emergency
Two-way radios	All areas of the warehouse and Facility grounds.	To notify and instruct in the case of an emergency
Zorbal, sand, and/or other absorbent materials	Throughout the warehouse.	To contain and cleanup spilled materials
Fire blankets	Throughout the warehouse.	To control and/or extinguish fires or put out flames on personnel
Emergency stretchers	In the warehouse.	To remove injured personnel

TABLE 7**PERSONAL PROTECTIVE EQUIPMENT**

Type of Equipment	Location	Use
Five-Minute emergency air packs	Throughout the warehouse. Midway along each wall.	To supply 5 minutes of air for emergency escapes
Self contained breathing apparatus (air pack)	On supply shelves outside of the office.	For emergencies or for confined-space work. Will supply 30 minutes of air
Organic vapor air filter respirators	On supply shelves outside of the office.	To minimize employee exposure
Safety glasses	Office.	To protect the eyes
Safety goggles	Office.	To protect the eyes
Safety boots	Throughout the warehouse.	To protect the feet
Safety gloves	Supply shelves outside of the office.	To protect the hands
Tyvek® coveralls	Supply shelves outside of the office.	To protect the body
Uniforms	Office.	To protect the body

Section 6

BUILDING EVACUATION PLAN AND EVACUATION DRILL PROGRAM

6.1 Evacuation Plan

In the event of a facility emergency, all Badger Disposal personnel (with the exception of the Fire Brigade or Emergency Response crew members as required) will evacuate the site. A general site evacuation will be announced by activating the alarm system (i.e., air horn). Further instruction will be provided at the time of evacuation by the appropriate supervisory staff.

The evacuation routes for the existing Badger Disposal facility are posted throughout the facility and illustrated on Figure 1. The drawing shows the primary and alternate routes by which to leave the site. Personnel at the site who are to be evacuated will leave by the primary route unless the emergency situation is along that route.

6.2 Evacuation Drill Program

Evacuation drills will be conducted annually and will be coordinated by the Emergency Coordinator in conjunction with facility managers. A critique team will observe each drill; summary reports will be given to the General Manager for analysis and corrective actions.

The drills provide valuable information about the site's evacuation capability and give managers a chance to test evacuation procedures under controlled conditions. Based on the outcome of the drills, managers will adjust and improve department emergency procedures as needed.

Department managers will carry out the following during the planning and action stages of an evacuation drill, and during actual evacuations in emergency situations:

1. Planning Stage.
 - Ensure that all employees fully understand all aspects of the department evacuation plan.
 - Establish primary (closest exit) and alternate evacuation routes and assembly points; include same in the department emergency plan folder.

- Appoint a department evacuation leader and alternate.
- Assign employees to assist the handicapped, if applicable.
- Compile shutdown procedures, if applicable.
- Advise employees to take with them their personal belongings, such as purses, briefcases, outerwear, and car keys, during the drill.

2. Action Stage.

- Assume responsibility for all personnel (including guests, visitors, contractors, etc.) in the work area, and advise them during an evacuation that they must accompany other department employees to the assembly area.
- Ensure that the evacuation leader or alternate checks restrooms, locker rooms, break rooms, conference rooms, etc., in proximity to the department.
- Ensure that all personnel in or near the department area evacuate by the primary or alternate exit route. Contractors will also participate in the drills.

6.3 Shutdown Procedures

Managers will assign employees in advance to be responsible for shutdown procedures, where necessary. To safely shut down a department area, designated employee(s) will do the following:

- Switch off all operating electrical equipment, unless shutting it off damages the equipment and leaving it running will not worsen the emergency situation.
- Return chemicals in use to original containers, if applicable, and close or cover open containers.
- Shut down supplied gases and chemicals, if practical, by turning off at the last rigid pipe connection in the department.

When equipment shutdown might cause serious production problems or damage equipment, managers are allowed to assign certain employees to remain in the building and not participate in the drills. Such drill exemptions will be established in advance with that employee before the drill takes place, but those employees will fully understand the evacuation procedures and be ready to evacuate under actual emergency situations. Drill exemptions will be kept to an absolute minimum.

Section 7
REQUIRED REPORTS

Badger Disposal will note in the operating record the time, date, and details of any incident that requires implementing the contingency plan. Within 15 days, Badger Disposal will submit a written report to the permitting authorities. The report will include the following:

- Name, address, and telephone number of the owner or operator.
- Name, address, and telephone number of the facility.
- Date, time, and type of incident.
- Name and quantity of material(s) involved.
- The extent of injuries, if any.
- An assessment of actual or potential hazards to human health or the environment, where applicable.
- An estimate of the quantity and disposition of recovered material that resulted from the incident.
- A narrative describing the known or suspected causes of the incident and a statement describing the measures taken to investigate the cause. The narrative will also describe any necessary measures which have been, or will be, taken to prevent incidents in the future.
- Any amendments to the contingency plan.

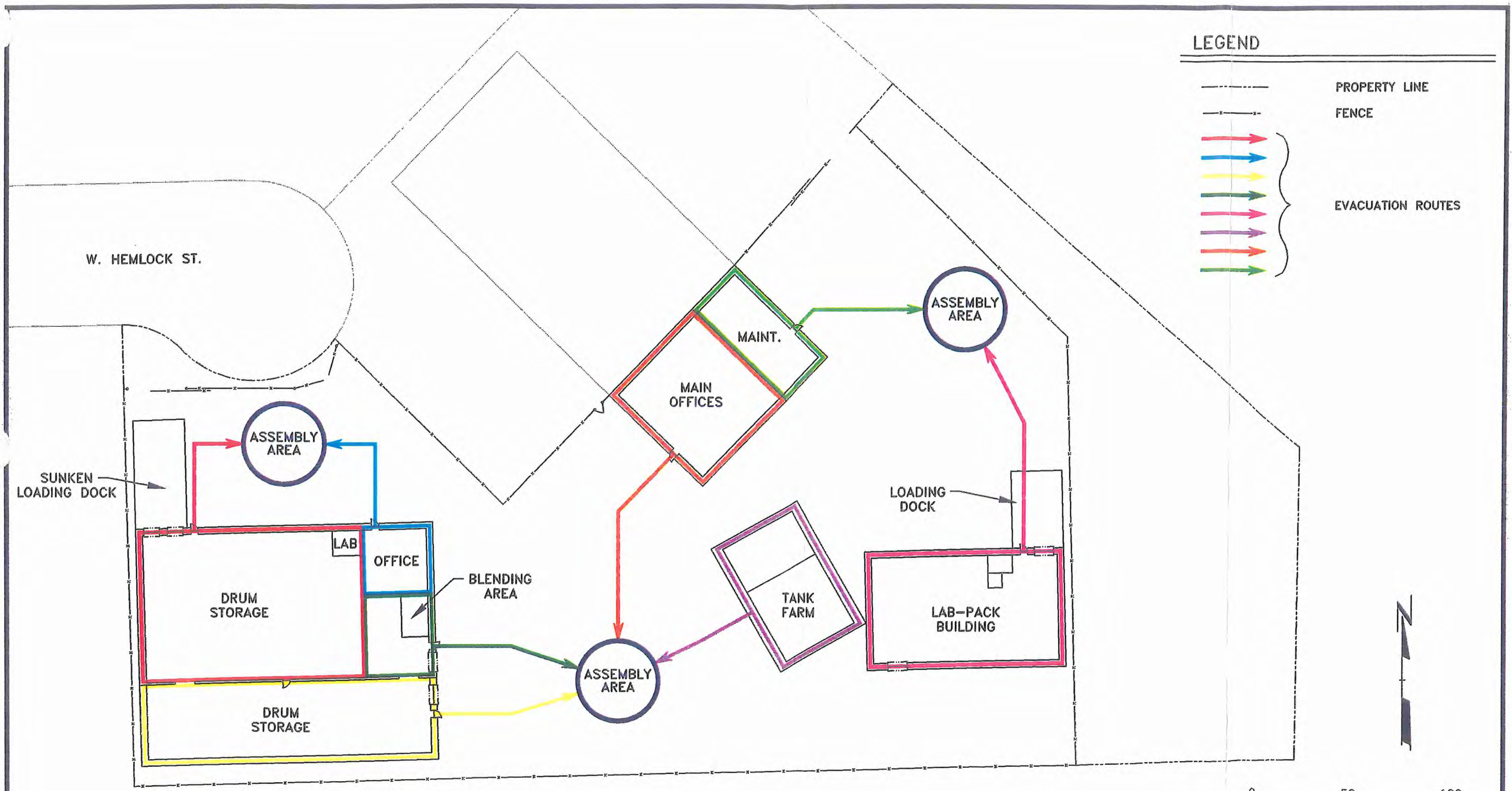
Section 8
CONTINGENCY PLAN AMENDMENTS

This contingency plan will be amended whenever the following occur:

- The facility permit is revised.
- Experience with a real emergency dictates a change in the plan if needed.
- The facility changes its design, construction, operation, maintenance, or other circumstances in a way that significantly changes the potential for fires, explosions, or releases of wastes or waste constituents, or changes the response necessary in an emergency.
- The list of emergency equipment changes significantly.
- Personnel changes are made to the roles of Emergency Coordinator, Emergency response Team Chief, and Fire Brigade Chief. In addition, Badger Disposal will conduct quarterly reviews of the lists of members for the Emergency Response Team and Fire Brigade, and will revise as necessary.

FIGURE 1

FACILITY EVACUATION PLAN



PROPOSED EVACUATION PLAN

	DWN. BY: DKJ
	APPROVED BY:
	DATE: JULY 1994
	PROJ. # 3057.01
	FILE # 30570182

FIGURE 1

Appendix A

INCIDENT REPORT

BADGER DISPOSAL OF WI. INC. INCIDENT REPORT

Incident Log No. _____

1. Site/location of incident _____

2. Date _____ Time _____ Duration _____
3. Description of incident _____

4. Amount & type of hazardous chemical substance(s) released:

- BADGER Waste Approval No. (if applicable): _____
5. Equipment involved: Drum _____ Small Container _____
Tanker _____ Truck _____ Pump _____
Sump _____ Hose _____
Other _____
6. Cause of incident:
Mechanical/electrical failure _____
Operator error _____
Procedural failure _____
Contractor-caused incident _____
Incident beyond BADGER control _____
Act of God _____
Instrumentation _____
Other _____
7. Hazardous chemical substance(s) released to: Air _____
Water _____ Land _____ Groundwater _____
Bldg Floor _____ Secondary containment _____
Other _____
Air/stack identification _____
Water/describe receptor (e.g., outfall, sewer, stream) _____
Soil/depth to groundwater _____
8. Estimate area (e.g., sq. ft., acres) affected: _____
9. Hazardous chemical substances released beyond BADGER property boundary, if any: _____
10. Agencies notified (contact, time, date, by whom):
Wisconsin Division of Emergency Government _____
WDNR _____
Milwaukee Police Department _____
Milwaukee Fire Department _____

BADGER DISPOSAL OF WI., INC. INCIDENT REPORT

11. Agencies' responses/inspections (name, time, date, comments): _____

12. List the materials released in quantities that exceed the reportable quantities of 40 CFR Part 302 (CERCLA hazardous substances) or 40 CFR Part 100 (oil): _____

13. List the materials released in quantities that exceed state reportable quantity levels: _____

14. Immediate corrective action taken: _____

- a) Contractor: _____
b) Amount of waste collected for disposal: _____
c) Method/vendor/location for waste disposal: _____

15. Incident damage (describe):
- a) Personal injuries: _____
b) Environmental damage/permit excursion(s): _____
c) Property damage: _____
16. Preventive measures: _____
17. Reported to State of Wisconsin by:
- Name/Title: _____
Dept.: _____ Phone number: _____
Time: _____ Time of State of Wisconsin response _____
State of Wisconsin spill notification line - (800)943-0003
18. Additional Comments: _____

Appendix B
LOCAL AUTHORITY SUBMITTALS

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> <i>R. Brady</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p>Mr. Patrick Brady Waste Mgmt. Engineer State of WI/DNR 2300 N. Martin Luther King Jr. Drive Milwaukee, WI 53212</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label) 7000 0600 0025 0125 9768</p>	
<p>PS Form 3811, August 2001 Domestic Return Receipt 102595-01-M-2509</p>	

7000 0600 0025 0125 9768

U.S. Postal Service CERTIFIED MAIL RECEIPT <i>(Domestic Mail Only; No Insurance Coverage Provided)</i>											
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<table border="1"> <tr> <td>Postage</td> <td>\$</td> </tr> <tr> <td>Certified Fee</td> <td></td> </tr> <tr> <td>Return Receipt Fee (Endorsement Required)</td> <td></td> </tr> <tr> <td>Restricted Delivery Fee (Endorsement Required)</td> <td></td> </tr> <tr> <td>Total Postage & Fees</td> <td>\$4.86</td> </tr> </table>	Postage	\$	Certified Fee		Return Receipt Fee (Endorsement Required)		Restricted Delivery Fee (Endorsement Required)		Total Postage & Fees	\$4.86	<p>Postmark Here</p>
Postage	\$										
Certified Fee											
Return Receipt Fee (Endorsement Required)											
Restricted Delivery Fee (Endorsement Required)											
Total Postage & Fees	\$4.86										
<p>Recipient's Name (Please Print Clearly) (to be completed by mailer) Patrick BRADY - State of WI - DNR Street, Apt. No., or PO Box No. 2300 N. Dr. Martin Luther King Jr. Drive City, State, ZIP+4 Milwaukee, WI 53212</p>											
<p>PS Form 3800, February 2000. See Reverse for Instructions</p>											



5611 West Hemlock Street • Milwaukee, WI 53223

EOG Disposal, Inc.

(414) 353-1156 • Fax (414) 353-1822

(800) 234-1156

May 30, 2002

Mr. Patrick Brady
Waste Management Engineer
State of Wisconsin/Department of Natural Resources
2300 N. Dr. Martin Luther King Jr. Drive
Milwaukee, WI 53212

Dear Pat,

Enclosed please find copies of updated pages 15, 19 and Tables 2, 3 and 4 from our Contingency Plan. There have been personnel and telephone number changes. Local emergency response agencies have also received copies of these changes. Please replace existing pages in the Contingency Plan copies at your offices with the revisions.

Thank you for your assistance with this matter, if you have any questions regarding our Contingency Plan please be certain to contact me.

Sincerely,
EOG Disposal, Inc.


Kandylee Schmit

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Dr. Albert S. Yee
 Medical Director
 St. Michael Hospital
 2400 W. Villard Avenue
 Milwaukee, WI 53209

2. Article Number
(Transfer from service label)

7006 0600 0025 0125 9829

PS Form 3811, August 2001

Domestic Return Receipt

102595-01-M-2509

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]* Agent
 Addressee

B. Received by (Printed Name)

[Signature] Date of Delivery
 6-28-03

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

U.S. Postal Service

CERTIFIED MAIL RECEIPT

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7000 0600 0025 0125 9829

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Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Recipient's Name (Please Print Clearly) (to be completed by mailer)

Dr. Albert S. Yee

Street, Apt. No., or PO Box No.

St. Michael Hospital

City, State, ZIP+4

Milw. WI 53209

PS Form 3800, February 2000

See Reverse for Instructions



5611 West Hemlock Street • Milwaukee, WI 53223

EOG Disposal, Inc.

(414) 353-1156 • Fax (414) 353-1822

(800) 234-1156

May 30, 2002

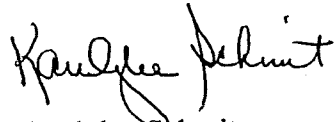
Dr. Albert S. Yee
Medical Director
St. Michael Hospital
2400 W. Villard Avenue
Milwaukee, WI 53209

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Sincerely,
EOG Disposal, Inc.


Kandylee Schmit

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Company Officer
 Milw. Fire Department
 Engine #9
 4141 W. Mill Road
 Milwaukee, WI 53223

2. Article Number (Transfer from service label) **7000 0606 0025 0125 9805**

PS Form 3811, August 2001

Domestic Return Receipt

102595-01-M-2509

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *[Signature]* Agent Addressee

B. Received by (Printed Name) *J. BRADGEE* C. Date of Delivery *5/31/02*

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

**U.S. Postal Service
 CERTIFIED MAIL RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

5086 52TD 5200 0000 7000 0606 0025 0125 9805

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Recipient's Name (Please Print Clearly) (to be completed by mailer)
Milw. Fire Dept. Engine # 9
 Street, Apt. No., or PO Box No.
4141 W. Mill Road
 City, State, ZIP+4
Milwaukee, WI 53223

PS Form 3800, February 2000

See Reverse for Instructions



5611 West Hemlock Street • Milwaukee, WI 53223

EOG Disposal, Inc.

(414) 353-1156 • Fax (414) 353-1822

(800) 234-1156

May 30, 2002


Company Officer
Milwaukee Fire Department
Engine #9
4141 West Mill Road
Milwaukee, WI 53223

Dear Sir,

Enclosed please find copies of updated pages 15, 18 and Tables 2, 3 and 4 from our Contingency Plan. There have been personnel and telephone number changes. Local emergency response agencies have also received copies of these changes. Please replace existing pages in the Contingency Plan copies at your offices with the revisions.

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Sincerely,
EOG Disposal, Inc.


Kandylee Schmit

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

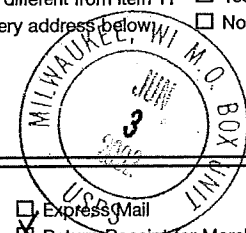
Postmark Here

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

7000 0600 0025 0125 9812

Recipient's Name (Please Print Clearly) (to be completed by mailer)
 Arthur Jones
 Street, Apt. No., or P.O. Box No.
 749 W. State Street
 City, State, ZIP+4
 Milwaukee, WI

PS Form 3800, February 2000. See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <i>M.P.D. MIAL</i> <input type="checkbox"/> Agent <i>Ken Kurland Room</i> <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below <input type="checkbox"/> No</p>
<p>1. Article Addressed to: <i>Mr. Arthur Jones</i> <i>Chief of Police</i> <i>Police Admin. Bldg.</i> <i>749 W. State Street</i> <i>P.O. Box 531</i> <i>Milwaukee, WI 53201</i></p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number <i>7000 0600 0025 0125 9812</i> (Transfer from service label)</p>	



5611 West Hemlock Street • Milwaukee, WI 53223

EOG Disposal, Inc.

(414) 353-1156 • Fax (414) 353-1822

(800) 234-1156

May 30, 2002

Mr. Arthur Jones
Chief of Police
Police Administration Building
749 West State Street
P.O. Box 531
Milwaukee, WI 53201

Dear Mr. Jones,

Enclosed please find copies of updated pages 15, 18 and Tables 2, 3 and 4 from our Contingency Plan. There have been personnel and telephone number changes. Local emergency response agencies have also received copies of these changes. Please replace existing pages in the Contingency Plan copies at your offices with the revisions.

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Sincerely,
EOG Disposal, Inc.


Kandylee Schmit

APPENDIX J

CLOSURE PLAN

**CLOSURE PLAN FOR
BADGER DISPOSAL OF WI., INC.
MILWAUKEE, WI**

MARCH 2006

Revised August 21, 2009

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Appendix A Closure Cost Estimate

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Section 1
INTRODUCTION

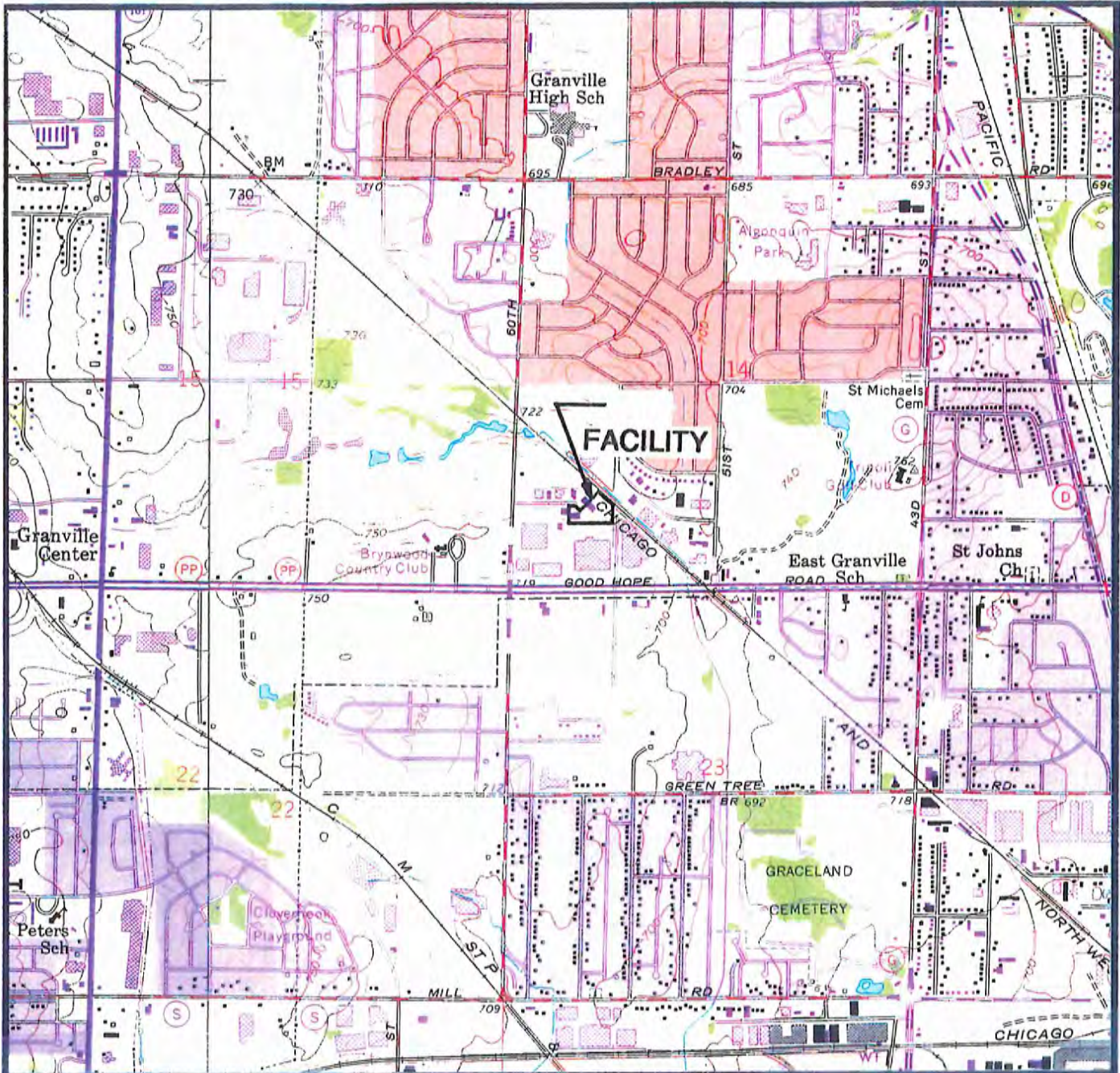
1.1 Background

Badger Disposal of WI., Inc. (Badger Disposal) is currently applying for renewal of a hazardous waste operating license that was issued December 16, 1996. The Badger Disposal facility is located at 5611 West Hemlock Street, Milwaukee, Wisconsin. Badger Disposal occupies approximately 3 acres in an area where the immediately surrounding land is used for industrial purposes. The facility includes the existing transfer facility building and an undeveloped vacant lot to the east. The location of the facility is shown on Figure 1.

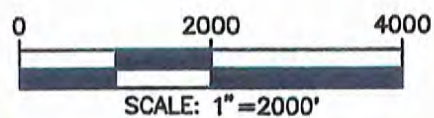
This closure plan fulfills, in part, the requirements of Chapter NR 640.16 and NR 645.17, Wisconsin Administrative Code, for a Feasibility and Plan of Operation license.

1.2 Purpose and Scope

The purpose of this Closure Plan is to describe the closure activities that Badger Disposal will perform to close the Milwaukee facility. The plan is intended to fulfill the closure plan requirements in Chapters NR 680.21 and 685.05, Wisconsin Administrative Code. The plan describes the key activities, tests, and performance standards for closing the Badger Disposal facility on West Hemlock Street.



STATE LOCATION



SITE LOCATOR MAP

MILWAUKEE, WI

SOURCE: BASE MAP FROM MENOMONEE FALLS, WI
 7.5 MINUTE USGS QUADRANGLE DATED 1958,
 PHOTOREVISED 1976 AND THIENSVILLE, WI
 7.5 MINUTE USGS QUADRANGLE DATED 1958,
 PHOTOREVISED 1976.



DWN. BY:	DKJ
APPROVED BY:	THD
DATE:	JULY 1994
PROJ. #	3057.01
FILE #	30570186

FIGURE 1

The scope of this document is limited to providing a Closure Plan for the hazardous waste tank management unit and hazardous waste container management units at the Badger Disposal-Milwaukee Transfer facility. The Closure Plan includes the following:

- Descriptions of the facility and storage areas
- The technical approach that will be used to accomplish closure of the storage areas
- Analytical parameters and performance standards for determining closure, including the method that will be used to establish background levels
- Methods for performing and documenting closure
- Health and Safety issues related to closure activities
- Estimated closure costs and financial assurance
- Decontamination methods for personnel and for equipment used to handle contaminated materials during closure
- Documentation of closure activities

Section 2
GENERAL FACILITY INFORMATION

2.1 Facility Name, Location, and Contact

NAME: Badger Disposal of WI., Inc.
LOCATION: 5611 West Hemlock Street
Milwaukee, WI 53223
CONTACT: Henry J. Krier
President
414-760-9175
EPA ID: WID 988580056

2.2 Site Description and Overview of Waste Management Units

The Badger Disposal facility includes the following hazardous waste units:

- Drum and Tote management areas:

The first containment management area currently has the capacity to store a maximum of 720 drums (39,600 gallons) of hazardous waste and 1,500 drums (82,500 gallons) of nonhazardous waste or any combination of the above. This area is located inside the process/storage building and consists of approximately 7,000 (not including offices) square feet (see Sheet 9). After completion of the expanded facility, this drum management area will have the capacity to store a maximum of 1,136 drums (62,480 gallons) and a 2,000-gallon blending tank of hazardous wastes or 2,272 drums (124,960 gallons) of nonhazardous waste or any combination of the above and will consist of approximately 14,300 (not including offices) square feet (see Sheet 10).

The second drum management area will have the capacity to store a maximum of 149 drums or approximately 8,195 gallons of acidic, basic, ignitable, reactive, and oxidizers and two 5,500-gallon above ground storage tanks or approximately 11,000 gallons of acidic and basic materials. This area is proposed in a new building located northeast of

720
892
1212

1457

the process/storage building and will consist of approximately 2,100 square feet (see Sheet 11).

- Tank management area:

The tank management area is proposed to consist of four carbon steel, 12,000 gallon above ground storage tanks or approximately 48,000 gallons. This tank farm area will be located east of the process/storage building (see Sheet 12). The tank farm area (including the loading/unloading pad) will consist of approximately 2,600 square feet.

• *Roll off drum area.*

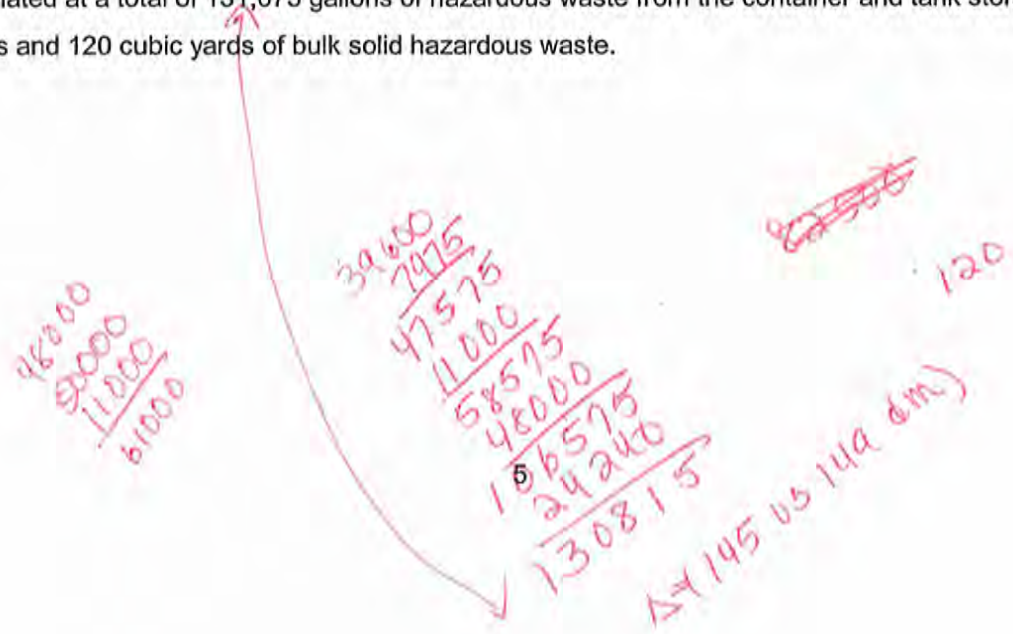
2.3 Waste Characterization

Table 1 contains a list of the hazardous waste codes that the facility can accept. This list includes both liquid and solid wastes received from industries, commercial establishments, small businesses, educational facilities, and other institutions.

2.4 Maximum Waste Inventory

Badger Disposal shall remove all containers of hazardous waste and all pumpable hazardous waste from the container management and tank management areas prior to closure. At the time of closure, only waste residues shall remain at the facility, primarily as non-pumpable residues. These residues shall be removed during implementation of the Closure Plan.

As required by Chapter NR 685.05(2)(c), this Closure Plan shall include the maximum waste inventory of hazardous waste ever on-site during the active life of the facility. Based on the known capacities of the facility's hazardous waste management units, the maximum waste inventory is estimated at a total of 131,675 gallons of hazardous waste from the container and tank storage areas and 120 cubic yards of bulk solid hazardous waste.



**TABLE 1
HAZARDOUS WASTES ACCEPTED**

D001 D002 D003 D004 D005 D006 D007 D008 D009 D010 D011	D012 D013 D014 D015 D016 D017 D018 D019 D020 D021 D022	D023 D024 D025 D026 D027 D028 D029 D030 D031 D032 D033	D034 D035 D036 D037 D038 D039 D040 D041 D042 D043
F001 F002 F003 F004 F005 F006 F007	F008 F009 F010 F011 F019 F020 F021	F022 F023 F024 F025 F026 F027 F028	F032 F034 F035 F037 F038 F039
K001 K002 K003 K004 K005 K006 K007 K008 K009 K010 K011 K013 K014 K015 K016 K017 K018 K019 K020 K021 K022 K023 K024 K025 K026 K027 K028 K029	K030 K031 K032 K033 K034 K035 K036 K037 K038 K039 K040 K041 K042 K043 K044 K045 K046 K047 K048 K049 K050 K051 K052 K060 K061 K062 K064 K065	K066 K069 K071 K073 K083 K084 K085 K086 K087 K088 K090 K091 K093 K094 K095 K096 K097 K098 K099 K100 K101 K102 K103 K104 K105 K107 K108 K109	K110 K111 K112 K113 K114 K115 K116 K117 K118 K123 K124 K125 K126 K131 K132 K136 K141 K142 K143 K144 K145 K147 K148 K149 K150 K151

**TABLE 1
HAZARDOUS WASTES ACCEPTED**

P001	P030	P063	P096
P002	P031	P064	P097
P003	P033	P065	P098
P004	P034	P066	P099
P005	P036	P067	P101
P006	P037	P068	P102
P007	P038	P069	P103
P008	P039	P070	P104
P009	P040	P071	P105
P010	P041	P072	P106
P011	P042	P073	P107
P012	P043	P074	P108
P013	P044	P075	P109
P014	P045	P076	P110
P015	P046	P077	P111
P016	P047	P078	P112
P017	P048	P081	P113
P018	P049	P082	P114
P020	P050	P084	P115
P021	P051	P085	P116
P022	P054	P087	P118
P023	P056	P088	P119
P024	P057	P089	P120
P026	P058	P092	P121
P027	P059	P093	P122
P028	P060	P094	P123
P029	P062	P095	

**TABLE 1
HAZARDOUS WASTES ACCEPTED**

U001	U063	U125	U186
U002	U064	U126	U187
U003	U065	U127	U188
U004	U066	U128	U189
U005	U067	U129	U190
U005	U068	U130	U191
U006	U069	U131	U192
U007	U070	U132	U193
U008	U071	U133	U194
U009	U072	U134	U196
U010	U073	U135	U197
U011	U074	U136	U200
U012	U075	U137	U201
U014	U076	U138	U202
U015	U077	U139	U203
U016	U078	U140	U204
U017	U079	U141	U205
U018	U080	U142	U206
U019	U081	U143	U207
U020	U082	U144	U208
U021	U083	U145	U209
U022	U084	U146	U210
U023	U085	U147	U211
U024	U086	U148	U212
U025	U087	U149	U213
U026	U088	U150	U214
U027	U089	U151	U215
U028	U090	U152	U216
U029	U091	U153	U217
U030	U092	U154	U218
U031	U093	U155	U219
U032	U094	U156	U220
U033	U095	U157	U221
U034	U096	U158	U222
U035	U097	U159	U223
U036	U098	U160	U225
U037	U099	U161	U226
U038	U101	U162	U227
U039	U102	U163	U228
U041	U103	U164	U230
U042	U105	U165	U231
U043	U106	U166	U232
U044	U107	U167	U233
U045	U108	U168	U234
U046	U109	U169	U235
U047	U110	U170	U236
U048	U111	U171	U237
U049	U112	U172	U238
U050	U113	U173	U239
U051	U114	U174	U240
U052	U115	U176	U242
U053	U116	U177	U243
U055	U117	U178	U244
U056	U118	U179	U246
U057	U119	U180	U247
U058	U120	U181	U248
U059	U121	U182	U249
U060	U122	U183	U328
U061	U123	U184	U353
U062	U124	U185	U359

Section 3 CLOSURE PERFORMANCE STANDARDS

3.1 Objectives

Badger Disposal intends to close the RCRA hazardous container management area in a manner that satisfies Chapter NR 685.05(1), Wisconsin Administrative Code. To accomplish this, the regulations indicate that Badger Disposal shall do the following:

- Minimize the need for further maintenance.
- Control, minimize, or eliminate to the extent necessary to protect human health and the environment, and to prevent the post-closure escape of hazardous wastes or hazardous constituents.

These requirements shall be satisfied by documenting the following:

- Concrete surfaces, tank interiors, and other structures associated with the hazardous waste management systems or structures have been decontaminated or dismantled, and decontamination rinsate samples meet the performance standards described in this closure plan.
- Residues generated during facility decontamination and closure activities have been managed as described in this Closure Plan.

In general, closure activities shall follow the approach presented in the following section.

3.2 Closure Approach

Closure activities will likely take place in stages after removal of all waste materials—decontamination of the storage units, and sampling and analysis of the decontamination rinsate. Final methods, sequencing, and staging shall be determined by closure personnel. In general, closure activities shall consist of the following:

- Buildings and associated structures that may have been in contact with hazardous waste or hazardous constituents shall be decontaminated. Decontamination shall generally involve power-washing using wash and rinse liquids. Some structures and associated electrical components shall be physically scraped, brushed, or hand-washed rather than power-washed due to the sensitivity of the equipment for power-washing.
- Tanks, piping and associated structures that may have been in contact with hazardous waste or hazardous constituents shall also be decontaminated. Decontamination shall generally involve removing any residual sludges from the structures and power-washing using wash and rinse liquids. Some structures and associated electrical components

*tanks & piping
Flushing?*

shall be physically scraped, brushed, or hand-washed rather than power-washed due to the sensitivity of the equipment for power-washing.

- Following decontamination of buildings, tanks, and associated structures, other areas which potentially contacted hazardous waste shall be decontaminated.

Specific closure activities for the various hazardous waste management units are described in Section 4 of this Closure Plan.

3.3 Performance Standard for Decontamination

The container management and tank management areas shall be decontaminated primarily by power-washing. Decontamination rinsate samples shall be collected and analyzed as described in Section 4 and in Appendix A. Laboratory results shall be compared to the following regulatory concentrations, and decontamination shall be complete when these concentrations are achieved:

- Public drinking water Maximum Contaminant Level (MCL) as promulgated in 40 CFR 141 for inorganics, and 40 CFR 141.12 for organics.
- If a MCL has not been established, the Maximum Contaminant Level Goal (MCLG) as promulgated in 40 CFR 141.30, shall then be used.
- If neither a MCL nor a MCLG has been established, 1.0 mg/L shall be used as the clean-closure standard for decontamination. (Note, if the MCL or MCLG is less than the constituent's analytical reporting limit, the reporting limit shall then be used as the clean-closure standard.)

Table 2 contains a list of the constituents of concern for the container and tank management areas final decontamination rinsates.

**Table 2
CONSTITUENTS OF CONCERN FOR THE TANK MANAGEMENT AREA
AND CONTAINER MANAGEMENT AREA CONTAMINATION RINSATES**

VOLATILE ORGANIC COMPOUNDS		
Acrolein Acrylonitrile Benzene Bromoform Carbon tetrachloride Chlorobenzene 2-Chloroethylvinyl ether Chloroform Dichlorobromomethane	1,2-Dichloropropane 1,3-Dichloropropylene 1,1-Dichloroethane 1,2-Dichloroethane 1,1-Dichloroethylene Ethylbenzene Methyl bromide Methyl chloride 1,1,2,2-Tetrachloroethane	Tetrachloroethylene Toluene trans-1,2-Dichloroethylene 1,1,1-Trichloroethane 1,1,2-Trichloroethane Trichloroethylene Vinyl chloride
ACID EXTRACTABLE COMPOUNDS		
2-Chlorophenol 2,4-Dichlorophenol 2,4-Dimethylphenol 4,6-dinitro-o-cresol	2,4-Dinitrophenol 2-Nitrophenol 4-Nitrophenol p-Chloro-m-cresol	Pentachlorophenol Phenol 2,4,6-Trichlorophenol
BASE/NEUTRAL EXTRACTABLE COMPOUNDS		
Acenaphthene Acenaphthylene Anthracene Benzidine Benzo(a)anthracene Benzo(a)pyrene Benzo(b)fluoranthracene Benzo(ghi)perylene Benzo(k)fluoranthene bis(2-Chloroethoxy)methane bis(2-Chloroethyl)ether bis(2-Chloroisopropyl)ether bis(2-Ethylhexyl)phthalate 4-Bromophenyl phenylether Butylbenzyl phthalate	Hexachlorobutadiene Hexachlorocyclopentadiene Hexachloroethane Indeno(1,2,3-cd)pyrene Isophorone Naphthalene Nitrobenzene N-Nitrosodimethylamine N-Nitrosodi-n-propylamine N-Nitrosodiphenylamine Phenanthrene Pyrene 1,2,3-Trichlorobenzene	2-Chloronaphthalene 4-Chlorophenyl phenylether Chrysene Dibenzo(a,h)anthracene 1,2-Dichlorobenzene 1,3-Dichlorobenzene 1,4-Dichlorobenzene 3,3-Dichlorobenzidine Diethyl phthalate Dimethyl phthalate Di-n-butyl phthalate 1,2-Diphenylhydrazine Fluoranthene Fluorene Hexachlorobenzene

**Table 2
 CONSTITUENTS OF CONCERN FOR THE TANK MANAGEMENT AREA
 AND CONTAINER MANAGEMENT AREA CONTAMINATION RINSATES**

PESTICIDES/PCBs		
Aldrin alpha-BHC beta-BHC gamma-BHC delta-BHC Chlordane 4,4'-DDT 4,4'-DDE 4,4'-DDD	Dieldrin Endosulfan (I) Endosulfan (II) Endosulfan sulfate Endrin Endrin aldehyde Heptachlor Heptachlor epoxide Toxaphene	PCB-1016 PCB-1221 PCB-1232 PCB-1242 PCB-1248 PCB-1254 PCB-1260
INORGANICS		
Arsenic Barium Cadmium	Chromium Lead Mercury	Selenium Silver
MISCELLANEOUS		
pH	Cyanides	Phenols

Section 4
CLOSURE METHODS

4.1 Decontamination of the Hazardous Waste Storage Units

The container management areas are located inside the buildings, with cement block walls and a concrete floor. These areas were primarily used for drummed storage of hazardous liquids and blending of hazardous waste in a 2,000-gallon blending tank. In addition, a Roll-Off storage area located north of the lab pack building was used to store bulk quantities of solid and hazardous wastes and consists of an approximately 1,200 square foot concrete pad.

The 48,000-gallon tank farm and two 5,500-gallon above ground storage tanks make up the tank management unit. The 48,000-gallon tank farm consists of a concrete containment area and a concrete loading/unloading area located west of the lab pack building. The two 5,500-gallon above ground tanks are located in the lab pack building and consist of two concrete containment areas. These areas were primarily used to store bulk quantities of hazardous wastes and fuels.

Decontamination of the container management areas shall consist of the following:

- The concrete floor surface of the unit shall be physically scraped to remove visible residues. The solid residues shall be collected and managed as discussed in Subsection 4.2.
- The concrete floor shall be power-washed using an industrial-strength detergent and rinsed with water. The wash/rinse cycle shall be repeated as needed, but at least once, to adequately decontaminate the units. Aqueous residues generated during the decontamination of the unit shall be collected and managed as discussed in Subsection 4.2.
- After the last wash/rinse cycle has been completed, a final rinse of the concrete floor shall be performed. Rinsate from the final rinse shall be collected and sampled. The final rinsate sample shall be laboratory-analyzed as discussed in Subsection 4.3.

Decontamination of the tank management areas shall consist of the following:

- The tank interiors, concrete floor and wall surfaces of the unit shall be physically scraped to remove visible residues. The solid residues shall be collected and managed as discussed in Subsection 4.2.

- The tank interiors, concrete floor and walls shall be power-washed using an industrial-strength detergent and rinsed with water. The wash/rinse cycle shall be repeated as needed, but at least once, to adequately decontaminate the units. Aqueous residues generated during the decontamination of the unit shall be collected and managed as discussed in Subsection 4.2.
- After the last wash/rinse cycle has been completed, a final rinse of the concrete floor shall be performed. Rinsate from the final rinse shall be collected and sampled. The final rinsate sample shall be laboratory-analyzed as discussed in Subsection 4.3.

After decontamination is completed a visual inspection of each storage and treatment unit containment structure is completed to determine if any cracks or imperfections exist which may result in a release to the environment.

4.2 Residuals Management

Residues generated during decontamination of the storage units shall be collected and managed in accordance with state and federal regulations. Generator requirements shall be followed until laboratory results are available. Solid residues, equipment, or tanks for which decontamination is infeasible or impractical shall be dismantled and placed directly into drums or roll-off containers and properly labeled. The containerized waste shall be manifested and transported off-site to a permitted hazardous waste landfill or incinerator.

Personal protective equipment (i.e., Tyvek® coveralls, disposable booties, etc.) used during the decontamination activities shall be containerized and transported off-site to a permitted waste facility. Decontamination liquids, resulting primarily from power-washing activities, shall be collected, containerized, and properly labeled. Rinsate liquids shall be collected by impounding a volume of water on the surface with an impermeable barrier. Water shall be retrieved by vacuuming or pumping the ponded water into appropriate containers.

It is Badger Disposal's intent to discharge the decontamination liquids to a publicly owned treatment works (POTW) for treatment. Prior to discharging to the POTW, the containerized liquids shall be sampled for characterization in accordance with the sampling methods presented in Appendix A. These samples shall be laboratory-analyzed for compounds required by the POTW.

Badger Disposal may elect to manage the decontamination liquids as a hazardous waste, rather than dispose of the liquids at a POTW. If Badger Disposal should do so, the containerized liquids shall be manifested and transported off-site to a permitted hazardous waste facility.

All liquid residues generated from the decontamination activities shall be temporarily staged at the storage area until analytical data are reviewed and approval for disposal is received.

4.3 Confirmation Sampling

After completing the final wash/rinse cycle, a final rinse shall be performed on the tank interiors and storage areas. The final rinsate shall be collected, sampled, and analyzed. Final rinsate sampling, chain-of-custody, and preservation procedures discussed in Appendix A shall be used to collect the rinsate samples. Rinsate samples shall be collected as outlined in Table 3.

The final rinsate samples shall be laboratory-analyzed for hazardous constituents managed at the facility. The constituents of concern are listed in Table 2.

If the results of the rinsate analyses indicate that the closure performance standards described in Section 3 have been achieved, the unit shall be considered decontaminated. If results of the analyses indicate that the closure performance standards have not been achieved, the unit shall be further decontaminated and resampled.

TABLE 3 SUMMARY OF RINSATE SAMPLE COLLECTION		
Unit/Area	No. of Samples	Description
Container Management Area Process/Storage Building	6	One sample of final rinse of the floor of the drum staging area. Five samples of final rinse of the floor of the drum storage area.
Container Management Area Lab Pack Building Storage	6	One sample of final rinse of the floor of the drum staging area. One sample of final rinse from the floor of each of the five drum storage containment areas.
Container Management Area Bulk Solids (Roll-Off) Storage	2	Two samples of the final rinse of the floor of the drum staging area.
Tank Management Area 48,000-Gallon Tank Farm	4	Three samples of final rinse of the floor of the tank containment area. One sample of final rinse from the floor of the loading/unloading area.
Tank Management Area Two 5,500-Gallon Tanks in Lab Pack Building	2	One sample of final rinse of the floor in each tank containment area.
Minimum Total	20	

*one area
 one from
 each tank
 storage area.*

*Need lugger
 box storage area
 from tank storage
 area*

*should include
 from around
 fuel blending
 tank.*

Section 5
CONSTRUCTION QUALITY CONTROL

5.1 General

Qualified personnel shall be selected for implementation of the Closure Plan. As discussed in Section 11, an independent professional engineer shall observe the work conformance to the approved closure plan.

Section 7 of this Closure Plan specifies minimum health and safety requirements for closure activities. The selected personnel shall be responsible for developing a job- or site-specific health and safety plan. This health and safety plan shall be submitted for WDNR review as discussed in Section 7.

5.2 Construction Practices

During washing and rinsing activities, care shall be taken to control the dispersal of liquids. Barriers shall be placed at door openings or other locations to reduce the migration of liquids on the floor. Plastic sheeting may be used to protect sensitive equipment from water spray.

Flexibility will be allowed to sequence closure activities in the most efficient manner, consistent with the closure performance standards outlined in Section 3. Care shall be taken to avoid re-introduction of contaminated equipment, materials, or wash waters into areas already designated as clean.

5.3 Documentation

Activities in the field shall be observed by the independent professional engineer. Specific quality control tasks by the engineer shall include the following:

- Documentation of concrete and tank decontamination activities
- Collection of rinsate samples for confirmatory analyses
- Coordination of sample analyses with analytical laboratory(s)
- Rinsate data interpretation and recommendations for additional cleaning, if necessary

- Review of site conditions during cleaning operations and identification of actual or potential migration pathways of hazardous waste to the subsurface if cracks, etc., are identified

Field activities shall be documented in writing, and work not meeting the requirements of the Closure Plan shall be related to Badger Disposal. Corrections to the work which are performed to conform to the Closure Plan shall be documented.

Section 6
HEALTH AND SAFETY

Prior to starting the closure activities, a site-specific health and safety plan for closure activities shall be developed by each company involved to protect their workers on the site. This plan shall be submitted to the WDNR for review at least 30 days prior to beginning closure activities. The workers' employer shall be responsible for implementing the plan, directing the training of personnel, and for providing safety equipment and incidentals as required. At a minimum, the plan(s) shall address the following:

- Chemical and physical hazard evaluation
- Levels of protection - personal protective clothing and respiratory protection for persons performing closure activities and criteria used to downgrade or upgrade protective equipment in response to environmental changes during closure
- Air monitoring to ensure proper protective equipment for the conditions, including monitoring methods to be used
- Standard operating safety procedures
- Site control descriptions which delineate work zones, decontamination procedures for personnel and equipment, and site security measures
- Contingency plan which includes contacts and procedures for dealing with emergencies
- Medical evaluation and certification and worker training and certification

The plan shall be directed at compliance with applicable federal, state, and local requirements as a minimum. The following references shall be used to assist in the development of the site-specific health and safety plan:

- "Standard Operating Safety Guides," USEPA, November 1984, Chapter 9
- "Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities," NIOSH/OSHA/USCG/EPA, October 1985
- U.S. Department of Labor, Occupational Safety and Health Standards and Regulations, including, but not limited to, 29 CFR 1910.120, 1910.132, 1910.133(a), 1910.134, 1910.135, 1910.136, 1910.1200, and 1926, Hazardous Waste Operations and Emergency Response

Section 7
DECONTAMINATION

Specific decontamination procedures are dependent on the equipment used. These details will not be available until remediation personnel have been selected. Decontamination of personnel and equipment shall be documented by a qualified, independent engineer registered in the state of Wisconsin (or his representative). General decontamination procedures are described below.

7.1 Site Control

Access to the closure construction areas shall be restricted to personnel involved in closure activities and to authorized Badger Disposal personnel. Tape and signs identifying the closure construction areas shall be installed at access points.

7.2 Personnel Decontamination

Personnel leaving individual management units after contact with residual waste materials or accumulated rinsate shall be decontaminated consistent with OSHA 1910.120. The contractor shall be responsible for ensuring that his personnel comply with the decontamination procedures specified in OSHA 1910.120. Personnel decontamination equipment and facilities shall be located within the closure area. The exact location shall be determined by the contractor, based on logistics.

7.3 Equipment Decontamination

Construction equipment and cleaning equipment in contact with potentially contaminated structures or water shall be decontaminated prior to exiting the facility. The concrete loading/unloading area for the 48,000-gallon tank farm may be used as a decontamination area. If this area is not large enough to accommodate the largest piece of equipment or the rinsate generated during decontamination, a decontamination pad shall be constructed. The location of the decontamination pad, if it is necessary to construct one, shall be determined by the contractor, based on logistics.

Equipment shall be decontaminated by physical methods wherever possible (scraping, brushing, etc.) followed by at least three separate rinses. Water will be allowed to flow to the drain within the containment area or the constructed decontamination pad (if necessary) for collection and transport to a wastewater treatment facility.

7.4 Residuals Management

Residues and debris generated from decontamination of personnel and equipment shall be managed in accordance with state and federal regulations. Solid residues, including discarded personal protective equipment, shall be collected and placed into a waste container designated by Badger Disposal. Liquid residues shall be collected by installing temporary dikes and shall be transported to an appropriate treatment facility for treatment.

After final equipment decontamination, the decontamination area shall be double-washed and rinsed. Liquids shall be conveyed to a wastewater treatment facility for treatment as described above. Decontamination of the decontamination area shall be documented as described in Subsection 4.1.

If it is necessary to construct a decontamination pad, the pad shall be demolished after completing decontamination activities. The debris shall be transported off-site to a licensed landfill.

Section 8
CLOSURE SCHEDULE

Badger Disposal has indefinite life because it is strictly a recycling facility. Badger Disposal has an expected life of 50 years. The entire facility will operate until closure. Therefore, no partial closure is anticipated. At least 180 days prior to beginning closure activities, Badger Disposal shall notify the WDNR in writing of its intent to close the facility.

The duration of closure construction activities is estimated to require 4 to 6 weeks, assuming 5-day work weeks. A contingency has been added to provide for possible additional re-cleaning of various units or equipment. The total time spent on construction activities, including soil sampling, is therefore estimated at 6 to 8 weeks.

The phasing and sequencing of work in specific areas is uncertain, and will depend on personnel logistics and scheduling once work has begun. Badger Disposal shall provide progress updates and shall communicate various milestones to the WDNR as work proceeds. Badger Disposal shall also inform the WDNR at least 5 working days prior to the occurrence of key events during closure.

Section 9
CLOSURE COST ESTIMATE

A summary of the estimated costs for implementing this closure plan are contained in Table 4.

The cost estimate is located in Appendix A. These costs are based on the following:

- Costs for closure services are based on Spectrum Engineering, Inc.'s experience on similar projects.
- Costs for engineering and soil sampling services are estimated by Spectrum Engineering, Inc., based on the presently defined scope and their experience on similar projects.
- The unit costs for on-site cleaning tasks include the required labor, equipment, and materials for washing, rinsing, residuals handling, etc.
- A project administration cost has been applied to cover miscellaneous costs not associated with specific work tasks.
- The estimates of the volume or mass of bulk material for off-site disposal are approximate only, due to uncertainties over what can and cannot be practicably decontaminated.

**TABLE 4
CLOSURE COST ESTIMATE**

Closure Activities	Unit Cost	Quantity	Total (\$)
Recycling/Disposal of Hazardous Waste Drum Inventory	\$40.00/drum	1,136	\$45,440.00
Recycling/Disposal of Lab-Pack Drum Inventory	\$175.00/drum	145	\$25,375.00
Recycling/Disposal of Bulk Liquid Hazardous Waste Inventory	\$0.28/gallon	61,000	\$17,080.00
Recycling/Disposal of Bulk Solid Hazardous Waste Inventory	\$60.00/yd ³	120	\$7,200.00
Transportation Costs	\$350/80 drums	16	\$5,600.00
Storage Areas			
-decontaminate floor surfaces	\$10,500.00	1	\$10,500.00
-decontaminate tank systems	\$5,200.00	1	\$5,200.00
-rinsate analyses	\$330.00/sample	20	\$6,600.00
Closure-Derived Waste Management			
-solid residues	\$1.00/pound	5,000	\$5,000.00
-liquid residues	\$0.50/gallon	30,000	\$15,000.00
Engineering			
-closure observation	\$1,200.00/day	10	\$12,000.00
-documentation report	\$10,000.00	1	\$10,000.00
Sub Total			\$164,995.00
10% Contingency	\$16,499.50	1	\$16,499.50
TOTAL			\$181,494.50

Revised September 15, 2006

okay 12/09/06

coverage is \$17,000

increase from \$166,061 increases 10% contingency, not needed today and based on inventory of expansion

Section 10
CERTIFICATION OF CLOSURE

An independent professional engineer registered in the state of Wisconsin (or representative) shall be present during critical closure activities.

When closure is completed, the independent engineer shall document that the waste management area has been closed in accordance with the concepts of the approved closure plan. A closure documentation report shall be submitted to the WDNR within 60 days of the completion of the closure activities.

The owner and engineer shall sign the following certification statement as required by NR 685(10):

"I certify, under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Information which supports the Closure Documentation Report and the certification shall be retained, pending approval of the Documentation Report.

Section 11
FACILITY STATUS AFTER CLOSURE

After closure of the Badger Disposal facility, no further RCRA hazardous waste activity shall be performed by Badger Disposal at this location. After all decontamination has been completed and site closure has been completed, the buildings and property may be used for other commercial or industrial business.

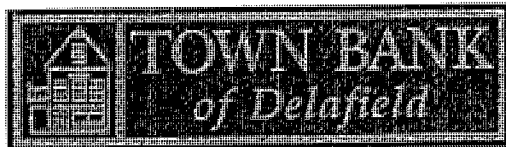
Section 12
REFERENCES

NIOSH/OSHA/USCG/EPA. 1985. Occupational safety and health guidance manual for hazardous waste site activities. October 1985.

USEPA. 1984. Standard operating safety guides.

Appendix A

LETTER OF CREDIT



IRREVOCABLE LETTER OF CREDIT FOR CLOSURE (1143-C)

Dear Secretary, Department of Natural Resources:

We hereby establish our Irrevocable Letter of Credit No. 1143-C in favor of the State of Wisconsin Department of Natural Resources as beneficiary, at the request and for the account of Badger Disposal of WI, Inc., 5611 West Hemlock Street, Milwaukee, WI 53223 as customer, up to the aggregate amount of \$172,000.00 available upon presentation of:

1. A sight draft, bearing reference to this letter of credit no. 1143-C together with
2. A signed statement declaring that the amount of the draft is payable pursuant to regulations issued under the authority of section 289.41, Wisconsin Statutes, as amended.

Whereas the customer owns a solid waste land disposal facility named Badger Disposal of WI, Inc. located in City of Milwaukee, Milwaukee County, Wisconsin, and that the facility is subject to the closure requirements of the plan of operation approval issued by the beneficiary, dated the 3rd day of July, 2003, and any amendments thereto.

This Letter of Credit is written to provide proof of financial responsibility pursuant to section 289.41, Wisconsin Statutes, and section NR 520.05, Wisconsin Administrative Code, as amended, to ensure compliance with the closure requirements of the plan of operation approval, and any amendments thereto, and shall inure to the benefit of the beneficiary.

This Letter of Credit is effective on November 21, 2005, and shall expire on December 5, 2006, except that this Letter of Credit shall automatically renew on the termination date for a term of one year and annually thereafter on each successive termination date until all of the closure requirements have been completed, unless we elect to cancel this Letter of Credit. In the event we wish to cancel this Letter of Credit, we shall provide notice in writing of our intent to cancel to the beneficiary by registered or certified mail not less than 90 days prior to the end of the current term of this Letter of Credit. Unless the customer delivers to the beneficiary a replacement Letter of Credit or other acceptable proof of financial responsibility under section 289.41, Wisconsin Statutes, we will pay to the beneficiary the unused balance of this letter of credit on the termination date.



Whenever this Letter of Credit is drawn on under and in compliance with the terms of this credit, we will duly honor such draft upon presentation to us.

All or any part of this Letter of Credit may be drawn upon by the beneficiary, upon written request of the Secretary of the beneficiary, and in accordance with section NR 520.06, Wisconsin Administrative Code, as amended, to be used to carry out the closure requirements of the plan of operation approval, and any amendments thereto, if the customer or any successor in interest fails to do so.

I hereby certify that I am authorized to execute this Letter of Credit on behalf of Town Bank, 400 Genesee Street, Delafield, WI 53018, a bank or financial institution located within the State of Wisconsin, which is examined and regulated by the state or a federal agency.

Sincerely;



Christopher S. Zirbes
Vice President

11/21/05
(Date signed)

This credit is subject to the Wisconsin Uniform Commercial Code and the uniform Customs and Practice for Documentary Credits as most recently published by the International Chamber of Commerce. In the event of inconsistency, the Wisconsin Uniform Commercial Code shall apply.



ATTACHMENT D

CLOSURE COST ESTIMATE – CURRENT OPERATIONS

TABLE 1

CLOSURE COST ESTIMATE – CURRENT OPERATIONS
REVISED AUGUST 21, 2009

Closure Activities	Unit Cost	Quantity	Total (\$)
Recycling/Disposal of Hazardous Waste Drum Inventory	\$100.00/drum	1,557	\$155,700.00
Transportation Costs	\$981/88drums	18	\$17,658.00
Storage Areas - decontaminate floor surface - rinsate analyses	\$12,500. \$330.00/sample	1 14	\$12,500.00 \$4,620.00
Closure-Derived Waste Management - liquid residues	\$0.50/gal	13,000	\$6,500.00
Engineering - closure observation - documentation report	\$1,200/day \$10,000	6 1	\$ 7,200.00 \$ 10,000.00
Sub Total			\$214,178.00
10% Contingency		1	\$21,417.80
TOTAL			\$235,595.80

182,583.50
 per 11-12-07
 Addition-11/20/07
 submitted

Veolia ES Industrial Services, Inc.

N104 W13275 Donges Bay Road
 Germantown, WI 53022
 (262) 512-8049 Fax (262) 236-8140

Proposal # 1404
 Proposal Date: 3/10/2009

PROPOSAL

Customer

Name: KANDY SCHMIT
 Company: BADGER DISPOSAL OF WI.
 Address: 5611 W. HEMLOCK STREET
 City: MILWAUKEE State WI ZIP 53223
 Phone: 414-760-9175
 Fax: 414-760-9189
 Email: kandy@badgerdisposal.com

Job Site: _____
 Address: _____
 Address: _____
 City: MILWAUKEE
 State WI ZIP _____

	Description of Work	Amount	TOTAL
1.00	VAN TRANSPORTATION FROM MILWAUKEE, WI TO DETROIT, MI.		
	DEMURRAGE: 1ST HOUR LOADING & 1ST TWO HOURS UNLOADING FREE: \$75.00/HOUR THEREAFTER		
1.00	TRANSPORTATION	\$900.00	\$900.00
	FUEL SURCHARGE UPDATED WEEKLY/9%	\$81.00	\$81.00
	FUEL SURCHARGE UPDATED WEEKLY FROM THE D.O.E.	9%	
		SubTotal	\$981.00
		TOTAL	\$981.00

ACCEPTANCE OF PROPOSAL

Title: _____
 Signature: _____
 Title: _____
 Signature: _____
 Date: _____
 PO # _____

TERMS: NET 30
 FINANCE CHARGES: 1 1/2%
 AFTER 30 DAYS.

Questions concerning this proposal?

Call: (920) 605-6128
 Allan Luttinen

THIS IS ONLY AN ESTIMATE.

If scope of work changes a change order will be issued. The customer will remain liable for all actual charges incurred.

Signature: _____

Thank you for your business! Please call on us again.

MDWTP, Inc. Wayne Disposal, Inc.

Discounted Pricing Schedule For:

Badger Disposal (#1323)

Updated 4/2/09

	<u>DRUM</u>	<u>CYB</u>	<u>TON</u>	<u>GAL</u>
Non-Hazardous Waste (029L,Slud,Non,ect.)				
1) Non-Hazardous Solids	\$40.52	\$55.13	\$44.10	N/A
2) Non-Haz Liquids and Sludges	\$40.52	\$61.74	N/A	\$0.41

Characteristic Hazardous Wastes (D001,2,4-11,12-43) Treat to non-haz.

1) D001, D002, D004-11	\$75.24	\$81.04	\$85.17	\$0.87
2) D012-D043 (D-Metals w/ UHC's)	\$115.76	\$134.95	\$141.95	\$1.00
3) Characteristic Subpart CC	\$165.38	\$209.48	\$203.96	\$1.22

Listed Hazardous Wastes (F,K,P,U Coded and MI Listed) Treat to haz

1) Listed Metals for Stabilization	\$93.71	\$118.08	\$108.93	\$1.06
2) Listed Organic for ChemOx	\$218.30	\$309.26	\$292.16	\$2.21
3) Listed Subpart CC	\$275.63	\$319.73	\$319.73	\$2.43
4) Micro-encapsulation of Debris	\$98.40	\$121.55	\$115.76	N/A

Direct Subtitle C or TSCA Landfill

1) Listed Waste Meeting All LDR	\$82.69	\$143.33	\$132.30	N/A
2) TSCA Soil for Landfill	\$88.20	\$154.35	\$143.33	N/A

Notes:

- 1) Bulk pricing (per ton) will be charged on a yard basis for bulk density < 2000 lbs/yard
- 2) State surcharges are \$2.20/drum and \$10.00/yrd box or ton for hazardous wastes.
- 3) State surcharges are \$0.08/drum and \$0.31/yrd box or ton for non-hazardous wastes
- 4) Please call for pricing for all event work.
- 5) Rates do not include special burial charges, dig-outs, wash-outs, etc
- 6) An insurance surcharge of 1.5% will apply to all invoiced totals starting 03/01/03.
- 7) An energy surcharge will apply to disposal. This rate is adjusted quarterly based on the US Department of Labor Consumer Price Index (CPI)-Energy.

APPENDIX K

OPERATION AND MAINTENANCE MANUAL

OPERATION AND MAINTENANCE MANUAL

Prepared by:
RMT, INC.
WAUKESHA, WISCONSIN

SEPTEMBER 1994

UPDATED BY BADGER DISPOSAL OF WI., INC.

MARCH 2006

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Figure 1 Badger Disposal Material Flow Diagram

Section 1
FACILITY IDENTIFICATION INFORMATION
NR 640.06(2)(d)(1)/645.06(2)(d)(1)

1.1 Project Title

Badger Disposal of WI., Inc.
Hazardous Waste Storage and Recycling
5611 West Hemlock Street
Milwaukee, Wisconsin 53223

EPA ID# WID988580056

1.2 Engineering Consultants

The following engineering consultants were involved in various phases of the Badger Disposal facility design:

- Residuals Management Technology, Inc. – John Cimerancic, P.E.
- Graef, Anhalt, Schloemer and Associates Inc. – Gary J. Rollinger, P.E.
- Engineering and Environmental Services - Ron Bannister, P.E.

No design changes from the original Feasibility and Plan of Operation Report are planned at this time.

1.3 Site Owner

The Badger Disposal of WI., Incorporated site is owned by: Badger Investments Realty, LLC, 5611 West Hemlock Street, Milwaukee, WI 53223

1.4 Licensee and Operator

The facility Licensee is Badger Disposal of WI., Inc. The facility is operated by Henry J. Krier, President.

1.5 Site Size

The property on which the Badger Disposal facility is located covers approximately 3 acres.

*Spectrum Eng.
why not
current
consultant
listed?
update
design.*

1.6 Site Life and Design Capacity

Badger Disposal has an indefinite life because it is a recycling facility. Badger Disposal has an expected life of 50 years.

Badger Disposal is a commercial recycling complex for waste solvents, paints, sludges, and various other organic and inorganic materials. The complex, which includes some non-regulated activities, is located at 5611 West Hemlock Street, Milwaukee, WI 53223, telephone number (414) 760-9175, in an industrialized area of northwestern Milwaukee. Badger Disposal's operations consist of various processes for recovering, re-packing, reclaiming, and/or recycling organic materials generated by a wide variety of industries located throughout Wisconsin and the Midwest. The existing Badger Disposal facility includes one process/storage building. The proposed Badger Disposal facility includes three buildings and bulk tankage for storing of the blended fuels, waste acid and waste caustic.

The existing building as shown in Sheet 9 of 18 in Appendix P is permitted to store 720 – 55 gallon hazardous waste containers or their equivalents and 1,500 – 55 gallon drums or their equivalents. Since the total of 720 – 55 gallon containers of hazardous waste and 1,500 – 55 gallons of solid waste is greater than the allotted space, the maximum storage available is 1,720 – 55 gallon drums. A copy of the Conditional Class 1 Modification Determination from the WIDNR dated April 6, 2004 outlining storage is located in Appendix O.

The proposed addition to the existing building as shown in Sheet 10 of 18 in Appendix P will perform the following functions:

- Storage of up to 492 hazardous waste containers (non-ignitable wastes)
- Storage of up to 984 non-hazardous waste containers (non-ignitable wastes)

The Badger Disposal lab pack building as shown in Sheet 11 of 18 in Appendix P is intended to provide the following functions:

- Provide contained storage of up to 145 drums in up to 29 drum increments of acidic, basic, ignitable, reactive, and oxidizers
- Provide lab pack bays whereby lab packs quantities of material are repacked into larger quantities (55 gallon drums) for bulking into tanks contained within the labpack building, transfer to the process building for processing into fuels, or for ultimate shipment for disposal or recycling
- Provide a mechanical equipment area for support of the lab pack bay area scrubber system (ventilation equipment, carbon adsorber, alkaline oxidation scrubber)
- Provide bulk storage, loading and unloading facilities for storage of waste acid and waste caustic.
- Provide a shop office area for administrative functions involving the lab pack operations

The Badger Disposal Tank Farm is proposed to provide storage of 48,000 gallons of blended fuels in 4 – 12,000 gallon storage tanks.

1.7 Industries Served

Badger Disposal currently serves over 900 clients which include a variety of commercial, institutional, governmental and industrial companies nationwide that do not generate bulk quantities of waste. The primary function of this facility is bulking and transfer of hazardous and nonhazardous wastes in order to gain access to secondary markets. Customers include the following:

- Colleges and Universities
- Printing Companies
- Government Institutions
- Pharmaceutical Manufacturers
- Environmental Consultants
- Chemical Manufacturers
- Automobile Dealerships
- Automobile Manufacturers
- Railroads
- Can Manufacturers
- Film Manufacturers
- Adhesive Manufacturers
- Machine and Parts Manufacturers

1.8 Waste Types and Quantities

The waste types and quantities accepted at Badger Disposal are listed in the Part A Application which is located in Appendix A of the Feasibility and Plan of Operation Report.

1.9 Exemptions Applied for

Badger Disposal is a licensed hazardous and solid waste storage facility which provides hazardous waste services and solid waste services to generators of solid and hazardous waste. Badger Disposal has operated the facility since September 1, 1990. Badger currently provides services for clients which include a variety of commercial, institutional, governmental and industrial companies nationwide that do not generate bulk quantities of waste. The primary function of this facility is the bulking and transfer of

hazardous and non hazardous waste in order to gain access to secondary markets which include recycling and fuel blending.

Fuel blending operations such as those conducted at Badger Disposal's facility are deemed exempt recycling operations, so long as the facility applies for a written exemption under Wis.

Admin. Code Chapter NR 625 and meets the requirements contained therein. On July 3, 1996, Badger Disposal submitted a hazardous waste fuel blending recycling exemption request to the WIDNR. This exemption application documented that Badger Disposal is a fuel blender engaged in beneficial use or reuse of hazardous waste and is in compliance with the requirements for such exempt facilities imposed by Wis. Admin. Code Sections NR 625.07 and 625.08.

On August 23, 1996, Badger Disposal received a Conditional Approval for Legitimate Recycling Exemption – Hazardous Waste Burned from the WIDNR. A copy of the Conditional Approval for Legitimate Recycling Exemption is located in Appendix B.

Section 2
SPECIFICATIONS FOR SITE CONSTRUCTION AND OPERATION
NR 640.06(2)(d)(2)/NR 645.06(2)(d)(2)

2.1 Basic Design Parameters

Badger Disposal's regulated waste management activities are segregated into two waste management units: 1) the Container Management Unit, and 2) the Tank Management Unit. Each includes specific areas, processes, and equipment within the complex as shown in the drawings.

In addition, the Badger Disposal complex includes various non-regulated areas such as laboratories, administrative offices, maintenance areas, personnel locker rooms, electrical power rooms, and the equipment operated by Badger Disposal for reclamation, product storage, and processing.

The following discusses those RCRA-regulated process activities at the Badger Disposal complex. This process information includes discussion of the various safety features, design parameters, methods for preventing run-off, management of all containment areas and specific design drawings for equipment located in each of the waste management units. Specific drawings discussed in this section are included in the packages that make up Appendix P and Q.

2.2 Container Management Unit

The Container Management Unit employs a number of methods to empty and/or otherwise process containerized waste received at the Badger Disposal complex. These can include: 1) the lab pack consolidation, 2) solid waste consolidation roll-off, and/or 3) drum pumping station for fuel blending, 4) drum pumping for acid waste bulk consolidation, 5) drum pumping for caustic waste bulk consolidation, 6) return of waste to generator.

2.2.1 Loading/Unloading Docks

Based on the prequalification information and initial sampling of materials shipped, the containerized waste materials are directed to one of the following unloading docks:

Dock Number 1: This dock receives all containerized materials determined to be processable in either Phase I of the DHS (liquids and liquefiable/processable solids), or where the physical characteristics of the waste are uncertain and further sampling can be accomplished prior to assigning to a processing unit.

Dock Number 2: This dock is primarily used for receipt of material destined for processing liquefiable solids, non-liquefiable/processable or compressible solids, and outbound shipment of roll-off containers filled with non-liquefiable/processable solids.

Dock Number 3: This dock is utilized for the receipt of lab pack quantities of material (acids, bases, oxidizer, reactive, ignitable, etc.) for consolidation into larger drum quantities and for loading of consolidated lab packs for transport directly to disposal or Dock Number 1 for unloading and either temporary storage in the appropriate area for further consolidation or recovery in the fuel blending program. Drum quantities of acids and bases will also be received here for consolidation into bulk storage tanks. Materials received at this dock may be unloaded and transported into one of the five lab pack consolidation areas or the associated 29 drum staging area.

Bulk Tanker Truck Loading/Unloading Area: This dock may be used for inbound or outbound shipment of tank trucks up to 6,000 gallons of liquid hazardous waste fuels. This dock will also be utilized to load outbound shipments of up to 5,300 gallons of waste acid or waste caustic for disposal. Once the material is unloaded, it may be positioned directly to the designated process area or may be stored within one of the assigned areas for later introduction into the process. The containers may also be segregated and reloaded for transfer to another dock.

By providing four distinct dock areas and one bulk tanker truck area, the facility layout is designed to minimize handling and movement of containerized waste and maximize the utilization of all process equipment included in the Container Management Unit. The existing facility is designed so that all waste storage, processing and handling activities are conducted within an enclosed building. Tankers are loaded within the bermed area of the warehouse and as such, stormwater contact with waste does not occur. When containers are loaded or off loaded at Dock 1 the sump pump located inside of the warehouse is shut off. Only sealed containers are received at Badger Disposal. In the event of a spill any accumulated liquid will be pumped into drums or totes, sampled and analyzed and shipped off site for disposal.

Dock Number 1

Dock Number 1 on the northwestern corner of the existing storage building includes 2 bays and has approximate dimensions of 25 feet by 20 feet. The dock area itself is contained by trenches to prevent run-on and is constructed of concrete with a future impervious liner. This dock acts as the primary dock for receipt of containers destined for processing. Containers are off-loaded by forklifts, drum carts, or via reversible live bottom conveyors within the box vans. From here the containers are conveyed to the lab pack consolidation building, or to the appropriate area for storage within the storage processing building, or to the appropriate area for process within the storage process building.

Dock Number 2 (Includes proposed addition to existing building)

Dock Number 2 on the southeastern corner of the existing building and northeastern corner of the building addition includes 2 bays and has approximate dimensions of 25 feet by 25 feet. This dock primarily serves to receive drums of solid waste materials to be processed by solids consolidation of the DHS. This dock provides direct access to solids consolidation. Currently, roll-offs are shipped out of this dock by truck. The dock is constructed of concrete, and is designed

to contain any potential spillage inside the building from mixing with any precipitation. Like the other dock areas, this dock is also sloped to prevent run-off and facilitate pumping of any liquids which are accumulated. This dock may be used for outbound shipment of filled roll-offs, incineration feed, and/or inbound receipt of empty roll-offs. This dock may be utilized to transfer lab packs to the lab pack consolidation building.

Dock Number 3

Dock Number 3 on the north side of the lab pack building includes 2 bays and has approximate dimensions of 20 feet by 35 feet. This dock is proposed to primarily serve to load lab pack drums into appropriate staging areas further processed by consolidation. Drum quantities of waste acid and waste caustic for consolidation into the bulk storage tanks and cylinders for redirection to a treatment facility will also be received here. No consolidation or processing activities for cylinders will be conducted at Badger Disposal. The dock will be constructed of lined concrete and designed to contain any precipitation. The dock is sloped to prevent run-off and run-on and facilitate pumping of any liquid which is accumulated. As with Dock Number 1, containers are loaded by forklifts or via reversible live bottom conveyors within the box vans.

2.2.2 Container Processing System (other than lab pack containers)

The container processing system will be designed to accomplish three objectives:

Empty Drums of Solid Materials into a Roll-Off Container for Consolidation

The emptying of the 55 gallon drums of solids into the roll-off container will be and has been accomplished by means of a variable speed hydraulically driven auger. The existing drum solids auger will be modified so as to be completely explosion proof in its electrical characteristics and encapsulated in its own nitrogen blanketing system. The solids will pass through an air lock slide gate before entering the roll-off for consolidation.

Blend Suitable Drums of Solid Materials Into Waste Liquids for the Fuel Blending Operations in up to 2,000 Gallon Batches

The drum auger system is operated according to the manufacturer's instructions. Drums are staged after evaluation for use in fuel blending. If drum contents are to be routed to blend tank BT-1, the gate in the chute at the auger discharge is placed in the position to feed the emptied drum contents into the conveyance system to blend tank BT-1. Slide gate valve SGV-1 is opened, and operation of the auger system is commenced. Drums are emptied by the system into the conveyance system which conveys them to blend tank BT-1. At completion of blend tank loading, the auger system is deactivated and SGV-1 is closed. If the drum contents are evaluated as inappropriate for blending, the gate in the chute is moved to discharge emptied drum contents into the roll-off below the drum auger. Upon completion of drum emptying, the auger is deactivated. The existing drum solids auger will be retrofitted with a transfer system so as to convey individually selected drum contents into the fuel blending tank. The entire drum solids auger will be encapsulated and equipped with an air lock such that the entire drum emptying operation will be conducted under a nitrogen blanket. The ambient air within the air lock will be purged with at least eight volumes of nitrogen after the air lock has been closed. The inner door of the air lock will be opened and the drum emptying sequence will take place. The encapsulation of the drum auger will be equipped with windows for the system operator to view the entire operation, explosion venting with the vents hard piped through the building roof, oval nitrogen blanketing system, piping for the master vapor recovery system, and piping for the fresh air purge for drum removal. The fresh air purge will be supplied by a non-sparking aluminum fan and both the exhausts from the nitrogen and fresh air purge will be directed into the master vapor recovery system.

The transfer system will be totally enclosed and will be connected to the fuel blending system by means of a vapor tight slide gate so as to maintain the nitrogen blanket within the fuel blending system at all times. The transfer system is expected to be a reversing conveyor type system so as to minimize operational problems and provide operator selection as to whether the material augered out of the drum will be transferred to the fuel blending operation or the roll-off for solid waste consolidation. The solids will pass through an air lock slide gate into the blending vessel. During the period that the solids are passing

into the vessel, operation of the nitrogen blanketing system will continue to minimize the oxygen content of the vessel below an expected 6% concentration so as to prevent an explosive condition from occurring at any time within the vessel.

Oxygen concentration, tank level, and mixer motor amperage will be able to be monitored and displayed continuously locally at the blending tank, main operator control panel in the office of the storage building and supervisory control system in the office building of the complex. Motor amperage will be monitored as a function of % of motor capacity so as to indicate that the material has not become so viscous as to prevent transfer to the bulk storage tanks.

In the event that the material has accidentally become too viscous for transfer, return of "thinner" material from the bulk storage tanks to correct the condition will be possible via the bulk tank transfer/loading pumps.

Blend Suitable Liquids in up to 2,000 Gallon Batches from the Various Sized Containers Received at the Facility for the Fuel Blending Operations

The liquids blending operation will also be conducted within the confines of the storage building. Individual drums will be pumped by means of either a conventional fixed, air driven, axial piston, high viscosity, explosion proof drum pump connected to the hard piping feeding the fuel blending station or by means of a fixed pump with flexible suction feeding the fuel blending tank through a separate feed line. The liquids will be continuously mixed to achieve a homogeneous blend in preparation to be pumped out to the bulk storage tank system. The blending tanks contents will be monitored continuously for temperature and level as an additional safety. Temperature, oxygen content, tank level, and mixer motor amperage shall be monitored locally and remotely at the main process/operation control system and the supervisory control system. Upon reaching a high tank level condition, high tank temperature condition, or high mixer motor amperage condition, an alarm will sound to warn the operator and all tank filling systems will be automatically disabled. If a high oxygen condition in the blending tank exists, the tank filling systems will also be disabled so as to determine the cause of the high oxygen concentration before any additional actions are initiated. Resetting of either high tank temperature conditions or high tank oxygen conditions to continue operations will be permitted only at the supervisory controls located within the main office. Resetting of

other alarm conditions will be permitted locally or at the main process operator control system.

Upon achieving a suitable blended condition (i.e., a mixture of fuel that meets the specifications/requirements of the end user) within the blending tank, the operator will be able to initiate a transfer to the bulk storage system.

Upon selection of one of the four bulk storage tanks, the control system will calculate whether or not the selected bulk storage tank has sufficient capacity to accept the full transfer amount in the blending tank and notify the operator accordingly. The operator will then be able to "top off" the selected bulk storage tank while by the transfer pump will be stopped automatically at the bulk storage tank high level. The operator must then select a different bulk storage tank and repeat the process. If the control system allows transfer of the entire (or balance of) the blending tank contents, the pump will continue to pump until the blending tank reaches a preset low level or the presence detector on the suction side of the 100% capacity transfer pump signals an empty pipe condition. Badger Disposal intends to maintain a minimum liquid level in the blending tank at all times so as to be able to blend solids from the drum auger at any time.

The agitator for the blend tank (AG-5) is controlled by explosion-proof push button actuation at the tank. Motor starter is interlocked with timer to operate agitator for ten minutes before automatically requiring the operator to reactivate if further blending is required.

The blending tank contents will be conveyed to the bulk storage tanks via a steel "pipe in a pipe" system complete with interstitial leak detection, via an overhead pipe rack support system. The entire process within the blending tank will be monitored and maintained under an inert nitrogen gas atmosphere. The fuel blending tank will be constructed of carbon steel and will be equipped with pressure vacuum relief valves, emergency vents, pressure regulations, metal seated fire rated valves and flame arresters. The blending tank will also be connected to the vapor recovery system which will be described later.

2.2.3 Bulk Storage Tanks

All four 12,000 gallon tanks are constructed of carbon steel and are equipped with pressure vacuum relief valves, pressure regulators and vents, metal seated fire rated valves, and flame arresters. The tanks are situated within a lined and coated concrete containment area which is canopied to prevent precipitation run-on and provides containment for approximately 20,760 gallons in accordance with WAC NR 645.09. Emissions from all tanks and process chambers are collected by a manifold pipe and conveyed to the vapor recovery system (VRS). All transfer piping is totally contained by encasement or routed in a contained overhead trough system with leak detection capabilities.

Computer Control System

Microprocessor based programmable logic controllers (PLC) will be used to monitor and control the entire process. Some of the specific parameters monitored include: O₂ concentration, high tank levels, low tank levels, pressure, temperature, nitrogen pressure, hydraulic system conditions, and feed rates. Safety parameters included in the system and integrated into the control systems prevent the DHS from operating if any of the parameters monitored by the computer control system are exceeded or otherwise outside of established limits.

Vapor Recovery System (VRS)

The main process controls are also used to control the VSR which processes all of the non-fugitive vapors from the DHS in addition to other sources at the complex. The VSR employs atomized liquid nitrogen to condense incoming process vapors in condensing chambers. The flow of nitrogen to the atomizers within the initial condensing chamber is controlled to automatically regulate and respond to the inflow of vapors from the fuel blending and bulk storage and to maintain condensing temperatures within an established range, typically between minus 60 degrees and minus 100 degrees Fahrenheit. Condensed vapor will be returned to one of the bulk storage tanks. Vapor exiting the vapor recovery system will be routed through a vapor phase activated carbon absorption system before discharge to the atmosphere. The system is capable of providing control to other potential air pollution sources from the facility as may be required. The VSR will be located

adjacent to the liquid nitrogen supply tank near the west edge of the Bulk Storage Tank Farm.

2.2.4 Storage/Process Building

The storage/process building is shown on the drawings. This building is designed to provide environmentally safe storage for all containerized materials and processing equipment. The building is designed with 12" thick outer walls, reinforced concrete floors, and meets the aisle spacing requirements of the State Fire Marshall.

Explosion proof electrical equipment will be used throughout the process and storage areas. An automatic aqueous film forming foam (AFFF) fire suppression system is included in the building storage and process areas. Additional emergency equipment is located throughout the building including hand-held fire extinguishers, fire blankets, and absorbent booms. The storage/process building is designed with concrete curbing at entrances to the building to minimize the risk of any accidental spillage leaving the confines of the building. The curbing, walls and floors of the building are designed to meet the requirements of WAC NR 640.13, and are sufficiently level to ensure the integrity of the containment. There are no sewer discharges located in any operational or storage areas of the storage/process building.

The storage/process building provides containment capacity of over 9,192 gallons of liquid materials in accordance with WAC NR 640.13 in the existing building. 4 inch high containment ramps have been installed. An additional 7,000 gallons of containment capacity will be available upon the installation of the storage building addition. Run-on is not a concern within the building in that it is entirely enclosed. The storage/process building is designed and operated so that leaked or spilled material within any area can be easily identified and cleaned up to prevent contact with other containers. Pallets are used in specified areas to prevent containers from contact with standing water or potential leaks from surrounding containers. Overpacks or empty drums are kept on-site so that leaking materials can be transferred and easily contained. In addition, sand and other absorbent products are kept in sufficient quantities to contain and remove any localized spillage. Any absorbent materials used are handled in accordance with appropriate regulations and recycled on-site or manifested off-site. The dimensions of the various areas within the storage/process building are shown on the drawing.

Automatic fire doors as shown on drawing #05490-EE1 located in Section 7, attachment B of this submittal were installed June 3, 1996. They are located within the building to isolate various areas in the event of a fire. One fire door is located on the east side of the firewall the other is on the west side of the firewall. These doors operate on a fusible link. If excessive heat is detected, the doors automatically close, isolating the process/storage portions of the building from the laboratory or office area.

Regulated hazardous waste typically stored within the storage/process building can be received at the complex in an assortment of containers. By far, the most common container expected will be the 55-gallon steel drum. Sheets 9, 10 and 11 of 18 in Appendix Q depict the typical locations of containers within the storage/process building. Sheets 9, 10 and 11 also depict specific areas where incompatible materials are stored to ensure proper isolation.

2.2.5 Drum Pumping Stations

These stations are set up periodically to pump containerized material into the fuel blending tank. The system provides for grounding of the containers and equipment during operation. Air motor or explosion-proof electric motor driven drum pumps within the curbed area containing the fuel blending tank will be utilized to transfer "water-like" low viscosity liquids into the fuel blending tank. The piping will consist of flexible hose attached directly to the drum pump within the containment area. The flexible hose will be connected to schedule 40 steel pipe for the remaining 5-to-10 feet distance to the fuel blending tank.

2.2.6 Sequence of Container Handling Activities

1. Containers are received at one of the container loading/unloading docks.
2. After sorting, inspections are conducted, or acquired composite samples are analyzed for relevant parameters in accordance with the Waste Analysis Plan, if necessary.
3. Compatible waste streams are then conveyed to one of the processes within the Container Management Unit or a designated area within the storage/process building for storage.
4. All containers are emptied to comply with WAC NR 605.06(3). Compacted containers are conveyed to a roll-off container and shipped off-site for recycling as scrap steel. Empty containers from drum pumping stations, or the lab pack operations system may be crushed, and recycled as a usable scrap steel or shipped intact off-site to a drum reconditioner.

2.3 Tank Management Unit

Sheet 12 of 18 in Appendix P illustrates the future tank systems which are proposed to be located at the Badger Disposal complex. The areas included in the Tank Management Unit are: all tanks for storage of fuel blending, and fuel product storage tanks, solids blending area, and all associated piping and containments. In addition, these tanks, piping, layouts and loading/unloading areas are included in appropriate drawings. All tanks and piping used by Badger Disposal are located above ground, and tanks are ultrasonically tested annually to ensure each tank's structural integrity. All tanks used for blending, inbound storage and product storage are constructed of carbon steel. All tanks are grounded and painted to further reduce the potential for corrosion. The pH of the materials in each tank is determined as necessary. Materials used for construction of the tank systems are compatible with the materials accepted at the Badger Disposal complex. Inspection of all tanks at the Badger Disposal complex will be carried out in accordance with 40 CFR 264.15 and includes tanks, containments, and ancillary equipment. A copy of the inspection log is outlined in detail in the Inspection Section of this application. Badger Disposal will inspect all the tank systems daily to detect corrosion or the release of waste, as well as areas immediately surrounding the externally accessible portion of the tank system, including secondary containment, to detect corrosion or signs of release of hazardous wastes (i.e. wet spots). Notations of the observations made will be recorded along with the date, time, and name of the inspector. Any deficiencies identified during the inspection will be so noted in the inspection log along with the date and nature of the corrective action taken.

A tank farm inventory will be taken daily and analysis performed on each tank, as required.

2.3.1 Bulk Liquid Loading/Unloading Areas

The Badger Disposal complex is proposed to include one loading/unloading area for receiving and shipping bulk liquid waste feed stocks, liquid hazardous waste fuels, bulk acid waste and bulk caustic waste. The loading/unloading pad for receipt and shipment of waste related materials can accommodate up to 2 bulk tankers although only one tanker is expected to be serviced at any given time.

All loading/unloading areas at the Badger Disposal complex will be designed with reinforced concrete pads containment ramps integral curbing to prevent run-off and to contain any accidental release which may occur during any loading/unloading operations. Each loading/unloading area is sufficiently impervious to prevent leakage to the surroundings. The bulk tanker loading/unloading area will also be covered by a canopy to minimize any potential run-on from precipitation events.

The Loading/Unloading pad will include a collection sump. Additionally, any pumps used for loading/unloading operations will be located within the containment area, or will be provided with individual secondary containment. The Loading/Unloading pad includes a double sloped lined concrete pad with a center collection sump and trench. All piping and ancillary equipment, including filters, are included within the concrete containment.

Explosion-proof pumps are used for transferring materials from bulk tankers. Bottom unloading of bulk tankers is normally utilized to minimize the threat of fire or explosion, and to facilitate the use of vapor balance system. The vapor balance system associated with the Loading/Unloading Pad is employed for control of vapors from bulk loading/unloading activities for fuel and is described later in the tank farm discussion. A static grounding system is also utilized within all areas to minimize the threat of fire. Top loading of the bulk tankers will be utilized to minimize any potential spillage that may occur. Waste acid and waste caustic loading and unloading will be accomplished by separate designated service pumps. Vapors from loading/unloading procedures of waste acid and caustic waste will be routed to the alkaline oxidation scrubber. Any spillage occurring on the loading/unloading pad will be handled by designated service portable pumps and the spillage will be directed to the appropriate bulk storage tank (fuels, acid or caustic).

Where is this
located ->
in corner of
lab pool building

Any materials or precipitation which accumulates on the pads are removed using portable pumps or an available vacuum truck. Collected run-on materials from these areas will be blended in with the liquid fuels program. Should other methods be considered for disposition of any run-on materials in the future, analysis will be performed as required. Emergency equipment will be located in the area of the loading/unloading pad. Future provision will allow for fire pull stations in the vicinity of the loading/unloading operations to further enhance the fire communications system.

2.3.2 Tank Farms

The Tank Farm is depicted in drawings enclosed and includes tanks 1-4. Tanks 1-4 are typically used for blended fuel storage while the process tank will be typically used for blending. All tanks are designed in accordance with appropriate codes and regulations to safely store and blend ignitable materials. Each individual tank includes a external fire valve operated by a fusible link and pressure/vacuum relief valve to minimize the potential for flame propagation. All tanks are also provided with agitators for blending of fuel products.

AGITATORS:

AG-1: Agitator for Storage Tank ST-1. Agitator is controlled by explosion-proof push button actuation at the tank. Agitator operates continuously while product is in the tank. Agitator is manually deactivated by the push button when the tank is not in use or as management dictates.

AG-2: Agitator for Storage Tank ST-2. Agitator is controlled by explosion-proof push button actuation at the tank. Agitator operates continuously while product is in the tank. Agitator is manually deactivated by the push button when the tank is not in use or as management dictates.

AG-3: Agitator for Storage Tank ST-3. Agitator is controlled by explosion-proof push button actuation at the tank. Agitator operates continuously while product is in the tank. Agitator is manually deactivated by the push button when the tank is not in use or as management dictates.

AG-4: Agitator for Storage Tank ST-4. Agitator is controlled by explosion-proof push button actuation at the tank. Agitator operates continuously while product is in the tank. Agitator is manually deactivated by the push button when the tank is not in use or as management dictates.

A high level alarm is integrated with an automatic cut-off system for the feed pumps, thereby providing additional overfill protection. The automatic pump cut-off system operates using non contact ultrasonic level sensors which, when detecting a high liquid level, open a fail safe contact which interrupts power to the feed pumps, thus preventing any further conveyance of materials into the tank.

The vapor balance system vents each tank to a manifold. As material is transferred, the vapors displaced from the filling operation are vented to the manifold and are conveyed through a flex connection to the off-loading tanker or tank, depending on the sequence.

All tanks are located within an impervious containment system meeting the design requirements of WAC NR 645.09.

The acid and caustic bulk storage tanks will be constructed of lined carbon steel and equipped with continuous readout non-contact ultrasonic level controls in a manner similar to the blended fuel storage tanks.

The vapors from each of these atmosphere tanks will be directed separately into the alkaline oxidative scrubber system utilized to service the lab pack bays as well. Both the bulk waste acid and bulk waste caustic tanks will be equipped with an individual appropriate lined reinforced concrete secondary containment of 6,700 gallon capacity (15.5' x 15.5' x 4') including that portion of the tank below the height of the containment area. Each of the tanks will be accessed at the top by means of a caged ladder.

2.3.3 Piping and Yard Area Associated Equipment

Piping and associated equipment at the Badger Disposal complex is located above ground and provided with secondary containment, as appropriate. Yard (overhead transfer) piping is situated in a secondary containment piping system equipped with integral leak detection. If a pipe, flange or valve leaks, it would be easily identified and be completely contained,

avoiding any risk to the environment while repairs are undertaken. Additionally, as part of the 40 CFR 264 Subpart BB mandated monitoring program, this ancillary equipment (flanges, valves, pumps, etc.) will be regularly monitored and inspected for leaks, further reducing the threat of releases from defective equipment.

Flex hosing will be used in bulk loading/unloading areas. Hard plumbing is provided elsewhere throughout the complex.

Badger Disposal will pave the non-operational yard area of the plant with concrete in accordance with the paving plan submitted.

2.3.4 Sequence of Bulk Handling Activities

1. Bulk tankers entering the Badger Disposal complex are directed to a sampling and staging area. The manifest is inspected, contents of the tankers sampled, and sample analysis performed in accordance with the Waste Analysis Plan prior to the tanker being unloaded.
2. After analysis is complete and approved, the driver is directed to the unloading area.
3. At the unloading area, operations personnel connect discharge hoses and the vapor balance hose to the tanker and unload the tanker to the assigned storage or blending tank.

FEED SYSTEM SAFETY CONTROLS & LEAK DETECTION

UNLOADING TANKER TO STORAGE TANKS:

This operation is controlled from a Control Panel, CP-1, located at the pumping station. Product hose and vapor return hose are connected to tanker.

The operation of Unloading to S.T. is selected. Pump P-4 or P-5 is selected. Manual valving is checked for consistency with pump selection. Storage Tank ST-1, ST-2, ST-3, or ST-4 is selected. GV-1 and GV-12 are left in closed position. GV-2, GV-35, and GV-13 are opened. System is activated by push button.

Upon activation, free capacity of selected storage tank is calculated based on level reading from ultrasonic level detector, L1. If free capacity is less than 5,000 gallons, check capacity alarm light is activated on control panel. If this circumstance is acceptable to the operator, operator pushes acknowledge button and system is activated. Otherwise, a different tank selection is made.

Upon activation, ABV-1 remains in the closed position, three-way solenoid S-6 opens, allowing air onto the cylinder of ABV-2, thereby opening ABV-2. Tank fill valve ABV-7, ABV-8, ABV-9, or ABV-10 and tank vent valve ABV-12, ABV-13, ABV-14, or ABV-15 are similarly opened, depending on the tank selected for filling. ABV-17 is also similarly opened. As tank fills, vapors are vented back to the tanker.

If the level in the selected tank reaches the high level position setting for L1, the system is deactivated with all three-way solenoids venting and actuated valves thereby returning to closed position. An alarm light is activated at the control panel. Alarm is deactivated upon acknowledgment by the operator. At this point, a different storage tank is selected as outlined above and the system is activated again.

Upon completion of pumping out the tanker, the pump P-4 or P-5 is allowed to empty the suction lines. The system is deactivated by push button at the control panel CP-1, allowing the three-way solenoid valves on the actuated valves to vent, thereby closing the actuated ball valves.

GV-2, GV-35, and GV-13 are closed, and product and vapor hoses are disconnected.

The system is limited to 30 minutes of continuous operation. If the system operates for 25 minutes continuously, an alarm light is activated requiring acknowledgment from the operator. Once acknowledged, the system will operate for another cycle.

TRANSFERRING FROM STORAGE TANK TO BLEND TANK BT-1

This operation is controlled from control panel CP-1 located at the pumping stations.

The operation of Transfer from S.T. to B.T. is selected. Pump P-4 or P-5 is selected. Manual valving is checked for consistency with pump selection. Storage Tank ST-1, ST-2, ST-3, or ST-4 is selected. GV-2, GV-35, and TV-13 are left in closed position. GV-1 and GV-12 are opened. System is activated by push button.

Upon activation, ABV-2 remains in the closed position; three-way solenoid S-5 opens, allowing air onto the cylinder of ABV-1, thereby opening ABV-1. Tank discharge valve ABV-3, ABV-4, ABV-5, or ABV-6 is similarly opened, depending on the tank selected for transferring. Tank vent valve ABV-12, ABV-13, ABV-14, or ABV-15 are similarly opened depending on the tank selected. Blend tank vent valve ABV-16 is similarly opened. As blend tank fills, vapors are vented back to the appropriate storage tank.

If the level in the blend tank reaches the high level position setting for L1, the system is deactivated with all three-way solenoids venting and actuated valves thereby returning to closed position. An alarm light is activated at the control panel. Alarm is deactivated upon acknowledgment by the operator.

Upon completion of transferring from the selected storage tank to the blend tank, the system is deactivated. All actuated valves are closed and all gate valves are closed.

The system is limited to 30 minutes of continuous operation. If the system operates for 25 minutes continuously, an alarm sounds requiring acknowledgment from the operator. Once acknowledged, the system will operate for another cycle.

TRANSFERRING FROM BLEND TANK BT-1 TO STORAGE TANK

This operation is controlled from a control panel, CP-2, located at the blend tank pumping station.

The operation of Transfer from B.T. to S.T. is selected. Pump P-2 or P-3 is selected. Manual valving is checked for consistency with pump selection. Storage Tank ST-1, ST-2, ST-3, or ST-4 is selected. GV-21 is left in closed position. System is activated by push button.

Upon activation, free capacity of selected storage tank is calculated based on level reading from ultrasonic level detector, L1, in that storage tank. The amount to be pumped from blend tank is calculated based on level reading from L1 in blend tank. If free capacity in the selected storage tank is less than the amount to be pumped from the blend tank, check capacity alarm light is activated on control panel. If this circumstance is acceptable to the operator, operator pushes acknowledge button and system is activated. Otherwise, a different storage tank selection is made.

Upon activation, three-way solenoid S-18 opens, allowing air onto the cylinder of ABV-11, thereby opening ABV-11. Storage tank inlet valve ABV-7, ABV-8, ABV-9, or ABV-10 is similarly opened, depending on the storage tank selected for transferring. Blend tank vent valve ABV-16 and storage tank vent valve ABV-12, ABV-13, ABV-14, or ABV-15 are similarly opened. As storage tank is filled, vapors are vented back to blend tank.

If the level in the selected storage tank reaches the high level position setting for L1, the system is deactivated with all three-way solenoid venting and actuating valves thereby returning to closed position. An alarm light is activated at the control panel. Alarm is deactivated upon acknowledgment by the operator.

Upon completion of pumping out the blend tank, the pump P-2 or P-3 is allowed to empty the suction lines. The system is deactivated by push button at the control panel CP-2, allowing the three-way solenoid valves on the actuated valves to vent thereby closing the actuated ball valves.

The system is limited to 30 minutes of continuous operation. If the system operates for 25 minutes continuously, an alarm light is activated, requiring acknowledgment from the operator. Once acknowledged, the system will operate for another cycle.

TRANSFERRING FROM STORAGE TANK TO TANKER

This operation is controlled from a control panel, CP-1, located at the pumping station.

The operation of Transfer from S.T. to Tanker is selected. Pump P-4 or P-5 is selected. Manual valving is checked for consistency with pump selection. Storage Tank ST-1, ST-2, ST-3, or ST-4 is selected. GV-2, GV-12, and GV-35 are left in closed position. GV-1 and GV-13 are opened. System is activated by push button.

Upon activation, three-way solenoid to storage tank discharge actuated valve ABV-3, ABV-4, ABV-5, or ABV-6 opens, allowing air onto the cylinder of the corresponding valve, thereby opening that valve. Storage tank nitrogen solenoid valve S-12, S-13, S-14, or S-15, depending on the tank selected, is also opened to replace the pumped volume with nitrogen.

Tanker level is monitored by the operator and the system is deactivated at the appropriate time. GV-1 and GV-13 are closed and the product hose is disconnected.

The system is limited to 25 minutes of continuous operation. If the system operates for 20 minutes continuously, an alarm sounds requiring acknowledgment from the operator. Once acknowledged, the system will operate for another cycle.

Initial site preparations including Runoff Prevention Design, Containment Structures, Precipitation Management and Pavement Plan are located in Appendix H, Section 9.

Section 3
DESCRIPTION OF DAILY OPERATIONS
NR 640.06(2)(d)(3)/NR 645.06(2)(d)(3)

3.1 Waste Types Accepted and Excluded

Badger Disposal accepts the waste codes listed in the Part A Application located in Appendix A. No wastes are excluded from acceptance at Badger Disposal. The purpose of both the existing and proposed facility is to conduct exempt recycling of hazardous waste materials, including combustible waste, laboratory waste, waste oil, paint waste, solvent waste and other organic and inorganic materials. The activities conducted at the facility are based on a very simple concept – the re-direction of materials from the waste stream for the purpose of beneficial reuse whenever possible. Organic materials make up the majority of the materials accepted at Badger Disposal. Badger Disposal will also accept corrosive and other hazardous and non-hazardous materials at their facility. Both liquid and solid materials are processed at this location. The facility will also accept laboratory chemicals (labpacks) for repackaging and/or bulking to allow for the cost effective redirection of these materials for the purpose of beneficial use where possible.

3.2 Typical Waste Handling Techniques

Badger Disposal's operations consist of various processes for recovering, re-packing, reclaiming, and/or recycling organic materials generated by a wide variety of industries located throughout the United States. The existing Badger Disposal facility includes one process/storage building. The proposed Badger Disposal facility includes three buildings and bulk tankage for storing of the blended fuels, waste acid and waste caustic.

Badger Disposal receives waste materials either in bulk form or in containers, the most common container being a 55 gallon drum. The characteristics of the material received determines the waste management unit in which the material will be first processed and the unloading area for which it will be designated. An overall flow diagram for the fuels program is included as Figure 1.

All bulk liquid materials after being analyzed are directed to the on-site bulk unloading area where these materials can be pumped or otherwise conveyed to bulk storage tanks or a processing unit within the Tank Management Unit. Bulk solids may be conveyed directly to the Drum Handling

System (DHS). Containerized materials, after inspection and/or random sampling as outlined in the Waste Analysis Plan, are sorted based on the material classification, whether it will be recovered as fuel, incinerator feedstock, or as a solvent, and staged until directed to one of the process areas within the Container Management Unit. Badger Disposal intends to operate a number of processes at the complex which is designed to maximize the percentage of waste materials which can be recovered, reclaimed, or reused. With the proposed processing capability, the recovery efficiency could be upwards of 99.9% of those materials destined for Badger Disposal's fuel program. The normal disposition of any materials which Badger Disposal will be incapable of processing into fuels is expected to be incineration. Any hazardous waste sent off-site will be manifested and include a Land Ban certificate as required by applicable regulations.

Container and Tank Management operational procedures are located in Section 2 of this Appendix.

3.3 Hours of Operation

Badger Disposal currently operates 10 hours per day, 7:00 a.m. to 5:00 pm , weekdays only.

3.4 Traffic Routing

Traffic information is located in Section 3, 3.1.6 of this submittal. Sheet 8 of 18 in Appendix P shows the principle traffic patterns for the facility.

3.5 Drainage and Erosion Control

Drainage and erosion control are located in Appendix H, Section 9 of this submittal.

This is not true - table up front indicates other treatment is commonly used.

3.6 Adverse Weather Operations

Because Badger Disposal's tank farm and loading/unloading pad is located outdoors, Badger Disposal has designed a canopy to cover these areas. In the unlikely event that excess amounts of water or snow accumulates in the outside storage areas, Badger Disposal will remove any excess accumulation from the containment systems via portable pumps. Badger Disposal will then manage the accumulated precipitation.

Any employee working outdoors will have proper protective clothing and equipment. All walkways, staging areas will be cleared of snow as early as the weather permits.

The following procedures will be implemented in the event of sever weather conditions:

- Any receiving vessels containing hazardous wastes will be closed and secured.
- Any pumps transferring waste will be shut off and secured.
- All valves, hoses and connections will be closed and secured.
- All personnel are to seek shelter.

3.7 Fire Protection Equipment

The existing Badger Disposal warehouse building is equipped with an AFFF fire suppression system. Table 6 of the Contingency Plan located in Appendix I provides a list of emergency equipment along with a list of places where it can be found at the facility. Appendix P, Sheets 16, 17 and 18 of 18 show the location of safety and emergency equipment which is used by facility personnel.

3.8 Manpower

Badger Disposal currently employs one Approvals Coordinator, one General Manager, one Plant Manager, three Warehouse Technicians, one Receptionist/Computer Operator and one Laboratory Chemist. Job descriptions for each of these personnel are located in Appendix F, Section 3.

8 people

3.9 Methods for Handling Incompatible Wastes

Necessary precautions will be taken by Badger Disposal to mitigate any reactions that generate or produce heat or pressure, fire or explosion, threaten human health or the environment or pose a risk of damaging the structural integrity of the equipment or the facility. Some of these precautions include an extensive prequalification process, personnel training, fire suppression systems, and segregation of incompatible wastes. Incompatible waste storage areas will contain individual secondary containment systems to ensure mitigation of reactions if a container containing compatible wastes leaks or ruptures. Only compatible materials will be stored together. Any containers that contain known incompatible wastes will not be used for placement of additional wastes.

3.10 Daily Cleanup

Operation and maintenance activities will consist of a daily logged inspection of all diked areas, drum storage areas, drum processing areas within the lab pack building, the drum storage/fuel blending building, as well as inspections of the secondary containment areas for all bulk storage tanks (blended fuel, waste acid, waste caustic) for evidence of any leaks that have occurred, damaged drums, damage tanks, spillage, integrity of the individual containment, accumulated precipitation and general housekeeping. The Plant Manager is responsible for all facility inspections.

3.11 Recordkeeping

Badger Disposal uses various operating records and logs at the facility. This information is recorded as it becomes available and is retained at the complex until ultimate closure, or for a period of not less than three years, or as otherwise required in accordance with appropriate Federal or State regulations. These report forms are located in Appendix E of this submittal.

Inventory Forms

The inventory forms identify the type of wastes received, quantity of waste, dates of receipt, the generator of the waste, the hauler of the waste, etc.

Tank Farm Reports

Tank farm reports are compiled every day of operation and shows each inbound bulk shipment, its analysis, and location where the material was unloaded. Blending and outbound shipments are also recorded on this form.

Incident Reports

Incident reports which document any implementation of the Contingency Plan will be retained as necessary. This report will also be submitted to the Wisconsin Department of Natural Resources (WDNR) and the Environmental Protection Agency (EPA) Regional Administrator within 15 days of an occurrence as required by NR 630.22(2)9(c) and 40 CFR 264.56(j). The information on the Incident Report includes the following:

- Name and telephone number of reporter;
- Name, address, and telephone number of the facility;
- Date, time, and type of the incident;
- Name and quantity of materials involved, to the extent known;
- The extent of injuries known;
- The potential hazards to human health or the environment outside of the facility, when applicable;
- Estimated quantity and disposition of material(s) removed which resulted from the incident; and
- Other information deemed necessary at the time the report is prepared.

Inspection Logs

Inspection Logs are used to identify and record discrepancies found on any pieces of critical equipment within the Badger Disposal facility for which failure could lead to the endangerment of public health or to the surrounding environment. These records include the date and time of the inspection, the name of the inspector, and a notation of the observations made. When a deficiency is detected, it is recorded on the Inspection Log, and a Maintenance Request form is initiated. The maintenance request form along with the date and nature of any repairs or other remedial actions taken to correct the cited deficiency are included in the operating record. The inspection log, together with any associated maintenance request forms, are kept on file at the Badger Disposal facility for a minimum of three years.

Maintenance Request Forms

Maintenance Request Forms are completed when, through inspection, a deficiency is identified which requires repair or attention by the maintenance department. A copy of the maintenance request form is forwarded to the maintenance supervisor for scheduling of repairs. When this work is completed, the maintenance supervisor signs the maintenance request form indicating completion of the required repairs. The signed maintenance request form is then placed with Badger Disposal's Operating Log.

Monitoring, Testing, and Analytical Data

Monitoring, testing, and analytical data for tank testing will be maintained at the Badger Disposal facility.

Closure Costs

Badger Disposal maintains a copy of the latest closure cost estimates for the facility in accordance with NR 685.07(2) and 40 CFR 264.142. A copy of the latest cost estimate is included with the Closure Plan, Appendix J, of this application.

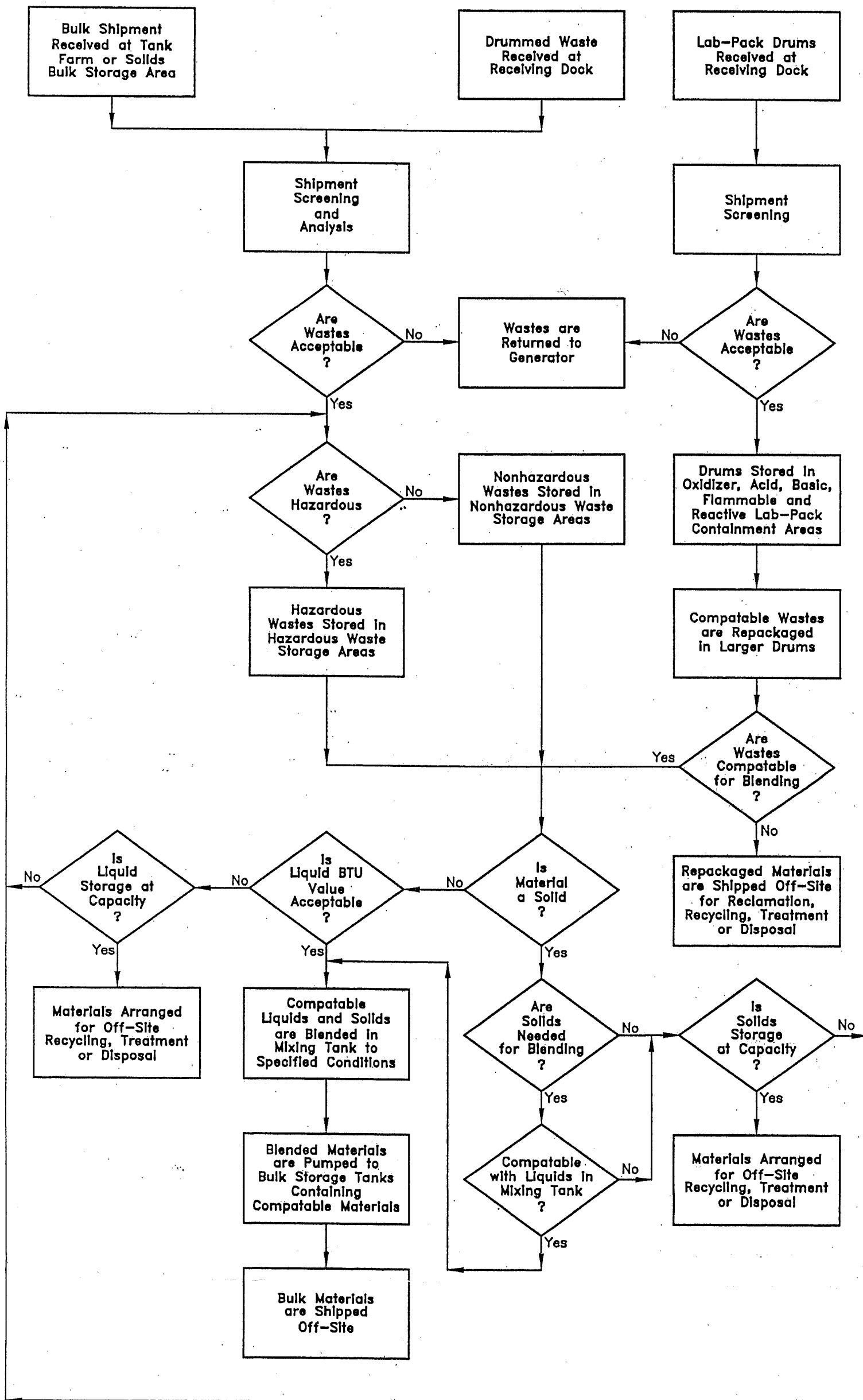
3.12 Monitoring Equipment

Microprocessor based programmable logic controllers (PLC) will be used to monitor and control the entire process. Some of the specific parameters monitored include: O₂ concentration, high tank levels, low tank levels, pressure, temperature, nitrogen pressure, hydraulic system conditions and feed rates. Safety parameters included in the system and integrated into the control systems prevent the DHS from operating if any of the parameter monitored by the computer control system are exceeded or otherwise outside of established limits.

The main process controls are also used to control the Vapor Recovery System (VSR) which processes all of the non-fugitive vapors from the DHS in addition to other sources at the complex. The VSR employs atomized liquid nitrogen to condense incoming process vapors in condensing chambers. The flow of nitrogen to the atomizers within the initial condensing chamber is controlled to automatically regulate and respond to the inflow of vapors from the fuel blending and bulk storage and to maintain condensing temperatures within an established range, typically between minus 60 degrees and minus 100 degrees Fahrenheit. Condensed vapor will be returned to one of the bulk storage tanks. Vapor exiting the vapor recovery system will be routed through a vapor phase activated carbon absorption system before discharge to the atmosphere. The system is capable of providing control to other potential air pollution sources from the facility as may be required. The VSR will be located adjacent to the liquid nitrogen supply tank near the west edge of the Bulk Storage Tank Farm.


3.13 Emergency Equipment and Contacts

Emergency equipment and emergency contacts, including telephone numbers are provided in the Contingency Plan, Appendix I of this submittal.



MATERIAL FLOW DIAGRAM

MILWAUKEE, WISCONSIN

	DWN BY: DKJ
	APPROVED BY:
	DATE: JUNE 1994
	PRJ. # 3057.01
	FILE # 30570111

APPENDIX L
LOCAL PLAN APPROVALS



**State of Wisconsin
Waste Facility Siting Board**

5005 University Avenue, Suite 201, Madison, WI 53705-5400

Phone: (608) 266-7709

Fax: (608) 264-9885

e-mail: dha.mail@dha.state.wi.us

Michael A. Marsden
Chairman

David H. Schwarz
Executive Director

CERTIFIED MAIL

October 5, 2005

Kandylee Schmit
Compliance Officer
Badger Disposal of WI, Inc.
5611 W. Hemlock St.
Milwaukee, WI 53233

Mark Ryan, Clerk
Milwaukee County
901 North 9th St, Rm 105
Milwaukee, WI 53233

Ron Leonhardt, Clerk
City of Milwaukee
200 E. Wells St, Rm 205
Milwaukee, WI 53202

Re: Badger Disposal of WI, Inc.'s Proposed Renewal of Hazardous Waste Storage
Facility Operating License, City of Milwaukee, Milwaukee County

Dear Ms. Schmit, Mr. Ryan, and Mr. Leonhardt:

On July 25, 2005, the Waste Facility Siting Board received copies of written requests for local approvals sent by Badger Disposal of WI, Inc. to the City of Milwaukee and Milwaukee County. This request was received by the affected municipalities on July 14, 2005.

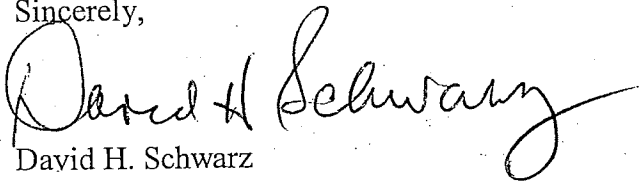
The law allows an affected municipality to participate in the negotiation process if the governing body adopts a siting resolution and appoints members to the local committee within 60 days after the municipality receives written requests by the applicant, sec. 289.33(6)(a), Wis. Stats.

In this case, neither the City of Milwaukee nor Milwaukee County took the action required to participate in the negotiation and arbitration process.

As a result, the Waste Facility Siting Board considers this case closed and Badger Disposal of WI, Inc. may continue to seek state approval of its hazardous waste storage facility and is not required to negotiate or arbitrate under sec. 289.33, Wis. Stats.

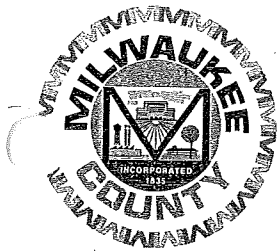
If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "David H. Schwarz". The signature is written in black ink and is positioned to the right of the typed name.

David H. Schwarz

DHS/jaf



COUNTY CLERK

Milwaukee County

MARK RYAN • County Clerk

July 14, 2005

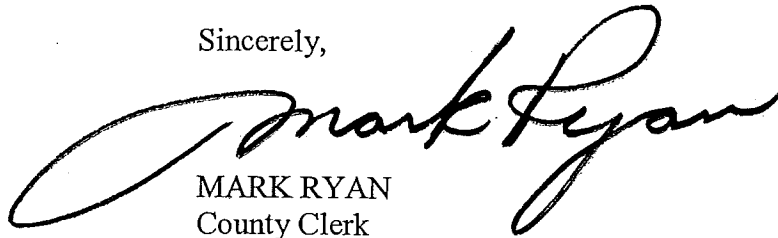
Mr. Henry J. Krier, President
Badger Disposal of WI., Inc.
5611 W. Hemlock St.
Milwaukee, WI 53223

Dear Mr. Krier:

Thank you for your letter of July 13, 2005 wherein you seek local approval for the renewal of your hazardous waste operating license.

In accordance with s.289.22(1m), Wis. Stats. and at the direction of the Milwaukee County Board of Supervisors {File No. 85-21(a)(b)}, I wish to inform you that there is no applicable county approval required.

Sincerely,



MARK RYAN
County Clerk

jas

cc County Executive Scott Walker
County Board Chairman Lee Holloway
Emergency Management



**State of Wisconsin
Waste Facility Siting Board**

5005 University Avenue, Suite 201, Madison, WI 53705-5400

Phone: (608) 266-7709

Fax: (608) 264-9885

e-mail: dha.mail@dha.state.wi.us

Michael A. Marsden
Chairman

David H. Schwarz
Executive Director

July 27, 2005

Kandylee Schmit
Compliance Officer
Badger Disposal of WI, Inc.
5611 W. Hemlock St.
Milwaukee, WI 53233

Re: Badger Disposal of WI, Inc.'s Proposed Renewal of Hazardous Waste
Storage Facility Operating License, City of Milwaukee, Milwaukee County

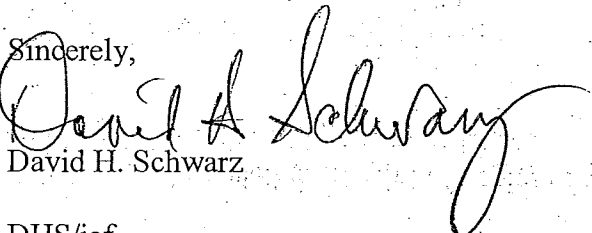
Dear Ms. Schmit:

This letter acknowledges receipt of copies of written requests for local approvals sent to two municipalities affected by the proposed renewal of the Badger Disposal of WI, Inc.'s Waste Storage Facility Operating License.

Return mail receipts show the City of Milwaukee and Milwaukee County received this written request on July 14, 2005, and therefore will have 60 days to adopt a siting resolution and appoint members to a local committee. sec. 289.33(6)(a), Wis. Stats.

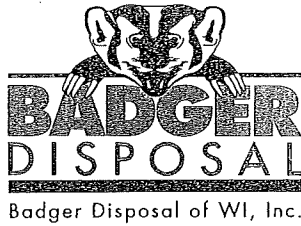
Please call if you have questions.

Sincerely,


David H. Schwarz

DHS/jaf

c: Mark Ryan, Clerk, Milwaukee County
Ron Leonhardt, Clerk, City of Milwaukee



July 22, 2005

Mr. David H. Schwarz
Executive Director
State of Wisconsin Waste Facility Siting Board
5005 University Avenue, Suite 201
Madison, WI 53705-5400

Dear Mr. Schwarz,

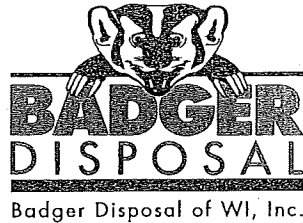
Enclosed please find copies of written requests for local approvals that were sent by Badger Disposal of WI, Inc. to the Milwaukee County Clerk and City of Milwaukee Clerk. Also enclosed are copies of the signed Certified Mail receipts.

Please let me know if you require any additional information from us to conform with siting requirements. I can be contacted at 866-271-0961.

Sincerely,
Badger Disposal of WI., Inc.

A handwritten signature in black ink, appearing to read "Kandylee Schmit". The signature is written in a cursive style with some loops and flourishes.

Kandylee Schmit
Compliance Officer



CERTIFIED MAIL

July 13, 2005

Mr. Mark Ryan
Milwaukee County Clerk
901 N. 9th Street, Room 105
Milwaukee, WI 53233

RE: Local Approval for Renewal of Hazardous Waste Storage Facility Operating License
Badger Disposal of WI., Inc.
5611 W. Hemlock Street
Milwaukee, WI 53223

Dear Mr. Ryan,

Badger Disposal of WI., Inc. operates a hazardous waste container storage facility located at 5611 West Hemlock Street, Milwaukee, Wisconsin. The Wisconsin Department of Natural Resources issued Badger Disposal an initial hazardous waste operating license on December 16, 1996. This license expires on December 16, 2006. Badger Disposal of WI. Inc. intends to apply for renewal of their hazardous waste operating license.

The Badger facility is located within the Southwest one-quarter(1/4) of Section Fourteen (14), in Township Eight (8) North, Range Twenty-one (21) East, in the City of Milwaukee, Milwaukee County, Wisconsin. Enclosed please find a map showing the location of the facility.

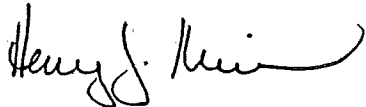
The purpose of this letter is to determine if there are any new or additional requirements that apply to the Badger Facility, and to receive confirmation that Badger is complying with any local requirements. Assuming we are complying with all local requirements, Badger is hereby requesting a waiver from local approval. This is our initial written request for local approvals. A copy of the Standard Notice which outlines the time limits and requirements for municipalities to participate in the negotiation and arbitration process is attached.

5611 W. Hemlock St. Milwaukee, WI 53223

866-271-0961 • 414-760-9175 • Fax: 414-760-9189 • www.badgerdisposal.com

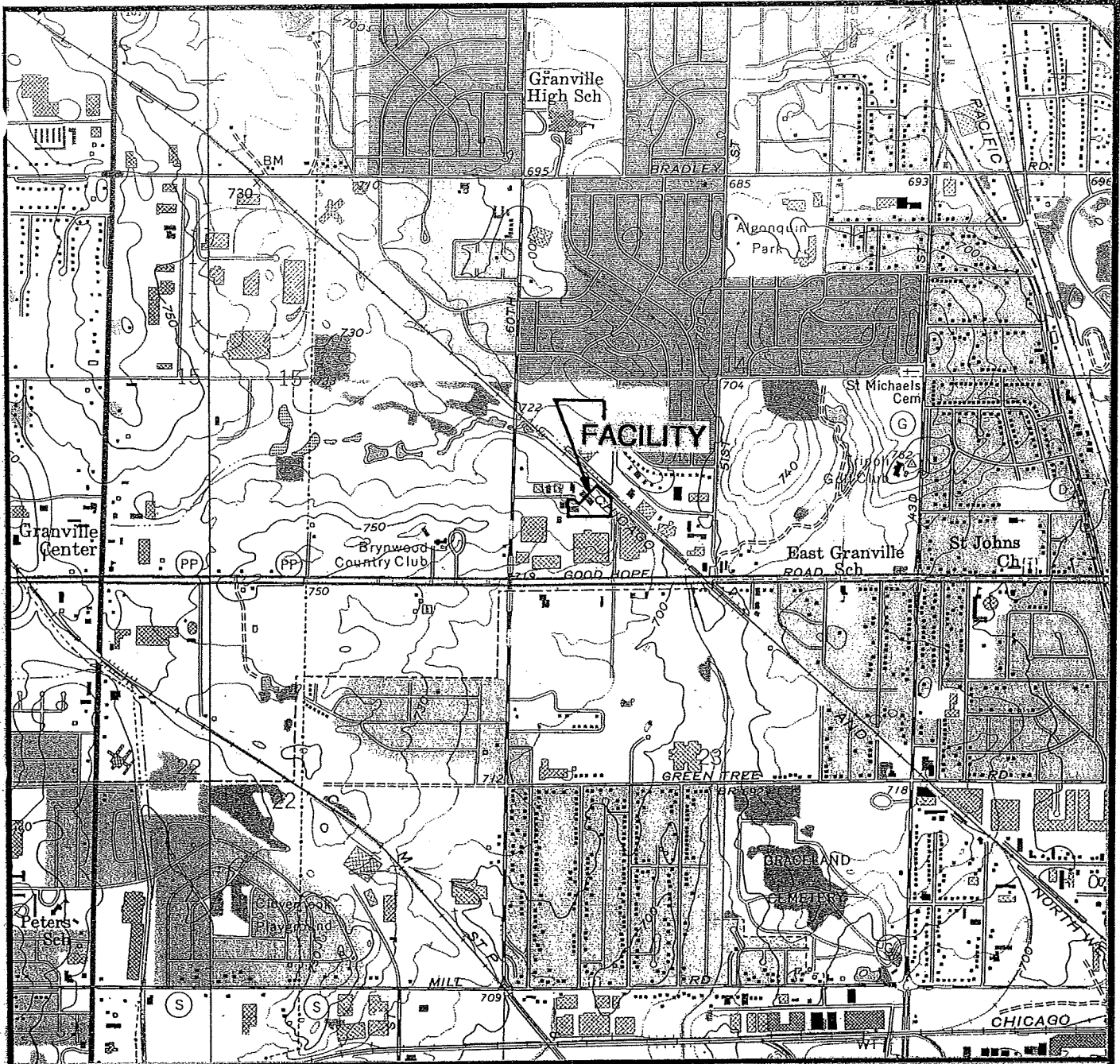
If you have any questions regarding this matter, please contact me at 414-760-9175 or
Kandylee Schmit at 414-760-9175.

Sincerely,
Badger Disposal of WI., Inc.

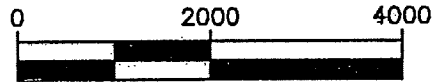
A handwritten signature in cursive script, appearing to read "Henry J. Krier".

Henry J. Krier
President

cc: Milwaukee County Federated Library System:
Milwaukee Public Library



STATE LOCATION



SCALE: 1"=2000'



SITE LOCATOR MAP

MILWAUKEE, WI

SOURCE: BASE MAP FROM MEMONEE FALLS, WI
 7.5 MINUTE USGS QUADRANGLE DATED 1958,
 PHOTOREVISED 1976 AND THIENSVILLE, WI
 7.5 MINUTE USGS QUADRANGLE DATED 1958,
 PHOTOREVISED 1976.

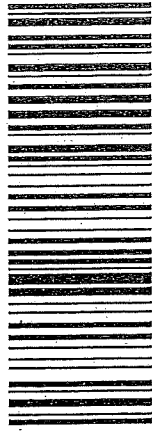


DWN. BY:	DKJ
APPROVED BY:	THD
DATE:	JULY 1994
PROJ. #	3057.01
FILE #	30570186

FIGURE 1

mailed 7/13/05

7005 1160 0005 1042 1229



7005 1160 0005 1042 1229

U.S. Postal Service
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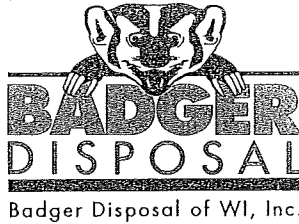
Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To **MARK RYAN, Milw. County Clerk**
 Street, Apt. No., or PO Box No. **901 N. 9th St. Room 105**
 City, State, ZIP+4 **MILWAUKEE, WI 53233**

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Mr. Mark Ryan Milwaukee County Clerk 901 N. 9th Street, Room 105 Milwaukee, WI 53233</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label) 7005 1160 0005 1042 1229</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> <i>James J. Ryan</i> <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery JUL 14 2005</p>
<p>1. Article Addressed to:</p> <p>Mr. Mark Ryan Milwaukee County Clerk 901 N. 9th Street, Room 105 Milwaukee, WI 53233</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7005 1160 0005 1042 1229</p>
<p>PS Form 3811, February 200</p>	<p>7005 1160 0005 1042 1229 02595-02-M-1540</p>



CERTIFIED MAIL

July 13, 2005

Mr. Ron Leonhardt
City Clerk
City Clerk's Office, Room 205
200 E. Wells Street
Milwaukee, WI 53202

RE: Local Approval for Renewal of Hazardous Waste Storage Facility Operating License
Badger Disposal of WI, Inc.
5611 W. Hemlock Street
Milwaukee, WI 53223

Dear Mr. Leonhardt,

Badger Disposal of WI, Inc. operates a hazardous waste container storage facility located at 5611 West Hemlock Street, Milwaukee, Wisconsin. The Wisconsin Department of Natural Resources issued Badger Disposal an initial hazardous waste operating license on December 16, 1996. This license expires on December 16, 2006. Badger Disposal of WI, Inc. intends to apply for renewal of their hazardous waste operating license.

The Badger facility is located within the Southwest one-quarter(1/4) of Section Fourteen (14), in Township Eight (8) North, Range Twenty-one (21) East, in the City of Milwaukee, Milwaukee County, Wisconsin. Enclosed please find a map showing the location of the facility.

The purpose of this letter is to determine if there are any new or additional requirements that apply to the Badger Facility, and to receive confirmation that Badger is complying with any local requirements. Assuming we are complying with all local requirements, Badger is hereby requesting a waiver from local approval. This is our initial written request for local approvals. A copy of the Standard Notice which outlines the time limits and requirements for municipalities to participate in the negotiation and arbitration process is attached.

5611 W. Hemlock St. Milwaukee, WI 53223

866-271-0961 • 414-760-9175 • Fax: 414-760-9189 • www.badgerdisposal.com

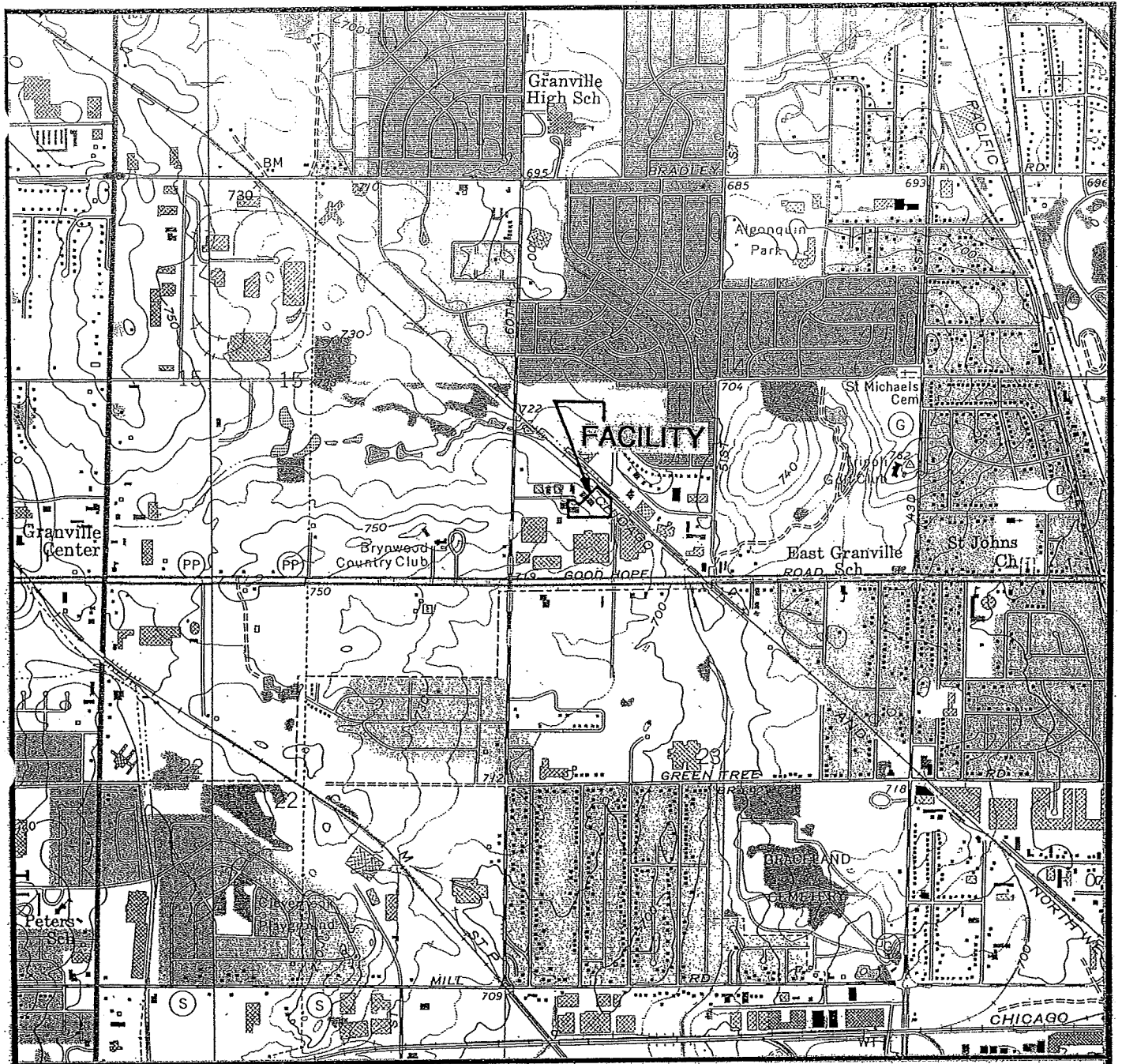
If you have any questions regarding this matter, please contact me at 414-760-9175 or
Kandylee Schmit at 414-760-9175.

Sincerely,
Badger Disposal of WI., Inc.

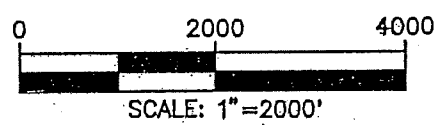
A handwritten signature in black ink, appearing to read "Henry J. Krier". The signature is fluid and cursive, with a large initial "H" and a long, sweeping underline.

Henry J. Krier
President

cc: Milwaukee County Federated Library System:
Milwaukee Public Library



STATE LOCATION



SITE LOCATOR MAP

MILWAUKEE, WI

SOURCE: BASE MAP FROM MEMONEE FALLS, WI
 7.5 MINUTE USGS QUADRANGLE DATED 1958,
 PHOTOREVISED 1976 AND THIENSVILLE, WI
 7.5 MINUTE USGS QUADRANGLE DATED 1958,
 PHOTOREVISED 1976.

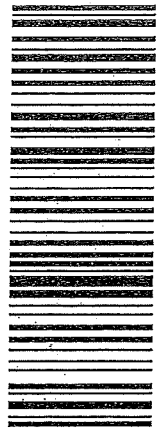


DWN. BY:	DKJ
APPROVED BY:	THD
DATE:	JULY 1994
PROJ. #	3057.01
FILE #	30570186

FIGURE 1

Mailed 7/13/05

7005 1160 0005 1042 1205



7005 1160 0005 1042 1205

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Postage \$	Postmark Here
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	

Sent To: Ron Leonhardt, City Clerk
 Street, Apt. No., or PO Box No.: Room 205, 200 E. Wells Street
 City, State, ZIP+4: Milwaukee, WI 53202

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p>
<p>1. Article Addressed to: <u>MR. Ron Leonhardt</u> <u>City Clerk, Room 205</u> <u>200 E. Wells Street</u> <u>Milwaukee, WI 53202</u></p>	<p>B. Received by (Printed Name) C. Date of Delivery</p>
<p>2. Article Number <i>(Transfer from service label)</i> <u>7005 1160 0005 1042 1205</u></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p>
<p>PS Form 3811, February 2004</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p>Domestic Return Receipt 102595-02-M-1540</p>

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MR. RON LEONHARDT
CITY CLERK, ROOM 205
200 E. WELLS STREET
MILWAUKEE, WI 53202

2. Article Number
(Transfer from service label)

7005 1160 0005 1042 1205

PS Form 3811, February 2000

7005 1160 0005 1042 1205

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

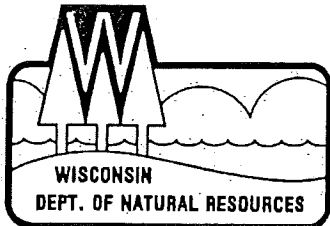
B. Received by (Printed Name) C. Date of Delivery
S. BLOWN 7-14-05

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

APPENDIX M
PREVIOUS WIDNR APPROVALS



George E. Meyer
Secretary

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Southeast District - Annex Building
Post Office Box 12436
4041 N. Richards St.
Milwaukee, Wisconsin 53212
TELEPHONE: 414-961-2727
TELEFAX #: 414-961-2770

March 15, 1994

In Response Refer To: FID#241384000
County of Milwaukee
HW/LIC/eogilc1.394

Mr. Michael Villione, President
EOG Disposal Inc.
5611 West Hemlock Street
Milwaukee, WI 53223

Subject: Interim License Application Determination
EOG Disposal, Inc. 5611 West Hemlock Street, Milwaukee, WI
EPA I.D.#: WID 988580056

Dear Mr. Villione:

This letter acknowledges receipt of a complete and technically adequate interim license application entitled "Application for an Interim License to Store Hazardous Waste", for EOG Disposal, Inc. (EOG) located at 5611 West Hemlock Street, Milwaukee, Wisconsin. The application was received by the Southeast District on March 8, 1993. Additional information was submitted on October 26, 1993, January 31, 1994, February 21, 1994 and March 4, 1994. The application was prepared by RMT, Inc., Madison, Wisconsin and has been reviewed for completeness and technical adequacy by the Department.

The Department received a check in the amount of \$ 4,000 on March 8, 1993 to cover the interim license application for commercial container storage. This is a one-time only fee to cover the interim license period until a final determination on issuance of an operating license is made by the Department.

In accordance with procedures detailed in s. NR 680.24, Wisconsin Administrative Code, the Department has reviewed the interim status license application for completeness and technical adequacy and has determined that it contains the minimum information required pursuant to ss. NR 680.21 and NR 680.22, Wisconsin Administrative Code, and is, therefore, complete and technically adequate. The Department has the authority to issue interim licenses under s. 144.64(2)2.(c), Wisconsin Statutes. This cover letter, the attached conditional interim license approval report, and the one-page hazardous waste interim license (the interim license will be sent directly from Madison), constitute an interim license and should be filed together. This is a favorable interim license determination. Until condition #17 of the attached determination is satisfied, EOG

cannot begin storing hazardous waste. EOG shall inform the Department when they have satisfied condition #17.

This interim license allows EOG (pursuant to s. NR 680.20, Wis. Adm. Code) to manage hazardous wastes that satisfy the following three conditions:

1. materials that EOG was authorized to accept prior to the promulgation of the TCLP regulations,
2. materials which are hazardous waste only because of the implementation of the TCLP regulations, and
3. materials that are not considered to be hazardous waste by the federal government but are considered to be hazardous waste by the state.

EOG is eligible to accept hazardous wastes with the following waste codes: D012 Endrin; D013 Lindane; D014 Methoxychlor; D015 Toxaphene; D016 2,4-D; D018 Benzene; D019 Carbon Tetrachloride; D020 Chlordane; D021 Chlorobenzene; D022 Chloroform; D023 o-Cresol; D024 m-Cresol; D025 p-Cresol; D026 Cresol; D027 1,4-Dichlorobenzene; D028 1,2-Dichloroethane; D029 1,1-Dichloroethylene; D030 2,4-Dinitrotoluene; D032 Hexachlorobenzene; D033 Hexachlorobutadiene; D034 Hexachloroethane; D035 Methyl Ethyl Ketone; D036 Nitrobenzene; D037 Pentachlorophenol; D038 Pyridine; D039 Tetrachloroethylene; D040 Trichloroethylene; D041 2,4,5-Trichlorophenol; D042 2,4,6-Trichlorophenol; and D043 Vinyl Chloride

Management of any other hazardous wastes and any other wastes codes are prohibited.

As part of the approval of this interim license and in order to obtain a final license, EOG shall prepare and submit a feasibility report and plan of operation within 180 days of the date of this determination. The feasibility report and plan of operation must comply with the plan submittal, operation and construction requirements of chs. NR 600 through 685, Wisconsin Administrative Code.

The submittal shall contain a cover letter which clearly explains EOG's intent with the submittal and a table of contents which explains the organization of the report.

EOG is required to obtain local approvals under ch. 144.44, Wisconsin Statutes. EOG may not submit the feasibility report and plan of operation until the 120 day waiting period has expired or until EOG has obtained a waiver of the waiting period from the local governing body. If you are required to obtain local approvals and enter into the negotiation and arbitration process for the siting of a hazardous waste facility, then you must send a copy of the attached Waste Facility Siting Board notice. A copy of the Waste Facility Siting Board notice must accompany any written request for local approvals to each affected municipality as required by s. 144.44(1m)(bn), Wisconsin

Statutes. Requests for local approvals must be sent by certified mail. A copy of the local approval request to each affected municipality and the returned certified mail receipt must be sent to the Waste Facility Siting Board and the Department.

The Department is required to prepare an environmental assessment under ch. NR 150, Wisconsin Administrative Code, on feasibility reports and plans of operation of your type. To aid in completing this environmental assessment and in determining the need for an environmental impact statement, the feasibility report and plan of operation should include a brief discussion of the following:

- a. The purpose and need for the proposed project and for the recommended site.
- b. The probable adverse and beneficial physical, biological, social, economic and other impacts of the proposed site development.
- c. The probable adverse impacts of site development that cannot be avoided.
- d. The irreversible or irretrievable commitments of resources if the site is developed as proposed.
- e. The alternatives to the proposed site development and alternative methods of waste disposal or recycling.
- f. The direct, indirect and cumulative effects of the proposed site development.
- g. Estimated construction, operation, and long term care costs for the entire project.

The Department cannot issue a determination on the feasibility report and plan of operation without having completed an environmental assessment.

The Department is required by s. 144.44(2)(om), Wisconsin Statutes, to determine the need for a hazardous waste facility. This determination must be made at the feasibility stage of the licensing process. The Department must consider the approximate service area of the proposed facility, taking into account the economics of waste collection, transportation, and disposal; the quantity of waste suitable for handling at the proposed facility generated within that service area; and the design capacity of certain facilities located within that anticipated service area (see ss. 144.44(2)(nm), (nr), and (om), Wisconsin Statutes). EOG shall submit the above information to the Department in the feasibility report and plan of operation.

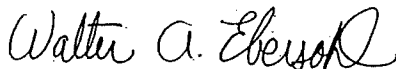
If you believe that you have a right to challenge this decision, you should know that Wisconsin Statutes and administrative rules establish time periods within which requests to review Department decisions must be filed.

For judicial review of a decision pursuant to ss. 227.52 and 227.53, Wisconsin Statutes, you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate Circuit Court and serve the petition on the respondent, the Department of Natural Resources.

This notice is provided pursuant to s. 227.48(2), Wisconsin Statutes.

The staff review person assigned to this project is Patrick Brady, at phone 414/961-2717. Please contact him with any questions you may have.

Sincerely,



Walter A. Ebersohl
Hazardous Waste Management Section Supervisor
Southeast District

attachment

c: SED Casefile (W. Ebersohl, P. Brady)
Ed Lynch - SW/3
Chuck Slaustas, U.S. EPA - Region 5, HRP/8J
Doug Wierman, RMT, Inc.

**BEFORE THE STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES**

**INTERIM LICENSE DETERMINATION
FOR A HAZARDOUS WASTE STORAGE FACILITY**

**EOG DISPOSAL, INCORPORATED
MILWAUKEE, WISCONSIN
WID 988580056
FID 241384000**

GENERAL FACILITY INFORMATION

Name and location of Facility:

EOG Disposal Inc.
5611 West Hemlock Street
Milwaukee, Milwaukee County, WI 53223
SW 1/4 of SW 1/4 of Section 14, Town 8N, Range 21E
Longitude: 89° 18' 04" West, Latitude: 43° 03' 48" North

Facility Owner/Operator:

Michael Villione, President
EOG Disposal, Inc.
5611 West Hemlock Street
Milwaukee, WI 53223
Phone: (414) 353-1156

Authorized Contact:

Michael Villione, President
EOG Disposal, Inc.
Phone: (414) 353-1156

Submittal Prepared by:

Douglas Wierman, C.P.G., Project Director, RMT Inc., 744 Heartland Trail
Madison, WI 53708-8923, Phone: (708) 995-1500;
Tom Danzer, Project Scientist, RMT, Inc.;
Patrick Smith, Project Engineer, RMT, Inc.; and
Katherine Martin, P.E., Wisconsin P. E. #E-21360, RMT, Inc.

Facility Description:

EOG Disposal, Inc. (EOG) operates a solid waste transfer and processing facility and is licensed by the Department for processing and transferring of solid waste. The waste materials received at EOG are generated by industry, commercial establishments, small businesses, educational facilities, and other institutions. EOG is authorized to accept six categories of waste under their existing solid waste permit. These include off-specification and used chemical products, oils, coolants, cleaning solutions, wastewater and paints.

As a result of Wisconsin's incorporation of the Toxic Characteristic Leaching Procedure (TCLP) requirements, some of the nonhazardous waste streams previously handled by EOG are now classified as hazardous waste. For EOG to continue to handle these waste types they need a hazardous waste storage license. Some materials, such as used oil destined for burning, is exempt from federal hazardous waste regulation but under Wisconsin law is subject to hazardous waste regulation. Because EOG submitted a interim license application within three months of the effective date of the state's promulgation of the TCLP regulations, EOG is eligible for an interim hazardous waste storage license from the Department. An interim status storage license will be limited to materials that EOG was authorized to accept prior to the promulgation of the TCLP regulations, materials which are hazardous waste only because of the implementation of the TCLP regulations; and materials that are not considered to be hazardous waste by the federal government but are considered to be hazardous waste by the state.

EOG has a capacity to store 1,440 drums of nonhazardous waste in their warehouse building. Nonhazardous waste drums are stacked two high. With the same layout in the same area, EOG has the capacity to store 720 drums of hazardous waste. Hazardous waste drums are stacked one high. Nonhazardous waste drums shall be placed in the storage area starting at the west side. Hazardous waste drums shall be placed in the drum storage area starting with the east side. A three foot aisle space is left in between rows of pallets of drums. The storage area has a continuous sealed concrete base with no floor drains. With the addition of curbing across the loading dock overhead door and mandoor, adequate containment capacity should exist within the storage area. The room is equipped with emergency equipment, security, fire protection, and other standard features of a licensed hazardous waste storage facility sufficient to prevent the release of hazardous wastes to the environment.

Waste codes EOG is eligible to accept include: D012 Endrin; D013 Lindane; D014 Methoxychlor; D015 Toxaphene; D016 2,4-D; D018 Benzene; D019 Carbon Tetrachloride; D020 Chlordane; D021 Chlorobenzene; D022

Chloroform; D023 o-Cresol; D024 m-Cresol; D025 p-Cresol; D026 Cresol; D027 1,4-Dichlorobenzene; D028 1,2-Dichloroethane; D029 1,1-Dichloroethylene; D030 2,4-Dinitrotoluene; D032 Hexachlorobenzene; D033 Hexachlorobutadiene; D034 Hexachloroethane; D035 Methyl Ethyl Ketone; D036 Nitrobenzene; D037 Pentachlorophenol; D038 Pyridine; D039 Tetrachloroethylene; D040 Trichloroethylene; D041 2,4,5-Trichlorophenol; D042 2,4,6-Trichlorophenol; and D043 Vinyl Chloride

FINDINGS OF FACT

The Department finds that:

1. On June 25, 1990, EOG initially notified EPA of their hazardous waste activity.
2. June 29, 1990 was the federal deadline date for a new RCRA facility to submit a notification form to be eligible for interim status because of the change to TCLP requirements.
3. On September 9, 1990, the EOG facility in Milwaukee started operations.
4. September 29, 1990 was the federal deadline date for a new RCRA facility to submit their PART A permit application to be eligible for interim status because of the change to TCLP requirements.
5. On February 2, 1991, EOG submitted a notification of regulated activity form to EPA. The activities covered in the notification form included generator, treater/storer, transporter and marketer.
6. On February 18, 1991, the Department issued a conditional approval of a plan of operation for a solid waste transfer facility for EOG. The conditions in the approval included no waste processing, no accepting of hazardous waste, and required a solid waste license before accepting waste.
7. On July 18, 1991, EOG submitted their original PART A application.
8. On November 11, 1991, the Department issued a conditional approval of a plan of operation for a solid waste processing facility at EOG.
9. On June 8, 1992, EOG sent a letter to Barb Zellmer regarding their handling of used oil and the application of the hazardous waste regulations.

10. On June 11, 1992, the Department issued a letter to EOG determining the acceptability of a field modification to a spill containment area for their solid waste facility.
11. On July 8, 1992, the Department acknowledged receipt of financial responsibility documents for EOG's solid waste processing facility.
12. On July 8, 1992, the Department issued a solid waste transfer facility and operating license to EOG effective until September 30, 1992.
13. The State of Wisconsin adopted the federal toxicity characteristic (TC) rule on September 1, 1992, adding twenty-five hazardous waste codes to s. NR 605.08, Wisconsin Administrative Code.
14. On October 1, 1992, the Department issued a solid waste transfer facility and operating license to EOG to last until September 30, 1993
15. On November 2, 1992, a meeting was held between the Department and EOG regarding their interim license application and TC wastes.
16. On November 11, 1992, an interim hazardous waste license application was submitted to the Department from EOG. The application included a revised Part A application which included treatment in a 50,000 gallon tank for waste fuel blending. The application also included a \$500.00 check.
17. On January 7, 1993, the Department issued to EOG an acknowledgement of receipt and notice of incompleteness for their interim hazardous waste license application.
18. On January 19, 1993, the Department met at the EOG facility to observe facility operations and discuss issues regarding the interim license.
19. On January 26, 1993, the Department received a letter from EOG acknowledging the January 19, 1993 meeting and the Department's approval of a three week extension on their response to the incompleteness letter.
20. On March 4, 1993, EOG resubmitted their application for an interim license to store hazardous waste. The application included a revised PART A application which just covered storage in drums. The application also included a \$4,000.00 check.

21. On July 14, 1993, the Department issued a notice of incompleteness letter to EOG on their interim license application.
22. On August 13, 1993, EOG along with their consultant and lawyer met with the Department to discuss the July 14, 1993 notice of incompleteness letter. A memorandum prepared by the Department and dated August 17, 1993 summarized the conversations and agreements reached at the August 13, 1993 meeting.
23. An October 26, 1993 response to the August 17, 1993 memorandum was sent by EOG to the Department. Additional information was submitted by EOG to the Department on January 31, 1994.
24. On February 16, 1994, the Department issued a letter to EOG regarding financial responsibility for the interim hazardous waste license requesting additional information. Responses were received from EOG on February 21, 1994 and March 4, 1994.

CONCLUSIONS OF LAW

1. The Department has promulgated chs. NR 600 through 685, Wisconsin Administrative Code, establishing minimum requirements for hazardous waste management under the authority of ss. 144.60 to 144.74, Wisconsin Statutes.
2. The Department has the authority to issue an interim license for hazardous waste management so as to comply with s. NR 680.20 through s. NR 680.24, Wisconsin Administrative Code, pursuant to s. 144.64, Wisconsin Statutes.
3. The Department has complied with the procedural requirements of s. NR 680.24, Wisconsin Administrative Code.
4. This approval is necessary to ensure compliance with s. NR 680.20 through s. NR 680.24, Wisconsin Administrative Code.
5. Based on the foregoing findings, the Department has the authority, pursuant to s. 144.64, Wisconsin Statutes, to issue the following interim license.

DETERMINATION

Based on the Finding of Facts and Conclusions of Law, the Department issues this favorable determination for an interim license application to EOG subject to compliance

with chs. NR 600 through 685 and ch. NR 140, Wisconsin Administrative Code, and the following conditions:

The Department retains the right to modify this determination and to require additional information at any time. Nothing in this conditional determination shall relieve EOG of the legal obligation to comply with any applicable federal, state and local approvals. No other terms or conditions of the feasibility and plan of operation approval are affected by this determination.

CONDITIONS OF APPROVAL:

1. EOG shall comply with the provisions of ch. 144, Wisconsin Statutes, all applicable requirements of chs. 680 through 685, Wisconsin Administrative Code, and all of the conditions of this interim license approval.
2. EOG shall submit a feasibility report and plan of operation for hazardous waste container storage within 180 days of the date of this interim status approval, in accordance with s. NR 680.05, Wisconsin Administrative Code. This includes certification by a registered professional engineer, (s. NR 680.05(1)(c), Wisconsin Administrative Code).
3. EOG shall only manage hazardous wastes that satisfy the following three conditions:
 - a. materials that EOG was authorized to accept prior to the promulgation of the TCLP regulations,
 - b. materials which are hazardous waste only because of the implementation of the TCLP regulations, and
 - c. materials that are not considered to be hazardous waste by the federal government but are considered to be hazardous waste by the state.
4. EOG shall only accept hazardous wastes with the following waste codes: D012 Endrin; D013 Lindane; D014 Methoxychlor; D015 Toxaphene; D016 2,4-D; D018 Benzene; D019 Carbon Tetrachloride; D020 Chlordane; D021 Chlorobenzene; D022 Chloroform; D023 o-Cresol; D024 m-Cresol; D025 p-Cresol; D026 Cresol; D027 1,4-Dichlorobenzene; D028 1,2-Dichloroethane; D029 1,1-Dichloroethylene; D030 2,4-Dinitrotoluene; D032 Hexachlorobenzene; D033 Hexachlorobutadiene; D034 Hexachloroethane; D035 Methyl Ethyl Ketone; D036 Nitrobenzene; D037 Pentachlorophenol; D038 Pyridine; D039

Tetrachloroethylene; D040 Trichloroethylene; D041 2,4,5-Trichlorophenol; D042 2,4,6-Trichlorophenol; and D043 Vinyl Chloride

5. EOG shall comply with the requirements of s. 144.44, Wisconsin Statutes, regarding local approvals.
6. In order to assist the Department in completing an environmental assessment and in determining the need for an environmental impact statement, EOG shall include a brief discussion on the following information in the feasibility report and plan of operation:
 - a. The purpose and need for the proposed project and for the recommended site.
 - b. The probable adverse and beneficial physical, biological, social, economic and other impacts of the proposed site development.
 - c. The probable adverse impacts of site development that cannot be avoided.
 - d. The irreversible or irretrievable commitments of resources if the site is developed as proposed.
 - e. The alternatives to the proposed site development and alternative methods of waste disposal or recycling.
 - f. The direct, indirect and cumulative effects of the proposed site development.
 - g. Estimated construction, operation, and long term care costs for the entire project.
7. EOG shall comply with the notice requirements of s. NR 630.10, Wisconsin Administrative Code, and explain how they comply with the requirements in the feasibility report and plan of operation.
8. EOG shall maintain closure financial responsibility in accordance with s. NR 685.07, Wisconsin Administrative Code.
9. EOG shall maintain liability insurance in accordance with the requirements of s. NR 680.21(2)(b), Wisconsin Administrative Code.

EOG Interim License Determination - March 15, 1994

9

This notice is provided pursuant to section 227.48(2), Stats.

If you have any questions regarding this approval, please contact Patrick Brady at (414) 961-2717.

Walter A. Ebersohl

Walter A. Ebersohl,
Hazardous Waste Management Section Supervisor
Southeast District

3/15/94

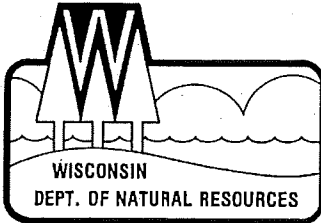
Date

Patrick Brady

Patrick Brady
Waste Management Engineer
Southeast District

3-15-94

Date



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Gloria L. McCutcheon, District Director

Southeast District Annex
4041 N. Richards Street, Box 12436
Milwaukee, WI 53212-0436
TELEPHONE 414-229-0800
FAX 414-229-0810

April 19, 1996

In Response Refer To: FID# 241384000
HW/LIC/eogdcl.496

Michael Vilione, President
EOG Disposal, Inc.
5611 West Hemlock Street
Milwaukee, WI 53223

SUBJECT: EOG Disposal, Inc., 5611 West Hemlock Street, Milwaukee, WI
EPA ID# WID003967148
Feasibility and Plan of Operation Report Determination

Dear Mr. Vilione:

The department has reviewed for completeness and technical adequacy EOG Disposal, Inc. (EOG)'s September 1994 feasibility and plan of operation report (FPOR) requesting a hazardous waste operating license. Additional information was received on February 27, 1995, April 21, 1995, November 10, 1995, and February 22, 1996. The FPOR was prepared by EOG and their consultants, RMT, Inc., and Graef, Anhalt, and Schloemer and Associates, Inc.

A draft preliminary determination to conditionally approve the FPOR was issued by the department on October 11, 1995. Additional information which was requested in the draft preliminary FPOR determination was submitted by EOG on November 10, 1995. EOG submitted a document on February 22, 1996, requesting changes in the FPOR to allow for the implementation of additional operations in the phased construction and licensing of the facility. The department has modified some of the narrative and conditions of the draft preliminary determination in response to your February 22, 1996, request, the additional information received and further evaluation of the document by the department. The changes to the draft preliminary determination are as follows:

1. In regard to the changes in the numbering of conditions in the final determination from the condition numbers in the draft preliminary determination, the following has occurred:
 - a. no new conditions under "General Conditions";
 - b. five new conditions added under "Specific Conditions" (Conditions #20 and #21 are new conditions, so Conditions #22 through #24, were #20 through #22; Condition #25 is a new condition, so Conditions #26 through #31, were #23 through #28;

Cover Letter FPOR Determination - EOG - April 19, 1995

Condition #32 is new, so Condition #33, was #29, Condition #34 is new, so Conditions #35 through #47, were #30 through #42);

- c. five new conditions added under "**Specific Conditions - Waste Analysis**" (Condition #48 was #43, Conditions #49 through #53 are new conditions, Conditions #54 and #55, were #44 and #45);
 - d. no new conditions under "**Specific Conditions - Tanks**" (Conditions #56 through #61, were #46 through #51);
 - e. no new conditions under "**Specific Conditions - Containers**" (Conditions #62 through #78, were #52 through #68, Condition #79 is a new condition);
 - f. six new conditions under the new heading, "**Specific Conditions - Container Storage Before EOG Receives a License for Container Storage in the Lab Pack Depack Building**" (the new conditions are #80 through #85);
 - g. five new conditions under the new heading, "**Specific Conditions - Lugger Box Container Storage**" (the new conditions are #86 through #90); and
 - h. two new conditions under the new heading, "**Specific Conditions - Fuel Blending Activities**" (the new conditions are #91 and #92).
2. Wording has been added to condition #9 to show that because of the time delay between the FPOR determination and the phases of facility construction, conditions may arise that would compel the department to request EOG to submit a revised FPOR or additional information.
 3. A comment has been added to Condition #17 because of the phased construction and licensing.
 4. Condition #19 has been revised to emphasize the need for EOG to show compliance with the air emission standards for process vents and equipment leaks before the department can issue a license or license modification to the applicable unit.
 5. Conditions #24, #26, #27, #28, #29, #65, #72, and #76 are revisions reflecting phased construction and licensing.
 6. Condition #26 is a revision reflecting phased construction and adding an additional requirement if a phase of construction has not been started within 2 years of the date of the determination.

Cover Letter FPOR Determination - EOG - April 19, 1995

7. Condition #30 is a revision deleting the last sentence because it was confusing with respect to condition #27.
8. Conditions #36, #37 and #38 are revisions to reflect that there are more than one containment system.
9. Condition #41 is a revision to correct a spelling error.
10. Condition #66 is a revision that changed "*inspected weekly*", to "*inspected at least weekly*".
11. Condition #20 has been added to incorporated submittals into the FPOR as was presented in the February 6, 1996, memo to Kandylee Schmidt, and in addition have done the following:
 - a. Items identified as being incorporated into a "*Construction Specifications*" attachment have been incorporated into Attachment 16 and has been retitled "*Design Specifications*".
 - b. Your February 22, 1996, letter regarding the revisions to the FPOR has been incorporated into a new attachment, Attachment 17 and titled "*Phased Construction Revisions*".
 - c. The new "*Licensing Correspondence*" attachment is identified as Attachment 18.

The department requests EOG to submit a new revised table of contents to reflect the above changes within 15 days of the date of this letter. The revised table of contents should be part of the final FPOR document that you send out to the local library and U.S. EPA.

12. Condition #21 is a standard condition to ensure the future integrity of the FPOR.
13. Condition #25 has been added to assist the department in keeping track of the facility construction.
14. Condition #32 has been added to complement Condition #5, and assist EOG in complying with hazardous waste management regulations.
15. Condition #34 was added to ensure that hazardous waste trucks and tankers are not stored outside of the facility.

Cover Letter FPOR Determination - EOG - April 19, 1995

16. Four additional conditions were added under the "*Special Conditions - Waste Analysis*" heading in order to provide some more specific waste analysis conditions.
17. Condition #79 was added to provide limitations on the storage of containers of various sizes.
18. Conditions #80 through #90 are specific container conditions that have been added under the titles "*Lugger Box Container Storage*" and "*Container Storage Before EOG Receives a License for Container Storage in the Lab Pack Depack Building*". This does not mean that the conditions under "*Specific Conditions - Containers*" do not apply to the lugger box container storage and the container storage before EOG receives a license for container storage in the lab pack building. Specific container conditions under "*Container Storage Before EOG Receives a License for Container Storage in the Lab Pack Depack Building*" will also apply to containers stored in the existing building before ignitable wastes can be stored. These conditions have been added because of phased construction and the need for more specific conditions for lugger box storage.
19. Conditions #91 and #92 are specific conditions that have been added under the heading, "*Fuel Blending Activities*" to coordinate the fuel blending recycling exemption with related activities requiring licensing.

Based on the review of the submitted material, it is our opinion that your proposed hazardous waste storage facility provides for satisfactory hazardous waste storage provided the conditions in the attached FPOR final determination are followed. The facility and operating plan are, therefore, approved subject to compliance with Chapters NR 600 through 685, Wisconsin Administrative Code, and to fulfillment of the conditions listed in the attached FPOR final determination. The department reserves the right to require changes in the FPOR should conditions arise making such necessary.

The attached final determination includes conditions. Please review the final determination carefully. The department believes that these conditions are necessary for EOG to comply with chs. NR 600 through 685, Wisconsin Administrative Code.

A needs assessment of the proposed facility has been completed and the department has also determined that an environmental impact statement is not needed, and that wetlands water quality standards (ch. NR 103, Wisconsin Administrative Code) have been met.

Please be reminded that construction inspection and construction documentation review fees pursuant to ch. NR 680, Wisconsin Administrative Code, are required after each phase of the construction activity is completed.

Cover Letter FPOR Determination - EOG - April 19, 1995

Attached are two hazardous waste storage license applications. In accordance with the FPOR and discussions we have had, the anticipated license issuance and modification determination issuance will be done in steps. The steps in their anticipated order are as follows:

1. a license for hazardous waste (not including ignitable hazardous) container storage in the existing building;
2. a modification of the container storage license for revisions to the container storage area in the existing building to allow for storage of ignitable hazardous waste,

(The department will issue at the same time the public notice for intent to issue a license to item #1 and the modification determination for item #2.)

3. a license for hazardous waste tank storage in the lab pack building,
4. a modification of the container storage license to include container storage in the lab pack building along with a modification of the container storage in the existing building to address the lab packing operations being moved to the lab pack building and the change in the layout and capacity in the existing container storage building,
5. a modification of the container storage license for roll-off container storage,
6. a modification of the tank license for tank storage in the tank farm, and

(The department will issue at the same time the public notice for intent to issue a license to item #3 and the modification determinations for items #4, #5 and #6.)

7. a modification of the container storage license for the expansion of the existing building to allow for an increase in container storage capacity.

The department understands that the order of construction completion of the above activities may change and may affect the order of the tank storage license application and the tank and container storage license modifications.

The department's intent to issue container and tank hazardous waste storage licenses and the modification determinations is conditional on EOG following the FPOR and the FPOR determination during the applicable phase of construction. After each phase of construction has been completed, the department will perform an inspection of the site and review the applicable construction documentation information. Issuance of a license or modification determination will follow a favorable construction documentation determination.

Cover Letter FPOR Determination - EOG - April 19, 1995

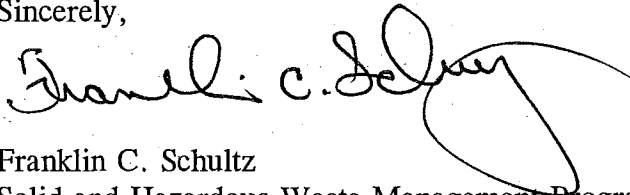
Because of the inherent time delay in constructing a facility in phases, the department may request EOG to submit a revised FPOR submittal or additional information. The department would request a revised FPOR submittal or additional information if in the time between the issuance of the FPOR determination and a phase of the facility construction:

1. the FPOR becomes outdated,
2. new regulations are incorporated by the department, or
3. situations arise where action is necessary to ensure protection of human health and the environment.

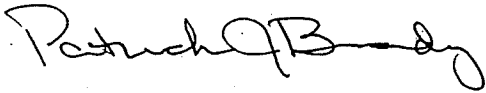
If a phase of construction has not been started within 2 years of the date of the determination, EOG will need to submit a letter to the department inquiring whether or not the FPOR and FPOR determination are still appropriate or need to be revised. EOG will need to obtain a favorable determination from the department before beginning that phase of construction.

Should you have any questions regarding this final determination, please contact Patrick Brady at (414) 229-0845.

Sincerely,



Franklin C. Schultz
Solid and Hazardous Waste Management Program Supervisor
Southeast District



Patrick J. Brady
Waste Management Engineer

- c. SED Casefile (W. Ebersohl, P. Brady)
Bureau - SW/3 - HWMS (E. Lynch)
U.S. EPA Region 5 - HRM-7J (Jean Gromnecki)

**BEFORE THE STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES**

**DETERMINATION
FEASIBILITY AND PLAN OF OPERATION REPORT**

**EOG DISPOSAL, INC.
EPA ID#: WID988580056
FID#: 241384000**

GENERAL FACILITY INFORMATION

Facility Name, Site Operator, and Address:

EOG Disposal, Inc.
Michael Vilione, President
5611 West Hemlock Street
Milwaukee, Wisconsin 53223

Facility Owner:

Michael Vilione, General Partner
or
VK Investments
(address same as above)
and
Megal Development Corporation
P.O. Box 18661
Milwaukee, WI 53218, or
12650 West Lisbon Road
Brookfield, WI 53005

Facility Location:

SW 1/4 of Section 14, Township 8 North, Range 21 East
City of Milwaukee, Milwaukee County, Wisconsin

EOG FPOR Determination - 4/19/96

Facility Contacts:

Michael Vilione, President
Henry Krier, Vice President of Operations
Kandylee Schmidt, Compliance Officer
(address same as above)
phone (414) 353-1156

Consultants:

RMT, Inc.

Douglas A. Wierman, C.P.G., Project Manager
Timothy H. Danzer, C.H.M.M., Project Environmental Scientist
999 Plaza Drive Suite 100
Schaumburg, IL 60173-5407
(708) 995-1500

John A. Cimermancic
20900 Swenson Drive
Milwaukee, WI 53186-4050
(414) 798-9550
WI Professional Engineer No. E-19697

Graef, Anhalt, Schloemer, and Associates, Inc.

Wayne Fassbender
R. Schumacher
345 North 95th Street
Milwaukee, WI 53226
(414) 256-4060

Engineering and Environmental Services

Ronald T. Bannister
P.O. Box 3009
Hickory, NC 28603
(704) 328-2991

EOG FPOR Determination - 4/19/96

Total Storage Capacity: (Since the storage facility will be built and licensed in phases, storage capacity is dependent on the units obtaining licensing for that capacity)

Tank Storage Capacity:

Tanks in Lab Pack Building - Two 5,500 gallon tanks in the proposed lab pack building, (one tank is designated for acid wastes and the other is designated for basic wastes, layout is shown on sheet 11 of 18 in attachment 15 of the FPOR)

Tanks in Tank Farm - Four 12,000 gallon tanks in the proposed tank farm, (layout is shown on sheet 12 of 18 in attachment 15 of the FPOR)

Container Storage Capacity: (Maximum total capacity of 1269 fifty-five gallon containers and 7 twenty cubic yard roll-off containers)

Containers in Existing Building (after Phase 1 licensing) - 468 fifty-five gallon hazardous waste (excluding ignitables) containers in existing warehouse building, (area is shared with solid waste containers, set layout is shown on Figure 1 in attachment 18 of the FPOR)

Containers in Existing Building (after Phase 2 licensing) - 720 fifty-five gallon hazardous waste (including ignitables) containers in existing warehouse building, (area is shared with solid waste containers, set layout is shown on Figure 1 in attachment 18 of the FPOR)

Containers in Existing Building (after Phase 4 licensing) - 720 fifty-five gallon hazardous waste containers in existing warehouse building, (area is shared with solid waste containers, set layout is shown on sheet 10 of 18 in attachment 15 of the FPOR)

Containers in Addition to Existing Building - 404 fifty-five gallon non-ignitable hazardous waste containers in the planned addition to the existing warehouse building, (area is shared with solid waste containers, set layout is shown on sheet 10 of 18 in attachment 15 of the FPOR)

Containers in Lab Pack Building - 145 fifty-five gallon hazardous waste containers in five designated bays in the Lab Pack building, (the bays are designated for acid, basic, flammable, reactive, and oxidizer wastes and are each limited to 29 fifty-five gallon containers, layout is shown on sheet 11 of 18 in attachment 15 of the FPOR)

EOG FPOR Determination - 4/19/96

Lugger Boxes in Lugger Box Storage Building - 6 twenty cubic yard containers in building north of the lab pack building, (layout is shown on sheet 3 of 3 in attachment 15 of the FPOR)

Lugger Box in Existing Building - 1 twenty cubic yard container in the existing warehouse building, (layout is shown on sheet 10 of 18 in attachment 15 of the FPOR)

Approval Limitations:

1. This approval does not extend to the storage of unknown or miscellaneous hazardous wastes. This approval is specifically for storage of wastes identified in your most recent PART A Application (February 15, 1995) and to wastes specifically identified in your Feasibility and Plan of Operation Report (FPOR). Wastes with similar characteristics or of a similar nature (ie. listed for a similar reason or similar toxicological properties) can be stored at the facility by receiving written approval from the department following a plan modification request.
2. EOG may store hazardous waste only in accordance with the requirements of chs. NR 600 through 685, Wisconsin Administrative Code, the FPOR, and the conditions of their approvals. In cases where there is not agreement amongst the FPOR and conditions of their approval, the conditions of the approval shall take precedence.

Facility Description: (Including Construction and Licensing Plans)

EOG is an interim licensed hazardous waste storage facility and a solid waste storage and processing facility which provides limited hazardous waste services and solid waste services to generators of solid and hazardous waste. EOG has operated the facility since September 1, 1990. EOG has sale offices in Illinois, Minnesota, Utah and Texas. EOG currently provides services for over 1,300 clients which include a variety of commercial, institutional, governmental, and industrial companies nationwide that do not generate bulk quantities of waste. The primary function of this facility is the bulking and transfer of hazardous and nonhazardous waste in order to gain access to secondary markets which include recycling and fuel blending.

Because some of the materials EOG handled are considered solid waste by the state of Wisconsin, but not considered solid wastes by the federal government, these materials:

1. would not have been affected by the federal implementation of the Toxicity Characteristic (TC) rule,

EOG FPOR Determination - 4/19/96

2. would only have been become hazardous waste because of the state of Wisconsin's implementation of the TC rule, and
3. would be eligible for an interim hazardous waste storage license from the state even though they did not receive interim status from the federal government.

The state of Wisconsin promulgated the TC rule effective September 1, 1992. On November 11, 1992, which was within three months after the original effective date of the rule that first rendered EOG subject to the requirement to obtain an operating license, EOG submitted an interim license application to the department. For EOG's waste streams to be eligible for an interim license from the state because of the implementation of the TC rule, the waste streams had to satisfy the following parameters:

1. the waste stream was handled by EOG before the promulgation of the state rule, and
2. the material would be considered a solid waste by the state of Wisconsin but would not meet the federal definition of a solid waste, and
3. the waste stream is a hazardous waste only because of the TC waste codes, and would not have been a hazardous waste because of the previous Extraction Procedure (EP) toxicity requirements.

EOG received an interim license for hazardous waste storage on March 15, 1994. As a condition of their interim license EOG was required to submit a FPOR as part of the stepped process in obtaining a hazardous waste operating license. In their FPOR, EOG proposes to eventually obtain a hazardous waste operating license for storage of most types of hazardous waste in:

1. four 12,000 gallon aboveground storage tanks in a new tank farm,
2. two 5,500 gallon aboveground storage tanks in a new lab pack building,
3. seven 20 cubic yard containers with one in the existing warehouse building and the remaining six in a new building just north of the new lab pack building, and
4. 69,795 gallons in fifty-five gallon containers in the existing warehouse building and in a planned addition to the warehouse building and in the lab pack building.

EOG's hazardous waste interim license for storage covers storage of 39,600 gallons in 55-gallon drums for a limited range of hazardous waste types. With the additional items

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proposed in their FPOR, the facility would greatly expand their capability to handle a wide variety of hazardous waste.

In EOG's first phase of construction and licensing, EOG plans to retrofit the existing building for hazardous waste container storage by replacing permeable curbing, installing the surveillance and alarm system, and sealing of all floors. At this time, EOG plans to store all the hazardous wastes that they eventually plan to accept with the exception of ignitable hazardous waste. EOG plans to conduct lab pack re-packaging and drum transfer/storage operations in five separate areas with distinct boundaries. In each area, containers will be stored, depacked and lab packed on containment pallets. The contents of containers in the lab packs will not be combined with any of the containers. Figure 1 of attachment 18 of the FPOR contains a layout of the lab pack storage and repackaging areas. The building is approximately 150 feet by 80 feet. Containers will be unloaded at the loading dock on the west end of the north side of the building. The container storage areas at the facility are designed for storing fifty-five gallon drums, but other sizes of containers will be stored.

In EOG's second phase of construction and licensing, EOG plans to finish the retrofitting of the existing building so that they will be able to store and process ignitable hazardous wastes. The retrofitting includes installation of an automatic aqueous film forming foam fire suppression system, construction of fire walls and explosion proofing of all electrical systems. The layout of hazardous waste storage and repacking will be the same as in the first phase.

The third phase of construction will be site preparation in anticipation of construction and operation of the new areas of the proposed facility. A layout of the expanded facility is shown on sheet 2 of 18 in Attachment 15 of the FPOR. Expansion of the facility includes construction of a lab pack and repackaging building, a bulk solids storage building, a tank farm, and associated loading and unloading pads, traffic areas, and other associated facilities.

In EOG's fourth phase of the construction and licensing, EOG will build a lab pack depack building. This building will be 104 feet by 60 feet and provide container storage for 145 containers in designated pods for acidic, basic, flammable, reactive and oxidizer wastes. These individual pods are capable of holding a maximum of 29 containers each in a set layout. The storage pods are 20 feet by 13 feet and provide for adequate containment. The building will also contain 5 lab pack bays each 10 feet by 12 feet. In the lab pack bays, lab pack quantities of waste are repacked into larger quantities for bulking to tanks contained within the lab pack building, or transferred to the process building for processing into fuels, and prepared for ultimate shipment for disposal or recycling. The building will also have bulk storage of waste acid and waste caustic in two designated 5,500 gallon tanks. Each of the tanks is located in a 15 foot by 15.5 foot room which should provide for adequate

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containment. The building includes a loading dock. A layout of this building is shown on sheet 11 of 18 in attachment 15 of the FPOR.

Once the hazardous waste storage licensing of the lab pack depack building is completed, EOG will move the lab pack operations from the existing building to the lab pack depack building. With this change, the existing warehouse building hazardous waste storage license will be modified to allow for additional container storage. Container storage in the existing building will then allow for storage of up to 644 hazardous waste containers and 1288 non-hazardous waste containers. However, because of setback requirements for ignitable materials, this area will be restricted to a maximum of 404 ignitable hazardous waste containers and 808 ignitable non-hazardous waste containers. The modified allowable layout of containers in the storage area is shown on sheet 10 of 18 in attachment 15 of the FPOR. The existing building shall provide for adequate secondary containment even with the additional container storage.

The fifth phase of the construction and licensing process is the addition of a tank farm and a roll-off container storage building. The timing of the fourth and fifth phase of construction and licensing could be reversed.

The tank farm is for four 12,000 gallon storage tanks. The roofed area is 40 square foot with a sealed concrete storage pad and should provide for adequate containment. A tanker unloading pad will be constructed next to the tank farm. A layout of the tank farm is shown on sheet 12 of 18 in attachment 15 of the FPOR.

The roll-off container storage building is for storage of 6 twenty cubic yard containers. The building is three-sided with a roof. The concrete floor is approximately 68 feet by 25 feet and should provide adequate containment capacity. A layout of the building is shown on sheet 3 of 3 in attachment 15 of the FPOR.

Also located in the existing warehouse building will be a container processing area. As a container approaches the drum auger operation, a decision is made on the eventual disposition of the contents of the container. Solids unsuitable for fuel blending will be dumped into a 20 cubic yard container. As the 20 cubic yard containers are filled, they will be taken to the roll-off box storage building located just north of the lab pack building. These areas account for all 7 of the roll-off boxes. Solids and liquids suitable for fuel blending will be conveyed to a 2,000 gallon tank for blending. Process vapors will be condensed to collect volatile solvents. This tank and associated pumps and piping is considered to be part of EOG's fuel blending activities and will be regulated under the hazardous waste management recycling exemption under s. NR 625(1)(b), and s. NR 625.07, Wisconsin Administrative Code.

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For the sixth phase, EOG will be seeking a license modification for an expansion of the existing warehouse building to provide for additional storage of up to 492 hazardous waste containers and 984 non-hazardous waste containers. Storage in this addition would be limited to non-ignitable waste. The expansion will add 40 feet by 150 feet of additional space. The building should provide for adequate secondary containment for the container storage.

Hazardous wastes that can be stored on site will include the following waste codes: Characteristic hazardous wastes, D001 to D043; Listed solvent wastes, F001 to F005; Electroplating and metal heat treating wastes, F006 to F012; Hazardous wastes from non specific sources, F019 to F028, F032, F034, F035, F037 to F039; Hazardous waste from specific sources, K001 to K011, K013 to K052, K060 to K062, K064 to K066, K069, K071, K073, K083 to K088, K090 to K118, K123 to K126, K131, K132, K136, K141 to K145, K147 to K151; Acute hazardous wastes, P001 to P018, P020 to P024, P026 to P031, P033, P034, P036 to P051, P054, P056 to P060, P062 to P078, P081, P082, P084, P085, P087 to P089, P092 to P099, P101 to P111 to P116, P118 to P123; Commercial chemical products and manufacturing chemical intermediates, U001 to U012, U014 to U039, U041 to U053, U055 to U064, U066 to U103, U105 to U174, U176 to U194, U196, U197, U200 to U223, U225 to U228, U230 to U240, U242 to U244, U246 to U249, U328, U353, U359. Hazardous wastes will only be received and stored in DOT shippable containers. Hazardous wastes will typically be contained in 55 gallon drums.

EOG plans to complete the construction of the facility within 12 to 36 months.

Closure:

The expected life span of the facility is fifty years, so the anticipated closure date for the facility would be 2045. The FPOR includes a detailed closure plan and closure cost estimates. The closure plan covers the container storage areas (including the two areas where 20 cubic yard containers are stored), the tank storage areas, and any tools and associated equipment. The plan includes the removal of the maximum allowable quantity of hazardous waste that can be maintained in the storage units, and decontamination of all surfaces and equipment that may have been in contact with the hazardous waste.

Financial Responsibility:

The total closure cost of the facility is estimated to be \$200,376.00. EOG shall maintain financial responsibility. EOG shall make sure that the proof of financial responsibility for closure is updated as additional units are incorporated into the tank and container hazardous waste storage licenses.

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The facility shall maintain a pollution liability insurance policy for sudden environmental releases of \$1,000,000 per occurrence and \$2,000,000 annual aggregate.

FINDINGS OF FACT

The Department finds that:

1. EOG owns and operates a hazardous waste storage facility at 5611 West Hemlock Street, Milwaukee. A notification form was submitted on February 22, 1991, and EOG was identified as a large quantity generator; a treater, storer, disposer; and a hazardous waste fuel generator who is marketing to a burner. A Part A application was submitted on July 18, 1991. Revised Part A applications have been submitted on December 1, 1992, February 24, 1993, and February 15, 1995.
2. The state of Wisconsin promulgated the TCLP rule effective September 1, 1992. On November 11, 1992, EOG submitted an interim license application to the Department. The application included a revised Part A application which included treatment in a 50,000 gallon tank for waste fuel blending. On March 4, 1993, EOG resubmitted their application for an interim license to store hazardous waste. The application included a revised PART A application which covered storage in drums only.
3. On March 15, 1994, the Department issued an interim hazardous waste storage license to EOG. A condition of the license determination was that EOG submit to the department a feasibility and plan of operation report for obtaining a final operating license within 180 days of receiving their interim license.
4. EOG submitted a feasibility and plan of operation report to the department in September of 1994. A plan review fee of \$6,500 for review of the report was submitted on September 22, 1995.
5. The department issued a notice of incompleteness on the report on December 9, 1994.
6. In response to the notice of incompleteness, EOG submitted additional information on February 27, and April 21, 1995.
7. Additional information submitted in connection with the feasibility and plan of operation report includes the following:
 - a. "Application for a New Source Non-Part 70 Construction and Operating Permit, December 1994", received by the department on February 28, 1995.

→ Withdrawn

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- b. "Recycling Exemption Application, July 3, 1995", for a hazardous waste recycling exemption from the hazardous waste treatment requirements, received by the department on July 3, 1995.
8. A preliminary determination to conditionally approve the FPOR was issued by the department on October 11, 1995. A public notice was issued and a radio announcement was made on October 11, 1995, regarding the issuance of the preliminary FPOR determination.
9. On November 10, 1995, EOG submitted to the department additional information which had been requested in the preliminary FPOR determination.
10. On February 22, 1996, EOG sent a submittal which requested changes be made to the FPOR with regards to phased construction and licensing.

CONCLUSIONS OF LAW

1. The department has promulgated chs. NR 600 through 685, Wisconsin Administrative Code, establishing minimum requirements for hazardous waste management under the authority of ss. 144.60 and 144.74, Wisconsin Stats.
2. The department has the authority to conditionally approve a feasibility and plan of operation report if the conditions are necessary to comply with chs. NR 600 through 685, Wisconsin Administrative Code, pursuant to s. 144.44(3), Wisconsin Statutes
3. The conditions of approval set forth below are necessary to ensure compliance with chs. NR 600 through 685, Wisconsin Administrative Code.
4. The department has promulgated ch. NR 103, Wisconsin Administrative Code, to preserve and protect the water quality of wetlands.

DETERMINATION

In accordance with s. 144.44(2)(nr), Statutes, the department has determined there is a need for the facility to store hazardous waste as approved. The department has further determined that there is no need for an environmental impact report or environmental impact statement for this facility at this time, pursuant to s. 1.11, Statutes, and ch. NR 150, Wisconsin Administrative Code, and that the existing and proposed facilities conform with wetlands' water quality standards pursuant to ch. NR 103, Wisconsin Administrative Code.

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Based on the Findings of Fact and Conclusions of Law, the department determines that EOG's hazardous waste storage facility feasibility and plan of operation report is hereby approved subject to compliance with chs. NR 600 through NR 685, Wisconsin Administrative Code, and the following conditions:

CONDITIONS OF ISSUANCE

EOG is subject to the following conditions:

General Conditions

1. EOG shall comply with all conditions of the license, the provisions of ch. 144, Wisconsin Statutes, all applicable requirements of chs. 600 through 685, Wisconsin Administrative Code, any plan approval and modification thereof and any special order and modification thereof issued by the department, except as otherwise authorized by the department under, ss. NR 600.09 or NR 680.50, Wisconsin Administrative Code.
2. It shall not be a defense for EOG in an enforcement action that it would have been necessary to halt or reduce the licensed activity in order to maintain compliance with the conditions of the license.
3. All renewal applications, and all other reports or other information submitted to the department by EOG shall be signed and certified as specified in ch. NR 680, Wisconsin Administrative Code.
4. EOG shall store hazardous waste in waste management units listed on the most recent Part A permit application form submitted to the Department on February 27, 1995.
5. EOG may not treat, store, or dispose of hazardous waste in a modified or expanded portion of the facility, until EOG has received written approval from the department. Changes in the types of hazardous waste handled or in the processes or equipment used to treat, store, or dispose of hazardous wastes are some examples which may constitute a facility expansion or modification. EOG may not treat, store, or dispose of hazardous waste in any newly constructed, modified or expanded portion of the facility, if the department has determined that the construction requires a plan submittal and subsequent approval, until:
 - a. The requirements of s. NR 680.31, Wisconsin Administrative Code, are met;

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- b. EOG has submitted to the department, by certified mail or hand delivery, a construction observation report signed by the licensee and sealed by a registered professional engineer, documenting that the construction is in compliance with the license and any department plan approval; and
 - c. The department has inspected the newly constructed, modified, or expanded portion of the facility and finds it in compliance with the license and any department plan approval; or the department has notified EOG in writing that the inspection requirement under s. NR 680.42(5)(c), Wisconsin Administrative Code, is waived.
6. EOG shall at all times maintain in good working order and operate efficiently all facilities and systems of treatment or control and related appurtenances which are installed or used to achieve compliance with the terms and conditions of the license. Proper operation and maintenance includes, but is not limited to, effective performance based on designed facility removals, adequate funding, effective management, adequate operator staffing and training, and adequate laboratory and process controls; including appropriate quality assurance procedures.
7. EOG shall, upon request of any officer or employee of the department, allow department personnel, at reasonable times and with notice no later than upon arrival, to:
 - a. Enter licensee's premises where a regulated facility or activity is located or conducted or where hazardous waste records are kept;
 - b. Have access to, and copy at reasonable times, records or labels that are being kept;
 - c. Inspect at reasonable times any facility's equipment, including monitoring equipment, or operations regulated under the license; and
 - d. Sample or monitor any substance or parameters at any location where a regulated facility or activity is located or conducted, in compliance with the requirements of s. 144.69, Wisconsin Statutes.
8. In the event of noncompliance with the license, EOG shall take all necessary steps to minimize discharges to the environment, and shall take all necessary steps to minimize any adverse impacts on human health or the environment.

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9. EOG shall furnish the information needed to determine whether cause exists to modify, revoke, or to determine compliance with, the license. The licensee shall also furnish, upon request, copies of records required by the license. The department may request EOG to submit a revised FPOR submittal or additional information, if conditions arise that compel the department to take this action.
10. When EOG becomes aware that there was a failure to disclose relevant facts in any reports, plans, or other documents submitted, or that incorrect information was submitted, EOG shall promptly submit such facts or correct information to the department.
11. The license, if issued, does not convey any property rights of any sort, or any exclusive privilege.
12. EOG shall submit required documentation and take any action which is necessary to ensure protection of human health and the environment. The department may require such documentation or action after inspecting the facility or reviewing any submittals, reports, or plans.
13. The EOG license, if issued, may be modified or revoked for the reasons listed in ss. NR 680.07 and NR 680.43, Wisconsin Administrative Code. The submittal of a request by EOG for a license modification or termination, or a notification of planned changes or anticipated noncompliance, does not stay the effectiveness of any licensing condition.
14. EOG shall analyze each waste stream in accordance with the waste analysis procedures set forth in the waste analysis plan.
15. EOG shall comply with the following:
 - a. Identification number requirements in s. NR 630.11, Wisconsin Administrative Code;
 - b. General waste analysis requirements in s. NR 630.12, Wisconsin Administrative Code;
 - c. Waste analysis requirements in ss. NR 630.13(1), 640.06(3), 645.06(3)(c), and 645.15, Wisconsin Administrative Code;
 - d. Generation and removal requirements in s. NR 630.20(4), Wisconsin Administrative Code;

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- e. Closure of noncomplying portions requirements in s. NR 630.20(5), Wisconsin Administrative Code;
 - f. Security requirements in s. NR 630.14, Wisconsin Administrative Code;
 - g. Contingency plan and emergency procedures requirements in ss. NR 630.21 and 630.22, Wisconsin Administrative Code;
 - h. Personnel training requirements in s. NR 630.16, Wisconsin Administrative Code;
 - i. Manifest, recordkeeping, and reporting requirements in s. NR 630.30, 630.31, and 630.40, Wisconsin Administrative Code;
 - j. General inspection requirements in ss. NR 630.15, 640.12 and 645.11, Wisconsin Administrative Code;
 - k. General storage standards in ss. NR 645.06, 645.07, 645.08, 645.09, 645.10, 645.12, and 645.17, Wisconsin Administrative Code;
 - l. Requirements for ignitable, reactive, or incompatible wastes in ss. NR 640.14, 640.15, 645.06(3), 645.13, and 645.14, Wisconsin Administrative Code.
16. EOG shall comply with the closure requirements in ss. NR 640.16, NR 645.17 and NR 670.10, Wisconsin Administrative Code.
17. EOG shall maintain proof of financial responsibility for closure and liability coverage pursuant to ss. NR 685.07 and 685.08, Wisconsin Administrative Code. (EOG shall make sure that the proof of financial responsibility for closure is updated as additional units are incorporated into the tank and container hazardous waste storage licenses.)
18. EOG shall comply with all applicable Air Management rules (e.g., Chapter NR 445, Wisconsin Administrative Code) and directives, including, but not limited to, obtaining all necessary permits to operate in accordance with these regulations.
19. EOG shall comply with air emission standards for process vents, ch. NR 631, Wisconsin Administrative Code, and equipment leaks, ch. NR 632, Wisconsin Administrative Code. The department will not issue a license, a license modification, or a recycling exemption to EOG for the applicable units, until EOG shows compliance with these requirements.

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Specific Conditions

20. EOG shall submit to the department within 15 days of the date of this document a new revised table of contents to reflect the changes in the organization of the FPOR presented in the February 6, 1996, memo to Kandylee Schmidt and the cover letter to this determination. The revised table of contents shall be part of the FPOR that is sent out to the local library and U.S. EPA, as required by Condition #22.
21. Whenever any additions, revisions and/or modifications are submitted regarding the FPOR, EOG shall submit the documents under the certification of a state of Wisconsin P.E., as required by s. NR 680.05(1)(a)1., Wisconsin Administrative Code. EOG shall also have each page marked with a page number and the date of the submittal, and provide an explanation as to how the document is to be incorporated into the FPOR.
22. EOG shall send a copy of the complete FPOR to each affected municipality's local library and U.S. EPA within 15 days of this determination's issuance. The EPA copy shall be mailed to Ms. Harriet Croak, U.S. EPA Region 5, 5HRP-8J, 77 West Jackson, Chicago, Illinois 60604. EOG shall submit to the department verification that copies were sent within 15 days.
23. EOG shall construct the proposed facility in accordance with the approved FPOR and this conditional approval.
24. EOG shall not operate the proposed tank and container storage unit until the department has approved the required construction documentation for the unit required and all conditions of approval applicable to the unit are met.
25. During the construction of the facility, EOG shall submit a quarterly report to the department to update the department on construction at the facility. EOG shall submit this report starting on May 1, 1996 and continuing every third month until construction at the site is completed.
26. EOG shall notify the Department at least 30 days prior to initiating a phase of construction at the site. If any of the phases of construction have not been started within 2 years of the date of this determination, EOG shall submit a letter to the department inquiring whether or not the FPOR and FPOR determination are still appropriate or need to be revised. EOG shall not begin that phase of construction until they receive a favorable determination from the department.

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27. EOG shall submit a signed final operating license application for the initial hazardous waste container storage in the existing building within 30 days of the date of this determination, and for the initial hazardous waste tank storage operating license for the tank farm or the lab pack building tanks (whichever is completed first), within the 90 days prior to the completion of construction of the unit. EOG shall submit these license applications in accordance with s. NR 680.31, Wisconsin Administrative Code. The following items shall accompany application submittals:
- a. liability financial responsibility documentation,
 - b. closure cost financial responsibility documentation for each phase, and
 - c. the appropriate fee for a hazardous waste storage facility license. Refer to s. NR 680.45, Table 12, Fee Schedule, Wisconsin Administrative Code.

EOG shall submit license modification requests for each of the following: container storage for ignitables in the existing building; the lab pack depack building container storage; container storage in the existing building when lab pack operations are moved to the lab pack depack building, the tank farm or the lab pack depack building tanks (whichever is completed last), and the roll-off container storage areas; and container storage in the addition to the existing building. These modification requests shall be submitted within the 90 days prior to the completion of construction of the unit or units.

Submit modification request w/ details of construction and obtain approval before beginning construction.

28. EOG shall submit to the department a construction documentation report within 30 days of completion of each phase of construction, and shall have an independent professional engineer, registered in the State of Wisconsin, document construction of the phase and certify whether construction of the phase occurred in substantial conformance with the FPOR, and in accordance with s. NR 680.08, Wisconsin Administrative Code.
29. For each phase of construction, EOG shall notify the department of any significant changes from the proposed construction. For each phase of construction, EOG shall provide as-built drawings if there are any discrepancies between the proposed construction and the actual construction.
30. The Department has authority to conduct construction inspection(s) under ss. NR 680.09(2), Wisconsin Administrative Code, for construction at the site. EOG shall pay the department construction inspection fees in accordance with s. NR 680.09(3)(b), Wisconsin Administrative Code, with each phase of construction documentation submitted to the department.

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31. These licenses are subject to annual license operating fees listed in Table XII, s. NR 680.45, Wisconsin Administrative Code, for container and tank storage. EOG shall maintain compliance with the annual licensing fees.
32. For any additional activity that the facility adds to their hazardous waste handling operation, EOG shall inform the department before such an operation begins to allow the department to determine whether the activity would be regulated.
33. Within 24 hours of the hazardous waste arriving at the EOG facility, EOG shall process or move into a container or tank storage area all hazardous waste received from off-site.
34. EOG shall not store trucks or tankers carrying hazardous waste on the public road adjacent to their property.
35. EOG shall indicate on the hazardous waste manifest, prepared for sending waste off their site, all waste codes applicable to the hazardous waste prior to the commingling, recontainerization, or bulking of hazardous waste on-site. *All applicable waste codes?*
36. All secondary containment systems shall be operated to prevent any migration of wastes or accumulated liquid out of the system into the soil, groundwater or surface water at any time, pursuant to ss. NR 640.13 and NR 645.09, Wisconsin Administrative Code. The secondary containment systems shall be capable of detecting and collecting releases and accumulated liquids until the collected material is removed.
37. All secondary containment structures shall be maintained to be liquid tight and free of cracks and gaps. Surface water run-on and run-off shall be prevented and managed pursuant to s. NR 630.20(3), Wisconsin Administrative Code.
38. All uncontained wastes and accumulated liquids (e.g., precipitation, wash waters) located within any secondary containment diking shall be cleared from the diked area daily and managed as a hazardous or solid waste as appropriate in accordance with chs. NR 600 to 685, or chs. NR 500 through 590, Wisconsin Administrative Code, and the FPOR.
39. Since the containment area for containers and the blending tank in the original building will not strictly be used for storage and containment, EOG shall not store other materials, excluding the drum auger operation and associated equipment, in this area that are incompatible with the waste streams or that will significantly affect the containment capacity.

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40. EOG shall replace any permeable curbing in the existing building with concrete curbing.
41. All concrete surfaced secondary containment structures shall be sealed with a chemically resistant material (e.g., epoxy mastic sealant).
42. Containers holding a hazardous waste which is incompatible with any other waste or other materials stored nearby shall be kept separate from the other wastes or materials or protected from them by means of a dike, berm, wall, or other device. s. NR 640.15, Wisconsin Administrative Code
43. Spills reporting: EOG shall immediately report all spills and discharges of hazardous waste outside of hazardous waste storage secondary containment structures and all spills of 10 gallons or greater of hazardous waste inside of the designed hazardous waste secondary containment structures at its facility, and implement any necessary action in accordance with the requirements of ch. NR 158 and s. NR 630.22(2)(c), Wisconsin Administrative code. Releases of hazardous waste or other hazardous substances in volumes of less than 10 gallons within the secondary containment structure of a designated hazardous waste storage area shall be recorded and reported to the Department on a quarterly basis. This report shall include the type and quantity of waste spilled, the location of the release, the source of the release, what actions were taken to cleanup the release and what actions will be taken to prevent a release from recurring. If no spills or discharges occur, then EOG shall send a letter to the department stating there has been none.
44. Response to leaks or spills. In the event of a leak or a spill from a tank, or if a tank or processing equipment becomes unfit for continued use, EOG shall remove the equipment from service immediately and complete the following actions:
 - a. Take appropriate action to clean-up any release of waste immediately after removing the equipment from service.
 - b. Remove all waste from the equipment or secondary containment unit within 24 hours of the detection of the leak or spill to prevent further releases and to allow inspection and repair of the unit.
 - c. Determine cause of the release.
 - d. Make all necessary repairs to fully restore the integrity of the unit before returning it to service.

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- e. All wastes resulting from the clean-up of a spill or leak shall be managed as a hazardous waste.
 - f. EOG shall report the spill or leak to the Department's Southeast District Headquarters within 24 hours of its discovery.
45. EOG shall notify the Division of Emergency Government and comply with the requirements of s. NR 630.22(2) and ch. NR 158, Wisconsin Administrative Code and 144.76, Wisconsin Statutes, if a discharge of hazardous waste or hazardous substance, or a fire or explosion occurs at the licensed facility.
46. EOG shall report to the Department any noncompliance which may endanger human health or the environment. The information which is required to be included in a written report under this paragraph shall be provided orally to the appropriate district office of the Department within 24 hours from the time EOG becomes aware of the circumstances. A written report shall be submitted within 5 days of the time EOG becomes aware of the circumstances. The Department may allow up to 15 days to submit a written report if an extension is requested by the licensee. The written report shall contain:
- a. Name, address, and telephone number of the owner or operator.
 - b. Name, address, and telephone number of the facility.
 - c. A description of the noncompliance and the period of noncompliance, including exact date and time, and if the noncompliance has not been corrected, the anticipated time the noncompliance is expected to continue.
 - d. Name and quantity of material involved.
 - e. The extent of injuries, if any.
 - f. An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable, including information concerning the release of any substance which may cause contamination of a drinking water supply.
 - g. Estimated quantity and disposition of recovered material that resulted from the incident.

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- h. The known or suspected causes of the noncompliance and statement describing the measures taken to investigate the noncompliance to determine its cause.
 - i. Steps taken or planned, to reduce or eliminate and prevent reoccurrence of the noncompliance.
47. Waste minimization: EOG shall certify annually (by February 1 of each year) that it has a program in place to reduce the volume and toxicity of hazardous waste it generates to the degree determined by EOG to be economically practicable, and that the proposed method of treatment, storage or disposal is that practicable method currently available to EOG which minimizes the present and future threat to human health and the environment.

Specific Conditions - Waste Analysis

48. EOG shall monitor and analyze the hazardous waste transported to the storage units in accordance with the methods and procedures described in the waste analysis plan in the FPOR, as revised with the November 10, 1996, and February 22, 1996, submittals. The waste analysis plan includes waste pre-acceptance and incoming loads procedures, post-treatment evaluation analyses protocol, inspection and sampling methodology, analytical techniques, process operations, and quality assurance/quality control (QA/QC) program elements.
49. Before receiving waste on site, EOG shall have obtained a completed waste identification form for each waste stream of each generator. The waste identification form will at a minimum contain; waste description, general characteristics, RCRA information, viscosity, total suspended solids, ph, BTU's, flash point, halogens hazardous characteristics and other components, chemical composition and metals information.
50. EOG shall sample all incoming waste streams. EOG shall sample a minimum of ten percent of the containers of each generator's incoming waste stream. EOG will sample the incoming container wastes for compatibility, BTU's per pound, chloride, water, specific gravity and pH. EOG shall take a composite sample of each incoming bulk solid load and a sample of each incoming bulk liquid load for BTU's per pound, chloride, water, specific gravity and pH. EOG shall make a comparison against the prequalification and/or historical receipts of the waste to ensure that there is no significant discrepancies between the load and what is expected. EOG shall have the samples from incoming waste streams analyzed by a laboratory certified or registered by the state of Wisconsin for physical description, BTU's per pound, chloride, water,

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specific gravity and pH for the methodologies described in the waste characterization section of the waste analysis plan in the FPOR, or an equivalent technique.

51. EOG shall follow the waste acceptance and rejection procedures and sampling procedures outlined in their waste analysis plan in the FPOR.
52. Before combining the contents of any containers, EOG shall perform a compatibility test on the wastes to be combined.
53. Before EOG combines the contents of the containers within the lab pack containers, EOG shall perform a compatibility test of the contents to be combined.
54. Prior to blending or storage, the compatibility of the waste streams to be commingled shall be evaluated by a direct mixture of samples of the two (or more) waste streams. If there is reason to believe that the waste to be blended is incompatible with the most recently blended waste and the equipment has not been decontaminated, a compatibility test will be conducted on samples of the waste, and the previously blended waste.
55. EOG shall sign off on manifests of wastes received onsite within 24 hours of receipt of the wastes.

Specific Conditions - Tanks

56. EOG shall not place hazardous wastes in a tank if the wastes could cause the tank, its ancillary equipment, or the containment structure to rupture, leak, corrode, or otherwise fail.
57. EOG shall inspect the following components of each tank once each operating day;
 - a. Overfill control equipment (e.g., waste feed cut-off).
 - b. The area immediately surrounding the tank, to detect erosion or signs of releases of hazardous waste.
58. EOG shall provide a tank integrity assessment report prepared in conformity with s. NR 645.07(1), Wisconsin Administrative Code, to detect corrosion or erosion, cracks, or leaks of all hazardous waste tanks and shall submit a report to the Department by April 1 each year.

EOG FPOR Determination - 4/19/96

59. EOG shall meet the requirements for a secondary containment system in s. NR 645.09, Wisconsin Administrative Code, including but not limited to a leak detection system that is designed and operated to detect the failure of the hazardous waste storage tanks or the secondary containment structure pursuant to s. NR 645.09(5)(c), Wisconsin Administrative Code.
60. EOG shall not place incompatible, ignitable, or reactive wastes and materials in a tank, unless the procedures specified in ss. NR 630.17(2) and 645.13(1), Wisconsin Administrative Code, are followed.
61. EOG shall not place hazardous waste in the tank when a tank has not been decontaminated and had previously held an incompatible waste or material, unless the requirements of s. NR 645.14, Wisconsin Administrative Code, are met.

Specific Conditions - Containers

62. EOG shall comply with the storage requirements of ch. NR 640, Wisconsin Administrative Code.
63. All hazardous waste storage shall be confined to the designated storage areas.
64. Adequate aisle space in the container storage areas must be maintained to allow unobstructed movement of personnel, fire protection equipment and decontamination equipment in event of an emergency.
65. Hazardous waste shall be stored only in containers in accordance with the FPOR, with respect to what the facility's license allows at that phase of construction.
66. All containers used for storing hazardous waste shall be inspected at least weekly for evidence of leakage, corrosion, or deterioration of the containers or the secondary containment structures. Sufficient aisle space must be maintained to view all containers and their labels.
67. Any spilled, leaked, or discharged hazardous waste shall be expeditiously removed from the collection area so as to prevent overflow of the secondary containment system or prolonged exposure of the containment system or the containers to the hazardous waste.
68. The identity and location of all stored hazardous waste shall be known throughout the entire storage period.

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69. Waste shall be stored in containers in such a manner that no discharge of hazardous waste occurs.
70. Incompatible wastes or materials shall not be placed in the same container, including unwashed containers, unless they comply with s. NR 630.17(2), Wisconsin Administrative Code.
71. Containers holding hazardous waste shall always be closed during storage, except when adding or removing wastes. Containers holding hazardous waste shall not be opened, handled, or stored in a manner which causes the container to rupture or leak.
72. Containers holding ignitable waste shall not be stored until EOG has a license to store containers of ignitable waste, and then the containers storing ignitable waste shall be located at a minimum of 50 feet from the facility's property line.
73. Storage containers holding a hazardous waste which is incompatible with any waste or other materials stored nearby in other containers, waste piles, open tanks or surface impoundments shall be separated from other wastes or materials or protected from them by means of a dike, berm, wall or other device.
74. If a container is not in good condition or if the contents of a storage container begin to leak, the hazardous waste in the container shall be recontainerized into a storage container in good condition.
75. The containers shall be made or lined with materials which will not react with, or are otherwise incompatible with, the hazardous waste to be stored so that the ability of the container to contain the waste is not impaired.
76. After the modifications of the container storage license are approved for container storage in the Lab Pack Depack building and modification of container storage in the existing building, EOG shall store containers in the existing warehouse building in the configuration presented on Sheet 9 of 18, in attachment 15 of the FPOR. When the addition to the existing warehouse building is completed, containers shall be stored in the existing warehouse building and the addition in the configuration presented on Sheet 10 of 18, Attachment 15 of the FPOR. Containers shall be stored in the lab pack building in the configuration presented on Sheet 11 of 18, Attachment 15 of the FPOR.
77. The minimum container storage secondary containment shall be maintained as required by s. NR 640.13, Wisconsin Administrative Code. Materials and objects, other than those that are part of the hazardous waste licenses and recycling exemption, shall not

EOG FPOR Determination - 4/19/96

be stored in the container storage units secondary containment areas, if their volume will adversely impact the container storage containment capacity.

78. Containers used to store hazardous waste shall be structurally sound, U.S. DOT approved containers.
79. EOG shall store and repack containers whether of 5, 10, 20, 30, or 55 gallon capacity in a safe manner. In any area which is designed for storing 4 fifty-five gallon containers, EOG shall not store more than 5 thirty gallon containers, 6 twenty gallon containers, 9 ten gallon containers, or 12 five gallon containers. For containers of sizes other than those listed here, EOG shall limit storage in a 4 fifty-five gallon container area, to within the range of the above explicit container limits. Also, when storing containers of various sizes in a 4 fifty-five gallon container area, EOG shall limit container storage in the 4 fifty-five gallon container area by taking into consideration the above explicit limits for container size with respect to the area.

Specific Conditions - Container Storage Before EOG Receives a License for Container Storage in the Lab Pack Depack Building

80. EOG shall not store any ignitable wastes, until they complete the retrofit of the existing storage building and obtain a container storage license modification to do so.
81. EOG shall store and lab pack hazardous waste containers on spill containment pallets only.
82. EOG shall have placards clearly identifying separate areas for hazard class 9, reactive, corrosive bases, poisons, and corrosive acids.
83. When containers are combined with other containers in the lab packs, the containers shall not be opened. The contents of containers in the lab packs shall not be combined with any of the containers.
84. EOG shall limit hazardous waste container storage to a maximum of 468 fifty-five gallon containers. EOG shall not store or repack containers in excess of the maximums described in Attachment 18 of the FPOR. EOG shall store containers in the configuration presented in Figure 1 of Attachment 18 of the FPOR.
85. If a spill occurs in a containment pallet or in on an area of the containment surface, EOG shall decontaminate the containment pallet or area of the containment surface in accordance with the FPOR before storing another type of waste on the containment pallet or area of the containment surface.

EOG FPOR Determination - 4/19/96

Specific Conditions - Lugger Box Container Storage

86. EOG shall provide adequate containment capacity for the lugger box storage as required by s. NR 640.13, Wisconsin Administrative Code.
87. EOG shall only store hazardous waste in lugger boxes with gaskets around the openings on the sides.
88. EOG shall keep the lugger boxes covered except for when filling.
89. EOG shall provide adequate access to inspect the lugger boxes.
90. EOG shall only store lugger boxes in the arrangements as they are presented in Plan Sheet #3 of 3, as to be revised with adequate aisle space, and Plan Sheet #10 of 18 and Plan Sheet #2 of 3, all in Attachment 15 of the FPOR.

Specific Conditions - Fuel Blending Activities

91. Before EOG begins start up of their hazardous waste fuel blending activities (the fuel blending tank and associated equipment), EOG shall obtain a recycling exemption from the department for the fuel blending activities, under s. NR 625(1)(b), and s. NR 625.07, Wisconsin Administrative Code, or obtain a hazardous waste treatment license specifically for the fuel blending activities.
92. EOG shall remain in compliance with any fuel blending recycling exemption requirements for their facility.

NOTICE OF APPEAL RIGHTS

If you believe you have a right to challenge this decision, you should know that Wisconsin Statutes and administrative rules establish time periods within which requests to review Department decisions must be filed.

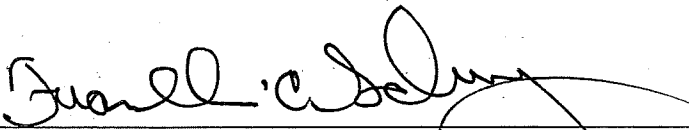
For judicial review of a decision pursuant to ss. 227.52 and 227.53, Statutes, you have 30 days after the decision is mailed or otherwise served by the Department to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

EOG FPOR Determination - 4/19/96


This notice is provided pursuant to s. 227.48(2), Statutes

Dated: 4-19-96

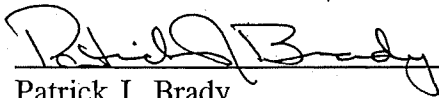
Department of Natural Resources
For the Secretary



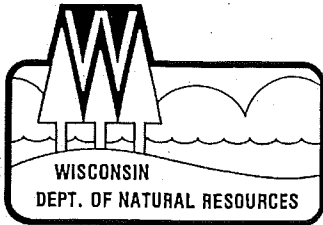
Franklin C. Schultz
Solid and Hazardous Waste Program Supervisor
Southeast District



Walter A. Ebersohl
Hazardous Waste Management Section Supervisor
Southeast District



Patrick J. Brady
Waste Management Engineer



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Region Annex
4041 N. Richards Street, Box 12436
Milwaukee, WI 53212-0436
TELEPHONE 414-229-0800
FAX 414-229-0810

May 14, 1997

File Ref: FID# 241384000
HW/LIC

Michael Vilione, President
EOG Disposal, Inc.
5611 West Hemlock Street
Milwaukee, WI 53223

RE: Construction Determination and License Modification Determination
Second Phase of the Hazardous Waste Management Storage Facility
EOG Disposal, Inc., 5611 West Hemlock Street, Milwaukee, Wisconsin
EPA ID# WID988580056

Dear Mr. Vilione:

The department has completed the review of the second phase of construction of the licensed hazardous waste storage facility at EOG Disposal, Inc. (EOG) located at 5611 West Hemlock Street, Milwaukee, Wisconsin. EOG submitted a construction documentation report on April 16, 1997. The department performed a construction documentation inspection at the site on April 10, 1997. Based on review of the construction documentation report and the construction inspection, the department has determined that the second phase of construction of the hazardous waste storage facility at EOG was completed in conformance with the facility's feasibility and plan of operation report (FPOR) and the April 19, 1996, FPOR determination. With this letter, the department is approving a modification to the hazardous waste container storage license which allows EOG to accept ignitable (D001) hazardous waste.

As part of the second phase of construction, EOG has retrofitted the existing storage building by installing an aqueous film forming foam fire suppression system, explosion proofing all electrical systems, and constructing fire walls. With the completion of the second phase of construction, EOG is now outfitted to accept ignitable hazardous waste into their licensed hazardous waste container storage facility.

This license modification must be kept with the feasibility and plan of operation report determination and the operating license.

LICENSE MODIFICATION DETERMINATION

FINDINGS OF FACT

The department finds that:

1. EOG owns and operates a hazardous waste storage facility at 5611 West Hemlock Street, Milwaukee. EOG submitted a notification form on February 22, 1991. EOG submitted a Part A application on July 18, 1991. EOG submitted revised Part A applications on December 1, 1992, February 24, 1993, and February 15, 1995.
2. On March 15, 1994, the Department issued an interim hazardous waste storage license to EOG.
3. The department issued a FPOR determination to EOG on April 19, 1996.
4. On May 7, 1996, the department issued a public notice of their intent to issue a hazardous waste management container storage license and a preliminary determination to approve a modification. No public comments were received.
5. On December 16, 1996, the department issued to EOG a hazardous waste management operating license for commercial container storage.
6. The department performed a construction documentation inspection at the site on April 10, 1997. EOG submitted a construction documentation report to the department on April 16, 1997. Based on review of the construction documentation report and the inspection at the site, the department feels that the construction of the second phase of the hazardous waste container storage facility at EOG was completed in conformance with the facility's FPOR and the April 19, 1996, FPOR determination.

CONCLUSIONS OF LAW

1. The department has promulgated chs. NR 600 to 685, Wisconsin Administrative Code, establishing minimum requirements for hazardous waste management under the authority of ss. 144.60 to 144.74, Wisconsin Statutes.
2. The department has authority pursuant to s. 144.44(3)(c), Wisconsin Statutes, and s. NR 680.07(1), Wisconsin Administrative Code, to approve a modification to a license or plan of operation.

DETERMINATION AND CONDITIONS

Based on the foregoing Findings of Fact and Conclusions of Law, the department hereby approves a modification under s. NR 680.07, Wisconsin Administrative Code, and s. 144.44(3)(c), Wisconsin Statutes, allowing EOG to accept ignitable wastes into the licensed hazardous waste container storage facility in accordance with the license and the FPOR determination and the following condition.

The department retains the right to modify this determination and to require additional information at any time. Nothing in this conditional determination shall relieve EOG of the legal obligation to comply with applicable federal, state and local requirements. Except as may be expressly provided below, no other terms or conditions of the FPOR determination or license, or any subsequent modifications thereto, are affected by this determination.

1. The licensee shall comply with all conditions of the license, the provisions of ch. 144, Wisconsin Statutes, all applicable requirements of chs. NR 680 through 685, Wisconsin Administrative Code, the FPOR determination and this modification, except as otherwise authorized by the department under ss. NR 600.09 and 680.50, Wisconsin Administrative Code.

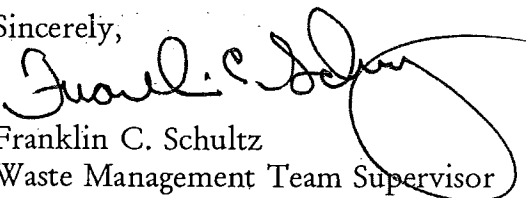
NOTICE OF APPEAL RIGHTS

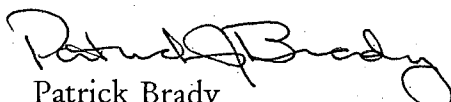
If you believe you have the right to challenge this decision, you should know that Wisconsin statutes and administrative rules establish time periods within requests to review department decisions must be filed. For judicial review of a decision pursuant to ss. 227.52 and 227.53, Wisconsin Statutes, you have 30 days after the decision is mailed, or otherwise served by the department, to file your decision with the appropriate circuit court and serve the petition to the department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent. This notice is provided pursuant to s. 227.48(2), Wisconsin Statutes.

Please contact Patrick Brady at (414) 229-0845 if you have any questions.

WISCONSIN DEPARTMENT OF NATURAL RESOURCES
FOR THE SECRETARY

Sincerely,


Franklin C. Schultz
Waste Management Team Supervisor
Southeast Region


Patrick Brady
Waste Management Engineer

c: SER Casefile (F. Schultz, S. Miller, P. Brady)
Bureau-WA/3 U.S. EPA (H. Croke)

APPENDIX N
ENVIRONMENTAL REVIEW

ENVIRONMENTAL REVIEW

Prepared by:
RMT, INC.
WAUKESHA, WISCONSIN

SEPTEMBER 1994

UPDATED BY BADGER DISPOSAL OF WI., INC.

MARCH 2006

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Section 1
PROJECT SUMMARY

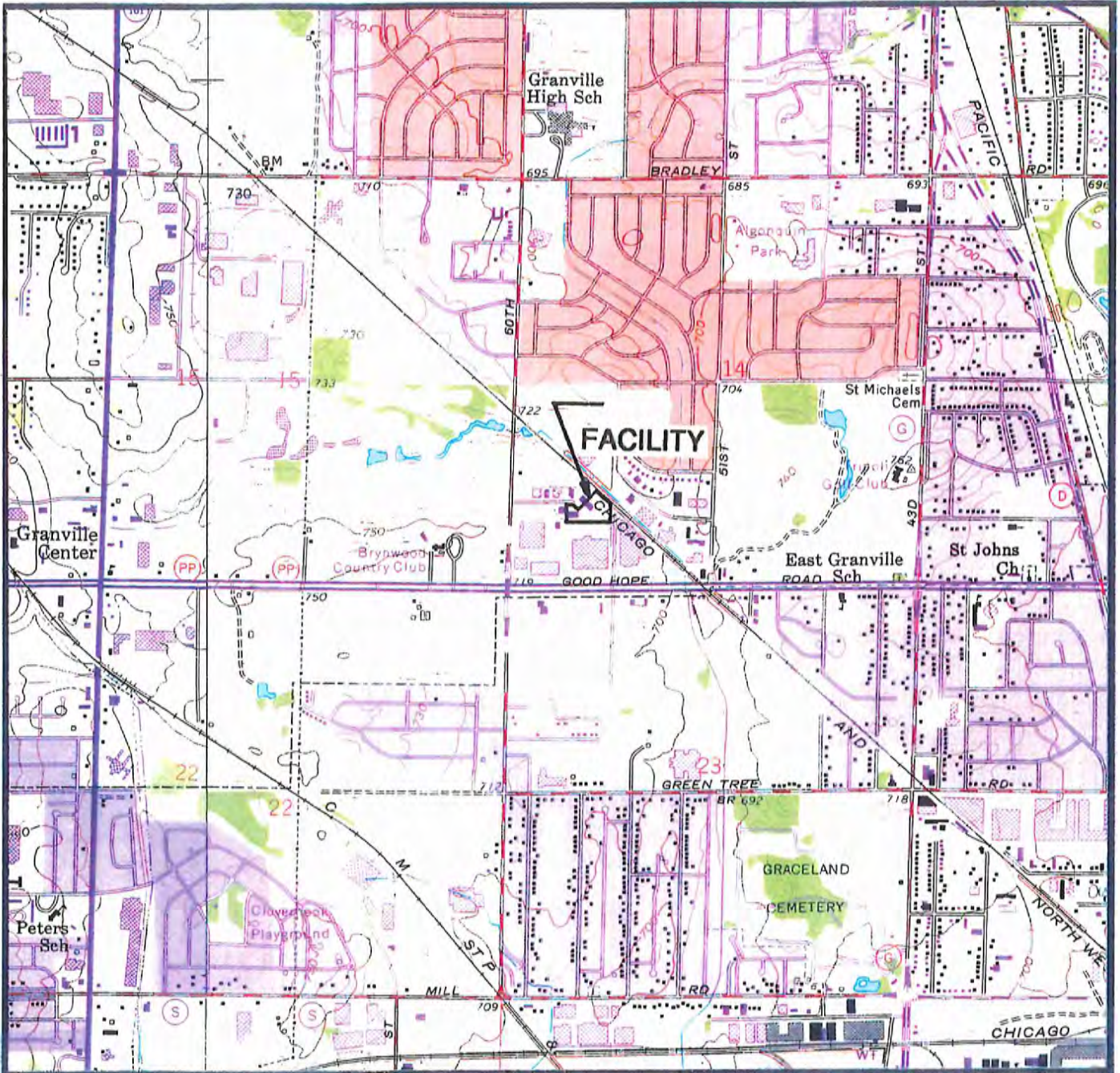
In order to assist the State of Wisconsin in completing an environmental assessment and in determining the need for an environmental impact statement, Badger Disposal has prepared this Environmental Review report with their Feasibility and Plan of Operation Report. This Environmental Review also satisfies the requirements of Wisconsin Administrative Code NR 680.06(6).

The Badger Disposal facility is located at 5611 West Hemlock Street, Milwaukee, Wisconsin. Badger Disposal occupies approximately 3 acres in an area where the immediately surrounding land is used for industrial purposes. The facility includes the existing transfer facility building and an undeveloped vacant lot to the east. The proposed expanded facility will consist of a bulk liquid storage tank unit, a lab pack repack and bulking building, a bulk solids storage unit and an addition to the existing building for additional container storage unit capacity. The location of the facility is shown on Figure 1. The previous tenant was a plastic extruding company, there is no known history of chemical releases.

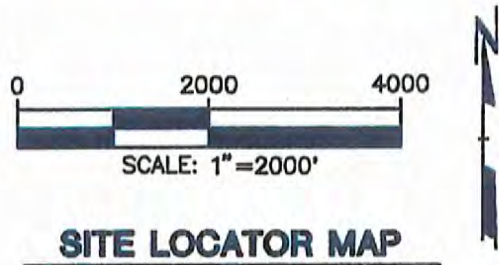
The Badger Disposal facility conducts exempt recycling of hazardous waste materials, including combustible waste, waste oil, paint waste, solvent waste, and other organic and inorganic materials. The activities conducted at this facility are based on a very simple concept—the re-direction of materials from the waste stream for the purpose of beneficial use whenever possible. The materials received at this facility are primarily generated by commercial, institutional and industrial companies that do not generate bulk quantities. Therefore, the function performed by this facility is primarily the bulking and transfer of hazardous and nonhazardous wastes in order to gain access to secondary markets. Some of the organic materials are recycled by Badger Disposal for re-refining or energy recovery as a fuel for industrial furnaces, or some are recycled by a separate off-site licensed facility. Both liquid and solid organic materials are processed at this location. The facility will also accept labpacks for repackaging to allow for the cost effective re-direction of these materials for the purpose of beneficial use.

1.1 Purpose and Need

The most direct means of recycling is by re-directing unwanted products to people who can use them. Companies often buy too much of a certain product or change their manufacturing process and no longer need that product. Used oil and other recyclable materials eventually become so old that they are unusable for their intended purposes. It is time consuming and costly for a company to individually find a user outside of their organization for these unwanted or off-spec products. These companies usually find



STATE LOCATION



SITE LOCATOR MAP

MILWAUKEE, WI

SOURCE: BASE MAP FROM MENOMONEE FALLS, WI
 7.5 MINUTE USGS QUADRANGLE DATED 1958,
 PHOTOREVISED 1976 AND THIENSVILLE, WI
 7.5 MINUTE USGS QUADRANGLE DATED 1958,
 PHOTOREVISED 1976.

	DWN. BY: DKJ
	APPROVED BY: <i>THD</i>
	DATE: JULY 1994
	PROJ. # 3057.01
	FILE # 30570186

FIGURE 1

that disposal of these unwanted products is much more cost effective. Badger Disposal has nationwide contacts with industries which have specific product needs and any of these unwanted products can fulfill the needs of these other users.

Some materials simply cannot be recycled because they either have no reclamation value or a user cannot be located within a reasonable amount of time. In these cases, fortunately, the recycling process is not limited to reuse. These waste materials can become resources for "co-processing". Co-processing is any manufacturing process which uses waste materials in either a single or combined operation to produce a product. Cement manufacturing is one of the largest co-processing industries. Organic liquid wastes replace nonrenewable fossil fuels as the energy source for kiln operation. Wastewaters are used for cooling and make-up water in the cement making process. Wastes used in co-processing not only contribute to the production of an essential product, but conserve natural resources. Co-processing has been hailed by the EPA as one of the most viable waste recycling technologies in existence today.

The presence of Badger Disposal is of great benefit to industries and commercial establishments in the State of Wisconsin in that it provides an acceptable and efficient means of managing the hazardous wastes that are an unavoidable byproduct of many industrial and commercial operations. Most waste management companies do not have the capabilities to handle small quantities of materials. Badger Disposal has specialized in dealing with materials from small quantity generators, we have carved out a "niche" in the industry to manage the one to five drum quantities of small quantity generators. Badger Disposal also enhances the welfare of the people and environment of the State of Wisconsin as a whole by providing a proper means of managing such hazardous wastes and thereby lessening the likelihood of random, improper, or illicit disposal of such wastes within the state.

1.2 Listing of Statutory and Other Permits Required

In June 1990, Badger Disposal commenced solid waste transfer operations at this facility. Badger Disposal was granted a solid waste facility operating license on July 8, 1992, by the Wisconsin Department of Natural Resources (WDNR). Badger Disposal was issued an interim license for a hazardous waste storage facility on March 15, 1994. On April 19, 1996 Badger Disposal received a Hazardous Waste Operating License. On August 23, 1996 Badger Disposal received a Recycling Exemption in order to conduct exempt hazardous waste recycling activities. On May 14, 1997 Badger Disposal received a modification allowing the acceptance of ignitable hazardous waste.

In 1996 Badger Disposal received a tier 2 general storm water discharge permit from the WIDNR, permit #WI-S067857. On February 16, 2006, Badger Disposal received a conditional exemption for the storage and transfer of PCB waste. On July 13, 2006 Badger Disposal received a Solid Waste Facility Operation License for warehouse space leased at 5609 West Hemlock Street, Milwaukee, WI. On August 15, 2006 Badger Disposal received a 6 month temporary authorization to continue fuel blending activities from the WIDNR.

1.3 Estimated Cost and Funding Source

The estimated construction cost of the proposed addition to the facility is estimated at \$2,500,000. Badger Disposal plans to fund the proposed addition to the facility through a commercial lending institution. Construction of the above item is expected to be completed in 24 to 36 months.

Section 2
PROPOSED PHYSICAL CHANGES

2.1 Changes in Terrestrial Resources

During the construction of the proposed facility addition no soil removal from the site is anticipated. Limited soil excavation will be required for the existing building addition. Excavated soils will be used to fill any uneven terrain in the operation areas of the proposed facility. Because there will be no disposal or treatment of wastes at this facility, no liners, final cover systems, drainage blankets or perimeter berms are necessary to be constructed. In addition, it is anticipated that soil placement will not be necessary to reach the proposed sub-base grades.

2.2 Changes in Aquatic Resources

Badger Disposal operations do not include treatment or disposal of wastes. No changes in aquatic resources are anticipated as a result of facility operations or following closure at Badger Disposal. The following discussion describes the aquatic resources in the area.

2.2.1 Surface Water

There are no surface water bodies on-site. On the northern/northeastern boundary of the site are Chicago and Northwestern Railroad tracks with an elevated grade. The railroad trends northwest to southeast. This railroad grade influences site surface water runoff in that the lowest part of the site is adjacent to the south side of this grade. This causes site drainage to occur to the southeast along this railroad grade.

2.2.2 Wetlands

The Wisconsin Wetlands Inventory Map for Township 8 North, Range 21 East, covering Milwaukee, Wisconsin (Figure 2), shows that the facility has no wetlands; therefore, the facility meets the locational requirements of WAC NR 630.18 (2) and no wetland related limitations on site development are invoked. According to the Wetland Inventory Map, several wetland areas smaller than two acres in size are located approximately 1,300 feet northwest of the facility. In addition, an artificially excavated, open water, wet soil, Palustrine wetland area is located approximately 4,200 feet southwest of the facility. Due to the distance of the above mentioned

wetland areas from the facility, it is anticipated that minimal impacts, if any, to Wisconsin wetlands would occur due to Badger Disposal operations.

2.2.3 Floodplain

The Federal Insurance Administration (FIA) Map Number 550278 0018 C covering Milwaukee, Wisconsin (Figure 3), shows that the facility is not located in a 100-year floodplain; therefore, the facility meets the locational requirements of Wisconsin Administrative Code (WAC) NR 630.18(1) and no floodplain related limitations on site development are invoked. According to the FIA map, the facility is located in Zone C (areas of minimal flooding). To the east of the facility, across the Chicago and Northwestern Railroad is Lincoln Creek which runs through an area zoned as A2. Areas with an A2 zone designation are described by FEMA as areas within a 100-year floodplain. Base flood elevations for this area range between 696 and 708. Elevations of the facility range from 734 to 720, which is significantly higher topographically than the floodplain base flood elevations.

2.3 Structures to be Constructed

Three structures, one building addition and an access road make up the extent of the construction activities of Badger Disposal's proposed facility. The three structures include: an approximately 25-foot by 75-foot concrete pad for Roll-Off Storage; a 60-foot by 105-foot lab-repack building which will house two 5,500-gallon tanks, five 29-drum containment areas, and five repackaging booths (each equipped with emission control equipment) and a small office area; and a small canopied tank farm (40 feet by 65 feet) which will include four 12,000-gallon above ground storage tanks, a liquid nitrogen tank, and a tank truck loading and unloading area. Badger Disposal is also proposing a 40-foot by 130-foot addition to the existing building for additional drum storage capacity. Once the proposed facility is completed, approximately 42,000 square feet of additional asphalt will cover the active portions of the expanded facility.

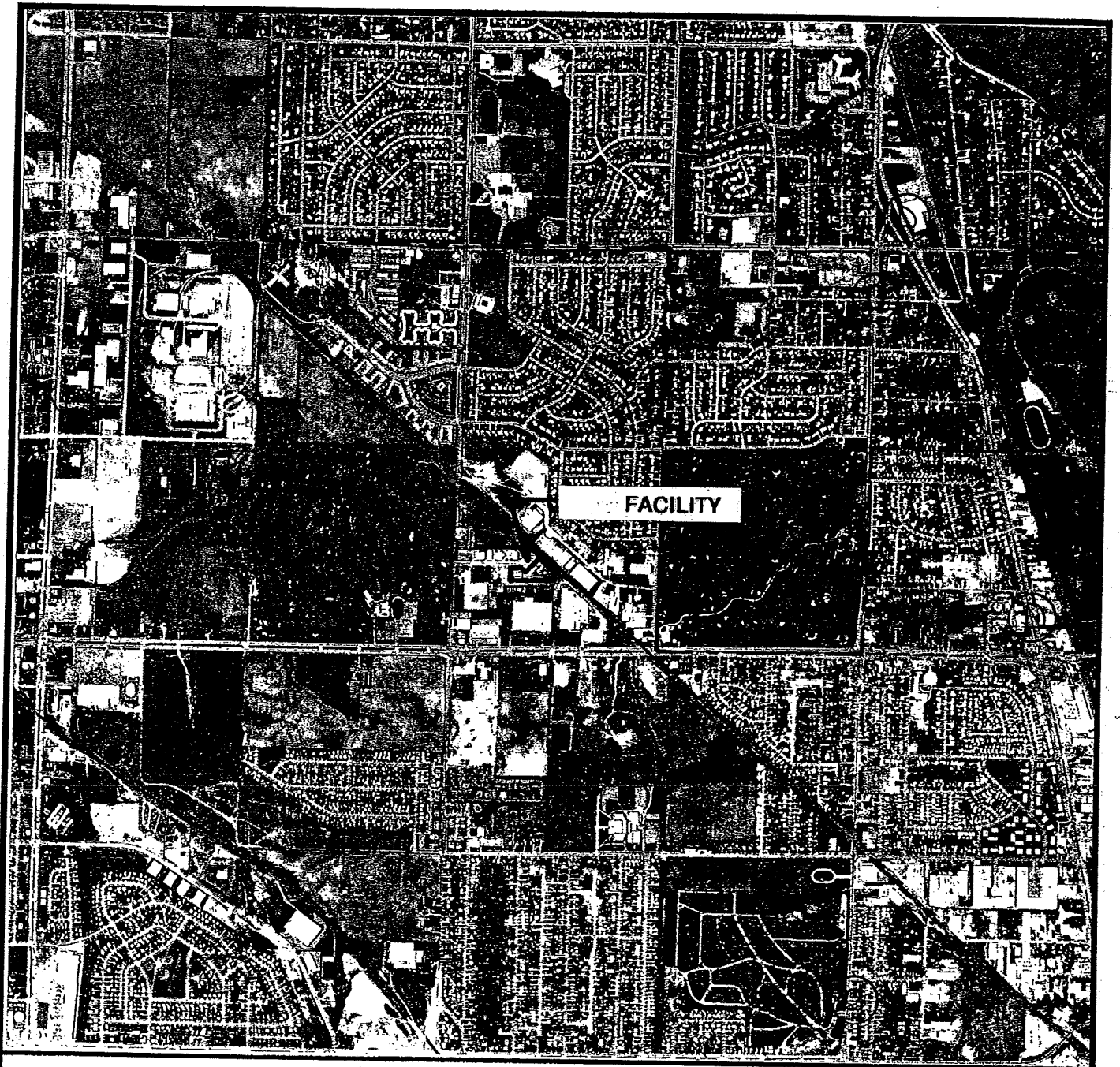
2.4 Emissions and Discharges

Emissions related to construction equipment will be controlled as appropriate during preparation and construction activities. Badger Disposal will also set up temporary silt fences on site during construction to prevent sediment run-off. During normal operations of the existing facility the potential exists for minimal amounts of volatile organic compounds (VOCs) to be released from drums when they are opened briefly

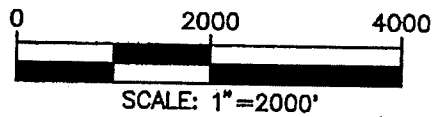
for sampling. Major truck parking and maneuvering areas are paved, and such dust generation on the site will be minimal from vehicle movement.

2.5 Other Changes Anticipated with Facility Development

No other changes associated with the facilities operations are anticipated other than those stated in this application.



STATE LOCATION



WETLANDS MAP

MILWAUKEE, WISCONSIN

SOURCE: BASE MAP FROM T. 8N, R. 21E, MILWAUKEE COUNTY, WI; WISCONSIN WETLANDS INVENTORY, WDNR BUREAU OF PLANNING, DATED 1979. REVISED 1986, 1987, AND 1989. PHOTOREVISED 1976.



DWN. BY:	DKJ
APPROVED BY:	TJD
DATE:	JULY 1994
PROJ. #	3057.01
FILE #	30570187

FIGURE 2

Section 3 EXISTING ENVIRONMENT

3.1 Description of the Physical Environment

The characterization of site geology and hydrogeology will describe the glacially deposited unconsolidated units, which includes topsoil, and the underlying consolidated bedrock. The description of geology and hydrogeology was based on ten driller's logs of nearby water supply wells (within 1.5 miles), the Soil Survey of Milwaukee and Waukesha Counties, Wisconsin and other geologic publications.

3.1.1 Topography

Based on a map of site topography prepared for the site and surrounding area, there is approximately 23 feet of relief across the site. The ground surface drops from the highest point on the site, 733.4 feet above mean sea level (MSL) to approximately 710 feet above MSL on the southeast side of the site and approximately 720 feet above MSL on the northern boundary of the site. The majority of the site is flat at approximately 733 feet above MSL.

3.1.2 Geology

The Badger Disposal facility is located in an area that has been identified as an end moraine for the Lake Michigan Lobe of the Wisconsin ice advance (Alden 1918). Typical end moraine stratigraphy is composed of relatively high percentages of clay till with low potential for containing large deposits of sand and gravel. As confirmed by driller's logs for the area (Appendix A) this area has a high potential for containing small to moderate deposits of sand and gravel. Generally speaking, the driller's logs show 50 to 125 feet of clay till overlying what the drillers call limestone but which is more likely dolomite.

There are two soil types that have developed in the upper till units in the area. These two soil types are briefly described in the Soil Survey of Milwaukee and Waukesha Counties, Wisconsin:

Cv, Clayey Lands - Primarily within cities or towns where the entire developed soil layer has been excavated for fill material or has been buried during development of the property. The material in this land type is mainly clay to clay loam that has been compacted which causes much potential of rainfall runoff. The soil type is unfavorable for the growth of plants.

OuB, Ozoukee Silt Loam - 2 to 6 percent slopes, well drained to moderately well drained silty soils, moderately slow permeabilities with high available water capacity. Natural fertility is moderate.

Due to the development of the existing building it is unlikely any of these soil types are present today.

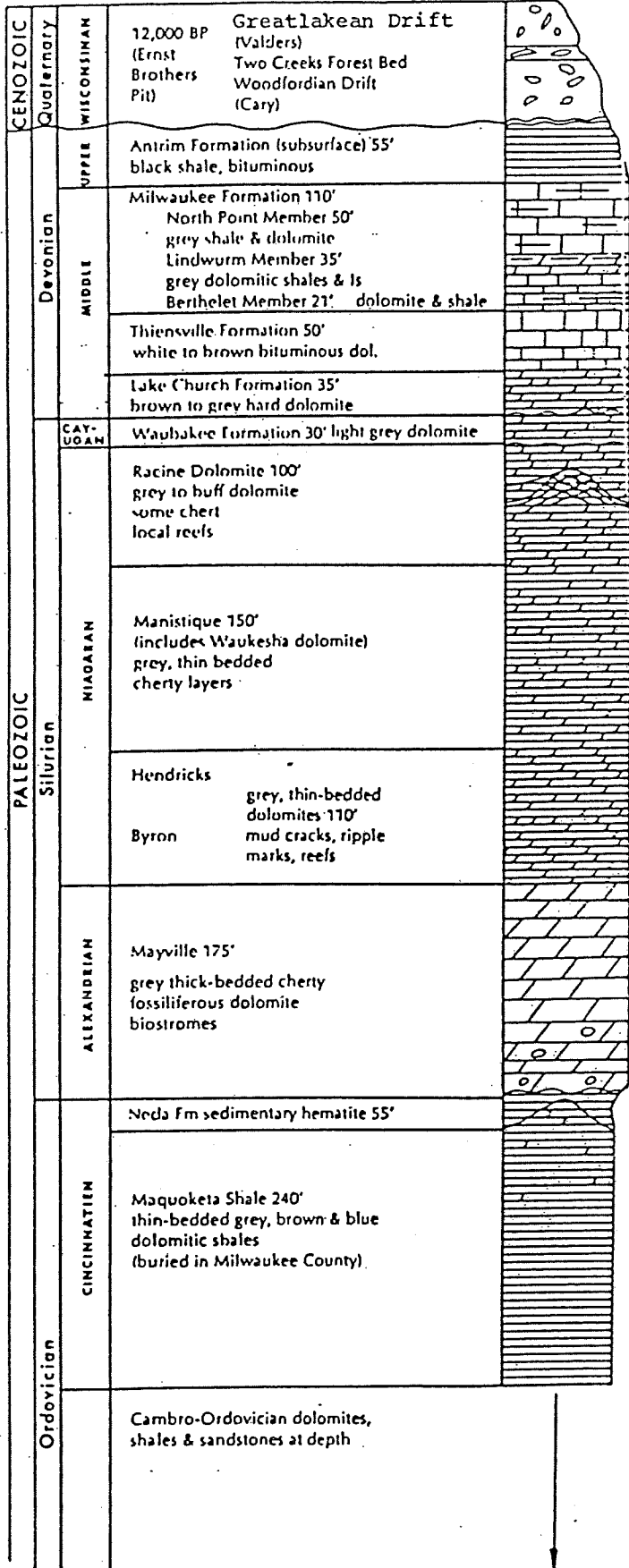
The generalized cross section for southeastern Wisconsin (Figure 4) shows the relationship of the sedimentary bedrock that underlies the till at the site.

Based on the map of the bedrock surface, the descriptions of the formations on the generalized cross section, and the descriptions on the driller's logs, it is believed that the bedrock surface at the facility is the Niagaran age dolomite. Though the site lies near the mapped boundary for the western edge of the younger Devonian Milwaukee formation, the geologic log of the well just east of the facility identifies the bedrock surface to be Niagara dolomite.

The upper part of the Niagara is a massive light gray dolomite. The central part commonly contains some chert and is pink at many places. The lower part is a light gray dolomite which is not as massive as the upper part. The Niagara has a maximum thickness of 477 feet in Northeastern Milwaukee County. An extensive system of joints and other fractures has developed in the Niagara and have been enlarged by solution. Though the openings are not cavernous, they make the very dense dolomite permeable.

3.1.3 Hydrogeology

Pleistocene deposits are permeable sand and gravel deposits in or at the base of the glacial drift which are capable of providing water in quantities adequate for domestic or farm supply uses. However, there have been no borings at the site to confirm the existence of a water bearing unit of this type. Although the driller's logs of water supply wells show sand, gravel and sand and gravel units at 3 to 13 feet thick, it is not known that these units could produce this quantity of water.



GENERALIZED GEOLOGIC SECTION FOR SOUTHEASTERN WISCONSIN

SOURCE: BASE MAP FROM NELSON AND LASCA, MILWAUKEE - ITS GEOLOGIC SETTING, GEOTIMES VOLUME 17, PAGE 13.


	DRAWN BY: DKJ
	APPROVED BY: THD
	DATE: JULY 1984
	PROJ # 3057.01
	FILE # 30570180

FIGURE 4

The Niagara is a dense dolomite that is an inconsistent aquifer. Groundwater occurs along joints and bedding planes in this formation. Solution enlarges these openings especially in the upper part of the formation where the preglacial land surface was exposed. Some wells in the Niagaran in the area can produce as much as 600 gallons a minute where as others only produce enough for domestic use (Foley et.al, 1953).

The shallow inconsistent aquifers consisting of the glacial drift of Pleistocene age and the Niagara dolomite of Silurian age are separated from the deeper Cambrian and Ordovician age sandstone aquifer that is most frequently used in the area by 90 to 225 feet of Maquoketa Shale which acts as a confining layer. The sandstone aquifer consists of the St. Peter, Eau Claire and Mt. Simon formations with the St. Peter and Mt. Simon being the most productive formations.

3.1.4 Groundwater and Surface Water Quality

Groundwater and surface waters in the Milwaukee/Waukesha area have high natural hardness (Holt, 1970). The average total mineral content of groundwater of all aquifers underlying this area is 435 parts per million (ppm). Sulfate levels in some wells exceed the drinking water standard of 250 ppm. Chloride and iron contents are generally low but can be problematic on a local basis. Hardness of groundwater generally increases with depth (Foley, 1953).

3.1.5 Facility Effects on Groundwater and Surface Waters

Because of the engineered secondary containment around storage and processing areas in both the existing and proposed facility addition, the chance of an accidental leak or spill that could escape from the site and enter surface or groundwater is negligible. Such a release incident has not occurred during the history of the existing facility. Further, as described above, there are no significant geological or topographic features on the site. Because the facility has only negligible potential to affect any of the surrounding area, extensive geotechnical data is not relevant to this facility.

3.2 Dominant Aquatic and Terrestrial Plant and Animal Species and Habitats

The dominant aquatic and terrestrial plant and animal species found in the area of Badger Disposal are those species typically found in urban areas of southwestern Wisconsin. As noted above, the existing and proposed facility addition are not located within a 100-year floodplain and have no areas designated as wetlands. A letter along with site specific information was sent to the Bureau of Endangered Resources

on October 31, 2005 requesting an Endangered Resources Review for the proposed Badger Disposal Expansion project. Copies of this correspondence is located in Appendix B.

3.3 Land Use and Zoning

The property on which the Badger Disposal facility is located covers approximately three acres. The Badger Disposal facility is bounded on the north by JES Lighting Inc. and EOG Environmental Inc., a lighting distributor and a waste transporter and brokerage firm, respectfully; on the northeast by the Chicago and Northwestern Railroad; on the east and south by Packaging Corporation of America, a manufacturer of cardboard boxes; on the west by Centercom, a reproducer of video tapes. There are approximately 281 single family residential homes, 41 multi-family dwellings, and approximately 50 commercial/industrial establishments located within 0.5-miles of the facility. The more heavily populated residential subdivisions begin approximately 0.2 miles northeast of the facility across the railroad tracks.

Zoning maps provided by the City of Milwaukee Department of City Development show that the facility is zoned for industrial use, which is consistent with the present and proposed facility addition. The properties surrounding the Badger Disposal facility are currently used for manufacturing, warehousing, and other commercial activities.

3.4 Social and Economic Conditions

Direct effects upon the community of the existing and proposed facilities are minimal, as discussed above. The indirect effects are even less. There will be a slight increase in traffic flow on the roadways used as the access route because of the size of the proposed facility addition compared to that of the existing facility, but this increase will be imperceptible. No cumulative effects are anticipated from the existing or proposed project.

3.5 Other Special Resources

A letter along with site specific information was sent to the State of Wisconsin DNR, Archaeology Office on October 31, 2005 requesting information on historical and archeological sites in the area of the site. According to their response, there are no known archeological sites or historic structures in the project area. A copy of this letter as well as the response is included in Appendix C.

Section 4
ENVIRONMENTAL CONSEQUENCES

4.1 Physical Impacts

Both the existing and proposed facility addition have minimal physical impact on the population and environment of the surrounding area. During normal operations of the existing facility the potential exists for minimal amounts of volatile organic compounds (VOCs) to be released from drums when they are opened briefly for sampling. Truck parking and maneuvering areas are paved, and such dust generation on the site will be minimal from vehicle movement.

4.2 Biological Impacts

As mentioned earlier in this report, Badger Disposal's facility and operations will not cause any destruction of habitat, alterations of the physical environments or impacts to endangered or threatened species. As noted above, no occurrence records of Endangered, Threatened, or Special Concern species or natural communities, nor for any State Natural Areas were identified for the subject property by the Natural Heritage Inventory data files.

4.3 Impacts on Land Use

Since Badger Disposal's existing and proposed addition are located in an area zoned for industrial uses and properties surrounding Badger Disposal are currently used for manufacturing, warehousing and other commercial activities, no impacts on land use will result from Badger Disposal's existing and proposed addition. No land zoning changes are known to be required and the land itself could be returned to its natural state by the removal of all structures, including foundations, from the site.

4.4 Social and Economic Impacts

While there will not be any social impact to local residents and cultural groups as a result of this facility expansion, there will be an economic impact to the communities and industries that the facility serves. An increase in storage capacity and processing abilities to the facility may result in revenues for the company. The addition will allow Badger Disposal to provide better service to its customers by accepting wastes that may be nearing the 90 day storage limit that both large and small quantity generators must adhere to. This service will aid Badger Disposal's clients in maintaining compliance.

Needs

4.5 . Other Special Resource Impacts

As noted in subsection 3.5 of this report, there are no known archeological sites in the project area. Furthermore, this project will not affect any structures that are listed in, or known to be eligible for inclusion in, the National Register of Historic Places.

4.6 Probable Adverse Impacts that Cannot be Avoided

It is possible for accidental leaks or spills to have an adverse impact upon facility operations; however, extensive physical barriers, such as engineered secondary containment structures, and operational barriers, such as the precautionary procedures described in the Training Program, Preparedness and Prevention Plan, and Inspection Schedule, reduce the possibility of such adverse impacts. The effectiveness of these procedures have been demonstrated by the absence of such accidental adverse impacts during the past years of operation of the existing facility.

Section 5
ALTERNATIVES TO THE PROJECT

The main alternative to the expanded facility would be to construct another facility at a different site with equivalent capacity. However, the history of Badger Disposal demonstrates the need for such a facility in the area. Continued operation, and expansion, of the present facility is the most reasonable and economical way of addressing demonstrated and anticipated need with minimum environmental impact.

Section 6
REFERENCES

Alden, William C., 1918. The Quaternary Geology of Southeastern Wisconsin, United States Geological Survey, Professional Paper 106.

Cherkauer, Douglas S. et.al., 1977. Geology of Southeastern Wisconsin, A guidebook for the 41st Annual Tri-State field Conference, Wisconsin State Geologic and Natural History Survey.

Foley, F.C., W.C. Walton and W.J. Drescher, 1953. Groundwater Conditions in the Milwaukee-Waukesha Area Wisconsin, Geological Survey Water Supply Paper 1229, United States Government Printing Office, Washington.

Holt, C.L.F., Jr., 1970. Field Trip Guidebook to the Hydrogeology of the Rock-Fox River Basin of Southeastern Wisconsin, Geological Society of America.

Southeast Wisconsin Regional Planning Commission, 1980. A Regional Air Quality Attainment and Maintenance Plan for Southeastern Wisconsin: 2000, Southeastern Wisconsin Regional Planning Commission.

Appendix A

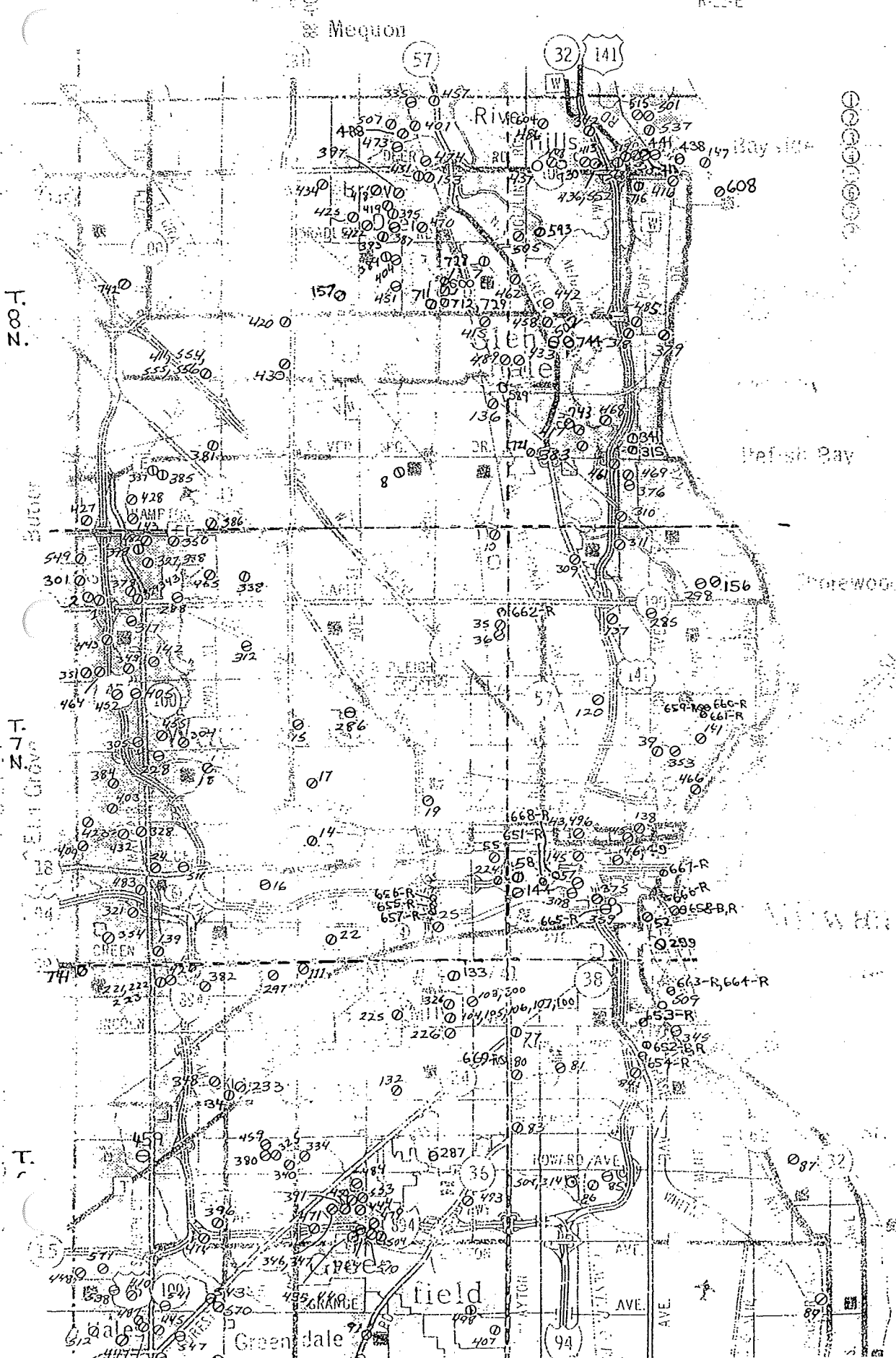
WELL LOGS

1:50,000'

R-2-E

JUN 8 1994

N 45° 00' 00" W



- WORK FARM
- UNIV. OF WIS. - MILWAUKEE
- STATE FAIR PARK
- WOOD VETERANS - 3800
- MILWAUKEE COUNTY ZOO
- MARQUETTE UNIV.
- ALLEGON SOCIETY
- NATURE CENTER
- MILWAUKEE COUNTY

- Explainer**
- Bedrock not re
 - Precambrian re
 - ⊙ Paleozoic bedro
 - × Formations not
 - + Inadequate loca

MICHIGAN

MILWAUKEE COUNTY

Cudahy
Mc... ..



University of Wisconsin-Extension

Geological and Natural History Survey

3817 Mineral Point Road • Madison, WI 53705-5100

TELEPHONE 608/262.1705 • FAX 608/262.8086

FACSIMILE TRANSMISSION COVER SHEET

Date 6-9-94

FROM IRENE LIPPELT Direct Telephone 608-262-7430

FAX NUMBER: 608/262-8086

Main Office Telephone: 608/262-1705



TO Randy Welch

FAX Number 708-995-1900 Telephone Number 708-995-1500

Organization/Address RMT

Number of pages, including cover page 17
[Please let us know if all pages are not received.]

Contents 2648.02

Comments:
The invoice will be mailed to you along with the paper copies of these report

**WELL CONSTRUCTION REPORT
WISCONSIN STATE BOARD OF HEALTH
WELL DRILLING DIVISION**

ML-191-
AUG 23 1939

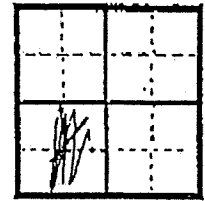
Note: Section 82 of the Wisconsin Well Drilling Sanitary Code, having the force and effect of law, provides that within 10 days after completion of every well the driller shall submit a report covering all essential details of construction to the State Board of Health on a form provided by the Board.

Owner Brynwood Golf Club Driller Emil H. Gaeske
 Street or RFD Sta. F. Milwaukee Post Office R. 9 Sta. F. Milwaukee
 Post Office Milwaukee Date Aug 19 Permit No. 100

LOCATION OF PREMISES

Milwaukee Greenfield
 County Town
Golf Club on Good Hope Road
 Describe further by subdivision, plat, district, lake, lot,
1/2 mile east of Wauwatosa Ave.
 block, nearest principal highway, etc., whichever apply.
on the west side of Golf Course

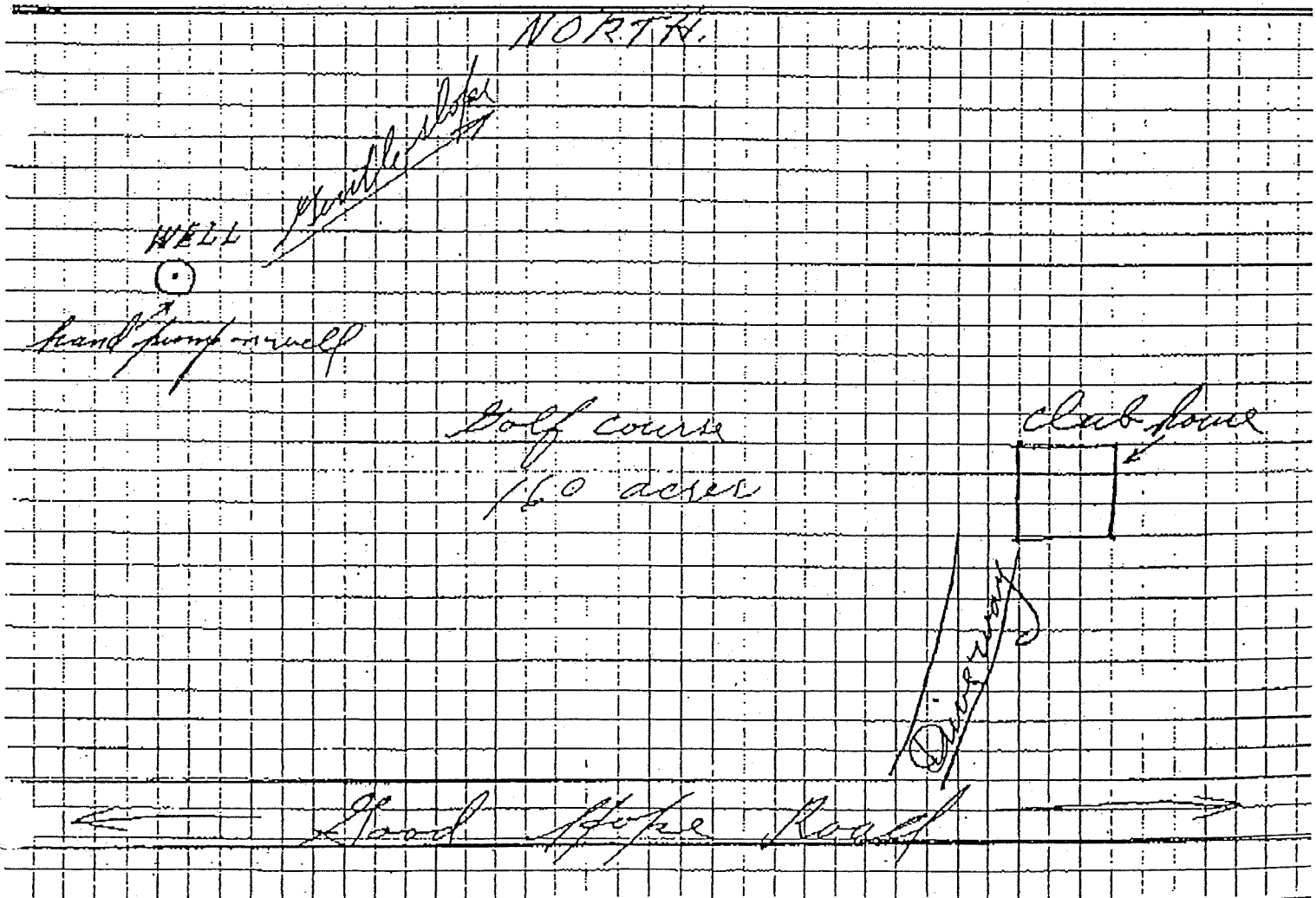
SE 15 T8NR21E
 The square below represents a section of land divided into 40 acre tracts. Mark the position of the premises in the section.



Sec. 15
 Twp. E N
 Range 21

DIAGRAM OF PREMISES

See discussion and illustration in Part III Well Drilling Code. In making the diagram in the space below consider 10 ft. as distance between lines. Be sure to indicate NORTH.



WELL CONSTRUCTION REPORT
WISCONSIN STATE BOARD OF HEALTH
WELL DRILLING DIVISION

AUG 23 1939
 ML-192-6

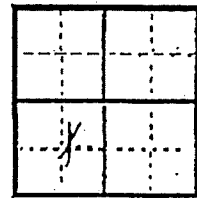
Note: Section 82 of the Wisconsin Well Drilling Sanitary Code, having the force and effect of law, provides that within 10 days after completion of every well the driller shall submit a report covering all essential details of construction to the State Board of Health on a form provided by the Board.

Owner Baywood Golf Club Driller Emil H. Goepp
 Street or RFD Rt. 9, Ste. J, Milwaukee Post Office Rt. 9, Ste. J, Milwaukee
 Post Office Milwaukee Date Aug 19 Permit No. 1001

LOCATION OF PREMISES

Milwaukee County Granville Town
Golf Club on Good Hope Road 1/2
 Describe further by subdivision, plat, district, lake, lot,
1 mile east of Milwaukee Ave
 block, nearest principal highway, etc., whichever apply.
on East side of Golf course

The square below represents a section of divided into 40 acre tracts. Mark the position of the premises in the section.

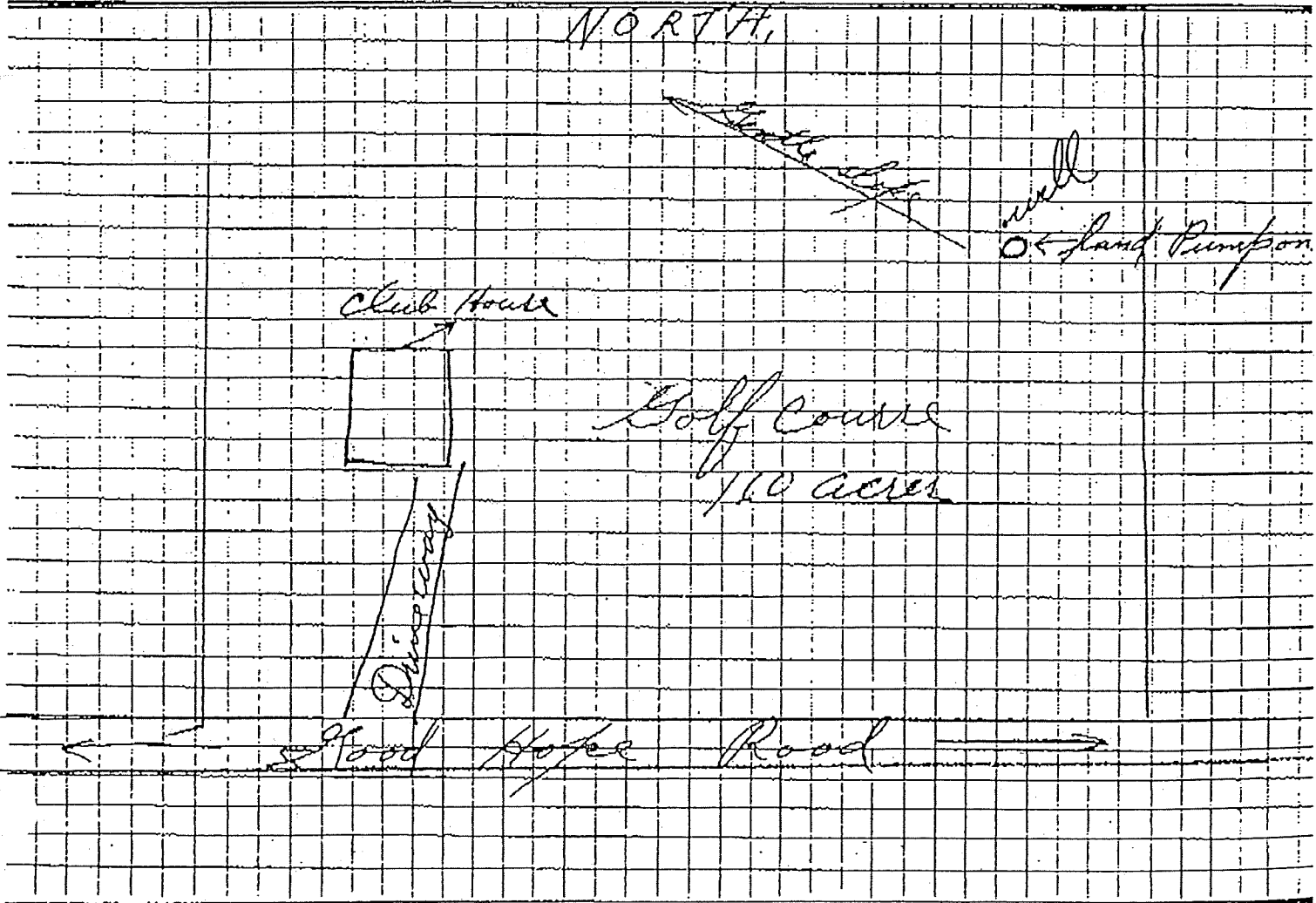


Sec. 15
 Twp. S. 4
 Range 21

DIAGRAM OF PREMISES

SE 1/4 Sec. 15

See discussion and illustration in Part III Well Drilling Code. In making the diagram in the space below consider 10 ft. as distance between lines. Be sure to indicate NORTH.



LTW

WELL LOG and REPORT

ML-192

In this column indicate the kind of casing, liner, shoe and other accessories used.

WELL DIAGRAM
Use a red line to show casing or liner pipe. Use black for drill or borehole.

In this column state the kind of formations penetrated, their thickness in feet and if water bearing.

Record of FINAL Pumping to

YOUNGSTOWN
SPECIAL STEEL
PIPE

KOPPERMID FORGED
STEEL SHOE

Inches Diameter		Depth
2 3 4 5 6 8 10 12 14 16 18		
		25
		45
		60
		65
		75
		100
		117
		150
		200
		246
		400
		800
		1200

TOP SOIL
and CLAY
45'

SAND & GRAVEL
20'

STONEY CLAY
35'

HARD PAN 17'

LIME ROCK
100' SOLID

SOFT LIME 29'
WATER BEARING

Duration of test
Hours 6

Pumping rate
G.P.M. 12

Depth of pump in
well. Ft. 85

Standing water-level
(from surface)
Ft. 40

Water-level when
pumping Ft. 5

Water. End of test
Clear ✓

Cloudy -----
Turbid -----

Was the well steril?
Yes ✓ No -----

To which laborat
sample sent?
Kenneth

Date July 2

Was the well se
completion?
Yes ✓ No -----

How high did you l
casing-pipe above g
line

Well was completed
Date July 19

Well Driller
Emil H. H.
Signature

Draw the diagram to show the right half only

INSTRUCTIONS

ALL INFORMATION INDICATED ON THE FACE OF THIS FORM MUST BE GIVEN

PLEASE BE GUIDED BY THE FOLLOWING:

Numbers below correspond to numbers of items of the form on the opposite side.

1. Name of the County and the name of the Town, Village or City. Indicate which is given.
2. If Rural: Number and the $\frac{1}{4}$ of the Section, the number of the Town North, and the number of the Range East or West.
If Urban: Name of the Street and the number of the Premise.
3. Name of the Owner. If the name of the owner cannot be given, give instead the name of the Agent. Indicate which is given.
4. Name of the Street and the number of the Premise or the number of the Mail Route, the name of the Post Office and the name of the State.
5. Distance, in feet, from the well to the nearest building and to each source of pollution shown.
6. Indicate: Home, farm, school, tavern, creamery, community, industry, etc.
7. Show the diameter and depth of the initial drillhole or excavation and each reduction in size to bottom. If well was reconstructed, show diameter and depth of original well on first line.
8. Show diameter and kind of casing pipe, liner pipe or curbing and actual position in the well, measured from the surface.
9. Show kind of material (mud or cement) used in sealing the annular space, from and to what depths from the surface. If neither was used indicate "none".
10. Show thickness of each formation and the total depth at the base thereof.
11. Provide the data indicated.

Your opinion concerning other pollution hazards, information concerning difficulties encountered, and data relating to nearby wells, screens, seals, type of casing joints, method of finishing the well, amount of cement used in grouting, blasting, subsurface pumphrooms, connecting pits, etc., may be given here:

A dug type well, 35 ft deep and 70 ft
fresh new well will be permanently
abandoned. Owner agrees to fill with clay
a pump jack is used to supply water
milkhouse & barn.

DO NOT FILM

If more space is needed another sheet may be attached.

WELL CONSTRUCTOR'S REPORT TO WISCONSIN STATE BOARD OF HEALTH Vol 5
See Instructions on Reverse Side

1. County Milwaukee Town Village City Milwaukee Check one and give name

2. Location 6321 W Grand Ave Rd NW, NE, SE, SW, Sec. 22
Name of street and number of premise or Section, Town and Range numbers

3. Owner or Agent Milwaukee Polo Field T8N R21E
Name of individual, partnership or firm

4. Mail Address Same Complete address required

RECEIVED

5. From well to nearest: Building 10 ft; sewer 100 ft; drain _____ ft; septic tank _____ ft; dry well or filter bed _____ ft; abandoned well _____ ft. JUL 14 1961

6. Well is intended to supply water for: farm SANITARY ENGINEER

7. DRILLHOLE:

Dia. (in.)	From (ft.)	To (ft.)	Dia. (in.)	From (ft.)	To (ft.)
8	0	101			
6	101	175			

10. FORMATIONS:

Kind	From (ft.)	To (ft.)
red clay	0	8
sand	8	14
clay	14	60
shale	60	78
limestone	78	175

8. CASING AND LINER PIPE OR CURBING:

Dia. (in.)	Kind and Weight	From (ft.)	To (ft.)
6	Steel	0	101

9. GROUT:

Kind	From (ft.)	To (ft.)
mortar	0	101

11. MISCELLANEOUS DATA:

Yield test: 4 Hrs. at 20 GPM.

Depth from surface to water-level: 54 ft.

Water-level when pumping: 60 ft.

Water sample was sent to the state laboratory at: Madison on July 5 1961

Construction of the well was completed on: June 30 1961

The well is terminated 10 inches above, below the permanent ground surface.

Was the well disinfected upon completion? Yes No _____

Was the well sealed watertight upon completion? Yes No _____

Signature [Signature]
Registered Well Driller

LIEBAU-LAUN, INC.
1200 W. LIEBAU RD. 134-N.
MEQUON, WISCONSIN

Rec'd. JUL 6 - 1961 No. _____

Ans'd _____

Interpretation _____

SAFE - BACTERIOLOGICALLY

10 ml 10 ml 10 ml 10 ml 10 ml

Gas - 24 hrs. _____

48 hrs. _____

Confirm _____

B. Coll [Signature]

Examiner _____

WELL CONSTRUCTOR'S REPORT TO WISCONSIN STATE BOARD OF HEALTH

See Instructions on Reverse Side

1. County Milwaukee Town
Village Milwaukee
City Check one and give name
2. Location 5701 West Good Hope Road NUNUNW Sec 23 T8N R21E
Name of street and number of premise or Section, Town and Range numbers
3. Owner or Agent Welbilt Homes
Name of individual, partnership or firm
4. Mail Address 3805 West Lisbon Street, Milwaukee, Wisconsin
Complete address required
5. From well to nearest: Building 15 ft; sewer --- ft; drain 25 ft; septic tank 50 ft;
 dry well or filter bed 50 ft; abandoned well --- ft.
6. Well is intended to supply water for: home

7. DRILLHOLE:

Dia. (in.)	From (ft.)	To (ft.)	Dia. (in.)	From (ft.)	To (ft.)
10	0	40			
6	40	187			

8. CASING AND LINER PIPE OR CURBING:

Dia. (in.)	Kind and Weight	From (ft.)	To (ft.)
6	steel	0	127

9. GROUT:

Kind	From (ft.)	To (ft.)
Clay slur	0	40

11. MISCELLANEOUS DATA:

Yield test: 8 Hrs. at 8 GPM.
 Depth from surface to water-level: 85 ft.
 Water-level when pumping: 127 ft.
 Water sample was sent to the state laboratory at:
Madison on August 19, 1959
City

10. FORMATIONS:

Kind	From (ft.)	To (ft.)
Top soil	0	2
Clay	2	87
Clay & Gravel	87	127
Rock	127	187

RECEIVED
 AUG 31 1959
 ENVIRONMENTAL
 SANITATION

Construction of the well was completed on:
August 14, 1959

The well is terminated 8 inches
 above, below the permanent ground surface.
 Was the well disinfected upon completion?
 Yes No
 Was the well sealed watertight upon completion?
 Yes No

Signature [Signature] 6125 W. Fond du Lac Ave. Milwaukee
Registered Well Driller Complete Mail Address Wisconsin

Rec'd AUG 21 1959 No. 28452
 Ans'd _____
 Interpretation SAFE

10 ml 10 ml 10 ml 10 ml 10 ml
 Gas 24 hrs. _____
48 hrs. _____
 Confirm _____
 B. Coll [Signature]
 Examiner _____

1. COUNTY Milwaukee CHECK ONE Town Village City Milwaukee NAME Milwaukee

2. LOCATION (Number and Street or 1/4 section, section, township and range. Also give subdivision name, lot and block numbers when available.)
5401 W. Good Hope Rd., Milwaukee 53209 NWNE NW Sec 23 T8N R2E DU - 1 10

3. OWNER AT TIME OF DRILLING
Milwaukee Brewer Sport Center

4. OWNER'S COMPLETE MAIL ADDRESS
1841 N. 20 St., Milwaukee 53205

RECEIVED
 SANITARY
 ENGINEERING

5. Distance in feet from well to nearest:

BUILDING	SANITARY SEWER	FLOOR DRAIN	FOUNDATION DRAIN	WASTE WATER
(Record answer in appropriate block)	C. I.	TILE	C. I.	TILE
	4			
			SEWER CONNECTED	INDEPENDENT

CLEAR WATER DRAIN	SEPTIC TANK	PRIVY	SEEPAGE PIT	ABSORPTION FIELD	BARN	SILO	ABANDONED WELL	SINK HOLE
C. I.	TILE							

OTHER POLLUTION SOURCES (Give description such as dump, quarry, drainage well, stream, pond, lake, etc.)

6. Well is intended to supply water for:
Irrigation of soccer field

7. DRILLHOLE						10. FORMATIONS	
Dia. (in.)	From (ft.)	To (ft.)	Dia. (in.)	From (ft.)	To (ft.)	Kind	From (ft.)
10	Surface	23	6	23	144	Stony clay	Surface
						Hardpan	35
						Limestone	70

8. CASING, LINER, CURBING, AND SCREEN			
Dia. (in.)	Kind and Weight	From (ft.)	To (ft.)
6	Standard steel 19.45#/ft.	Surface	70

9. GROUT OR OTHER SEALING MATERIAL		
Kind	From (ft.)	To (ft.)
Drill cuttings	Surface	23

11. MISCELLANEOUS DATA

Yield test: 5 Hrs. at 30 GPM

Well construction completed on June 22

Well is terminated 11 inches above below fine

Depth from surface to normal water level 30 ft. Well disinfected upon completion Yes

Depth to water level when pumping 37 ft. Well sealed watertight upon completion Yes

Water sample sent to Madison laboratory on June 28

Your opinion concerning other pollution hazards, information concerning difficulties encountered, and data relating to wells, screens, seals, type of casing joints, method of finishing the well, amount of cement used in grouting, blast surface pumphrooms, access pits, etc., should be given on reverse side.

SIGNATURE Robert W. Dachs Registered Well Driller

COMPLETE MAIL ADDRESS 6993 N. Green Bay Ave., Milwaukee, Wisconsin 53209

Please do not write in space below

COLIFORM TEST RESULT	GAS - 24 HRS.	GAS - 48 HRS.	CONFIRMED	REMARKS

(9)

WELL CONSTRUCTOR'S REPORT TO WISCONSIN STATE BOARD OF HEALTH
See Instructions on Reverse Side

1. County Milwaukee {Town Milwaukee
Village
City Milwaukee
Check one and give name

2. Location 5115 west Good Hope Road
Name of street and number of premises or location, Town and Range numbers

3. Owner or Agent Ludovus Bros. (NENENW SEC 23 TRN R21E)
Name of individual, partnership or firm

4. Mail Address 5115 west Good Hope Road Milwaukee
Complete address required

5. From well to nearest: Building 16 ft; sewer 25 ft; drain 16 ft; septic tank None ft;
dry well or filter bed None ft; abandoned well None ft.

6. Well is intended to supply water for: Wood & Lueder co offices

7. DRILLHOLE:

Dia. (in.)	From (ft.)	To (ft.)	Dia. (in.)	From (ft.)	To (ft.)
10	0	22			
6	22	149			

8. CASING AND LINER PIPE OR CURBING:

Dia. (in.)	Kind and Weight	From (ft.)	To (ft.)
6	standard weight steel pipe	0	70

9. GROUT:

Kind	From (ft.)	To (ft.)
bedded clay	0	22

11. MISCELLANEOUS DATA:

Yield test: 4 1/2 Hrs. at 12 GPM.
Depth from surface to water-level: 50 ft.
Water-level when pumping: 60 ft.
Water sample was sent to the state laboratory at:
Madison on June 1 1959
City

10. FORMATIONS:

Kind	From (ft.)	To (ft.)
top filling and gravel	0	22
clay	22	35
hard pan	35	68
top rock	68	70
white rock	70	140

RECEIVED

JUN 9 1959

ENVIRONMENTAL SANITATION

Construction of the well was completed on:
May 29 1959

The well is terminated 6 inches
 above, below the permanent ground surface.

Was the well disinfected upon completion?
Yes No

Was the well sealed watertight upon completion?
Yes No

Signature Emil H. Goepfert 5748 North Kildeer St Milwaukee WI
Registered Well Driller Complete Mail Address

Rec'd JUN 2 1959 No. 14587

Ans'd _____
Interpretation **SAFE**

10 ml 10 ml 10 ml 10 ml 10 ml
Gas—24 hrs. _____
48 hrs. _____
Confirm _____
B. Coll. _____
Examined _____
(10)

WELL CONSTRUCTOR'S REPORT TO WISCONSIN STATE BOARD OF HEALTH

See Instructions on Reverse Side

1. County Milwaukee Town Granville
Village ~~5235 W. Goodhope~~
City Check one and give name

2. Location 5235 W. Goodhope Rd WENENW Sec 23 T8N R21E
Name of street and number of premise or Section, Town and Range number

3. Owner or Agent Chas C. Rose
Name of individual, partnership or firm

4. Mail Address 5235 W. Goodhope Rd Milwaukee 16 Wisc.
Complete address required

5. From well to nearest: Building 15 ft; sewer xx ft; drain 15 ft; septic tank unknown ft;
 dry well or filter bed unknown ft; abandoned well xx ft.

6. Well is intended to supply water for: Home

7. DRILLHOLE:

Dia. (in.)	From (ft.)	To (ft.)	Dia. (in.)	From (ft.)	To (ft.)
5	0	65			
5	0	126			

8. CASING AND LINER PIPE OR CURBING:

Dia. (in.)	Kind and Weight	From (ft.)	To (ft.)
5	blk. std. 15.00	65	74

9. GROUT:

Kind	From (ft.)	To (ft.)
None	0	0

11. MISCELLANEOUS DATA:

Yield test: 4 Hrs. at 10 GPM.
 Depth from surface to water-level: 27 ft.
 Water-level when pumping: 48 ft.
 Water sample was sent to the state laboratory at:
Kenosha on 6/24 1950
City

10. FORMATIONS:

Kind	From (ft.)	To (ft.)
Well pit	0	5
old well	51	56
sandgravel fill	3	59
Hardpan	15	74
limestone dark	44	118
lime: tone lightWB	8	126

Construction of the well was completed on:
June 23 1950

The well is terminated 58 inches
 above, below the permanent ground surface.

Was the well disinfected upon completion?
 Yes X No

Was the well sealed watertight upon completion?
 Yes X No

Signature Garber & Son B. J. Garber 5807 W. Hampton Rd., Milwaukee 16
Registered Well Driller Please do not write in space below Complete Mail Address

Rec'd _____ No. _____	10 ml	10 ml	10 ml	10 ml	10 ml
Ans'd _____	Gas—24 hrs.	_____	_____	_____	_____
Interpretation _____	48 hrs.	_____	_____	_____	_____
_____	Confirm	_____	_____	_____	_____
_____	B. Coll	_____	_____	_____	_____
_____	Examiner	_____	_____	_____	_____

CALUMET PARK INC. WELL, BROWN DEER, WISCONSIN
 SE 1/4 NE 1/4, Sec. 14, T 8N, R 21E, 52nd & West Hamlock Sts.
 Knaack & Son, Company, driller, August 1957
 Sample Nos. 204829-204921 - Examined by J. B. Steuerwald
 Alt 700' ETM

D R I F T	0 - 17	17		Till, light yellow-brown, dolomitic, clayey, sandy, stony	Cement grout 16" pipe 27' water 40' 16" hole 46'
	17 - 31	14		Till, medium gray, dolomitic, clayey, sandy, stony	
	31 - 41	10		Till, medium gray, dolomitic, some clay, many stones	
	41 - 54	13		Gravel, fine, little clay (till?)	
	54 - 74	20		Till, pink-brown-gray, dolomitic, much clay, sandy, stony	
74	74 - 258	184		Dolomite, medium gray, little light gray dolomite 123-153 and 228-248	10" pipe 74'
N I A G A R A	258 - 393	135		Dolomite, light gray, little white chert 268-298 and 353-393	10" hole
				No sample 328-338	
	393 - 413	20		Dolomite, light gray, little pink-gray	
	413 - 463	50		Dolomite, light gray, trace of white chert	
	389				

467 Total depth

Formations: Drift, Niagara
 Tested for 22 hours @ 135 gpm. specific capacity = 0.8 gpm/ft. of drawdown.

519,000'E

OZAUKEE CO.

OZAUKEE CO.

WG&NHS Geologic Log Index

2,550,000'

JUN 8 1

R-22-E

R-22-E

Mequon

River Hills

Bayside

Shorewood

Shorewood

Milwaukee

St. Francis

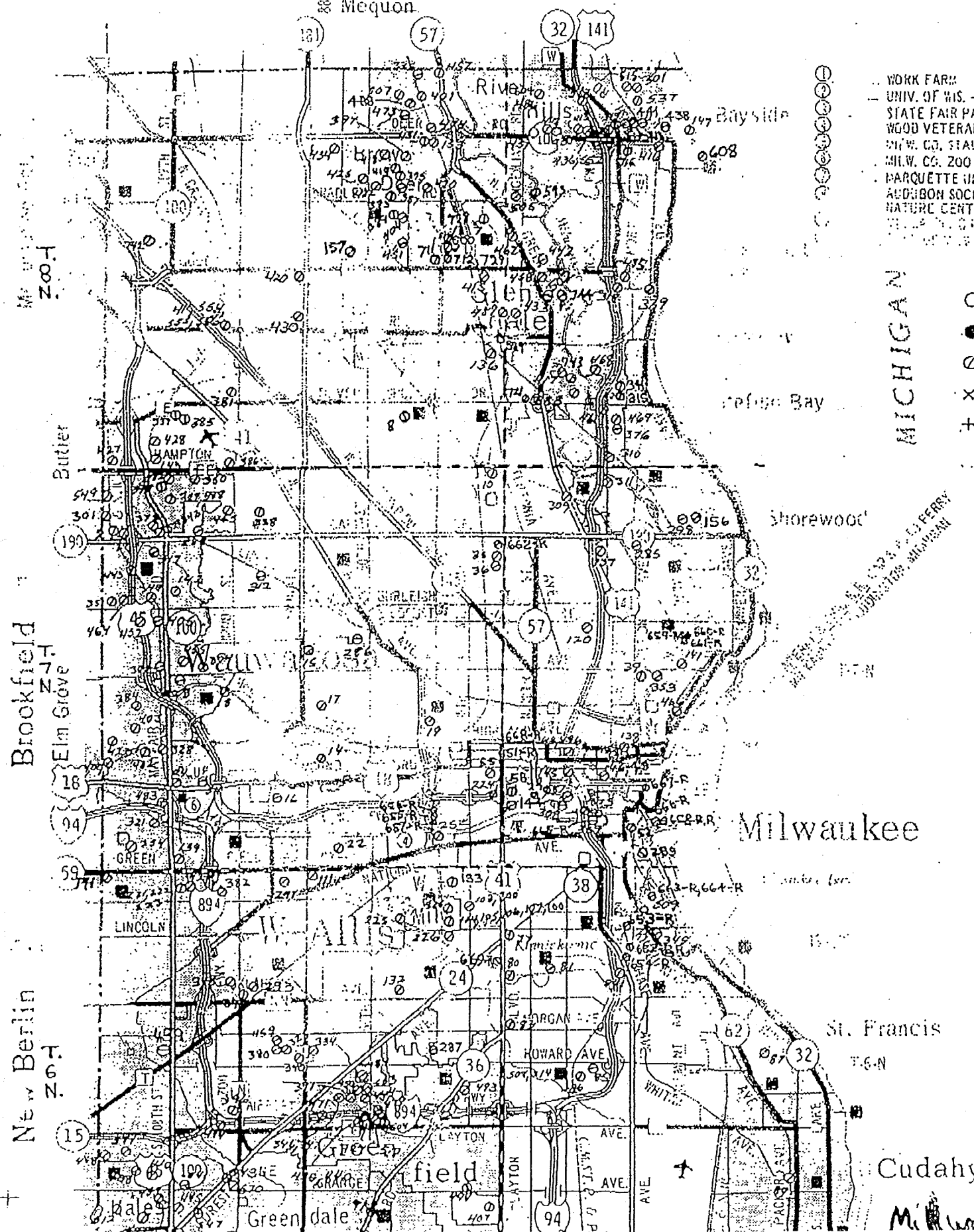
Cudahy

- WORK FARM
- UNIV. OF WIS. - M.
- STATE FAIR PARK
- WOOD VETERANS -
- MILW. CO. STADIUM
- MILW. CO. ZOO
- MARQUETTE UNIV.
- AUDUBON SOCIETY
- NATURE CENTER

- Bp
- Pt
- Pt
- × Fa
- + In

MICHIGAN

STATE OF WISCONSIN
DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS



Appendix B

**HISTORICAL AND ARCHEOLOGICAL
CORRESPONDENCE**



Badger Disposal of WI, Inc.

October 31, 2005

Vicki Dirst
952 Tacoma Beach Road
Sturgeon Bay, WI 54235

Dear Vicki,

As per our conversation of this afternoon, Badger Disposal is requesting a Cultural Resources Investigation for 5611 West Hemlock Street, Milwaukee, WI 53223. We received an initial reply on June 29, 1994. I have enclosed a copy for your review. As part of our Hazardous Waste Transfer and Storage permit renewal we are requesting an update.

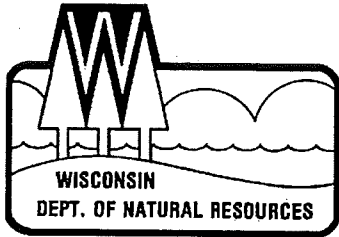
Thank you for your assistance, if you have any questions or require additional information for this review please contact me.

Sincerely,
Badger Disposal of WI, Inc.

Kandylee Schmit
Compliance Officer

5611 W. Hemlock St. Milwaukee, WI 53223

866-271-0961 • 414-760-9175 • Fax: 414-760-9189 • www.badgerdisposal.com



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Archaeology Office
952 Tacoma Beach Rd.
Sturgeon Bay, WI 54235
Telephone: 920-743-2083

Jim Doyle, Governor
Scott Hassett, Secretary

November 3, 2005

Kandylee Schmit
Badger Disposal
5611 W. Hemlock St.
Milwaukee, WI 53223

SUBJECT: EOG Disposal, Milwaukee, Wisconsin

Dear Ms. Schmit:

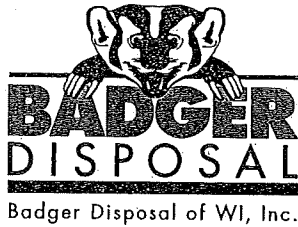
I have reviewed Wisconsin Historical Society files and have determined that there are no known archaeological sites or historic structures at the location of EOG Disposal, 5611 West Hemlock Street, Milwaukee, Wisconsin (T8N, R21E, section 14). There are no cultural resource compliance concerns regarding the proposed renewal of the Hazardous Waste Transfer and Storage Permit for this facility.

Sincerely,

Victoria Dirst, Ph.D.
DNR Archaeologist

Appendix C

ENDANGERED SPECIES CORRESPONDENCE



October 31, 2005

State of Wisconsin
DNR
Endangered Resources Impact Review
Bureau of Endangered Resources
P.O. Box 7921
Madison, WI 53707-7921

Dear Sirs,

This letter is to formally request an environmental review for our property located at 5611 West Hemlock Street, Milwaukee, WI 53223. Enclosed is a review request form as well as a map of the site location.

If you require any additional information or have any questions about this request please contact me.

Sincerely,
Badger Disposal of WI., Inc.

Kandylee Schmit
Compliance Officer

Notice: To obtain a review of your project, you are required to provide all information requested on this form. Completion of this form is required for your request to be processed. Personal information collected will be used for administrative purposes, and may also be made available to requesters under Wisconsin's Open Records law [ss. 19.31-19.39, Wis. Stats.].

Wisconsin's Natural Heritage Inventory (NHI) consists of a combination of historic records and ongoing survey information on rare plants, animals, and natural communities in an integrated system of computer databases, maps, and paper files. The Bureau of Endangered Resources provides this information, along with project timing, location advice and survey recommendations for resource management activities.

Instructions: The following materials are required to process the request. Send to the address listed above.

- Letter formally requesting environmental review
- Completed, signed form
- Map(s) delineating the project area (preferably a USGS quadrangle map)
- Relevant attachments, e.g. point discharge information

Prior to filling out this form, you must answer these required questions:

1. Is the information being requested for a commercial or residential development project? Yes No
2. If Yes to 1, does the applicant own the property or have landowner consent to request this review? Yes No
 - If Yes to 2, please fill out the following information and return the form to Bureau of Endangered Resources.
 - If No to 2, refer to the NHI Online Database: dnr.wi.gov/org/land/er/nhi/NHI_ims/onlinedb.htm. Please note the online database is not intended for regulatory review, but is intended for general information and planning purposes. More specific information requires landowner consent.

Applicant Requesting Natural Heritage Inventory Information (all correspondence and invoices will be sent to this person)

Name Henry KRIER		Organization BADGER DISPOSAL of WI, INC.	
Street Address 5611 West Hemlock Street		City Milwaukee	State ZIP Code WI 53223
Telephone Number 414-760-9175	Fax Number 414-760-9175	E-Mail Address henry@badgerdisposal.com	

Individual / Organization / Agency Proposing Project (if different from above)

Name		Organization	
Street Address		City	State ZIP Code
Telephone Number	Fax Number	E-Mail Address	

Location of Proposed Project - Remember to attach a topographic or plat map delineating the project area

County(ies) **Milwaukee**

Township	Range	(circle one)	Section(s)
8	N	21	(E) W SW 1/4 of Sec. 14
	N	E / W	
	N	E / W	

Proposed Project Information

What is the proposed date you intend to begin work on the project? **Report development presently 10/31/05**
 Briefly describe the project and the type of disturbance associated with the project. For point source discharges into waterbodies please indicate the discharge location, nature of any increase in discharge, and the expected mixing zone. Attach additional pages as necessary.

New construction of buildings on property at:

**5611 W. Hemlock Street
 Milwaukee, WI 53223**

Proposed Project Information (continued)

Briefly describe current land use and habitat types in the project area (i.e. 50% in row crops and 50% semi-open oak woods or project area entirely within active soybean field).

Hazardous Waste Transfer/Storage facility.

List any waterbodies such as rivers, intermittent streams, lakes, or wetlands that are within or near the project area. List any known or suspected impacts to these waterbodies as a result of the project.

N/A

List any reports that have been prepared to describe the habitat that will be affected by the project (i.e. wetland delineation, habitat reconnaissance surveys, rare species surveys, etc.).

N/A

List all other Endangered Resources / NHI reviews that have been submitted or conducted for a different phase, portion, or other alternative(s) relating to this project. List ER log # and date (i.e. 00-132 and 2/10/2002) or any other correspondence.

Log # 94-211 Completed for this site 7/14/1994

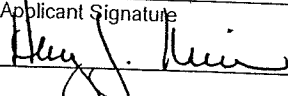
List all permits, licenses, or regulatory approvals you have or plan on applying for, or already have received as part of this project:

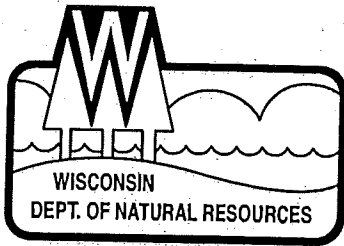
Permit, License or Approval	Contact Person for Permit, etc.	Contact Person's Agency, District or Bureau	Application Status
6026	Pat Brady	WI DNR Milwaukee, WI	<input type="checkbox"/> will be applying for <input type="checkbox"/> have applied for <input checked="" type="checkbox"/> have received
			<input type="checkbox"/> will be applying for <input type="checkbox"/> have applied for <input type="checkbox"/> have received
			<input type="checkbox"/> will be applying for <input type="checkbox"/> have applied for <input type="checkbox"/> have received

Applicant Certification

To the best of my knowledge the information above is complete and accurate. I understand that the specific location of endangered resources is sensitive information and will use the material provided solely for analysis and review of the above project. I agree not to include exact locations of endangered resources in any publicly disseminated documents. I agree to contact the Bureau prior to publishing any information provided by the Wisconsin Natural Heritage Inventory and to credit the Bureau of Endangered Resources as the source of the material.

I also agree to pay, within 30 days of receipt of NHI information, the fees charged by the Department. There is a charge of \$20/hour (with a minimum fee of \$60) for non-DNR requesters. [Refer to Chapter NR 29 Wisconsin Administrative Code for more information on the fee structure and billing exemptions.]

Applicant Signature 	Date Signed 10/31/05	Applicant Name (please print) Henry Krier
--	-------------------------	--



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY 608-267-6897

December 27th, 2005

Henry Krier
Badger Disposal of WI, Inc.
5611 West Hemlock Street
Milwaukee, WI 53223

SUBJECT: Endangered Resources Review (ERIR Log # 05-305)
Proposed Badger Disposal Expansion Project, Milwaukee County

Dear Mr. Krier,

The Bureau of Endangered Resources has reviewed the project area described in your review request received November 2, 2005 for the proposed Badger Disposal Expansion Project in the City of Milwaukee.

Our Natural Heritage Inventory data files contain the following information for the project site located in T8N R21E Section 14 in Milwaukee County. In addition to the proposed project site, endangered resource information is provided for an area within two miles of the project's location (and five miles for aquatic species). This information is provided so impacts to nearby endangered resources can be assessed and to assist in determining which rare species may occur in the project's impact area. If the described habitat types exist in the project's impact area, then species that occur nearby may be present at the proposed location. Endangered resources documented within and around the project area include:

- **Butler's gartersnake** (*Thamnophis butleri*), a snake listed as Threatened in Wisconsin, prefers wet-mesic prairies, marshes and adjacent grassy and vacant areas, requiring a moderately open to open canopy habitat, preferably with both upland and wetland habitat. The breeding season occurs from late March to late April and young are born in mid to late summer.
- **Handsome sedge** (*Carex formosa*), a plant listed as a Federal Species of Concern and Threatened in Wisconsin, prefers rich mesic woods, especially alluvial terraces or where dolomite is near the surface. Flowering occurs throughout the month of June. Optimal identification period is from mid-June to mid-July.
- **American gromwell** (*Lithospermum latifolium*), a plant of Special Concern in Wisconsin, prefers upland hardwood forests, often with dolomite near the surface. Blooming occurs throughout the month of June. Optimal identification period is from early June to late August.

Endangered and Threatened species are provided protection under the Wisconsin Endangered Species Law (29.604 State Stats.). Special Concern (Watch) species are those about which some problem of abundance or distribution is suspected but not yet proved. The main purpose of this category is to focus attention on certain species before they become endangered or threatened.

Comprehensive endangered resource surveys have not been completed for the project area. As a result, our data files may be incomplete. The lack of additional known occurrences does not preclude the possibility that other endangered resources may be present.

Follow-up Actions:

1. Based on the information submitted to our office, we have evaluated the proposed site according to the criteria of the Butler's Gartersnake Conservation Strategy (<http://dnr.wi.gov/org/land/er/review/Butler>). Due to the size and quality of suitable Butler's gartersnake habitat, the site was classified as containing a portion of a potential Tier 2 Site (Site of Moderate Conservation Value). As a result, the site is covered under the broad *Incidental Take Authorization for Tier 2 Butler's Gartersnake sites* (<http://dnr.wi.gov/org/land/er/take/TierOneButlers.htm>). Per the authorization, no conservation measures are required for the state-listed snake and any take that results from the proposed project is permitted. However, please note that we strongly encourage that the voluntary measures described within the above Strategy be incorporated into the project design to benefit the snake at the site. The measures can be found at <http://dnr.wi.gov/org/land/er/review/butler/cons.htm>.

This letter serves as notice that the proposed project as described in your environmental review request of November 2, 2005 is covered under the broad *Incidental Take Authorization for Tier 2 Butler's Gartersnake sites* authorized in October 4, 2005.

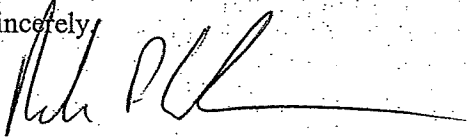
2. The plant species listed above are from records within the vicinity of the project area. It is unlikely that habitat exists at your site for these species. However, if you suspect that habitat exists for any of these species, please contact our office for additional guidance on survey protocols and avoidance measures.

The specific location of endangered resources is sensitive information that has been provided to you for the analysis and review of this project. Exact locations should not be released or reproduced in any publicly disseminated documents.

This letter is for informational purposes and only addresses endangered resource issues. This letter does not constitute Department of Natural Resources authorization of the proposed project and does not exempt the project from securing necessary permits and approvals from the Department.

Please contact me at (608) 264-8968 if you have any questions about this information.

Sincerely,

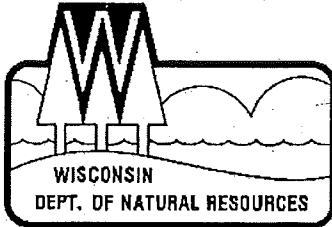


Andrew P. Galvin, ER/6
Endangered Resources Program

cc: Jen Jerich – SER/Milwaukee
Jim Ritchie – SER/Milwaukee
Susan Eichelkraut – SER/Sturtevant
Owen Boyle – SER/Milwaukee
Bob Hay – ER/6

APPENDIX O

WIDNR CORRESPONDENCE FOLLOWING INITIAL SUBMITTAL



George E. Meyer
Secretary

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Southeast District - Annex Building
Post Office Box 12436
4041 N. Richards St.
Milwaukee, Wisconsin 53212
TELEPHONE: 414-961-2727
TELEFAX #: 414-961-2770

December 9, 1994

In Response Refer To: FID#241384000
County of Milwaukee
HW/LIC/eogfrpoi.d94

Mr. Michael Villione, President
EOG Disposal, Inc.
5611 West Hemlock Street
Milwaukee, WI 53223

Subject: Feasibility Report and Plan of Operation Notice of Incompleteness
EOG Disposal, Inc. (EOG) 5611 West Hemlock, Milwaukee, WI
EPA I.D.#: WID 988580056

Dear Mr. Villione:

We have completed our review of your feasibility report and plan of operation (FRPO) for storing hazardous waste at your facility. Based upon this review we have determined that the FRPO does not contain the minimum information required by chs. NR 600 through 685, Wisconsin Administrative Code. Points of incompleteness are identified in this letter. A response addressing these points of incompleteness should be submitted within 30 days of the date of this letter. Your timely response to this letter will assist you in moving more quickly towards your goal of obtaining a final operating license for the proposed and existing hazardous waste licensed activities at your facility.

Your report, *EOG, Feasibility and Plan of Operation Report for a Hazardous Waste Storage Facility*, was submitted by EOG in September of 1994. The report was prepared by RMT, Inc. of Waukesha, WI. EOG is operating a limited hazardous waste storage facility under a interim license issued by the department to EOG on March 15, 1994. With condition #2 of the interim license determination, the department required EOG to submit a FRPO.

EOG's FRPO is a well organized document. In submitting information in response to this letter, the department would prefer that EOG submit replacement pages or additional pages to the original document. Any replacement pages or additional pages should be marked as such and include the date of the response submittal. EOG shall submit a cover letter explaining their responses to these individual points of incompleteness.

The following information must be submitted within thirty days of the date of this letter. I am addressing both points of completeness and points of adequacy in this letter. When I refer to an attachment, section, page and paragraph; I am always referring to the proposed September 1994 FRPO.

General Concerns

1. Throughout the FRPO flammable is used interchangeably with ignitable. The hazardous waste regulations apply to ignitable wastes not flammable wastes. EOG should not use flammable interchangeably with ignitable. EOG shall change any inappropriate uses of flammable in the FRPO.
2. EOG should not reference the federal code unless the state has not promulgated comparable regulations. EOG shall change any inappropriate references to the federal code in the FRPO.
3. EOG shall provide information to answer whether s. 144.44(4R), Wisconsin Statutes, applies to their facility. In order to determine applicability, EOG shall provide adequate information to demonstrate whether or not this statute applies.
4. EOG shall provide information on the other tenants residing in the Megal Corporation building.
5. EOG speaks of exempt recycling activities and reclamation operations in the FRPO. The department would like to see EOG present specific information on each of these processes. EOG should receive concurrence from the department that their recycling activities are exempt activities and not treatment. (attachment 7, section 1, page 5, paragraph 3)
6. If some of the operations at the facility that were thought to be recycling should be actually regulated as treatment, EOG shall update the FRPO to reflect licensed treatment activities. ss. NR 640.06(3), and NR 645.06(3), Wisconsin Administrative Code.
7. EOG shall provide more specific information on the liquification process at the facility including what is liquified.
8. EOG shall explain what is done with the solvents recovered from the vapor recovery unit.
9. Attachment 7, section 2.5, page 14, references drum pumping stations. EOG shall provide more information on these drum pumping stations, including at a minimum where the drum pumping stations would be located throughout the site and a description of the associated piping.
10. EOG shall provide more specific information on the blending tank. This information shall include the types of waste that are blended, (hazardous characteristic waste oils, solvents, listed hazardous waste, etc.), what wastes are blended with what other wastes, what wastes are never blended together, and whether the wastes are shipped offsite as hazardous wastes. If hazardous wastes are blended in the tank and the wastes from the tank are sent offsite as a hazardous waste, the department would apply the same requirements for a hazardous waste.

storage tank to the blending tank. If this is the case EOG shall show how the blending tank complies with the requirements for a hazardous waste storage tank and submit the same information that would be required for licensing that tank.

11. Attachment 7, section 2.3, page 10, paragraph 4, references, " a suitable blended condition." EOG shall provide a clearer explanation of what is "a suitable blended condition."
12. EOG shall provide a clearer explanation of the drum auger operation at the site. This information shall at a minimum include; a plan sheet of the auger operation, whether both solid and hazardous waste will be processed in the auger, whether solids from the auger would be treated as a solid or a hazardous waste (attachment 7, section 2.2, page 9), how solids will be transferred from the solids auger (whether the solids will be pumped), and the decision making process used to determine where the solids will be transferred.
13. EOG shall provide more information on containment in all of the loading and unloading areas. This information shall include specifications. EOG shall also explain how dock #2 is designed to contain precipitation. (attachment 7, page 8)

General Report Requirements (ch. NR 680, Wisconsin Administrative Code)

14. EOG shall submit plan sheets showing site construction and operation topography. These plans should show how final construction will fit into the existing landscape. This should include cross sections, and construction specifications which show foundations of the facility structures. s. NR 680.05(1)(c)4.f., Wisconsin Administrative Code.
15. EOG shall submit a signed copy of the proposed Part A application. s. NR 680.06(3)(a), Wisconsin Administrative Code.
16. EOG shall submit a Part A application for the existing facility that contains the even number pages. s. NR 680.06(3)(a), Wisconsin Administrative Code.
17. EOG shall provide a chemical and physical analysis of the hazardous waste to be handled at the facility. At a minimum, these analyses shall contain all of the information which must be known to store the waste in accordance with chs. NR 600 through 685, Wisconsin Administrative Code. s. NR 680.06(3)(b), Wisconsin Administrative Code.
18. Attachment 3, appendix E, section 1.1, page 3, refers to the recent extension of RCRA regulations to now include small quantity generators. EOG shall provide a further explanation of what is meant by that statement. s. NR 680.06(6), Wisconsin Administrative Code.

19. EOG shall provide information on any other statutory authority or local, state or federal approvals that apply to the facility. s. NR 680.06(6)(a)2., Wisconsin Administrative Code.
 20. EOG shall provide information on any emissions or discharges associated with preparation and construction of the facility. s. NR 680.06(6)(a)4., Wisconsin Administrative Code.
 21. I could not find information on other anticipated changes with facility development. The checklist points out that the information should be in attachment 3, appendix D, section 6. Even assuming appendix E, (see condition #95), I could not locate the information. EOG shall provide such information or point out where such information is located in the FRPO. s. NR 680.06(6)(a)5., Wisconsin Administrative Code.
 22. Attachment 2, section 3, page 2, states, "No other permitted facilities in geographic proximity to EOG would offer the diversity of hazardous waste recycling nor the distribution of service." EOG shall explain what they consider to be in the geographic proximity to EOG. EOG shall also explain in more detail their, "diversity of hazardous waste recycling," and their, "distribution of service." In attachment 2, section 5, page 2, EOG states that their, "service area extends through out the United States." EOG shall discuss in further detail a breakdown of their service area and how their other branch offices work with the Milwaukee facility. s. NR 680.06(8), Wisconsin Administrative Code.
- Waste Analysis Plan (ss. NR 680.06(3)(c), and NR 630.13(1), Wisconsin Administrative Code)
23. EOG shall explain the criteria for blending of wastes. EOG shall also explain what will be done to ensure that only compatible wastes are blended. EOG shall present a clearer more concrete description of how incompatible wastes and reactive wastes are determined and separated.
 24. Much of hazardous wastes shipped today can have multiple waste codes. EOG shall explain how wastes received at their site with multiple waste codes will be processed through their system and whether they anticipate any problems will occur. EOG shall explain if any waste codes will be lost through the consolidation or processing of the waste.
 25. EOG shall explain who fills out a waste profile sheet and whether the form is always completely filled out.
 26. EOG shall explain what are the minimum requirements that are required on a generator's or broker's waste identification form.
 27. EOG explains that, "pre-qualification samples are periodically requested for verification and generators shall be requested to periodically re-

- submit waste identification forms." EOG shall explain what is meant by "periodically." The department would like to see a consistent system in place.
28. EOG's use of the descriptor with the table of the list of wastes to be managed on site looks good. The department would like to see EOG add an additional descriptor which would be whether the waste will be sent offsite for use as a secondary fuel.
 29. EOG shall clearly define what is involved in the precertification process. (attachment 3, section 4, page 31)
 30. Attachment 3, section 4, page 31, mentions that, "the materials may be analyzed for the following parameters in an onsite laboratory to determine their acceptability based on the schedule presented in Section 8, Analysis Plan." EOG shall explain whether materials will always be analyzed based on the schedule.
 31. Attachment 3, section 7.3, page 37, mentions, "sampling bulk load solids may be done by taking random samples throughout the load." EOG shall explain whether bulk load solids will always be sampled.
 32. Attachment 3, section 5.1, page 32, talks about the receipt of containerized loads. EOG shall rewrite this section so that it is clear what tests are done, when and where the tests are done, and on what wastes the tests are done. The department needs to know how often the waste is sampled.
 33. Attachment 3, section 5.1, page 32, mentions that, "containers shall also be randomly chosen for analysis and inspection." EOG shall explain more clearly how this choosing of containers is done.
 34. Attachment 8, Spill Prevention Control and Countermeasures Plan, figure 1, Flow Diagram, page 18, contains a very well done and useful flow chart. The department feels it would be a benefit to also include this flow chart in the waste analysis plan and add the analysis done at each stage for waste received from offsite and include the type of analysis.
 35. Attachment 3, section 5.2 and section 5.3, page 33, both mention, "and any other analysis as deemed necessary by management." EOG shall discuss what other analyses would be performed and when would they be deemed necessary.
 36. EOG shall explain if any analysis is performed on lab packs. EOG shall also explain whether the contents of the lab packs will be emptied and combined with like materials. If EOG plans to combine the contents of the lab packs, the department feels that some type of compatibility testing will need to be performed. (attachment 3, section 5.4, page 34)

37. After EOG signs off on the manifest, they are unable to send the waste back to the generator unless the generator is a licensed facility able to receive waste from offsite. EOG shall include a statement in the waste analysis plan that reflects this issue. (attachment 3, section 6, page 35)
38. EOG shall explain how they could reject only a part of a bulk load. (attachment 3, section 6.2, page 5)
39. Attachment 3, section 6.4, page 36, concerns the rejection procedures for polychlorinated biphenyl loads. If PCB's are received at the site in units other than lab packs, EOG shall change the wording to reflect the use of other units.
40. EOG shall explain what products are produced at the facility. (attachment 3, section 11, page 61)
41. In attachment 3, table 2, pages 39 through 58, EOG shall list what are each of the "other" tests.
42. EOG shall explain whether the analyses listed in attachment 3, table 2, pages 39 through 58 are the only analyses performed on the waste and when these analyses would be performed on the waste.
43. EOG shall explain who will be performing the waste analysis.
44. EOG shall state that the chemical and physical samples will be analyzed by a laboratory certified or registered under ch. NR 149, Wisconsin Administrative Code, as required by ss. NR 630.13(2) and (4), Wisconsin Administrative Code.

Container Requirements (ch. NR 640, Wisconsin Administrative Code. Tank requirements, (ch. NR 645, Wisconsin Administrative Code), included if they also apply)

45. The FRPO mentions "these drawings" in attachment 7, section 2.4, page 13, paragraph 4. EOG shall provide more specific information on what "these drawings" are and where they are located.
46. I understand EOG is located on two separately owned properties. EOG shall clearly explain the division of the two properties, clearly identify the two property owners, explain how this division of the two properties will be handled for the operation of this site, and explain what problems would be anticipated in having two separate property owners and how those problems would be addressed. EOG shall explain how the second property owner will be kept informed of activities going on at the site. ss. NR 640.06(1)(a)2., and 645.06(1)(a)2., Wisconsin Administrative Code.

47. EOG shall include in the FRPO whether any parks, hospitals, or nursing homes are within a 1/2 mile radius of the facility. s. NR 640.06(1)(a)3., Wisconsin Administrative Code.
48. EOG lists facilities from all over the country from which they would be accepting waste. EOG shall explain whether these wastes would be going to the Milwaukee site or one of their other sites. ss. NR 640.06(1)(a)4., and NR 645.06(1)(a)4., Wisconsin Administrative Code.
49. EOG shall provide a response to the material balance informational request of ss. NR 640.06(1)(a)5. and 7., and NR 645.06(1)(a)5. and 7., Wisconsin Administrative Code, or explain where this information is located in the FRPO. I could not locate this information in attachment 3, section 7.
50. 17. The area north of the Megal Corporation building is where traffic will enter the site and access to the site will be controlled. EOG shall provide a clearer description of the area north of the Megal Corporation building. ss. NR 640.06(1)(a)6., NR 640.06(1)(c)6., NR 645.06(1)(a)6., and NR 645.06(1)(c)6., Wisconsin Administrative Code. EOG shall also explain where trucks will be parked when they are waiting to enter the EOG property while multiple loads are being delivered to EOG. ss. NR 640.06(1)(h)4., and NR 645.06(1)(h)4., Wisconsin Administrative Code.
51. EOG shall identify the persons or person responsible for plant construction. ss. NR 640.06(1)(a)8., and NR 645.06(1)(a)8., Wisconsin Administrative Code.
52. EOG shall explain whether an air management permit will be needed for the site. EOG shall present more specific information on air emissions than what is in attachment 3, Section 10.1. ss. NR 640.06(1)(a)9., and NR 645.06(1)(a)9., Wisconsin Administrative Code.
53. EOG shall provide further information on the facility layout including building and structures foundation, sizing of receiving areas, sizing of major processes and processing equipment. ss. NR 640.06(1)(a)12., and NR 645.06(1)(a)12., Wisconsin Administrative Code.
54. EOG shall explain the timing of the construction of the new site. EOG explains that the facility will be constructed in a phased approach. The department would like the specifics of the plan because the phased construction might affect the coordination of the licensing at the facility. EOG shall provide a time table for start up and operation of the various units at the site. ss. NR 640.06(1)(a)13., and NR 645.13(1)(a)13., Wisconsin Administrative Code.
55. EOG shall explain what provisions will be taken during the construction of the facility to ensure protection of groundwater and surface waters.

ss. NR 640.06(1)(a)15., and NR 645.06(1)(a)15., Wisconsin Administrative Code.

56. In addition to identifying the surrounding businesses, EOG shall identify the surrounding property owners. ss. NR 640.06(1)(b)7., and NR 645.06(1)(b)7., Wisconsin Administrative Code.
57. A site conditions map indicating surface waters, wetlands and intermittent streams is not shown in attachment 15, sheet 7 of 18, as listed in the location comments. EOG shall provide a site conditions map showing surface waters, wetlands and intermittent streams. ss. NR 640.06(1)(c)2., and NR 645.06(1)(c)2., Wisconsin Administrative Code.
58. Runoff control systems, and storm, sanitary and process sewerage systems are not presented on the site conditions map in attachment 15, sheet 3 of 18 as listed in the location comments. EOG shall provide a description of runoff control for the site and a description of the sanitary and storm sewers on the site. EOG provides the existing storm sewers in attachment 15, sheet 2 of 18, but EOG should also provide any proposed storm sewers or changes. EOG shall also present the drainage patterns for the site. ss. NR 640.06(1)(c)10., and NR 645.06(1)(c)12., Wisconsin Administrative Code.
59. The site conditions map in attachment 15, sheet 3 of 18, does not show any barriers for drainage. EOG shall provide a site conditions map that shows any barriers to drainage on the site. ss. NR 640.06(1)(c)11., and NR 645.06(1)(c)13., Wisconsin Administrative Code.
60. EOG shall provide more detailed construction drawings for the whole site. I would like specifications on the following items:
 - a. the container auger.
 - b. drum emptying under a nitrogen blanket
 - c. the containment areas and the process/storage building (specifically the areas around the doorways)
 - d. the blending tank and associated equipment
 - e. tank foundations
 - f. tank design specifications
 - g. the associated piping at the site and the pipe joints.ss. NR 640.06(1)(d), and NR 645.06(1)(d), Wisconsin Administrative Code.
61. EOG shall provide an engineering plan that shows final site topography. EOG shall also show whether the final grade for the site will affect the proposed boundary fence, and if any fill will be added to build up the northeast corner of the site. ss. NR 640.06(1)(d)4., NR 640.06(1)(g)2., 645.06(1)(d)3., and NR 645.06(1)(g)2., Wisconsin Administrative Code.

70. Flammable wastes are mentioned as being located at least 50 feet from the facility's property line but nothing is mentioned about the location of reactive wastes. EOG shall explain how they will comply with the buffer zone requirements for reactive wastes. ss. NR 640.06(2)(c), and NR 640.14, Wisconsin Administrative Code.
71. EOG shall provide more information to show how the facility will be in compliance with the requirements for incompatible wastes. ss. NR 640.06(2)(c), and 640.15(1), Wisconsin Administrative Code.
72. EOG shall provide more extensive information in the operations and maintenance manual on specifications for site construction and operation and descriptions of daily operations. ss. NR 640.06(2)(d), and NR 645.06(2)(d), Wisconsin Administrative Code.
73. EOG shall provide an example of daily operating records. ss. NR 640.06(2)(d), and NR 645.06(2)(d), Wisconsin Administrative Code.
74. EOG shall explain how precipitation runoff will be managed at the site. ss. NR 640.06(2)(d)3., and NR 645.06(2)(d)3., Wisconsin Administrative Code.
75. EOG shall provide in the closure plan a description of possible land uses after closure. I could not locate this information in attachment 11, section 12, as indicated in the location comments. ss. NR 640.06(2)(e)2., 640.16, NR 645.06(2)(e)2.b., NR 645.17, and 685.05, Wisconsin Administrative Code.
76. Attachment 11, page 16, table 3, shows a discrepancy in the number of samples for the bulk solids storage container management area between the number of samples column and the description column. EOG shall resolve this issue and show consistency. ss. NR 640.06(2)(e)2., NR 640.16, NR 645.06(2)(e)2., 645.17, and NR 685.05, Wisconsin Administrative Code.
77. EOG shall provide the anticipated time before closing and any anticipated partial closures. ss. NR 640.06(2)(e)2., NR 640.16, NR 645.06(2)(e)2., NR 645.17, and NR 685.05, Wisconsin Administrative Code.
78. In your comment on location of information for ss. NR 640.06(2)(e)3., and NR 645.06(2)(e)3., Wisconsin Administrative Code, EOG shall explain where is appendix B.
79. For the contingency plan to stand on its own as an independent document, EOG should include the following information in the plan or reference where the information can be found in the plan.
 - a. information on the communication systems and their locations,
 - b. the location of safety equipment and emergency equipment in a layout of the whole facility, and

- c. a listing of the types of wastes, their hazards and where they are stored.

ss. NR 640.06(2)(f), NR 645.06(2)(f), NR 630.21, and NR 630.22(1) and (2), Wisconsin Administrative Code.

- 80. Attachment 8 addresses equipment failure and power outage. EOG shall also include in the plan whether any backup equipment is kept on site. ss. NR 640.06(2)(f), and NR 630.21, Wisconsin Administrative Code.
- 81. EOG shall provide a clearer discussion on how the aisle space requirements of s. NR 640.08, Wisconsin Administrative Code will be met.

Tank Requirements (ch. NR 645, Wisconsin Administrative Code)

- 82. EOG shall specify what types of tests will be performed on the tanks. s. NR 645.08, Wisconsin Administrative Code.
- 83. In Attachment 7, section 3, page 15, paragraph 3, EOG shall specify what tests will be performed on the tanks, "as required." s. NR 645.08, Wisconsin Administrative Code
- 84. EOG shall provide further information on the feed systems, safety cutoff, the systems for monitoring tank levels in the tanks, bypass systems, pressure controls such as vents, and all leak detection devices. s. NR 645.06(1)(i)3., Wisconsin Administrative Code.
- 85. EOG shall provide information to show compliance with the buffer zone requirements for tanks holding ignitable or reactive wastes. ss. NR 645.06(2)(c), and NR 645.13(2), Wisconsin Administrative Code.
- 86. EOG shall provide a more detailed description of how the tank systems shall be installed in compliance with ss. NR 645.08(2), (4) and (5), referenced from ss. NR 645.06(1)(i)1. and 6., Wisconsin Administrative Code. EOG shall confirm that the tanks will be tested after they are constructed and put into place.
- 87. EOG shall provide a more detailed description of how the secondary containment system for each tank system is designed and constructed to meet the requirements of ss. NR 645.06(1)(i)7. and 9., and 645.09(3) to (8), Wisconsin Administrative Code. In addition to attachment 7, the location indicated in the location comments, some of the information was located in attachment 8, appendix A.
- 88. EOG shall provide calculations to show that if a hole is punctured in the wall of the tank near the containment area wall, that the spray of liquid coming out of the tank from the hole will remain in the

containment area. ss. NR 645.06(2)(a), and NR 645.09, Wisconsin Administrative Code.

89. The roofing overhang on the tank farm will not leave the tank farm containment area completely free of precipitation. Although the containment seems to be designed with plenty of extra capacity, EOG shall address how precipitation will be handled that accumulates in this outside containment area. s. NR 645.09, Wisconsin Administrative Code.

Typographical Corrections

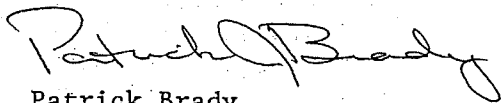
90. Attachment 10, section 2, page 2, paragraph 1, refers to the personnel training, "regulatory requirements of WAC 630.11". The reference should be changed to, "WAC 630.16".
91. In attachment 10, section 2.2, page 4, the last line should add "aid" after "basic first."
92. Attachment 3, appendix E, section 1.1, page 1, states, "so old that *the* are unusable," should be changed to, "so old that *they* are unusable."
93. Attachment 3, appendix E, section 4.4, page 17, should read as, "revenues for the company."
94. In the location comments under environmental review, NR 680.06(6), you refer to attachment 3, appendix D. This information is located in Attachment 3, appendix E.
95. Attachment 5, section 5, page 32, paragraph 1, refers to "NR 630.12(g)" and should be changed to "NR 630.12(4)".
96. In attachment 7, section 2.1, page 7, paragraph 1, reads as, "or further consolidation," and should be changed to, "for further consolidation."
97. Attachment 7, section 2.2.2, page 9, paragraph 2, reads as, "transferred to the *field* blending operation," and should be changed to "transferred to the *fuel* blending operation."

Please submit to the department four copies of all information provided in response to this letter.

For your information, this letter is not a denial of the feasibility report and plan of operation, but merely indicates that the department has not received the minimum information as required by chs. NR 600 through 685, Wisconsin Administrative Code. Once you have satisfied the minimum informational requirements, the department will review your submittal and render a determination on your feasibility report and plan of operation.

Should you have any questions on the department's review, please feel free to contact me at telephone number (414)961-2717.

Sincerely,



Patrick Brady
Waste Management Engineer

- c. . . SED Casefile (W. Ebersohl, P. Brady)
- Bureau - SW/3 - HWMS (E. Lynch)
- RMT, Inc. - (D. Wierman)

February 27, 1995

Mr. Pat Brady
Wisconsin Department of
Natural Resources
4041 North Richards Street
P.O. Box 12436
Milwaukee, WI 53212

RE: Feasibility Report and Plan of Operation
Notice of Incompleteness Response for Non-Design Related Issues
EOG Disposal, Inc. (EOG) 5611 West Hemlock, Milwaukee, WI
EPA I.D.#: WID 988580056

Dear Mr. Brady,

On behalf of EOG Disposal, Inc., RMT has prepared a response to your letter of incompleteness dated December 9, 1994 for EOG's September 1994 FRPO submittal. Your letter addressed both points of completeness and points of adequacy.

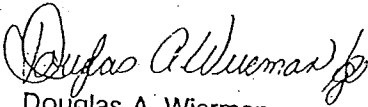
As requested in your letter, EOG has submitted the following information as replacement pages and/or additional pages to the original document. All replacement pages and additional pages have been marked as such and include the date of this response submittal.

This response has been prepared on a point by point basis from the December 9, 1994 Notice of Incompleteness letter for ease of review. As discussed during our January 3, 1995 meeting with you, EOG has responded only to the non-design related issues of incompleteness and inadequacy at this time.

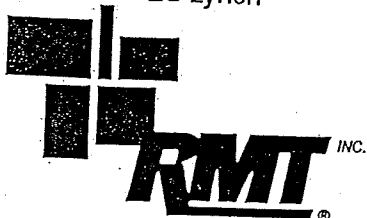
We trust this information is sufficient for your review. We look forward to WDNR's issuance of EOG's operation license.

Sincerely,

RMT, Inc.


Douglas A. Wierman
Project Manager

cc: Mike Vilione
Henry Krier
Tom McElligott
Ed Lynch



RESIDUALS MANAGEMENT TECHNOLOGY, INC. — CHICAGO

999 PLAZA DRIVE — SUITE 100

SCHAUMBURG, IL — 60173-5407

708/995-1500 — 708/995-1900 FAX

GENERAL CONCERNS

Comment #1: Throughout the FRPO flammable is used interchangeably with ignitable. The hazardous waste regulations apply to ignitable wastes not flammable wastes. EOG shall change any inappropriate uses of flammable in the FRPO.

EOG Response #1: EOG has changed all inappropriate uses of flammable in the FRPO. Attachments 2 through 11 contain the pages of the FRPO have been corrected.

Comment #2: EOG should not reference the federal code unless the state has not promulgated comparable regulations. EOG shall change any inappropriate references to the federal code in the FRPO.

EOG Response #2: EOG has removed all references to the federal code which the state has promulgated comparable regulations in the FRPO. Attachments 2 through 11 contain the pages of the FRPO have been corrected.

Comment #3: EOG shall provide information to answer whether s. 144.44(4r), Wisconsin Statutes, applies to their facility. In order to determine applicability, EOG shall provide adequate information to demonstrate whether or not this statute applies.

EOG Response #3: Section 144.44(4r), Wisconsin Statutes refers to noncompliance with plans or orders. This does not apply because EOG is in compliance with the terms of their solid waste permit and interim status permit for hazardous waste storage which were approved by the department. In accordance with ss. 144.443, Wisconsin Statutes, EOG has provided proof of financial responsibility ensuring the availability of funds to comply with the above mentioned plans to the department. EOG has no interest in any other solid or hazardous waste facilities in Wisconsin.

Comment #4: EOG shall provide information on the other tenants residing in the Megal Corporation building.

EOG Response #4: Tenants currently residing in the Megal Corporation building include:

*Design Specialties (Manufacture fireplace doors)
5609 W. Hemlock Street
Milwaukee, WI 53223
(414) 353-4339*

ARKO (Dog Training School)
5605 W. Hemlock Street
Milwaukee, WI 53223
(414) 353-4768

Comment #5: EOG speaks of exempt recycling activities and reclamation operations in the FRPO. The department would like to see EOG present specific information on each of these processes. EOG should receive concurrence from the department that their recycling activities are exempt activities and not treatment. (attachment 7, section 1, page 5, paragraph 3)

EOG Response #5: The blending tank will be constructed in accordance with the requirements of WAC NR 645. Information on the blending tank will be submitted under a separate submittal. EOG will keep track of all waste codes blended by use of a waste code tally sheet (see Attachment 13 of this submittal) and all blended materials will carry all waste codes which were mixed, stored and transported off site (see EOG Response # 24 for further information on waste code tracking). If non-hazardous materials are blended with hazardous materials, the blended material will be managed as a hazardous material.

Comment #6: If some of the operations at the facility that were thought to be recycling should be actually regulated as treatment, EOG shall update the FRPO to reflect licensed treatment activities. ss. NR 640.06(3), and NR 645.06(3), Wisconsin Administrative Code.

EOG Response #6: All operations proposed at the EOG facility are strictly recycling operations and no treatment operations will occur.

Comment #7: EOG shall provide more specific information on the liquification process at the facility including what is liquified.

EOG Response #7: The "liquification process" refers to the dispersement of viscous materials. For example, a heavy ink will disperse when mixed with a solvent. Viscous materials such as paints, resins and inks will be transferred to one of the fuel blending tanks via a conveyor system. When mixed with the solvent in the tank, the solids will disperse or "liquify".

Comment #8: EOG shall explain what is done with the solvents recovered from the vapor recovery unit.

EOG Response #8: EOG will be fuel blending recovered solvents from the vapor recovery unit. The condensed vapor will be pumped to one of the blended fuel storage tanks.

This information is outlined in the original application in Attachment 7, Section 2.3.2, page 12 of the September 1994 submittal.

Comment #9:

Attachment 7, section 2.5, page 14, references drum pumping stations. EOG shall provide more information on these drum pumping stations, including at a minimum where the drum pumping stations would be located throughout the site and a description of the associated piping.

EOG Response #9:

EOG will utilize air motor or explosion-proof electric motor driven drum pumps within the curbed area containing the fuel blending tank to transfer "water-like" low viscosity liquids into the fuel blending tank. The piping will consist of flexible hose attached directly to the drum pump within the containment area. The flexible hose will be connected to schedule 40 steel pipe for the remaining 5-to-10 feet distance to the fuel blending tank. Text has been revised in Attachment 7, Section 2.5, page 14. Attachment 7 of this submittal contains the revised page.

Comment #10:

EOG shall provide more specific information on the blending tank. This information shall include the types of waste that are blended, (hazardous characteristic waste oils, solvents, listed hazardous waste, etc.), what wastes are blended with what other wastes, what wastes are never blended together, and whether the wastes are shipped off site as hazardous wastes. If hazardous wastes are blended in the tank and the wastes from the tank are sent off site as a hazardous waste, the department would apply the same requirements for a hazardous waste storage tank to the blending tank. If this is the case EOG shall show how the blending tank complies with the requirements for a hazardous waste storage tank and submit the same information that would be required for licensing that tank.

EOG Response #10:

The fuel blending tank proposed to be utilized at the facility is intended to blend hazardous characteristic waste oils and solvents as well as hazardous waste solids with a fuel value of 5,000 BTU per pound. This blending will create a pumpable fuel that will contain solids of not greater than 0.25-inch diameter with a pH range within 2 units and 12.5 units. EOG will not blend reactives, PCB's, oxidizers, strong acids or strong bases with the waste fuel mixture. The blended fuel will be transferred to the storage tanks for off-site shipment. The blending tank will be constructed as a hazardous waste storage tank in accordance with the requirements of WAC NR 645. Information on the blending tank will be submitted under a separate submittal.

Comment #11:

Attachment 7, Section 2.3, page 10, paragraph 4, references, "a suitable blended condition." EOG shall provide a clearer explanation of what is "a suitable blended condition."

EOG Response #11: *The "suitable blended condition" refers to a mixture of fuel that meets the specifications/requirements of the end user as per their permits and waste analysis plan. EOG has incorporated into the text of Attachment 7, Section 2.2.3, page 10, paragraph 2, the meaning of "a suitable blended condition." The corrected pages which address this issue is contained in Attachment 7 of this submittal.*

Comment #12: **EOG shall provide a clearer explanation of the drum auger operation at the site. This information shall at a minimum include; a plan sheet of the auger operation, whether both solid and hazardous waste will be processed in the auger, whether solids from the auger would be treated as a solid or a hazardous waste (attachment 7, section 2.2, page 9), how solids will be transferred from the solids auger (whether the solids will be pumped), and the decision making process used to determine where the solids will be transferred.**

EOG Response #12: *Additional text and completed plan sheets showing drum auger operation in greater detail will be submitted by EOG under a separate submittal.*

Comment #13: **EOG shall provide more information on containment in all of the loading and unloading areas. This information shall include specifications. EOG shall also explain how dock #2 is designed to contain precipitation. (attachment 7, page 8)**

EOG Response #13: **EOG will utilize containment ramps and curbs of concrete with epoxy mortar construction as well as containment trenches. The sentence contained in Attachment 7, Section 2.1.2, page 8, paragraph 1 states "The dock is constructed of concrete, and is designed to contain any precipitation" is incomplete and should read "The dock is constructed of concrete, and is designed to contain any potential spillage inside the building from mixing with any precipitation." This would be accomplished by means of the containment ramp to be constructed at the dock entrance. The containment ramps to be constructed at each dock entrance will be constructed of minimum 5,000 PSIG compressive strength concrete doweled into the existing concrete floor by means of #4 rebar spaced on a minimum 24-inch centers. The concrete will be topped by an epoxy grout mixture with a minimum compressive strength of 6,000 PSIG that can be "feathered" to match the existing concrete and provide a smooth transition for the truck traffic over the ramp. The final surface will be the seamless epoxy floor surfacing material to be applied on and contiguous with the floor of the building. Text has been revised in Attachment 7, Section 2.1.2, page 8. Attachment 7 of this submittal contains the revised page.**

GENERAL REPORT REQUIREMENTS (ch. NR 680, Wisconsin Administrative Code)

Comment #14: EOG shall submit plan sheets showing site construction and operation topography. These plans should show how final construction will fit into the existing landscape. This should include cross sections, and construction specifications which show foundations of the facility structures. s. NR 680.05(1)(c)4.f., Wisconsin Administrative Code.

EOG Response #14: Additional text and completed plan sheets showing site construction and operation topography will be submitted by EOG under a separate submittal.

Comment #15: EOG shall submit a signed copy of the proposed Part A application. s. NR 680.06(3)(a), Wisconsin Administrative Code.

EOG Response #15: Attachment 1 of this submittal contains a signed copy of the Part A application.

Comment #16: EOG shall submit a Part A application for the existing facility that contains the even number pages. s. NR 680.06(3)(a), Wisconsin Administrative Code.

EOG Response #16: Attachment 1 of this submittal contains all pages of the Part A application for the existing facility.

Comment #17: EOG shall provide a chemical and physical analysis of the hazardous waste to be handled at the facility. At a minimum, these analyses shall contain all of the information which must be known to store the waste in accordance with chs. NR 600 through 685, Wisconsin Administrative Code. s. NR 680.06(3)(b), Wisconsin Administrative Code.

EOG Response #17: EOG will conduct analysis of six indicator parameters to determine the acceptability of waste materials, compatibility, BTU's/pound, chloride content, water content, pH, and specific gravity.

Comment #18: Attachment 3, appendix E, section 1.1, page 3, refers to the recent extension of RCRA regulations to now include small quantity generators. EOG shall provide a further explanation of what is meant by that statement. s. NR 680.06(6), Wisconsin Administrative Code.

EOG Response #18: Most waste management companies do not have the capabilities to handle small quantities of materials. EOG has specialized in dealing with materials from small quantity generators, we have carved out a "niche" in the industry to manage the 1-5 drum quantities of small quantity generators. The text of Attachment 3, Appendix E, Section 1.1, page 3 has been changed to clarify this statement. Attachment 4 of this submittal contains the revised page.

Comment #19: EOG shall provide information on any other statutory authority or local, state or federal approvals that apply to the facility. s. NR 680.06(6)(a)2., Wisconsin Administrative Code.

EOG Response #19: No other statutory authority, local, state or federal approvals apply to EOG.

Comment #20: EOG shall provide information on any emissions or discharges associated with preparation and construction of the facility. s. NR 680.06(6)(a)4., Wisconsin Administrative Code.

EOG Response #20: Emissions related to construction equipment will be controlled as appropriate during preparation and construction activities. EOG will also set up temporary silt fences to prevent sediment runoff during preparation and construction of the facility. EOG has incorporated this text into Attachment 3, Appendix E, Section 2.4. These replacement pages are contained in Attachment 4 of this submittal.

Comment #21: I could not find information on other anticipated changes with facility development. The checklist points out that the information should be in attachment 3, appendix D, section 6. Even assuming appendix E, (see condition #95), I could not locate the information. EOG shall provide such information or point out where such information is located in the FRPO. s. NR 680.06(6)(a)5., Wisconsin Administrative Code.

EOG Response #21: No other changes associated with the facilities operations are anticipated other than those stated in this application. EOG has incorporated this text into Attachment 3, Appendix E, Section 2.5. These replacement pages are contained in Attachment 4 of this submittal.

Comment #22: Attachment 2, section 3, page 2, states, "No other permitted facilities in geographic proximity to EOG would offer the diversity of hazardous waste recycling nor the distribution of service." EOG shall explain what they consider to be in the geographic proximity to EOG. EOG shall also explain in more detail their, "diversity of hazardous waste recycling," and their, "distribution of service." In attachment 2, section 5, page 2, EOG states that their, "service area extends throughout the United States." EOG shall discuss in further detail a breakdown of their service area and how their other branch offices work with the Milwaukee facility. s. NR 680.06(8), Wisconsin Administrative Code.

EOG Response #22: EOG is a full service waste consulting firm located in Milwaukee, Wisconsin with branch offices in Westmont, Illinois, Minneapolis, Minnesota, Salt Lake City, Utah and College Station, Texas. The Milwaukee facility is EOG's only processing facility. Each of these offices has an Account Manager that is responsible for sales within that specific region. These sales offices will be

directing drums from their clients to EOG's Milwaukee facility for processing. EOG has added text to Attachment 2, Section 3, page 2 to clarify this issue. Attachment 2 of this submittal contain the revised page.

WASTE ANALYSIS PLAN (ss. NR 680.06(3)(c), AND nr 630.13(1) Wisconsin Administrative Code)

Comment #23: EOG shall explain the criteria for blending of wastes. EOG shall also explain what will be done to ensure that only compatible wastes are blended. EOG shall present a clearer more concrete description of how incompatible wastes and reactive wastes are determined and separated.

EOG Response #23: To ensure that only compatible wastes are processed and blended, a composite sample of each inbound waste stream to the EOG facility will be subject to compatibility testing (see Attachment 15 of this submittal). If the material is compatible, it will be deemed acceptable for waste-derived-fuel production. If a waste stream material is deemed incompatible, it will not be processed or blended into a waste-derived-fuel.

Comment #24: Much of hazardous wastes shipped today can have multiple waste codes. EOG shall explain how wastes received at their site with multiple waste codes will be processed through their system and whether they anticipate any problems will occur. EOG shall explain if any waste codes will be lost through the consolidation or processing of the waste.

EOG Response #24 All materials accepted by EOG will be accompanied by a manifest that will have waste codes listed in sections I and J. These waste codes will be transferred onto a tally sheet (see Attachment 12 of this submittal) as the materials are blended. These tally sheets will accompany outgoing manifests. Waste codes are also listed on the "EOG BULK MATERIALS INVENTORY REPORT" located in Attachment 6, Appendix C. The tally sheets and Bulk Materials Inventory report will be filled out manually and the data will then be entered into our computerized inventory control system. This will enable us to track waste codes for all incoming and outgoing waste streams. No waste codes will be lost in the blending of waste streams and waste codes will be carried through all the way to the end-sites.

Comment #25: EOG shall explain who fills out a waste profile sheet and whether the form is always completely filled out.

EOG Response #25: Waste profile sheets are to be filled out by the generator or broker. Waste Profile forms accepted by EOG will include EOG's Waste Profile Sheet (WPS), the generators waste identification form, or one of the waste identification forms used by brokers who represent the generator. The Waste Profile form is always completed; however, if some areas of the form are incomplete when submitted,

EOG will contact the generator and/or broker to gather the information necessary to fully complete the form. EOG has added text to Attachment 5, Section 2, page 2 to clarify this issue. Attachment 5 of this submittal contain the revised pages.

Comment #26: EOG shall explain what are the minimum requirements that are required on a generator's or broker's waste identification form.

EOG Response #26: The waste identification form will at a minimum contain Generator Information, Waste Description, General Characteristics, RCRA Information, Viscosity, Total Suspended Solids, pH, BTU's, Flash Point, Halogens, Hazardous Characteristics and Other Components, Chemical Composition and Metals information. EOG has added text to Attachment 5, Section 2, page 2 to clarify this issue. Attachment 5 of this submittal contain the revised pages.

Comment #27: EOG explains that, "pre-qualification samples are periodically requested for verification and generators shall be requested to periodically resubmit waste identification forms." EOG shall explain what is meant by "periodically." The department would like to see a consistent system in place.

EOG Response #27: Annual recertification of each active waste stream by each generator will be required to document any changes in the nature of the waste. This will encompass completion of a Waste Profile Sheet and a sample if changes to the waste stream or process generating the waste stream are apparent.

Comment #28: EOG's use of the descriptor with the table of the list of wastes to be managed on site looks good. The department would like to see EOG add an additional descriptor which would be whether the waste will be sent offsite for use as a secondary fuel.

EOG Response #28: A descriptor which indicates which materials will be sent off site for use as a secondary fuel has been added to Attachment 5, page 35 and the contents of this table have been updated. Attachment 5 of this submittal contains Table 1 with the new descriptor added.

Comment #29: EOG shall clearly define what is involved in the precertification process. (attachment 3, section 4, page 31)

EOG Response #29: Attachment 5, Section 4, page 36, the first sentence has been changed to read as follows: "Generally, any material that has been approved through the pre-qualification process, consisting of Waste Profile evaluation and sample analysis if required, is initially acceptable." Attachment 5 of this submittal contains the revised page for this issue.

Comment #30: Attachment 3, section 4, page 31, mentions that, "the materials may be analyzed for the following parameters in an onsite laboratory to determine their acceptability based on the schedule presented in Section 8, Analysis Plan." EOG shall explain whether materials will always be analyzed based on the schedule.

EOG Response #30: EOG will analyze for all the parameters listed in Attachment 5, Section 4, page 36 in an on-site laboratory to determine the acceptability based on the schedule presented in Attachment 5, Section 8. Attachment 5 of this submittal contains the revised page.

Comment #31: Attachment 3, section 7.3, page 37, mentions, "sampling bulk load solids may be done by taking random samples throughout the load." EOG shall explain whether bulk load solids will always be sampled.

EOG Response #31: EOG will sample bulk solid loads by taking samples throughout the load to make a representative composite sample. Attachment 5 of this submittal contains the revised page.

Comment #32: Attachment 3, section 5.1, page 32, talks about the receipt of containerized loads. EOG shall rewrite this section so that it is clear what tests are done, when and where the tests are done, and on what wastes the tests are done. The department needs to know how often the waste is sampled.

EOG Response #32: Containers from each generator's waste stream(s) shall also be randomly chosen for analysis and inspection. A minimum of ten percent of the containers of each generator's waste stream(s) shall be sampled and analyzed for compatibility, BTU/pound, chloride, water, specific gravity and pH in the on-site laboratory. This same analysis shall be performed for bulk loads. All incoming wastes are sampled. Attachment 5 of this submittal contains the revised pages.

Comment #33: Attachment 3, section 5.1, page 32, mentions that, "containers shall also be randomly chosen for analysis and inspection." EOG shall explain more clearly how this choosing of containers is done.

EOG Response #33: A minimum of ten percent of each generator's waste stream(s) shall be sampled and analyzed in the on-site laboratory. Attachment 5 of this submittal contains the revised pages.

Comment #34: Attachment 8, Spill Prevention Control and Countermeasures Plan, figure 1, Flow Diagram, page 18, contains a very well done and useful flow chart. The department feels it would be a benefit to also include this flow chart in the waste analysis plan and add the analysis done at each stage for waste

received from offsite and include the type of analysis.

EOG Response #34: *An updated flow diagram has been prepared to include the analysis done at each stage for waste received from off site as well as the type of analysis performed. This flow chart has been added to the Waste Analysis Plan of the permit application. Attachment 5, Appendix C of this submittal contains the updated flow diagram.*

Comment #35: **Attachment 3, section 5.2 and section 5.3, page 33, both mention, "and any other analysis as deemed necessary by management." EOG shall discuss what other analyses would be performed and when would they be deemed necessary.**

EOG Response #35: *Additional analysis may be necessary on suspect materials to verify that the parameters of the shipped waste reasonably match the parameters provided on the Waste Profile Sheet (WPS) for that waste. Examples of suspected materials and tests performed for verification include the following:*

- *Reactive testing on methacrylates*
- *Odor or viscosity to verify with the WPS*
- *Additional analysis may be necessary such as ash content for end-site disposal approval.*

Comment #36: **EOG shall explain if any analysis is performed on lab packs. EOG shall also explain whether the contents of the lab packs will be emptied and combined with like materials. If EOG plans to combine the contents of the lab packs, the department feels that some type of compatibility testing will need to be performed. (attachment 3, section 5.4, page 34)**

EOG Response #36: *The contents of the lab packs will be de-packed. The lab packs will then undergo one of the following:*

- *consolidated and blended to produce a waste-derived fuel,*
- *repacked with other compatible chemicals, or;*
- *consolidated into the acid or basic storage tanks.*

Lab packs not suitable for consolidation will be repacked with compatible chemicals. All other lab packs will undergo testing for compatibility once they have been de-packed. For lab packs consolidated for fuel blending, the same six parameters identified in EOG Response #30 will be analyzed per composite waste stream.

Comment #37: After EOG signs off on the manifest, they are unable to send the waste back to the generator unless the generator is a licensed facility able to receive waste from offsite. EOG shall include a statement in the waste analysis plan that reflects this issue. (attachment 3, section 6, page 35)

EOG Response #37: If a full load of material is rejected, the manifest will not be signed by EOG. If a partial load of containerized material is rejected, the containers will be noted in section 19 of the manifest and then the manifest will be signed by EOG to certify receipt of non-rejected containers. Text has been inserted in Attachment 5, Section 6, page 40 to clarify this issue. Attachment 5 of this submittal contains the revised page.

Comment #38: EOG shall explain how they could reject only a part of a bulk load. (attachment 3, section 6.2, page 5)

EOG Response #38: EOG expects that bulk waste may be delivered in compartmentalized trailers. In this case EOG can reject a part of a bulk load. Text has been added to Attachment 5, Section 6.2, page 5 to clarify this issue. Attachment 5 of this submittal contains the revised page.

Comment # 39: Attachment 3, section 6.4, page 36, concerns the rejection procedures for polychlorinated biphenyl loads. If PCB's are received at the site in units other than lab packs, EOG shall change the wording to reflect the use of other units.

EOG Response #39: EOG has changed the wording of Attachment 5, Section 6.4, page 41, sentence 1 to reflect PCB's being received at the site in units (i.e., capacitors, ballasts, etc.) other than lab packs. Attachment 5 of this submittal contains the revised page.

Comment #40: EOG shall explain what products are produced at the facility. (attachment 3, section 11, page 61)

EOG Response #40: Products produced at the EOG facility will consist of "usable fuel products". EOG has changed the wording in Attachment 5, Section 11, page 66 to better describe the products produced at EOG's facility. Attachment 5 of this submittal contains the revised page.

Comment #41: In attachment 3, table 2, pages 39 through 58, EOG shall list what are each of the "other" tests.

EOG Response #41: EOG has revised Table 2 of Attachment 5 to include the analysis performed for all wastes having waste codes received at EOG. Attachment 5 of this submittal contains the revised Table 2.

Comment #42: EOG shall explain whether the analyses listed in attachment 3, table 2, pages 39 through 58 are the only analyses performed on the waste and when these analyses would be performed on the waste.

EOG Response #42: The analysis listed on revised Table 2 of Attachment 5 will be completed on each waste stream when it arrives at the EOG facility.

Comment #43: EOG shall explain who will be performing the waste analysis.

EOG Response #43: Once samples are collected and labeled, they will be brought to the on-site laboratory for analysis which will be completed by the Laboratory Chemist. Attachment 5, Section 7.1, page 42 has been changed to clarify this issue. Attachment 5 of this submittal contains the revised page.

Comment #44: EOG shall state that the chemical and physical samples will be analyzed by a laboratory certified or registered under ch. NR 149, Wisconsin Administrative Code, as required by ss. NR 630.13(2) and (4), Wisconsin Administrative Code.

EOG Response #44: Chemical and physical samples will be analyzed for waste characterization by a laboratory certified or registered under ch. 149, Wisconsin Administrative Code. Section 4 of Attachment 5 contains the revised page.

CONTAINER REQUIREMENTS (ch. NR 640, Wisconsin Administrative Code. Tank Requirements, (ch. NR 645, Wisconsin Administrative Code), Included if they also apply)

Comment #45: The FRPO mentions "these drawings" in attachment 7, section 2.4, page 13, paragraph 4. EOG shall provide more specific information on what "these drawings" are and where they are located.

EOG Response #45: Attachment 7, Section 2.4, page 13, text has been revised to indicate that Sheets 9, 10 and 11 of Attachment 15 depict the typical locations of containers within the storage/process building for storage of up to 2,272 containers, however, the number of containers in any of these areas may vary. Attachment 7 of this submittal contains the revised page.

Comment #46: I understand EOG is located on two separately owned properties. EOG shall clearly explain the division of the two properties, clearly identify the two property owners, explain how this division of the two properties will be handled for the operation of this site, and explain what problems would be anticipated in having two separate property owners and how those problems would be addressed. EOG shall explain how the second property owner will be kept informed of activities going on at the site. ss. NR 640.06(1)(a)2., and 645.06(1)(a)2., Wisconsin Administrative Code.

EOG Response #46: EOG has added the new lease agreement between EOG and Megal Development Corp as Appendix F to Attachment 3. EOG has purchased the property and has entered a lease agreement with Megal Development Corp. for office space adjacent to the property. Attachment 16 of this submittal contains the lease agreement.

Comment #47: EOG shall include in the FRPO whether any parks, hospitals, or nursing homes are within a 1/2 mile radius of the facility. s. NR 640.06(1)(a)3., Wisconsin Administrative Code.

EOG Response #47: No nursing homes or hospitals are located within a 1/2 mile radius of the EOG facility. There are two country clubs; to the west, approximately 810 feet from the EOG facility is Brynwood Country Club and to the east, approximately 1350 feet from the EOG facility is Tripoli Golf Club no other parks or recreational areas are known to exist within a 1/2 mile radius of the EOG facility. Sheet 6 of 18 of the September 1994 FRPO submittal shows the location of these country clubs in relation to the EOG facility. Text has been added to Attachment 3, Section 2.2, to satisfy WAC NR 640.06(1)(a)3. Attachment 3 of this submittal contains the revised pages.

Comment #48: EOG lists facilities from all over the country from which they would be accepting waste. EOG shall explain whether these wastes would be going to the Milwaukee site or one of their other sites. ss. NR 640.06(1)(a)4., and NR 645.06(1)(a)4., Wisconsin Administrative Code.

EOG Response #48: As noted in EOG Response #22, EOG is a full service waste consulting firm located in Milwaukee, Wisconsin with branch offices in Westmont, Illinois, Minneapolis, Minnesota, Salt Lake City, Utah and College Station, Texas. The Milwaukee facility is EOG's only processing facility. Each of these offices has an Account Manager that is responsible for sales within that specific region. These sales offices will be directing drums from their clients to EOG's Milwaukee facility for processing. EOG has added text to Attachment 2, Section 3, page 2 to clarify this issue. Attachment 2 of this submittal contains the revised page.

Comment #49: EOG shall provide a response to the material balance informational request of ss. NR 640.06(1)(a)5. and 7., and NR 645.06(1)(a)5. and 7., Wisconsin Administrative Code, or explain where this information is located in the FRPO. I could not locate this information in attachment 3, section 7.

EOG Response #49: No wastes will be generated at EOG's facility. Waste accepted at EOG's facility will be bulked and/or blended for use in secondary markets (i.e., cement kilns) Examples of material balance at this facility are as follows:

Scenario 1

EOG receives a lab pack containing the following chemicals:

Sulfuric Acid	1 pint	D002
Phosphoric Acid	1/2 gallon	D002
Hydrochloric Acid	1 quart	D002
Nitric Acid Solution 40 %	1 quart	D002
Chromic Acid Solution	4 oz.	D002, D007
Hydrofluoric Acid	1 pint	D002

All of these items will be depacked and consolidated into the acid tank. Any items that are received in a lab pack that could not be bulked would be repacked and sent to an off-site disposal facility for disposal. The containers would be triple rinsed with the rinse water going into the acid tank. The glass jars would then be crushed and sent to a glass reclaimer.

Scenario 2

EOG receives 55-gallon drums of acetone from an industrial client which carries the EPA waste codes D001 and F003. These drums are pumped into one of the bulk fuel tanks. When the materials from this tank ships off-site, the manifest will carry the D001 and F003 codes as well as any other codes from material bulked into this tank. The RCRA empty drums will be sent off-site to a drum reclaimer.

Scenario 3

EOG receives a lab pack containing the following chemicals:

Acetone	1 pint	D001, F003
Hexane	1 quart	D001, F005
Toluene	1 pint	D001, F005
Allyl Alcohol	2x1 pint	D001, P005
Hexachlorobenzene	1/2 pound	U127, D032
Methylene Chloride	1 quart	F002
Phenol	1 pound	U188
Methyl Ethyl Ketone	1/2 gallon	D001, F005, D035
Methanol	2x1 quart	D001, F003
Pyridine	1 pint	D001, F003, D038

All of these items will be depacked and consolidated for fuel. All of the waste codes will be retained through the bulking process. When the materials ship off-site, the manifest will carry all waste codes. The containers would be triple rinsed with the rinse water going into the fuel. The glass jars would then be crushed and sent to a glass reclaimer. Attachment 3, Section 7.1 contains the revised page(s).

Comment #50: 17. The area north of the Megal Corporation building is where traffic will enter the site and access to the site will be controlled. EOG shall provide a clearer description of the area north of the Megal Corporation building. ss. NR 640.06(1)(a)6., NR 640.06(1)(c)6., NR 645.06(1)(a)6., and NR 645.06(1)(c)6., Wisconsin Administrative Code. EOG shall also explain where trucks will be parked when they are waiting to enter the EOG property while multiple loads are being delivered to EOG. ss. NR 640.06(1)(h)4., and NR 645.06(1)(h)4., Wisconsin Administrative Code.

EOG Response #50: For the expanded facility, waste delivery trucks enter the facility through the main gate located north (rear) of the leased office space. The area north of the lease office space is a paved roadway and parking area. This parking lot area is rarely used by the tenants of the building because sufficient parking space is available in the front of the building. Trucks waiting to enter the facility while multiple loads are being delivered, will park along the northern boundary of the paved roadway. Text has been added to Attachment 3, Section 5. Attachment 3 of this submittal contains the revised page.

Comment #51: EOG shall identify the persons or person responsible for plant construction. ss. NR 640.06(1)(a)8., and NR 645.06(1)(a)8., Wisconsin Administrative Code.

EOG Response #51: Henry Krier of EOG will be the primary person responsible for site construction. Megal Corporation will also be involved with the site construction activities. Text has been added to Attachment 3, Section 8 to clarify this issue. Attachment 3 of this submittal contains the revised page.

Comment #52: EOG shall explain whether an air management permit will be needed for the site. EOG shall present more specific information on air emissions than what is in attachment 3, Section 10.1. ss. NR 640.06(1)(a)9., and NR 645.06(1)(a)9., Wisconsin Administrative Code.

EOG Response #52: Text has been added to Section 10.1 of Attachment 3. EOG requires a construction air permit and an operating air permit for the site. The construction air permit as a new, non part 70 source (minor source) has been prepared. The construction permit has been submitted to the Wisconsin Department of Natural Resources, and copies have been forwarded to you for your use as Exhibit 1 of this submittal.

Comment #53: EOG shall provide further information on the facility layout including building and structures foundation, sizing of receiving areas, sizing of major processes and processing equipment. ss. NR 640.06(1)(a)12., and NR 645.06(1)(a)12., Wisconsin Administrative Code.

EOG Response #53: Additional text and completed plan sheets of building and structures

foundations, sizing of receiving areas, sizing of major processes and process equipment in greater detail will be submitted by EOG under a separate submittal.

Comment #54:

EOG shall explain the timing of the construction of the new site. EOG explains that the facility will be constructed in a phased approach. The department would like the specifics of the plan because the phased construction might affect the coordination of the licensing at the facility. EOG shall provide a time table for start up and operation of the various units at the site. ss. NR 640.06(1)(a)13., and NR 645.13(1)(a)13., Wisconsin Administrative Code.

EOG Response #54: EOG will complete their facility construction in the following phases:

Phase I: Retrofit the existing building at 5611 West Hemlock Street to meet permit requirements for storage of hazardous wastes.

Phase II: Construction of the Lab Pack Depack building.

Phase III: Construction of the tank farm.

All necessary security and safety issues associated with each Phase will be self contained. For example, the facility fence and security system will be constructed during Phase I. The facility construction Phases have been added to Attachment 3, Section 8. Attachment 3 of this submittal contains the revised pages.

Comment #55:

EOG shall explain what provisions will be taken during the construction of the facility to ensure protection of groundwater and surface waters. ss. NR 640.06(1)(a)15., and NR 645.06(1)(a)15., Wisconsin Administrative Code.

EOG Response #55: Additional text and completed plan sheets explaining the provisions that will be taken during construction will be submitted by EOG under a separate submittal.

Comment #56:

In addition to identifying the surrounding businesses, EOG shall identify the surrounding property owners., ss. NR 640.06(1)(b)7., and NR 645.06(1)(b)7., Wisconsin Administrative Code.

EOG Response #56: The surrounding property owners consist of the following:

- 5606 W. Hemlock Street (north)
Megal Development Corp.
P.O. Box 18661
Milwaukee, WI 53218*

- 5601 W. Hemlock Street (northeast)
Megal Development Corp.
12650 Lisbon Road
Brookfield, WI 53005
- 5400 W. Good Hope Road (east and southeast)
Aid Association for Lutherans
5400 W. Good Hope Road
Milwaukee, WI 53223
- 5621 W. Hemlock Street (west)
Centercom Wisconsin, Inc.
5737 W. Hemlock Street
Milwaukee, WI 53223
- 5600 W. Good Hope Road (south)
PCA Box Company
P.O. Box 672346
Houston, TX 77267

This information has been incorporated into the text of Attachment 3, Section 2.2. Attachment 3 of this submittal contains the revised page(s).

Comment #57:

A site conditions map indicating surface waters, wetlands and intermittent streams is not shown in attachment 15, sheet 7 of 18, as listed in the location comments. EOG shall provide a site conditions map showing surface waters, wetlands and intermittent streams. ss. NR 640.06(1)(c)2., and NR 645.06(1)(c)2., Wisconsin Administrative Code.

EOG Response #57:

Attachment 15, sheet 7 of 18, is titled "Floodplain Map". This map has surface waters, wetlands and intermittent streams shown with a scale of 1" = 200' and a 2-foot contour interval. To more clearly show the above features, EOG has darkened these features on this drawing. A revised Sheet 7 of 18 is contained in Attachment 17 of this submittal.

Comment #58:

Runoff control systems, and storm, sanitary and process sewerage systems are not presented on the site conditions map in attachment 15, sheet 3 of 18 as listed in the location comments. EOG shall provide a description of runoff control for the site and a description of the sanitary and storm sewers on the site. EOG provides the existing storm sewers in attachment 15, sheet 2 of 18, but EOG should also provide any proposed storm sewers or changes. EOG shall also present the drainage patterns for the site. ss. NR 640.06(1)(c)10., and NR 645.06(1)(c)12., Wisconsin Administrative Code.

EOG Response #58: *Additional text and completed plan sheets describing runoff control systems, storm, sanitary and process sewerage systems for the site will be submitted by EOG under a separate submittal.*

Comment #59: The site conditions map in attachment 15, sheet 3 of 18, does not show any barriers for drainage. EOG shall provide a site conditions map that shows any barriers to drainage on the site. ss. NR 640.06(1)(c)11., and NR 645.06(1)(c)13., Wisconsin Administrative Code.

EOG Response #59: *Additional text and completed plan sheets describing barriers for drainage for the site will be submitted by EOG under a separate submittal*

Comment #60: EOG shall provide more detailed construction drawings for the whole site. I would like specifications on the following items:

- a. the container auger
- b. drum emptying under a nitrogen blanket
- c. the containment areas and the process/storage building (specifically the areas around the doorways)
- d. the blending tank and associated equipment
- e. tank foundations
- f. tank design specifications
- g. the associated piping at the site and the pipe joints

ss. NR 640.06(1)(d), and NR 645.06(1)(d), Wisconsin Administrative Code.

EOG Response #60: *Additional text and completed plan sheets providing more detailed construction specifications and design qualities for the site will be submitted by EOG under a separate submittal. This submittal will satisfy ss. NR 640.06(1)(d), and NR 645.06(1)(d), Wisconsin Administrative Code and include specifications for the following:*

- the container auger
- drum emptying under a nitrogen blanket
- the containment areas and process/storage building (specifically the areas around the doorways)
- the blending tank and associated equipment
- tank foundations
- tank design specifications
- the associated piping at the site and the pipe joints

Comment #61: EOG shall provide an engineering plan that shows final site topography. EOG shall also show whether the final grade for the site will affect the proposed boundary fence, and if any fill will be added to build up the northeast corner of the site. ss. NR 640.06(1)(d)4., NR 640.06(1)(g)2.,

645.06(1)(d)3., and NR 645.06(1)(g)2., Wisconsin Administrative Code.

EOG Response #61: *EOG will provide an engineering plan that shows final site topography under a separate submittal. At this time, EOG anticipates that the final grade of the site will not affect the proposed boundary fence, and the northeast corner of the site will not need to be built up. This submittal will satisfy ss. NR 640.06(1)(d)4., NR 640.06(1)(g)2. NR 645.06(1)(d)3. and NR 645.06(1)(g)2., Wisconsin Administrative Code.*

Comment #62: **EOG shall provide any recommendations on design constraints for development of the site considering all available data and give reasons for the recommendations. I could not find this information in attachment 7 as indicated in the location comments. ss. NR 640.06(1)(f), and NR 645.06(1)(f), Wisconsin Administrative Code.**

EOG Response #62: *EOG decided to build this facility at this location because they could use their existing building which is located in an existing industrial park with major transportation routes (I45 and I43) nearby. EOG is located at the end of a cul du sac which secludes the facility from passing traffic. The site is zoned Heavy Industrial, therefore rezoning is not required. Milwaukee is the largest city and industrial center of Wisconsin. The greatest portion of targeted wastes within Wisconsin are generated in the Milwaukee area. Additionally, most of the end sites to which the fuel will be shipped are located east and south of Wisconsin (Illinois, Missouri, Michigan, etc.). Therefore, a southeastern Wisconsin location provides the best transportation logistics for this operation.*

Comment #63: **EOG shall provide a plan sheet showing any surface water control structures. ss. NR 640.06(1)(h)2., and 645.06(1)(h)2., Wisconsin Administrative Code.**

EOG Response #63: *EOG will provide a plan sheet showing any surface water control structures in accordance with ss. NR 640.06(1)(h)2. and NR 645.06(1)(h)2., Wisconsin Administrative Code. This information will be submitted to the department under a separate submittal.*

Comment #64: **EOG shall clearly show any slope to the floor in each of the storage areas and also show how the slope would affect the containment capacity. ss. NR 640.06(2)(a)1. and 2., NR 640.13, NR 645.06(2)(a)1. and 2., and NR 645.09, Wisconsin Administrative Code.**

EOG Response #64: *EOG will clearly show any slope to the floor in each of the storage areas and also show how the slope would affect the containment capacity in accordance with ss. NR 640.06(2)(a)1. and 2., NR 640.13, NR 645.06(2)(a)1. and 2., and NR 645.09, Wisconsin Administrative Code. This information will be submitted to the department under a separate submittal.*

Comment #65: EOG shall explain what the containers will be stored on in the rooms in the lab pack building. ss. NR 640.06(2)(a), and NR 640.13, Wisconsin Administrative Code.

EOG Response #65: The floors in the rooms of the lab pack building will be continuously sealed with a concrete base and will have no floor drains. The doorway of each of the five rooms will have a 6-inch impervious concrete ramp. The containment capacity of each room will be greater than 200-gallons which is greater than the largest container which will be processed in these rooms. Attachment 8, Appendix A of this submittal contains the containment calculations for these rooms. Attachment 8, Section 9.2 has been revised and the revisions are contained in Attachment 8 of this submittal.

Drums will be transported, via a drum dolly, from the lab pack containment area to the appropriate room for unpacking or pumping. Once the drum has been emptied, it will be removed from the room.

Comment #66: Because the containment area for the container storage area and the blending tank are in a common use area, EOG shall explain what restrictions will be placed on the amount and type of materials that will be stored there. ss. NR 640.06(2)(a), and NR 640.13, Wisconsin Administrative Code.

EOG Response #66: Only compatible wastes are stored in the process/storage building and only compatible materials will be blended in the blending tank. Restrictions of the amount of materials that can be stored in this area are dictated by the storage capacity and layout as described in Attachment 7, Section 2.4 and Sheets 9 and 10 in Attachment 15.

Comment #67: Attachment 8, section 9.1, page 12, paragraph 5, states, "in the event of a leakage or rupture...waste it may contain will be removed ... If the quantity contained in the faulty equipment merits removal." EOG shall explain what is meant by, "if the quantity contained merits removal." ss. NR 640.06(2)(a)5., NR 640.13, NR 645.06(2)(a)5., and NR 645.09, Wisconsin Administrative Code.

EOG Response #67: EOG has revised Attachment 8, Section 9.1, page 12, paragraph 5 as follows: "In the event of leakage or rupture, the faulty equipment should easily be identified by visual inspection as part of the daily inspection schedule. Once identified, the faulty equipment will be immediately taken out of service, and any wastes (or product) it may contain will be removed and directed into containers or available tank space on-site. Attachment 8 of this submittal contain the revised pages.

Comment #68: Attachment 8, section 9.2, page 13, paragraph 2, refers to the storage/process building having a 6 inch concrete curbing at entrances to the building. The curbing in this building is not all concrete or impervious and as a condition for final licensing, EOG shall make all of the curbing concrete and impervious. s. NR 640.13, Wisconsin Administrative Code.

EOG Response #68: EOG will replace any permeable curbing with impervious concrete curbing prior to final licensing.

Comment #69: EOG shall explain what is done to ensure compliance with the requirements for management of ignitable and reactive wastes when blending wastes. NR 630.17, Wisconsin Administrative Code. EOG shall mention what is specifically done to determine if wastes are potentially incompatible. EOG shall also mention how incompatible wastes are kept separate or protected from other wastes. ss. NR 630.17, NR 640.10, and 640.15(2), referenced from 640.06(2)(b) and (c), and ss. NR 645.13 and 645.14, referenced from NR 645.06(2)(b) and (c), Wisconsin Administrative Code.

EOG Response #69: To prevent sources of external ignition, explosion proof electrical equipment will be used in all ignitable liquids storage and process areas. Precautions taken in the container storage area to prevent accidental fire and explosion include the proper storage of containers (stacking, aisle space, labeling and sealing of containers), dikes and warning signs. Smoking is prohibited.

Containers holding ignitable waste are stored 50 feet from the property line as shown on Sheets 9 and 10 in Attachment 15.

Open flames are prohibited in areas where ignitable wastes are handled.

Comment #70: Flammable wastes are mentioned as being located at least 50 feet from the facility's property line but nothing is mentioned about the location of reactive wastes. EOG shall explain how they will comply with the buffer zone requirements for reactive wastes. ss. NR 640.06(2)(c), and NR 640.14, Wisconsin Administrative Code.

EOG Response #70: Containers holding reactive and incompatible wastes are stored and handled in the lab pack building only. As shown on Sheet 2 of 18 (Attachment 15) the entire lab pack building is located 50 feet from the facility line.

Comment #71: EOG shall provide more information to show how the facility will be in compliance with the requirements for incompatible wastes. ss. NR 640.06(2)(c), and 640.15(1), Wisconsin Administrative Code.

EOG Response #71: All containers are compatible to the material stored in them. Incompatible

materials are separated and stored in designated areas within the lab pack building. No incompatible materials will be fuel blended.

Comment #72: EOG shall provide more extensive information in the operations and maintenance manual on specifications for site construction and operation and descriptions of daily operations. ss. NR 640.06(2)(d), and NR 645.06(2)(d), Wisconsin Administrative Code.

EOG Response #72: The operations and maintenance manual is entitled "Process Information" and is contained in Attachment 7 of the September 1994 submittal.

The main office for EOG will be relocated (across the street) within three months. Prior to Phase I of construction, EOG will have bulked any existing materials and shipped them off-site. During construction, operations will cease until construction of phase I is completed. During Phase II and Phase III construction, operations will exist only within the completed Phase I building and the northern shipping dock will be the only dock in use for incoming and outgoing materials.

Comment #73: EOG shall provide an example of daily operating records. ss. NR 640.06(2)(d), and NR 645.06(2)(d), Wisconsin Administrative Code.

EOG Response #73: Daily operating records are listed as "EOG TANK FARM INVENTORY REPORT" and "EOG TANK FARM REPORT, Outbound Comparisons" in Attachment 6, Appendix D of the September 1994 submittal.

Comment #74: EOG shall explain how precipitation runoff will be managed at the site. ss. NR 640.06(2)(d)3., and NR 645.06(2)(d)3., Wisconsin Administrative Code.

EOG Response #74: Precipitation collected from within containment areas will be handled as contaminated and tested for compatibility prior to reblending into fuel. Precipitation outside of containment areas will be allowed to drain via overland flow into the sewer system. Attachment 8, Section 9.3 of the September 1994 submittal describes EOG's procedures for precipitation runoff.

Comment #75: EOG shall provide in the closure plan a description of possible land uses after closure. I could not locate this information in attachment 11, section 12, as indicated in the location comments. ss. NR 640.06(2)(e)2., 640.16, NR 645.06(2)(e)2b., NR 645.17, and 685.05, Wisconsin Administrative Code.

EOG Response #75: After all decontamination has been completed and site closure has been completed, the buildings and property may be used for other commercial or industrial business. Text has been added to Attachment 11, Section 11 to clarify this issue. Attachment 11 of this submittal contains the revised page(s).

Comment #76: Attachment 11, page 16, table 3, shows a discrepancy in the number of samples for the bulk solids storage container management area between the number of samples column and the description column. EOG shall resolve this issue and show consistency. ss. NR 640.06(2)(e)2., NR 640.16, NR 645.06(2)(e)2., 645.17, and NR 685.05, Wisconsin Administrative Code.

EOG Response #76: EOG has corrected this typographical error. A revised Table 3 has been provided in Attachment 11 of this submittal.

Comment #77: EOG shall provide the anticipated time before closing and any anticipated partial closures. ss. NR 640.06(2)(e)2., NR 640.16, NR 645.06(2)(e)2., NR 645.17, and NR 685.05, Wisconsin Administrative Code.

EOG Response #77: EOG has indefinite life because it is a recycling facility. It has an expected life of 50 years. The entire facility will operate until closure. Therefore, no partial closure is anticipated. Text has been added to Attachment 11, Section 8 to clarify this issue. Attachment 11 of this submittal contains the revised page(s).

Comment #78: In your comment on location of information for ss. NR 640.06(2)(e)3., and NR 645.06(2)(e)3., Wisconsin Administrative Code, EOG shall explain where is appendix B.

EOG Response #78: EOG has corrected this typographical error. Appendix B should read Attachment 12. The Checklist has been corrected and a revised checklist is contained in Attachment 14 of this submittal.

Comment #79: For the contingency plan to stand on its own as an independent document, EOG should include the following information in the plan or reference where the information can be found in the plan.

- a. Information on the communication systems and their locations,
- b. the location of safety equipment and emergency equipment in a layout of the whole facility, and
- c. a listing of the types of wastes, their hazards and where they are stored.

ss. NR 640.06(2)(f), NR 645.06(2)(f), NR 630.21, and NR 630.22(1) and (2), Wisconsin Administrative Code.

EOG Response #79: EOG has added text to Attachment 9, Sections 1.1, 5 and 6.1 to reference this information. Attachment 9 of this submittal contains the revised page(s).

Comment #80: Attachment 8 addresses equipment failure and power outage. EOG shall also include in the plan whether any backup equipment is kept on site. ss.

NR 640.06(2)(f), and NR 630.21, Wisconsin Administrative Code.

EOG Response #80: *As indicated in Attachment 8, Section 8.3 of the September 1994 submittal, EOG will have an auxiliary power source (i.e., generator) to be utilized in case of a power outage.*

Comment #81: **EOG shall provide a clearer discussion on how the aisle space requirements of s. NR 640.08, Wisconsin Administrative Code will be met.**

EOG Response #81: *Adequate aisle space will be maintained to allow for the unobstructed movement of personnel, fire protection equipment, spill control equipment and decontamination equipment to any area of the facility operation in an emergency.*

Adequate aisle space will be maintained to allow for the unobstructed movement of personnel conducting inspections as described in Attachment 8, Section 5 in accordance with s. NR 640.12. EOG will maintain a three-foot aisle spacing between rows and a minimum six-foot aisle spacing as exit routes to all doors at all times. Daily aisle space inspections will be made in accordance with the "EOG Container Storage Area Inspection Log" as shown in Attachment 6, Appendix A. During these aisle inspections, the inspector will make sure that a three foot aisle spacing is maintained between all rows of drums and a six foot aisle spacing is maintained for all exit routes. The inspector will also make sure that no obstructions are within any aisle spaces and if an obstruction is found, the inspector will take immediate action to clear the obstruction.

Should a drum be noted to be leaking, a hand dolly will be used to remove the drum from the storage area. The three foot aisle spacing provides ample room to wheel the dolly down an aisle and remove a drum from any given row of drums.

TANK REQUIREMENTS (ch. NR 645, Wisconsin Administrative Code)

Comment #82: **EOG shall specify what types of tests will be performed on the tanks. s. NR 645.08, Wisconsin Administrative Code.**

EOG Response #82: *As part of the daily inspection schedule, EOG will perform visual inspection of the tanks for weld breaks, punctures, scrapes of protective coatings, cracks, structural damage, frost heave, and obvious corrosion. EOG will perform a yearly non-destructive ultrasonic test for metal thickness at pre-selected areas of the tank to determine the amount and average rate of corrosion, if any, that has taken place during the previous year. There will be a minimum of three examinations per tank.*

- One examination per storage tank of a freeboard area that is in contact with the blended fuel vapor mixture.
- One examination per storage tank of a periodically wetted area at approximately half the working level of the tank.
- One examination per tank of the heel volume area of the tank that is essentially always wetted except for maintenance inspection purposes.

In addition, EOG will perform pressure testing of the atmospheric storage tanks at 2 PSIG both at the time of manufacture and at time of complete installation before putting the tanks into service.

Comment #83: In Attachment 7, section 3, page 15, paragraph 3, EOG shall specify what tests will be performed on the tanks, "as required." s. NR 645.08, Wisconsin Administrative Code.

EOG Response #83: EOG will provide this information to the department under another submittal.

Comment #84: EOG shall provide further information on the feed systems, safety cutoff, the systems for monitoring tank levels in the tanks, bypass systems, pressure controls such as vents, and all leak detection devices. s. NR 645.06(1)(i)3., Wisconsin Administrative Code.

EOG Response #84: EOG will provide information on the feed systems, safety cutoff, the systems for monitoring tank levels in the tanks, bypass systems, pressure controls such as vents, and all leak detection devices under a separate submittal to the department.

Comment #85: EOG shall provide information to show compliance with the buffer zone requirements for tanks holding ignitable or reactive wastes. ss. NR 645.06(2)(c), and NR 645.13(2), Wisconsin Administrative Code.

EOG Response #85: As shown of Sheet 2 of 18 (Attachment 15) the entire tank farm, lab pack building and the blending area within the storage/process building are located 50 feet from the facility line.

Comment #86: EOG shall provide a more detailed description of how the tank systems shall be installed in compliance with ss. NR 645.08(2), (4) and (5), referenced from ss. NR 645.06(1)(i)1. and 6., Wisconsin Administrative Code. EOG shall confirm that the tanks will be tested after they are constructed and put into place.

EOG Response #86: EOG will provide a more detailed description of how the tank systems shall be

installed in compliance with ss. NR 645.08(2), (4) and (5), referenced from ss. NR 645.06(1)(i)1. and 6., Wisconsin Administrative Code. EOG shall confirm that the tanks will be tested after they are constructed and put into place. This information will be provided to the department under a separate submittal.

Comment #87: EOG shall provide a more detailed description of how the secondary containment system for each tank system is designed and constructed to meet the requirements of ss. NR 645.06(1)(i)7. and 9., and 645.09(3) to (8), Wisconsin Administrative Code. In addition to attachment 7, the location indicated in the location comments, some of the information was located in attachment 8, appendix A.

EOG Response #87: EOG will provide a more detailed description of how the secondary containment system for each tank system is designed and constructed to meet the requirements of ss. NR 645.06(1)(i)7. and 9., and 645.09(3) to (8), Wisconsin Administrative Code under a separate submittal. EOG has updated the checklist to include Attachment 8, Appendix A for location of this information. Attachment 14 contains a revised checklist.

Comment #88: EOG shall provide calculations to show that if a hole is punctured in the wall of the tank near the containment area wall, that the spray of liquid coming out of the tank from the hole will remain in the containment area. ss. NR 645.06(2)(a), and NR 645.09, Wisconsin Administrative Code.

EOG Response #88: No reactive or incompatible wastes will be stored in the tank farm. In the unlikely event of a tank puncture, EOG personnel will respond in a variety of ways. A potential tank puncture will be investigated immediately to determine whether any blended fuel tank contents are escaping the containment structure to the surrounding paved area as indicated on Sheet 2 of Attachment 15 of the September 1994 submittal. If contents are escaping, EOG personnel will utilize a portable tarp secured to the top of the tank at the perimeter railing to deflect the exit stream from the tank to within the containment area. Oil dry compound and portable oil socks will be utilized, if necessary, to clean any spillage outside the containment. It is important to note that the blended fuel will most often be a viscous material. Even a tank puncture of 0.50-inch diameter would probably only ooze material within the containment as opposed to spraying over the containment walls. The spraying distance calculations are submitted as Attachment 18 of this submittal. The calculations assume a "frictionless" fluid with a "frictionless" puncture to determine the worst case condition.

The area surrounding the blended fuel tank containment is completely paved to well beyond the distance the storage tank can spray a "frictionless" fluid.

Comment #89: The roofing overhang on the tank farm will not leave the tank farm containment area completely free of precipitation. Although the containment seems to be designed with plenty of extra capacity, EOG shall address how precipitation will be handled that accumulates in this outside containment area. s. NR 645.09, Wisconsin Administrative Code.

EOG Response #89: EOG will handle any precipitation accumulated inside the outdoor secondary containment by manually pumping of the water to the storm sewer. If there is any evidence of spilled or leaking waste material within the containment area or contact of the blended fuel with the precipitation, then the accumulated precipitation will be pumped into one of the blended fuel storage tanks. The accumulated precipitation in the tank truck loading/unloading area is intended to be pumped into the blended fuel storage tanks as well if there is any evidence of spillage contacting the precipitation.

TYPOGRAPHICAL CORRECTIONS

Comment #90: Attachment 10, section 2, page 2, paragraph 1, refers to the personnel training, "regulatory requirements of WAC 630.11". The reference should be changed to, "WAC 630.16".

EOG Response #90: This typographical error has been corrected. Attachment 10 of this submittal contains the corrected page.

Comment #91: In attachment 10, section 2.2, page 4, the last line should add "aid" after "basic first."

EOG Response #91: This typographical error has been corrected. Attachment 10 of this submittal contains the corrected page.

Comment #92: Attachment 3, appendix E, section 1.1, page 1, states, "so old that they are unstable," should be changed to, "so old that they are unstable."

EOG Response #92: This typographical error has been corrected. Attachment 4 of this submittal contains the corrected page.

Comment #93: Attachment 3, appendix E, section 4.4, page 17, should read as, "revenues for the company."

EOG Response #93: This typographical error has been corrected. Attachment 4 of this submittal contains the corrected page.

Comment #94: In the location comments under environmental review, NR 680.06(6), you refer to attachment 3, appendix D. This information is located in Attachment 3, appendix E.

EOG Response #94: This typographical error has been corrected. Attachment 14 of this submittal contains the corrected page.

Comment #95: Attachment 5, section 5, page 32, paragraph 1, refers to "NR 630.12(g)" and should be changed to "NR 630.12(4)".

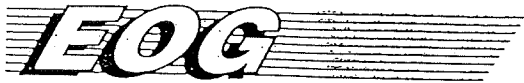
EOG Response #95: This typographical error has been corrected. Attachment 5 of this submittal contains the corrected page.

Comment #96: In attachment 7, section 2.1, page 7, paragraph 1, reads as, "or further consolidation," and should be changed to, "for further consideration."

EOG Response #96: This typographical error has been corrected. Attachment 7 of this submittal contains the corrected page.

Comment #97: Attachment 7, section 2.2.2, page 9, paragraph 2, reads as, "transferred to the field blending operation," and should be changed to "transferred to the fuel blending operation."

EOG Response #97: This typographical error has been corrected. Attachment 7 of this submittal contains the corrected page.



5611 West Hemlock Street • Milwaukee, WI 53223

EOG Disposal, Inc.

(414) 353-1156 • Fax (414) 353-1822

(800) 234-1156

April 21, 1995

Mr. Pat Brady
Wisconsin Department of
Natural Resources
4041 North Richards Street
P.O. Box 12436
Milwaukee, WI 53212

RE: Feasibility Report and Plan of Operation
Notice of Incompleteness Response for Design Related Issues
EOG Disposal, Inc. (EOG) 5611 West Hemlock Street, Milwaukee, WI
EPA ID#: WID988580056

Dear Mr. Brady,

Enclosed please find our subsequent response to your letter of incompleteness dated December 9, 1994 for EOG's September 1994 FRPO submittal. This response contains information regarding each of the design related issues of incompleteness and inadequacy.

As requested in your letter, EOG is submitting the following information as replacement pages and/or additional pages to the original document. All replacement pages and additional pages have been marked as such and include the date of this response submittal. This response has been prepared on a point by point basis from the December 9, 1994 Notice of Incompleteness letter for ease of review.

If you have any questions regarding this submittal, please contact me at (414) 353-1156.

Sincerely,
EOG Disposal, Inc.

Michael C. Vilione, President
VK Investments (Owner)

cc: Tom McElligott
Ed Lynch

Comment #12:

EOG shall provide a clearer explanation of the drum auger operation at the site. This information shall, at a minimum, include: a plan sheet of the auger operation; whether both solid and hazardous waste will be processed in the auger; whether solids from the auger would be treated as a solid or a hazardous waste (Attachment 7, Section 2.2, Page 9); how solids will be transferred from the solids auger (whether the solids will be pumped); and the decision making process used to determine where the solids will be transferred.

EOG Response #12: *EOG will operate a drum auger system for the purpose of removing hazardous waste from drums. The system will consist of a conveyor to move the drums to the elevated level of the auger, the auger itself for the removal of materials from the drums, a chute which will have a movable gate for directing the waste to either a lined roll-off below or a screw conveyor system which will move the waste to the blend tank for mixing into a solvent matrix for ultimate use as fuel. Waste conveyed to the roll-off will be designated for proper disposal. EOG intends to use this auger system for hazardous waste only.*

The waste to be managed in this operation will be evaluated for its ability to be blended into a solvent matrix. Those wastes considered too difficult for handling in the blending operation will be conveyed directly into the roll-off. As the roll-off is filled, it will be re-positioned to evenly distribute the waste. Those wastes considered appropriate for the fuel blending operation will be fed from the auger system chute into a screw conveyor system to the blend tank.

A ventilation system will be provided for the entire operation to assure adequate fresh air, and explosive-free atmosphere, and treatment of the exhaust air coming from this process. To accomplish efficient ventilation and removal of objectionable vapors, the roll-off area will be enclosed. The entrances to this enclosure will be a roll-up door for roll-offs and a man door for personnel. The auger chute will be ducted to the explosion-proof, spark-free ventilation fan. Air will thus be drawn from the source at the auger and the roll-off. This air will be treated by carbon adsorption before being discharged to the atmosphere.

A non-sparking auger and appropriate grounding techniques will be used to eliminate any possible sparking from the operation.

Text has been revised in Attachment 7, Section 2.2, Page 9. Attachment 18 of this submittal contains the revised pages. A drum auger process diagram (Sheet 11 of 16) and drum auger area plan (Sheet 12 of 16) are included in Attachment 19.

Comment #14:

EOG shall submit plan sheets showing site construction and operation topography. These plans should show how final construction will fit into the existing landscape. This should include cross sections, and construction specifications which show foundations of the facility structures. s. NR 680.05(1)(c)4.f., Wisconsin Administrative Code.

EOG Response #14: *Plans have been prepared which show proposed site construction and operation topography, and how the proposed grading blends into the existing landscape. A detailed field utility and topographic survey of the site was*

performed by GAS and used for plan preparation. Plan sheet 3 of 16, entitled Site Grading and Paving (Attachment 19), shows existing site conditions and proposed paving and grading. Construction specifications for site grading, paving, and utility installation are included in Attachment 20. The plans and cross-sections of facility structures are shown on design drawings A1 (Sheet 6 of 16), S1 (Sheet 7 of 16), and S2 (Sheet 8 of 16) in Attachment 19.

Comment #53: EOG shall provide further information on the facility layout including building and structures foundation, sizing of receiving areas, sizing of major processes and processing equipment. ss. NR 640.06(1)(a)12., and NR 645.06(1)(a)12., Wisconsin Administrative Code.

EOG Response #53: *Details of the building and structures foundations are in design drawings S1 (Sheet 7 of 16) and S2 (Sheet 8 of 16) in Attachment 19. Sizing of major processes and processing equipment are included in Drawing A1 (Sheet 6 of 16), Attachment 19.*

Comment #55: EOG shall explain what provisions will be taken during the construction of the facility to ensure protection of groundwater and surface waters. ss NR 640.06(1)(a)15., and NR 645.06(1)(a)15., Wisconsin Administrative Code.

- The above sections and paragraphs of the State Code refer to the feasibility and plan of operation report. The specific items referenced are to be included in a narrative intended for determination of whether the site has potential for use as a hazardous waste storage or treatment facility and to identify and address any operating conditions which are necessary for the proper operation of the facility.

EOG Response #55: *Provisions for protection of groundwater and surface waters during construction of the facility include the installation of erosion control measures within and around the site prior to land disturbance. Specifically, geotextile silt fencing will be installed around the site prior to excavation to intercept silt-laden stormwater runoff prior to entering the nearby water course and, ultimately, Lincoln Creek. Filter fabric will also be placed within existing storm sewer inlets on and near the site, and in new inlets as they are installed. An erosion control plan for construction is shown in Attachment 19, Sheet 1 of 16. Erosion control details are shown in Attachment 19, Sheet 5 of 16. Technical specification Section 01565, Erosion and Sediment Control, is included in Attachment 20, and describes the installation, maintenance, and removal of erosion control features.*

No special measures are anticipated for protection of groundwater beyond those provided for surface waters, as there is presently no hazardous or contaminated material on-site which could reach groundwater, and none are expected to be produced as a result of construction activities.

Comment #58: Runoff control systems and storm, sanitary, and process sewerage systems are not presented on the site conditions map in attachment 15, sheet 3 of 18, as listed in the location comments. EOG shall provide a description of runoff control for the site and a description of the sanitary and storm sewers on the site. EOG provides the existing storm sewers in attachment 15, sheet 2 of 18, but EOG should also provide any

proposed storm sewer changes. EOG shall also present the drainage patterns for the site. ss. NR 640.06(1)(c)10., and NR 645.06(1)(c)as., Wisconsin Administrative Code.

- The above sections and paragraphs of the State Code are generally part of the feasibility and plan of operation report, and specifically part of the requirement for an existing and proposed site conditions topographic map.

EOG Response #58: Attachment 19 contains two plan sheets which show the existing and proposed topography and the existing and proposed storm sewer and sanitary sewer systems. Sheet 2 of 16, entitled Site Demolition and Utilities, shows the proposed storm sewer and sanitary sewer system for the site. Sheet 3 of 16, entitled Site Grading and Paving shows the existing and proposed contours which define the drainage pattern for the site.

All paved areas within the site will be sloped to drain toward sump catchbasins within the site. There will be no runoff from paved areas that will not be captured by the storm sewer system. The final storm sewer system manhole will have a remotely controlled, electrically operated shut-off valve which can be closed to prevent the discharge of water within the storm sewer from the site. Storm sewers shall be reinforced concrete pipe with gasketed joints.

A sanitary sewer lateral from the Lab Pack Building to the City's sanitary sewer in Hemlock Street will be installed to service bathroom facilities.

Comment #59: The site conditions map in attachment 15, sheet 3 of 18, does not show any barriers for drainage. EOG shall provide a site conditions map that shows any barriers to drainage on the site. ss. NR 640.06(1)(c)11 and NR 645.06(1)(c)13, Wisconsin Administrative Code.

EOG Response #59: There will be no barriers to drainage upon final grading and site construction. Positive drainage away from the site will be maintained for unpaved areas. All paved areas will be sloped to drain towards sump catchbasins within the site. There will be no runoff from paved areas that will not be captured by the storm sewer system. Refer to Sheet 2 of 16, entitled Site Demolition and Utilities, and Sheet 3 of 16, entitled Site Grading and Paving in Attachment 19.

Comment #60: EOG shall provide more detailed construction drawings for the whole site. I would like specifications on the following items:

- a. the container auger
- b. drum emptying under a nitrogen blanket
- c. the containment areas and the process / storage building (specifically the areas around the doorways)
- d. the blending tank and associated equipment
- e. tank foundations
- f. tank design specifications
- g. the associated piping at the site and the pipe joints.

ss. NR 640.06(1)(d) and NR 645.06(1)(d), Wisconsin Administrative Code.

EOG Response #60: For (a), refer to Attachment 19, Sheet 13 of 16.
For (b), refer to Attachment 19, Sheet 11 of 16 and Sheet 12 of 16.
For (c), refer to Attachment 19, design drawings A1 (Sheet 6 of 16), S1 (Sheet 7 of 16), and S2 (Sheet 8 of 16).
For (d), refer to Attachment 19, Sheet 14 of 16 and Sheet 15 of 16.
For (e), refer to Attachment 19, Sheet 8 of 16 and Sheet 9 of 16.
For (f), refer to Attachment 19, Sheet 9 of 16 and tank specifications in Attachment 20.
For (g), refer to Attachment 19, Sheet 10 of 16.

Comment #61: EOG shall provide an engineering plan that shows final site topography. EOG shall also show whether the final grade for the site will affect the proposed boundary fence, and if any fill will be added to build up the northeast corner of the site. ss. NR 640.06(1)(d)4., NR 640.06(1)(g)2., 645.06(1)(d)3., and NR 645.06(1)(g)2., Wisconsin Administrative Code.

- The above sections and paragraphs of the State Code discuss the need for a final site plan and the identification of grading, filling, or cleaning on the site.

EOG Response #61: Attachment 19 contains Sheet 3 of 16, entitled Site Grading and Paving, and Sheet 4 of 16, entitled Security Fence Plan, which shows existing and proposed contours for the project site. There will be grading and filling along the eastern and northeastern edges of the site to provide a level pad for the boundary fence and to support the paving in the northeast corner of the site.

Comment #63: EOG shall provide a plan sheet showing any surface water control structures. ss. NR 640.06(1)(g)2., and 645.06(1)(h)2., Wisconsin Administrative Code.

- The above sections and paragraphs of the State Code refer to engineering plan requirements for the project.

EOG Response #63: Attachment 19 contains sheet 5 of 16, entitled Miscellaneous Details. This sheet shows surface water control structures, including sumped catchbasins, manholes, and erosion control devices.

Comment #64: EOG shall clearly show any slope on the floor in each of the storage areas and also show how the slope would affect the containment capacity. ss. NR 640.06(2)(a)1. and 2., NR 640.13, NR 645.06(2)(a)1. and 2., and NR 645.09, Wisconsin Administrative Code.

EOG Response #64: Details of floor slope in all storage areas are presented in design drawings A1 (Sheet 6 of 16) and S2 (Sheet 8 of 16), Attachment 19. Containment Volume calculations are presented in Attachment 21.

Comment #72: EOG shall provide more extensive information in the operation and maintenance manual on specifications for site construction and operation and descriptions of daily operations. ss. NR 640.06(2)(d), and NR 645.06(2)(d), Wisconsin Administrative Code.

EOG Response #72: Specifications for site construction, including erosion control, grading, paving, storm sewer, sanitary sewer, and water service, are in Attachment 20.

Comment #83: In Attachment 7, section 3, page 15, paragraph 3, EOG shall specify what tests will be performed on the tanks, "as required."

EOG Response #83: A tank farm visual inspection will be performed daily for tank weld breaks, punctures, scrapes of protective coatings, cracks, structural damage, frost heave, and corrosion.

Text has been revised in Attachment 7, Section 3, Page 15, Paragraph 3. Attachment 18 of this submittal contains the revised pages.

Comment #84: EOG shall provide further information on the feed systems, safety cutoff, the systems for monitoring tank levels in the tanks, bypass systems, pressure controls such as vents, and all leak detection devices. ss. NR 645.06(1)(i)3, Wisconsin Administrative Code.

EOG Response #84: Further information on systems operations are provided as follows (see also process and instrumentation diagrams; Sheet 14 of 16, Sheet 15 of 16, and Sheet 16 of 16 in Attachment 19; and equipment specifications in Attachment 20).

AGITATORS:

AG-1: Agitator for Storage Tank ST-1. Agitator is controlled by explosion-proof push button actuation at the tank. Agitator operates continuously while product is in the tank. Agitator is manually deactivated by the push button when the tank is not in use or as management dictates.

AG-2: Agitator for Storage Tank ST-2. Agitator is controlled by explosion-proof push button actuation at the tank. Agitator operates continuously while product is in the tank. Agitator is manually deactivated by the push button when the tank is not in use or as management dictates.

AG-3: Agitator for Storage Tank ST-3. Agitator is controlled by explosion-proof push button actuation at the tank. Agitator operates continuously while product is in the tank. Agitator is manually deactivated by the push button when the tank is not in use or as management dictates.

AG-4: Agitator for Storage Tank ST-4. Agitator is controlled by explosion-proof push button actuation at the tank. Agitator operates continuously while product is in the tank. Agitator is manually deactivated by the push button when the tank is not in use or as management dictates.

AG-5: Agitator for Blend Tank BT-1. Agitator is controlled by explosion-proof push button actuation at the tank. Motor starter is interlocked with timer to operate agitator for ten minutes before automatically requiring operator to re-activate if further blending is required.

UNLOADING TANKER TO STORAGE TANKS:

This operation is controlled from a Control Panel, CP-1, located at the pumping station. Product hose and vapor return hose are connected to tanker.

ST-1, ST-2, ST-3, or ST-4 is selected. GV-1 and GV-12 are left in closed position. GV-2, GV-35, and GV-13 are opened. System is activated by push button.

Upon activation, free capacity of selected storage tank is calculated based on level reading from ultrasonic level detector, L1. If free capacity is less than 5,000 gallons, check capacity alarm light is activated on control panel. If this circumstance is acceptable to the operator, operator pushes acknowledge button and system is activated. Otherwise, a different tank selection is made.

Upon activation, ABV-1 remains in the closed position, three-way solenoid S-6 opens, allowing air onto the cylinder of ABV-2, thereby opening ABV-2. Tank fill valve ABV-7, ABV-8, ABV-9, or ABV-10 and tank vent valve ABV-12, ABV-13, ABV-14, or ABV-15 are similarly opened, depending on the tank selected for filling. ABV-17 is also similarly opened. As tank fills, vapors are vented back to the tanker.

If the level in the selected tank reaches the high level position setting for L1, the system is deactivated with all three-way solenoids venting and actuated valves thereby returning to closed position. An alarm light is activated at the control panel. Alarm is deactivated upon acknowledgment by the operator. At this point, a different storage tank is selected as outlined above and the system is activated again.

Upon completion of pumping out the tanker, the pump P-4 or P-5 is allowed to empty the suction lines. The system is deactivated by push button at the control panel CP-1, allowing the three-way solenoid valves on the actuated valves to vent, thereby closing the actuated ball valves.

GV-2, GV-35, and GV-13 are closed, and product and vapor hoses are disconnected.

The system is limited to 30 minutes of continuous operation. If the system operates for 25 minutes continuously, an alarm light is activated requiring acknowledgment from the operator. Once acknowledged, the system will operate for another cycle.

TRANSFERRING FROM STORAGE TANK TO BLEND TANK BT-1

This operation is controlled from control panel CP-1 located at the pumping stations.

The operation of Transfer from S.T. to B.T. is selected. Pump P-4 or P-5 is selected. Manual valving is checked for consistency with pump selection. Storage Tank ST-1, ST-2, ST-3, or ST-4 is selected. GV-2, GV-35, and TV-13 are left in closed position. GV-1 and GV-12 are opened. System is activated by push button.

Upon activation, ABV-2 remains in the closed position; three-way solenoid S-5 opens, allowing air onto the cylinder of ABV-1, thereby opening ABV-1. Tank discharge valve ABV-3, ABV-4, ABV-5, or ABV-6 is similarly opened, depending on the tank selected for transferring. Tank vent valve ABV-12, ABV-13, ABV-14, or ABV-15 are similarly opened depending on the tank

selected. Blend tank vent valve ABV-16 is similarly opened. As blend tank fills, vapors are vented back to the appropriate storage tank.

If the level in the blend tank reaches the high level position setting for L1, the system is deactivated with all three-way solenoids venting and actuated valves thereby returning to closed position. An alarm light is activated at the control panel. Alarm is deactivated upon acknowledgment by the operator.

Upon completion of transferring from the selected storage tank to the blend tank, the system is deactivated. All actuated valves are closed and all gate valves are closed.

The system is limited to 30 minutes of continuous operation. If the system operates for 25 minutes continuously, an alarm sounds requiring acknowledgment from the operator. Once acknowledged, the system will operate for another cycle.

TRANSFERRING FROM BLEND TANK BT-1 TO STORAGE TANK

This operation is controlled from a control panel, CP-2, located at the blend tank pumping station.

The operation of Transfer from B.T. to S.T. is selected. Pump P-2 or P-3 is selected. Manual valving is checked for consistency with pump selection. Storage Tank ST-1, ST-2, ST-3, or ST-4 is selected. GV-21 is left in closed position. System is activated by push button.

Upon activation, free capacity of selected storage tank is calculated based on level reading from ultrasonic level detector, L1, in that storage tank. The amount to be pumped from blend tank is calculated based on level reading from L1 in blend tank. If free capacity in the selected storage tank is less than the amount to be pumped from the blend tank, check capacity alarm light is activated on control panel. If this circumstance is acceptable to the operator, operator pushes acknowledge button and system is activated. Otherwise, a different storage tank selection is made.

Upon activation, three-way solenoid S-18 opens, allowing air onto the cylinder of ABV-11, thereby opening ABV-11. Storage tank inlet valve ABV-7, ABV-8, ABV-9, or ABV-10 is similarly opened, depending on the storage tank selected for transferring. Blend tank vent valve ABV-16 and storage tank vent valve ABV-12, ABV-13, ABV-14, or ABV-15 are similarly opened. As storage tank is filled, vapors are vented back to blend tank.

If the level in the selected storage tank reaches the high level position setting for L1, the system is deactivated with all three-way solenoid venting and actuating valves thereby returning to closed position. An alarm light is activated at the control panel. Alarm is deactivated upon acknowledgment by the operator.

Upon completion of pumping out the blend tank, the pump P-2 or P-3 is allowed to empty the suction lines. The system is deactivated by push button at the control panel CP-2, allowing the three-way solenoid valves on the actuated valves to vent thereby closing the actuated ball valves.

The system is limited to 30 minutes of continuous operation. If the system operates for 25 minutes continuously, an alarm light is activated, requiring acknowledgment from the operator. Once acknowledged, the system will operate for another cycle.

TRANSFERRING FROM STORAGE TANK TO TANKER

This operation is controlled from a control panel, CP-1, located at the pumping station.

The operation of Transfer from S.T. to Tanker is selected. Pump P-4 or P-5 is selected. Manual valving is checked for consistency with pump selection. Storage Tank ST-1, ST-2, ST-3, or ST-4 is selected. GV-2, GV-12, and GV-35 are left in closed position. GV-1 and GV-13 are opened. System is activated by push button.

Upon activation, three-way solenoid to storage tank discharge actuated valve ABV-3, ABV-4, ABV-5, or ABV-6 opens, allowing air onto the cylinder of the corresponding valve, thereby opening that valve. Storage tank nitrogen solenoid valve S-12, S-13, S-14, or S-15, depending on the tank selected, is also opened to replace the pumped volume with nitrogen.

Tanker level is monitored by the operator and the system is deactivated at the appropriate time. GV-1 and GV-13 are closed and the product hose is disconnected.

The system is limited to 25 minutes of continuous operation. If the system operates for 20 minutes continuously, an alarm sounds requiring acknowledgment from the operator. Once acknowledged, the system will operate for another cycle.

OPERATION OF DRUM AUGER AND CONVEYOR

Drum auger system is operated according to the manufacturer's instructions. Drums are staged after evaluation for use in fuel blending. If drum contents are to be routed to blend tank BT-1, the gate in the chute at the auger discharge is placed in the position to feed the emptied drum contents into the conveyance system to blend tank BT-1. Slide gate valve SGV-1 is opened, and operation of the auger system is commenced. Drums are emptied by the system into the conveyance system which conveys them to blend tank BT-1. At completion of blend tank loading, the auger system is deactivated and SGV-1 is closed.

If drum contents are evaluated as inappropriate for blending, the gate in the chute is moved to discharge emptied drum contents into roll-off below drum auger. Upon completion of drum emptying, auger is deactivated.

Comment #86:

EOG shall provide a more detailed description of how the tank systems shall be installed in compliance with ss. NR 645.08(2), (4) and (5), referenced from ss. NR 645.06(1)(i)1. and 6., Wisconsin Administrative Code. EOG shall confirm that the tanks will be tested after they are constructed and put into place.

- The above section and paragraphs of the State Code pertain to inspecting the aboveground tank system after installation and before active service. Paragraph (2) specifies criteria for a visual inspection of all tank system components and certification by a qualified individual. Paragraph (4) specifies criteria for leak testing the tank system. Paragraph (5) specifies criteria for supporting and protecting all ancillary equipment.

EOG Response #86

NR 645.08(2)—The installation of all aboveground storage tank systems will be observed by an independent, qualified installation inspector or an independent registered professional engineer. During installation, the inspector will insure that manufacturer's specifications concerning installation be followed, or that recommended industry standards be followed (i.e., Steel Tank Institute, "Installation Instructions for Factory Fabricated Aboveground Tanks;" and Petroleum Equipment Institute, "Recommended Practices for Installation of Aboveground Storage Systems for Motor Vehicle Fueling"). After installation, the qualified inspector will observe the tank system for any weld breaks, punctures, scrapes of protective coatings, cracks, corrosion, or other structural damage. Any damage will be repaired prior to placing the tank system into active service.

NR 645.08(4)—After installation and prior to active service, each tank and associated ancillary equipment will be tested for tightness by an independent, qualified inspector. Leak testing will consist of air pressure testing and will be performed according to the tank manufacturer's specifications. The tank itself will be pressurized to between 1-1/2 to 2-1/2 pounds per square inch as recommended in the Steel Tank Institute document "Installation Instructions for Factory Fabricated Aboveground Tanks (R912-91)," dated April 4, 1991, and the Petroleum Equipment Institute document "Recommended Practices for Installation of Aboveground Storage Systems for Motor Vehicle Fueling (PEI/R200-92)." Piping will be pressured separately from the tank at a pressure of 50 pounds per square inch. All fittings to the tank and piping and all piping connections will be soaped during testing to detect leakage. All sources of leakage will be repaired, refit, and retested before the tank system is placed in active service.

NR 645.08(5)—All piping and ancillary equipment will be supported and protected as indicated on Sheet 10 of 16 in Attachment 19. Supplemental to this drawing, the piping will be installed straight and true without springing, forcing, or bending. Installation shall be neat and completed in a workmanlike manner. Piping shall be installed in full length units to minimize number of joints.

All piping shall be rigidly supported and anchored so that there is no movement or visible sagging between supports. No support from connected equipment will be allowed.

All piping support design, construction, materials, and installation shall be in accordance with the latest applicable provision of the Code for Pressure Piping, ANSI B31.1, unless otherwise specified herein.

In the design of piping supports, consideration shall be given to all factors such as thermal expansion, weight, support reactions, and expansion joint reactions. Supports shall not include excessive strain in the piping, connected equipment, or building structure.

Pipe deflection between supports shall be limited to 1/8-inch maximum with normal operating contents in the piping or 3/8-inch with maximum loading. Nominal pipe support spacing shall be 10 feet.

Supports shall be located and arranged so as not to interfere with or obstruct other piping, raceways, lighting, walkways, stairways, headroom, and equipment operation and maintenance spaces.

The net supporting effect at operating condition shall not induce forces or moments on the piping system terminals. Under conditions other than operating, the supporting effect shall not induce excessive forces or moments on the piping, equipment or supports.

Vertical pipe supports shall be protected by ballards where subject to vehicle traffic. Where piping passes through walls or roofs, the piping assembly shall be provided with a sleeve or collar per recommendation of building manufacturer.

Piping that is located in exterior areas shall be supported and installed in a piping trough with a removable gasketed top cover assembly. The piping system shall be sloped toward a collector sump to permit detection of leakage in the carrier pipe. Since piping runs are relatively short, thermal loops or expansion joints are not anticipated.

Comment #87:

EOG shall provide a more detailed description of how the secondary containment system for each tank system is designed and constructed to meet the requirements of ss. NR 645.06(1)(i)7. and 9., and 645.09(3) to (8), Wisconsin Administrative Code. In addition to Attachment 7, the location indicated in the location comments, some of the information was located in Attachment 8, Appendix A.

- The above sections and paragraphs of the State Code require that detailed plans and specifications be provided explaining how secondary containment for each tank system will be designed, installed, and operated to prevent any migration of wastes or accumulated liquids out of the system to soil, groundwater, or surface water, and how the system is capable of detecting and collecting releases and accumulated liquids until the collected material is removed. NR 645.06(1)(i)9 requires a description of controls and practices to prevent spills and overflows.

EOG Response #87: *NR 645.09(5)(a)—Secondary containment will be constructed as indicated on Drawing S2 (Sheet 8 of 16) in Attachment 19. The walls and floor will be constructed of poured, reinforced concrete. The floor and walls will be constructed of 12-inch thick concrete. Concrete pads will be provided for additional support directly beneath the tank supports. Concrete in the floor will be reinforced as indicated to reduce cracking and provide adequate support for the tanks (see stress calculations provided in Attachment 21). The walls will be reinforced to resist cracking and to resist overturning (see stress calculations in Attachment 21).*

The tank system will store various flammable petroleum products, inks, and organic solvents which will not aggressively react with or degrade the concrete, but which could progressively corrode the concrete over prolonged

direct exposure. Therefore, to prolong the life of the concrete and to seal pores in the concrete, the inside walls and floor of the secondary containment system will be coated with an epoxy resin which is compatible with the stored wastes. To provide for uniform coating, the inside surfaces of the concrete secondary containment will be troweled smooth. The concrete surfaces will be prepared according to the epoxy manufacturer's specifications (etched with muriatic acid, rinsed, and neutralized with tri-sodium phosphate) prior to application. The resulting epoxy coating will be approximately 30-mil thick. All joints in the concrete will be fitted with continuous stainless steel water stops and sealed with a flexible joint sealing compound which is compatible with the stored waste (see Sheet 8 of 16 in Attachment 19).

NR 645.09(5)(b)—The tank system will be placed on a reinforced concrete slab having a minimum thickness of 12 inches (see Sheet 8 of 16 in Attachment 19). The foundation has been designed to resist pressure gradients from above and below, and is capable of preventing failure due to settlement, compression or uplift (see stress calculations in Attachment 21).

NR 645.09(5)(c)—The tank system will be provided with leak detection which is designed to detect failure within the tank system and associated ancillary equipment located inside the secondary containment. The method of leak detection will be twofold:

1. A sump will be placed inside the secondary containment as indicated on Sheet 7 of 16 in Attachment 19. The sump will contain a liquid level sensor designed to automatically alert site personnel to the presence of liquids within the sump on a continuous basis.
2. During normal business hours, the tank system will be inspected for leakage on a daily basis.

Also, to prevent overfills from occurring, each tank will be fitted with overflow alarms and a liquid level sensor to provide electronic tank gauging.

Aboveground piping located outside the secondary containment walls will be enclosed by a secondary containment jacket as indicated on Sheet 10 of 16 in Attachment 19. The containment jacket will be sloped to a small collection sump integral to the jacket. The sump will be fitted with a liquid level sensor which is designed to alert site personnel to the presence of liquids on a continuous basis.

NR 645.09(5)(d)—The floor of the secondary containment is designed to slope towards a collection sump which will be fitted with a liquid level sensor alarm (see Sheet 7 of 16 in Attachment 19). The secondary containment jacket for external piping is also designed to slope towards a collection sump which will contain a liquid level sensor alarm. Liquids which accumulate within the secondary containment sumps will be removed by pumping within 24 hours.

NR 645.09(6)—Secondary containment for the tank system is considered to be an external, reinforced concrete liner.

NR 645.09(7)(a)—The concrete liner system is designed to contain 100% of the capacity of the largest tank (12,000 gallons) and ancillary equipment within its boundary (see tank volume calculations in Attachment 21).

The tank system is fully covered to prevent run-on or infiltration of precipitation into the concrete liner as indicated on Sheet 8 of 16 in Attachment 19.

The walls and floor of the concrete liner are reinforced with two layers of re-bar, and therefore should provide maximum resistance to cracking. The concrete liner walls will be constructed with footings located below the local frost line and, as such, should eliminate or limit differential movements caused by frost heave and periodic freeze-thaw cycles (see Sheet 8 of 16 in Attachment 19). In addition, all joints in the concrete liner will be fitted with continuous stainless steel water stops as indicated on Sheet 8 of 16 in Attachment 19.

The concrete liner is designed to completely surround the tanks and to cover all surrounding earth likely to come into contact with the waste if the waste is released from the tank (see Sheet 7 of 16 and Sheet 8 of 16 in Attachment 19).



5611 West Hemlock Street • Milwaukee, WI 53223

EOG Disposal, Inc.

(414) 353-1156 • Fax (414) 353-1822

(800) 234-1156

November 10, 1995

Mr. Pat Brady
Wisconsin Department of
Natural Resources
4041 North Richards Street
P.O. Box 12436
Milwaukee, Wisconsin 53212

RE: EOG Disposal, Inc. 5611 West Hemlock Street, Milwaukee, WI
EPA ID# WID003967148
Feasibility and Plan of Operation Report Notice of Completeness & Preliminary
Determination

Dear Mr. Brady,

Enclosed please find our subsequent response to your letter dated October 11, 1995. This response contains information regarding each of the conditions in the preliminary FPOR determination.

EOG is submitting the following information as replacement pages and/or additional pages to the original document. All replacement pages and additional pages have been marked as such and include the date of this response submittal. This response has been prepared on a point by point basis from the October 11, 1995 letter for ease of review.

If you have any questions regarding this submittal, please contact me at (414) 353-1156.

Sincerely,
EOG Disposal, Inc.

Michael C. Vilione, President
VK Investments (Owner)

cc: Tom McElligott
Ed Lynch

Comment #1:

EOG shall provide details on the connections to the tanks in the lab pack building. EOG shall also include a narrative describing the filling and emptying of these tanks. EOG shall provide descriptions of the supports for these tanks. EOG shall explain how these tanks and their secondary containment units will achieve compliance with s. NR 645.09(4) and (5), Wisconsin Administrative Code.

EOG will operate two drum pump-out systems in the Lab Pack Building. One will be for the purpose of removing acids from drums and the second will be for the removal of bases from the drums. Each system will consist of a suction tube for removing liquid from the drums, a stainless steel/teflon trim double diaphragm air driven pump, and a 5,500 gallon tank of the appropriate material, along with all related piping and valves as shown on Sheet 1 of 3 located in Attachment 23.

Acid waste will be pumped through the acid piping system into the Acid tank by opening the proper valves and actuating the air driven acid waste pump. Upon completion of pumping from a drum, the ball valve to the suction tube will be closed, the pump will be deactivated, the tube will be removed from the drum and either a new drum will be pumped or all valves will be closed to end the procedure. Base wastes will be pumped from drums in the same manner using the base system. Displaced air from the base system will be vented to the atmosphere outside the building. Vapors displaced from the acid tank will be vented to the caustic scrubber.

Each tank will be emptied by a vacuum tanker initially with piping provisions to be made for the addition of 3" gear pumps. Evacuation of the tanks will be accomplished by the connection of the proper "dry disconnect" fittings to the matching fittings on the truck, opening of the appropriate valves, and removal of the material from the storage tank into the tanker for transport. Upon completion, the valves will be closed and the "dry disconnect" fittings will be disconnected.

The tanks will be designed with dished bottoms and supports as shown on Plan Sheet 2 of 3 located in Attachment 23. The supports will be designed to support the stored liquids and the weight of a completely filled tank, structural calculations are located in Attachment 24. The tank bottoms will be elevated 2 feet off the floor slab by the supports to allow visual inspection of the tank bottom for leakage. The inside of the tanks will be lined with an epoxy coating to eliminate corrosion. The exterior of the tanks will be painted with enamel to minimize corrosion.

Secondary containment will be constructed as indicated in Plan Sheet 2 of 3. The walls and floor will be constructed of poured, reinforced concrete. The floor will be constructed of an eight-inch thick concrete base, followed by a synthetic, chemical resistant (acid/base) liner, followed by a six-inch

thick concrete top slab. The walls will be constructed of 12-inch thick reinforced concrete. Concrete pads will be provided for additional support directly beneath the tank supports. Concrete in the floor will be reinforced to reduce cracking and provide adequate support for the tanks. The foundation (floor) will be designed to resist pressure gradients from above and below, and is capable of preventing failure due to settlement, compression, or uplift (see stress calculations provided in Attachment 24). The walls will also be reinforced to resist cracking.

To prolong the life of the concrete and to seal pores in the concrete, the inside walls and floor of the secondary containment systems will be coated with an epoxy resin which is compatible with the stored wastes. To provide for uniform coating, the inside surfaces of the concrete secondary containment will be troweled smooth. The concrete surfaces will be prepared according to the epoxy manufacturer's specifications (etched with muriatic acid, rinsed and neutralized with tri-sodium phosphate) prior to application. The resulting epoxy will be approximately 30-mil thick. All joints in the concrete will be filled with continuous stainless steel water stops and sealed with flexible joint sealing compound which is compatible with the stored waste.

Secondary containment for the tank systems is considered to be an external, reinforced concrete liner. The concrete liner systems are designed to contain 100% of the capacity of the largest tank (5,000 gallons) and ancillary equipment within its boundary (see tank volume calculations in Attachment 8, Appendix A of the FPOR). The tank systems are fully enclosed within a building and are therefore protected from run-on or infiltration of precipitation.

Leak detection will be accomplished by visual inspection on a daily basis. Any accumulated liquids will be removed by pumping or absorption immediately. Any defective (leaking) tank system components will be repaired as soon as practicable. To prevent overspill from occurring, each tank will be fitted with overflow alarms and a liquid level sensor to provide electronic tank gauging.

Comment #2:

EOG Shall provide sidewall and bottom structure and corrosion calculations on the 6 proposed licensed hazardous waste tanks in accordance with s. NR 645.08, Wisconsin Administrative Code.

Sidewall and bottom structure and corrosion calculations on the 6 proposed licensed hazardous waste tanks are located in Attachment 25.

Comment #3:

EOG shall have the submittal dated and all additional information submitted to complete the FPOR certified by a professional engineer certified in the state of Wisconsin. s.NR 680.05(1)(a)(1)., Wisconsin Administrative Code. The P.E. signature and stamp is for the state of North Carolina and explains that the engineer has applied for P.E. Status from the state of Wisconsin. A P.E. certification from the State of Wisconsin is required. In addition to the P.E. certification on the drawings, a P.E. certification should cover the entire submittal and any revisions and/or additions to the FPOR. Whenever any additions, revisions and/or modifications are submitted regarding the FPOR, EOG shall submit the documents under the certification of a state of Wisconsin P.E. s.NR 680.05(1)(a)1., Wisconsin Administrative Code.

P.E. certifications are located in Attachment 26 of this submittal.

Comment #4.

EOG shall explain if the auger system will be directly vented to the vapor recovery system or through the carbon unit to the atmosphere.

Air from the auger system will be vented through the carbon adsorption unit to remove the organic contaminants before being discharged into the atmosphere.

Comment #5:

In response to #41 of the December 9, 1994 , notice of incompleteness, EOG was requested to make changes to table 2, located in attachment 3, pages 39 through 58. No changes were observed in table 2. EOG shall make the requested changes to table 2. EOG shall also explain whether the analyses listed in table 2 are the only analyses performed on the waste.

In the February 27, 1995 response to the Notice of Incompleteness EOG included a revised Table 2 that contained an additional column indicating that **Compatibility** analysis would be completed for each Primary Waste Type. The analysis listed in Table 2 are the only analyses performed unless other analysis is deemed necessary by management. This other analysis may include additional fingerprint analysis such as reactivity, organic solvent identification, viscosity, acid reactivity, oxidizer and percent ash to further qualify materials to meet outbound facility specifications. A descriptor defining other analysis has been added Attachment 5, Table 2, page 64 of the FPOR. Attachment 27 of this submittal contains the revised table.

Comment #6:

In your response to #43 and #44 of the December 9, 1994, notice of incompleteness, EOG states that samples received on-site will be analyzed by an on-site chemist. EOG shall confirm that the on-site analysis, which is part of the waste analysis plan, shall be carried out in a laboratory which is certified or registered under ch. NR 149, Wisconsin Administrative Code. EOG makes the distinction between waste characterization and determining the acceptability of waste materials. Both are part of the waste analysis plan and therefore both shall be performed by a laboratory which is certified or registered under ch. NR 149, Wisconsin Administrative Code, as required by s NR 630.13(2), Wisconsin Administrative Code. EOG shall provide a clear explanation and provide revised language for the FPOR.

Analysis that is completed for waste characterization purposes and acceptability determination will be completed by a laboratory which is certified or registered under ch. NR 149, Wisconsin Administrative Code. Attachment 5, Section 4 page 36 and Attachment 5, section 7 page 42 of the FPOR have been changed to clarify this issue. Attachment 27 of this submittal contains the revised pages.

Comment #7:

In attachment 5, section 5.1., the seventh line states, "A minimum of ten percent of the containers... shall be sampled", and the next line states, "All incoming wastes are sampled." EOG shall provide further clarification on their sampling and provide replacement language in attachment 5, section 5.1., which clarifies their sampling.

A minimum of 10% of the containers of each generator's waste stream shipment is sampled. Attachment 5, section 5.1, page 37 of the FPOR has been changed to clarify this issue. Attachment 27 of this submittal contains this revised page.

Comment #8:

EOG shall revise the Waste Profile Sheet in attachment 5, appendix A, so that it clearly shows if the results are from testing, generator knowledge, or some other method.

EOGs Waste Profile Sheet has been revised to show that the results are from testing, generator knowledge or other method. Attachment 5, Appendix A of the FPOR has been revised to clarify this issue. Attachment 27 of this submittal contains the revised Waste Profile Sheet.

Comment #9: In response to #45 of the December 9, 1994 notice of incompleteness, EOG shall provide replacement text which refers to attachment 17 rather than attachment 15.

Attachment 17 of EOGs February 27, 1995 submittal contained revised plan sheets that were to replace those in attachment 15 of the original FPOR. Therefore, the text in response to question #45 is correct in referring to "Sheets 9, 10 and 11 of Attachment 15".

Comment #10: In response to #50 of the December 9, 1994, Notice of Incompleteness, EOG refers to "north of the paved roadway", in response to where trucks might be waiting. EOG shall further explain whether that area is the parking lot north of their proposed office building or on Hemlock Street and provide revised language in the FPOR reflecting this point. This area should be identified on a plan sheet.

Trucks which are waiting to load or unload will be staged within a fenced area located on the EOG property. This area is located directly northeast of the EOG offices and has dimensions of 98 feet by 65 feet. This area will only be used for truck staging when heavy traffic is experienced at the site loading and unloading facilities and roll-off staging area which are located to the south. The trucks will be attended by their drivers while waiting to load or unload. The location of the proposed staging area is shown on the revised Site Grading and Paving Plan, Sheet 3 of 16. Attachment 3, Section 5 page 13 of the FPOR has been changed to clarify this issue. Attachment 27 of this submittal contains the revised page and revised plan sheet.

Comment #11: In #54 of the December 9, 1994, notice of incompleteness, EOG was requested to submit to the department a specific time table laying out their plans for construction on their hazardous waste management facility. EOG must again submit a more specific time table. In addition to their response, EOG shall submit a proposal for seeking licensing of the facility and their anticipated time table for requesting licensing and whether this will be requested all at once or in stages.

EOG is planning to construct their facility in three general phases according to the following schedule:

Phase 1: Retrofit of the existing building will begin December 1, 1995. Construction is expected to take 3 months.

Phase II: Construction of the Lab Pack Depack building will begin April 1, 1996 and is expected to take 4-5 months.

Phase III: Construction of the tank farm will begin mid-April 1996, expected to take 4 months to construct.

EOG will seek licensing for containers and tanks upon completing each construction phase, and upon submitting a construction observation report for each phase as required in NR 680.08, Wisconsin Administrative Code. An application for licensing will accompany each report. EOG will seek licensing as follows:

- * A container license after construction of Phase I;
- * A modification to the container license, and a tank license after construction of Phase II; and
- * A modification to the tank license after construction of Phase III.

Comment #12: In your response to #65 of the December 9, 1994, notice of incompleteness, EOG shall address how the containment area for lab pack container storage area complies with the requirements of s. NR 640.13, Wisconsin Administrative Code, and how the containers will be protected from contact with accumulated liquids.

The floors in each of the lab pack building rooms will have a containment system designed and constructed to have a continuous base which is free of cracks or gaps and is impervious to the material to be stored, and will contain any hazardous waste discharges, leaks, spills and precipitation until the collected materials is detected and can be removed. The doorway of each of the five rooms will have a 6-inch impervious ramp. Upon room entry there will be a series of grates inset 6 inches above the room floor. This grating system will provide an elevated surface for containers to avoid any chance of contact with accumulated liquids.

Comment #13: In response to #73 of the December 9, 1994, notice of incompleteness, no information was presented on the outbound shipment of containers. EOG shall include information on the outbound shipment of containers.

Any containerized materials that are destined for outbound shipment will be packaged according to DOT specifications. All shipments will include properly completed manifests and land disposal restriction forms. Lab packed drums will also include inventory sheets identifying drum contents. Drums shipping from EOG will be properly labeled in accordance with 49 CFR 174.400 General Labeling requirements. All containers shipping off

site will be sent to fully permitted and licensed transfer, storage and disposal facilities.

Comment #14:

As a response to #80 of the December 9, 1994, notice of incompleteness, EOG shall inform the department whether spare parts are kept on site for any of the units of importance, where operation of the facility could be stopped because of need to wait for a replacement part.

EOG will maintain an inventory of spare parts that will include the following:

AGITATORS:

AG-1 - AG-4

Agitators for tanks ST-1 through 4. Components consist of agitator blades, baffles, shafts, seals, shaft couplings, gear reducers and motors. Spare parts will include one gear reducer, one motor, two internal parts for seals, two internal parts for seals, two internal parts for bearings and two shaft couplings.

AG-5

30 horsepower agitator for Blend Tank BT-1. Components consist of motor, gear reducer, bearings, shaft, seal, shaft coupling, belts and blade.

VALVES, PUMPS, FILTERS LIQUID LEVEL CONTROLS:

1/4" bronze ball valves with ss/teflon trim.

1-1/2" bronze ball valve with ss/teflon trim.

3/4" needle valves.

3" carbon steel gate valves with 304 ss trim.

1-1/2" spring loaded ss check valve.

3" spring loaded ss check valves.

1/2" explosion proof 120v solenoid valves.

2" in-line flame arrestor.

1-1/2" explosion-proof 120v solenoid valve.

2" pressure/vacuum relief valve.

2" 2 piece ATOSR actuated valves.

3" filters with 3/16" ss perforated screen.

3" 3 piece ball valves ATOSR.

Diaphragms and seat assemblies for double diaphragm pump.

Gears, bearings and seals for 3" gear pump.

Dual level sensors.

This spare part inventory will allow for minimal down time.

Comment #15: EOG shall incorporate their responses to #84, #86 & #87 of the December 9, 1994, notice of incompleteness into the body of the FPOR.

Responses #84, #86 & 87 have been incorporated into Attachment 7, "Process Information" and Attachment 8, "Preparedness & Prevention" of the FPOR. Attachment 27 of this submittal contains the revised pages.

Comment #16: Even though only solids will be stored in the lugger boxes, EOG shall provide adequate containment as required by s. NR 640.13, Wisconsin Administrative Code. EOG shall submit plans showing how they comply with all of the containment requirements of s. NR 640.13, Wisconsin Administrative Code.

The outside area used to store roll-off containers is shown on Plan Sheet 3 of 3 located in Attachment 23 of this submittal. The area will be designed to accept a maximum of six roll-off containers. Each roll-off will have approximate dimensions of 20 feet long by 7.5 feet wide by 3.5 feet high, and will have an approximate capacity of 20 cubic yards. The waste material stored in each roll-off will consist of solids and be of like chemical compatibility.

The roll-off container storage will be constructed as shown on plan sheet 3 of 3. The floor slab will be constructed of eight-inch thick reinforced concrete. The floor slab will be placed on an engineered backfill to minimize frost heave. The foundation (floor slab and footings) is adequate to support the load of six roll-off containers filled to maximum capacity (See structural loading calculations in Attachment 28). All construction joints will be fitted with stainless steel water stops and sealed with caulk (which is compatible with the stored waste) to prevent migration of accumulated liquids.

Secondary containment in the form of concrete curbing will be monolithically joined to the concrete floor slab. The height of the curbing will vary with the slope of the floor slab as indicated on Plan Sheet 3 of 3. The secondary containment structure will have a capacity to hold the contents of one roll-off container (see volume calculations for secondary containment in Attachment 28). The floor slab will be pitched to collect and hold any spilled or accumulated liquids within the secondary containment structure.

The storage area will be enclosed with a canopy as indicated on Plan Sheet 3 of 3. The canopy will be designed to allow safe loading and unloading

of roll-off containers and also prevent the accumulation of precipitation within the secondary containment structure. The canopy will be supported by concrete footings which will extend below the frost line to prevent the effects of frost heave. The concrete apron in front of the storage area will be pitched away from the storage area to prevent stormwater from entering the secondary containment structure.

The storage area will be inspected daily for leaking containers or accumulated liquids. Any accumulated liquids will be removed immediately by pumping, vacuuming, or use of absorbents. Leaking containers will be repaired immediately. The floor slab will be provided with a continuous curb stop along its entire length to prevent containers from rolling backwards and consequently damaging the secondary containment structure or back wall of the canopy.

Comment #17: EOG shall confirm:

- a. the lugger boxes will always have gaskets around the openings on the sides,
- b. the lugger boxes will always remain covered with an exception for filling,
- c. the exterior of the lugger boxes will be clean before they are placed outside, and
- d. that adequate access to inspect the lugger boxes will be available.

EOG confirms that the lugger boxes will always have gaskets around the openings and sides, will remain covered with an exception for filling, the exterior of the lugger boxes will be clean before they are placed outside and adequate access to inspect the lugger boxes will be available.

Comment #18: EOG Shall explain how the containment area for containers in the lab pack building complies with the requirements of s. NR 640.13, Wisconsin Administrative Code, for preventing contact between the containers and any accumulated liquid.

The floors in each of the lab pack building rooms will have a containment system designed and constructed to have a continuous base which is free of cracks or gaps and is impervious to the material to be stored, and will contain any hazardous waste discharges, leaks, spills and precipitation until the collected material is detected and can be removed. The doorway of

each of the five rooms will have a 6-inch impervious ramp. Upon room entry there will be a series of grates inset 6 inches above the room floor. This grating system will provide an elevated surface for containers to avoid any chance of contact with accumulated liquids.

Comment #19: EOG shall explain how they will respond to spills in the catch basins located in the south and northeast sections of the property.

In the event of a spill in the catch basins, the storm sewer shut off valve will automatically be actuated to prevent discharge. Any spill material contained in the basin will be sampled, analyzed, pumped into drums and stored for off-site treatment or disposal at a fully permitted and licensed treatment, storage and disposal facility.

Comment #20: If hazardous waste cylinders are to be stored on site, EOG shall explain what precautions will be taken in handling and storing these cylinders.

Hazardous waste cylinders will be accepted at EOG for storage and transfer only. Cylinders will be received in the lab pack building only and stored according to hazard class in appropriately designated rooms. Cylinders received in small drums or DOT boxes will be re-packaged into larger DOT shippable drums for off-site disposal at a permitted facility. Only properly packaged, identified, labeled and manifested cylinder will be accepted for storage and transfer. No cylinders will be opened or treated.

Comment #21: Some confusion has occurred between the original submittal and the followup submittals because of use of attachment in both. The department could not always tell if the attachments in subsequent submittals were designed to fit into the original attachments of the same number, some other attachment, or be an additional attachment. EOG shall explain how these attachments shall be incorporated and submit a revised table of contents that reflects any changes.

The following is an explanation of attachments from EOGs previous submittals:

EOG's February 25, 1995 response to the letter of incompleteness contained the following attachments:

Attachment 1: Replacement Part A Application for Attachment 1 of the FPOR.

Attachment 2 - Replacement pages for Attachment 2, "Needs Assessment" of the FPOR.

Attachment 3 - Replacement pages for Attachment 3, "General Facility Description" of the FPOR.

Attachment 4 - Replacement pages for Attachment 3, "General Facility Description" of the FPOR.

Attachment 5 - Replacement pages for Attachment 5, "Waste Analysis Plan" of the FPOR.

Attachment 6 - Replacement pages for Attachment 6, "Inspection Schedule" of the FPOR.

Attachment 7 - Replacement pages for Attachment 7, "Process Information" of the FPOR.

Attachment 8 - Replacement pages for Attachment 8, "Preparedness and Prevention" of the FPOR.

Attachment 9 - Replacement pages for Attachment 9, "Contingency Plan" of the FPOR.

Attachment 10 - Replacement pages for Attachment 10, "Personnel Training Program" of the FPOR.

Attachment 11 - Replacement pages for Attachment 11, "Closure Plan" of the FPOR.

Attachment 12 - "Waste Code Tally Sheet", this is an attachment of this submittal.

Attachment 13 - Contains a revised Master Table of Contents for the FPOR.

Attachment 14 - Contains a revised Checklist for the FPOR.

Attachment 15 - "Compatibility Testing Procedure" is an attachment of this submittal.

Attachment 16 - Replacement pages for Attachment 3, Appendix F of the FPOR.

Attachment 17 - Replacement Plan Sheets for Attachment 15 of the FPOR.

EOG's April 21, 1995 response contained the following Attachments:

Attachment 18 - Replacement pages for Attachment 7, "Process Information" of the FPOR.

Attachment 19 - "Plan Sheets" is an attachment of this submittal.

Attachment 20 - "Erosion Control" is an attachment of this submittal.

Attachment 21 - "Stress and Containment Calculations" is an attachment of this submittal.

A revised Master Table of Contents containing any changes is located in Attachment 27 of this submittal.



EOG Disposal, Inc.

(414) 353-1156 • Fax (414) 353-1822

(800) 234-1156

February 22, 1996

Mr. Pat Brady
Wisconsin Department of
Natural Resources
4041 North Richards Street
P.O. Box 12436
Milwaukee, Wisconsin 53212

RE: Feasibility Study and Plan of Operation Report
EOG Disposal, Inc. 5611 West Hemlock Street, Milwaukee, WI
EPA ID# WID988580056

Dear Mr. Brady,

Thank you for meeting with us regarding the changes we are requesting to make to the Feasibility Study/Plan of Operation Report (FPOR) submitted to the Wisconsin Department of Natural Resources on September 6, 1994. The following is a description of the additional operations we propose to implement before completion of the Phase II retrofit and completion of Phase IV.

These changes are to include a lab pack re-packaging and drum transfer/storage operation in the existing EOG Disposal, Inc. building during the Phase II Retrofit. The lab pack re-packaging operations will allow EOG the capability of re-packaging compatible laboratory chemicals from small containers into larger containers for off-site shipment to permitted Treatment Storage and Disposal Facilities. The transfer/storage operation will allow EOG to store drummed materials until truck load quantities can be sent off-site for Treatment or Recycling. These operations will take place during the Phase II Retrofit and will continue until the Lab pack Depack building is constructed and is operational.

EOG is committed to completing the construction of our hazardous waste management facility as outlined in the FPOR. The overall construction time table will depend on weather conditions and department approvals. The Lab Pack Depack building will be started as soon as the site preparation is completed so that the lab pack re-packaging operations can be moved into the new building. If conditions permit, Phase IV will be constructed in conjunction with Phase V.

The following is a revised construction schedule:

Phase I: Retrofit of the existing building that will include replacement of permeable curbing, installation of a surveillance and alarm system and sealing of floors for acceptance of all wastes with the exception of ignitables. This retrofit will begin March 15, 1996 and is expected to take 2 weeks.

- Phase II: Remaining Retrofit of the existing building. Construction is expected to take 3 months.
- Phase III: Site preparation will begin April 1, 1996 and is expected to take 4-5 months.
- Phase IV: Construction of the Lab Pack Depack building will begin September 1, 1996 and is expected to take 4-5 months.
- Phase V: Construction of the tank farm and roll-off container storage area will begin September 1, 1996 and is expected to take 4 months to construct.
- Phase VI: Addition to the existing EOG Disposal building. Construction timetable has not been determined.

EOG will seek licensing for container storage after Phase I construction and a modification to this license for acceptance of ignitables after Phase II construction. License applications for the remaining phases will depend on construction completion dates. EOG will combine license applications when possible. For example, if the tank farm is completed at the same time as the Lab Pack Depack building, EOG will submit one tank license application for the tanks in the Lab Pack Depack Building and the tank farm.

EOG will be accepting Toxicity Characteristic wastes, hazardous wastes from non-specific sources, hazardous wastes from specific sources, various discarded commercial chemical products, off-specification materials, container residues, spill residues and various laboratory chemicals generated by EOG's existing and future clients. EOG will not accept any ignitable materials until the Phase II Retrofit has been completed.

The layout of the proposed lab pack storage and repackaging areas is illustrated in the attached Figure 1. EOG will set up five separate storage and repack areas that will have distinct boundaries and will be marked with yellow painted lines. The hazard class of the material in each storage/repack area will be clearly communicated by hazardous materials placards corresponding to the materials that are presently in that storage/repack area. The storage areas will be located on both the north side and the southwest corner of existing EOG Disposal building. In each storage/repack area the drums will be placed on spill containment pallets which will elevate the drums 6.5 inches off the floor and will provide enough room to hold either six or eight 55 gallon drums on its surface. The secondary containment capacity for the eight drum pallets is 82 gallons. The secondary containment capacity for the six drum pallets is 61 gallons.

As lab packs are received in 5, 10, 20 and 30 gallon containers they will be placed in appropriately designated storage/repack areas. They will then be depacked and repackaged in

to larger containers. All depacking will be done on top of the containment pallets. Containers in the lab packs will be combined with other containers in the lab packs without opening any of the containers. The contents of the containers in the lab packs will not be combined with any of the containers.

Bulk drummed materials received will be placed in appropriately designated storage areas to await transfer and shipment to permitted TSDFs.

The proposed operations will allow for storage of up to 468 hazardous waste containers and 280 non-hazardous waste containers or any combination of the above.

STORAGE/REPACK AREA 1: Is located along the north wall of the facility and measures 40 feet by 30 feet. It has enough area for 20 spill containment pallets (10 x 6 drum pallets and 10 x 8 drum pallets) holding a maximum of 140 x 55 gallon drums of material. This area will be used primarily for the storage and repackaging of hazard class 9 (other regulated materials) containers. The secondary containment for this storage area is 1,430 gallons.

STORAGE/REPACK AREA 2: Is located along the north wall adjacent to area 1 and measures 15 feet by 30 feet. It has enough area for 8 spill containment pallets (4 x 8 drum pallets and 4 x 6 drum pallets) holding a maximum of 56 x 55 gallon drums of material. This area will be used primarily for the storage and repackaging of reactive containers. The secondary containment for this area is 572 gallons.

STORAGE/REPACK AREA 3: Is located along the south wall of the facility opposite area 1 and measures 18 feet by 30 feet. It has enough area for 8 spill containment pallets (4 x 8 drum pallets and 4 x 6 drum pallets) holding a maximum of 56 x 55 gallon drums of material. This area will be used primarily for the storage and repackaging of corrosive bases (pH > 12.5) containers. The secondary containment for this area is 572 gallons.

STORAGE/REPACK AREA 4: Is located along the south wall of the facility and to the west adjacent to area 3. It measures 30 feet by 30 feet and has enough area for 16 spill containment pallets (8 x 8 drum pallets and 8 x 6 drum pallets) holding a maximum of 112 x 55 gallon drums of material. It will be used primarily for the storage and repackaging of poison containers. The secondary containment for this area is 1,144 gallons.

STORAGE/REPACK AREA 5: Is located in the southwest corner of the facility and measures 15 feet by 72 feet. It has enough area for 14 spill containment pallets (10 x 8 drum pallets and 4 x 6 drum pallets) holding a maximum of 104 x 55 gallon drums of material. It will be used primarily for the storage and repackaging of corrosive acid (pH < 2) containers. The secondary containment for this area is 1,064 gallons.

The above listed capacities all refer to 55 gallon drums. Pallets may actually contain drums of various sizes such as 5, 10, 20 and 30 gallon containers.

Depending on the quantities of various drums received, the hazard classes specified above for Storage/Repack areas may be interchanged. For instance, if EOG Disposal received 75 drums

of corrosive bases, area 1 may be designated for corrosive base storage and area 3 designated for hazard class 9 storage. Only chemicals that are compatible will be stored in each area. Common incompatibles which will not be stored together include acids with bases, acids with cyanides.

During the day to day operations spills of various materials may occur. The spill containment pallets are designed to prevent spilled materials from spreading throughout the storage/repack areas. In the event of a spill, steps will immediately be taken to clean up the spill and prevent the cross contamination of different wastes. The first step will be to identify the leaking container(s) and to stop the container from leaking the rest of its contents. Next, if there are any other containers on the same pallet as the leaking container they will be moved to another containment pallet in the same storage/repack area. The contents of the leaking drum will then be transferred to a proper container. Any spilled material that was contained in the pallet will also be transferred into this container. The containment pallet will then be decontaminated before it is used again.

The first step in the decontamination process is to soak up any remaining liquids that remain in the spill containment pallet with towels, pigs or other absorbents. The pallet grate and the containment area of the pallet will be washed with a solution of biodegradable degreasing cleaner and water using scrub brushes and rags to physically remove any residue left on the pallet or pallet grate. The pallet grate and the containment area of the pallet will then be triple rinsed with a dilute solution of cleaner and water a total of three times. The resultant contaminated cleaning solution, rinsate, rags and absorbents will be collected into drums and disposed of at a fully permitted TSDF.

After the completion of the Phase II Retrofit and approval of this modification, EOG will be accepting ignitables. Storage Area 1 will be designated as ignitable storage. Precautions taken in the container storage area to prevent accidental fire and explosion include the proper storage of containers (stacking, aisle space, labeling and sealing of containers) dikes and warning signs. Smoking is prohibited. To prevent sources of external ignition, explosion proof electrical equipment will be used in all ignitable liquids storage areas.

Containers holding ignitable waste are stored 50 feet from the property line.

Open flames are prohibited in areas where ignitable wastes are handled.

All containers are compatible to the material stored in them. Incompatible materials are separated and stored in designated areas.

In addition to the storage/repack areas there will also be a supply area for containers, vermiculite and pallets. This will be in the area marked supplies on figure 1. This is the area currently utilized for supply storage and currently occupied by the laboratory. The laboratory walls will be taken down and all equipment will be moved into the area marked as the office.

The additional drum storage illustrated on figure 1 will be utilized for non-hazardous drummed materials. Lab packs will only be placed in designated storage areas 1-5.

It is EOG's policy to manage these wastes in the most cost effective way possible, making sure that no backlog of wastes is stored on-site for extended periods of time.

Completion of the Phase II Retrofit will continue during the lab pack re-packaging and drum transfer/storage operations. Worker safety will be of the utmost importance. Lab Pack re-packaging and transfer/storage operations will not take place while construction workers are working on the retrofit.

During the lab pack re-packaging operations, EOG will adhere to all of the relevant procedures described in the Feasibility and Plan of Operation Report (FPOR). The following is a listing of each of the FPOR Attachments and their related procedures:

Prior to acceptance, a Waste Profile Sheet and lab pack drum inventory for lab packs and waste streams will be completed by the generator or broker and forwarded to the Approvals Coordinator for review as described in Attachment 5, WASTE ANALYSIS PLAN, Section 2 of the FPOR.

Waste Streams will be sampled and analyzed per the requirements of Attachment 5, WASTE ANALYSIS PLAN, Section 4. Shipment Screening will be completed per the requirements of Attachment 5, WASTE ANALYSIS PLAN, Section 5. EOG will follow the Sampling Procedures described in Attachment 5, WASTE ANALYSIS PLAN, Section 7.

EOG will follow the Rejection Procedures as described in Attachment 5, WASTE ANALYSIS PLAN, Section 6.

During the lab pack depack and storage/transfer operations appropriate components of the Inspection Schedule, described in Attachment 6, of the FPOR will be phased into normal operating procedures.

EOG will follow the Operation and Maintenance Procedure described in Attachment 7, PROCESS INFORMATION, Section 2.7.

EOG will follow the Aisle Spacing Requirements described in Attachment 8, PREPAREDNESS AND PREVENTION PLAN, Section 5.

EOG will follow the Service Arrangements described in Attachment 8, PREPAREDNESS AND PREVENTION PLAN, Section 6.

Loading and off-loading operations will be followed as described in Attachment 8, PREPAREDNESS AND PREVENTION PLAN, Section 7.

EOG will follow Preventative and Remedial Actions procedures as described in Attachment 8, PREPAREDNESS AND PREVENTION PLAN, Section 8.2 and 8.4.

EOG will follow the Runoff Prevention Procedures described in Attachment 8, PREPAREDNESS AND PREVENTION PLAN, Section 9.1.

EOG will follow the Employee Exposure Prevention procedures described in Attachment 8, PREPAREDNESS AND PREVENTION PLAN, Section 10.

EOG will follow the Groundwater Contamination Prevention procedures described in Attachment 8, PREPAREDNESS AND PREVENTION PLAN, Section 11.

EOG will follow all of the relevant procedures described in Attachment 8, SPILL PREVENTION CONTROL AND COUNTERMEASURE.

EOG will follow all of the procedures described in Attachment 9, CONTINGENCY PLAN.

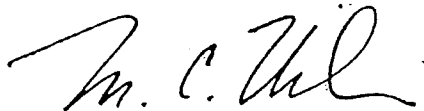
EOG will follow all of the relevant procedures described in Attachment 11, CLOSURE PLAN.

Closure costs for the proposed lab pack re-packaging and drum transfer/storage operations are estimated to total \$128,212.70. These costs are illustrated in the attached Table 1 and Table 2. The recycling/disposal costs listed in these tables are based on an inventory of 60% lab packs and 40% hazardous waste drums. When the lab pack re-packaging operations are moved to the Lab Pack Depack building, the spill containment pallets will continue to be used for operations in the existing EOG Disposal building. Any contaminated spill containment pallets will be decontaminated prior to reuse. The decontamination calculation for the spill containment pallets of \$715 shown in Table 1 and Table 2 is based on decontaminating 20% of the 66 pallets at \$55 each.

EOG Disposal currently has an insurance policy for closure in the amount of \$151,503.00 and proposes to continue this policy in its current dollar amount. When Phase IV and Phase V are permitted, the closure amount will be revised to reflect Table 4 in Attachment 11, CLOSURE PLAN, of the FPOR.

We look forward to your comments regarding these proposed changes. If you have any questions regarding this request please contact me.

Sincerely,
EOG Disposal, Incorporated



Michael C. Vilione, President
VK Investments (Owner)

cc: Ed Lynch
Tom McElligott

TABLE 1
CLOSURE COST ESTIMATE

Closure Activities	Unit Cost	Quantity	Total (\$)
Recycling/Disposal of Hazardous Waste Drum Inventory	\$130.00/drum	187	\$24,310.00
Recycling/Disposal of Lab-Pack Drum Inventory	\$200.00/drum	281	\$56,200.00
Transportation Costs	\$300/80 drums	6	\$1,800.00
Storage Areas			
-decontaminate floor surfaces	\$5,250.00	1	\$5,250.00
-rinsate analyses	\$1,047/sample	6	\$6,282.00
-decontaminate containment pallets	\$55.00	13	\$715.00
Closure-Derived Waste Management			
- solid residues	\$1.00/pound	2,500	\$2,500.00
- liquid residues	\$0.50/gallon	15,000	\$7,500.00
Engineering			
- closure observation	\$1,200.00/day	5	\$6,000.00
- documentation report	\$6,000.00	1	\$6,000.00
10% Contingency	\$11,655.70	1	\$11,655.70
Inflation Factor of 1.0195 (1998)	\$2,500.15		
TOTAL			\$130,712.85
Inflation Factor of 1.02 (1999)	\$2,614.25		
TOTAL			\$133,327.10
Inflation Factor of 1.02 (2000)	\$1,333.27		
TOTAL			\$134,660.37
Inflation Factor of 1.015 (2001)	\$2,109.90		
TOTAL			\$136,680.27
Inflation Factor of 1.021 (2002)	\$2,870.28		
TOTAL			\$139,550.55
Inflation Factor of 1.023 (2003)	\$2,930.56		
TOTAL			\$142,481.11
Inflation Factor of 1.011 (2004)	\$1,567.29		
TOTAL			\$144,048.40
Inflation Factor of 1.0183 (2005)	\$2,636.08		
TOTAL			\$146,684.48
Inflation Factor of 1.0262 (2006)	\$3,843.13		
TOTAL			\$150,527.61

**TABLE 2
CLOSURE COST ESTIMATE**

Closure Activities	Hazardous Waste Storage/Closure Cost Estimate	Nonhazardous Waste Storage/Closure Cost Estimate
Recycling/Disposal of Inventory	\$80,510.00	\$16,600.00
Transportation Costs	\$1,800.00	3
Storage Areas		
- decontaminate floor surfaces	\$5,250.00	NR
- rinse analyses	\$6,282.00	NR
- decontaminate spill containment pallets	\$715.00	NR
Closure-Derived Waste Management		
- solid residues	\$2,500.00	NR
- liquid residues	\$7,500.00	NR
Engineering		
- closure observation activities	\$6,000.00	NR
- documentation report	\$6,000.00	NR
10% Contingency	\$11,655.70	\$1,660
TOTAL	\$128,212.70	\$18,260.00
Inflation factor of 1.0195 (1998)	\$2,500.15	\$186.16
TOTAL (1998)	\$130,712.85	\$18,446.16
Inflation factor of 1.02 (1999)	\$2,614.25	\$368.92
TOTAL (1999)	\$133,327.10	\$18,815.08

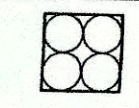
CLOSURE COST ESTIMATE - Page 2

Closure TABLE 2 Activities	Hazardous Waste Storage Closure Cost Estimate	Nonhazardous Waste Storage Closure Cost Estimate
Inflation factor of 1.01 (2000)	\$1,333.27	\$188.15
TOTAL (2000)	\$134,660.37	\$19,003.23
Inflation factor of 1.015 (2001)	\$2,019.90	\$285.04
TOTAL (2001)	\$136,680.27	\$19,288.27
Inflation factor of 1.021 (2002)	\$2,870.28	\$405.05
TOTAL (2002)	\$139,550.55	\$19,693.32
Inflation factor of 1.023 (2003)	\$2,930.56	\$452.94
TOTAL (2003)	\$142,481.11	\$20,146.26
Inflation factor of 1.011 (2004)	\$1,567.29	\$221.60
TOTAL (2004)	\$144,048.40	\$20,367.86
Inflation factor of 1.0183 (2005)	\$2,636.08	\$372.73
TOTAL (2005)	\$146,684.48	\$20,740.59
Inflation factor of 1.0262 (2006)	\$3,843.13	\$543.40
TOTAL (2006)	\$150,527.61	\$21,283.99

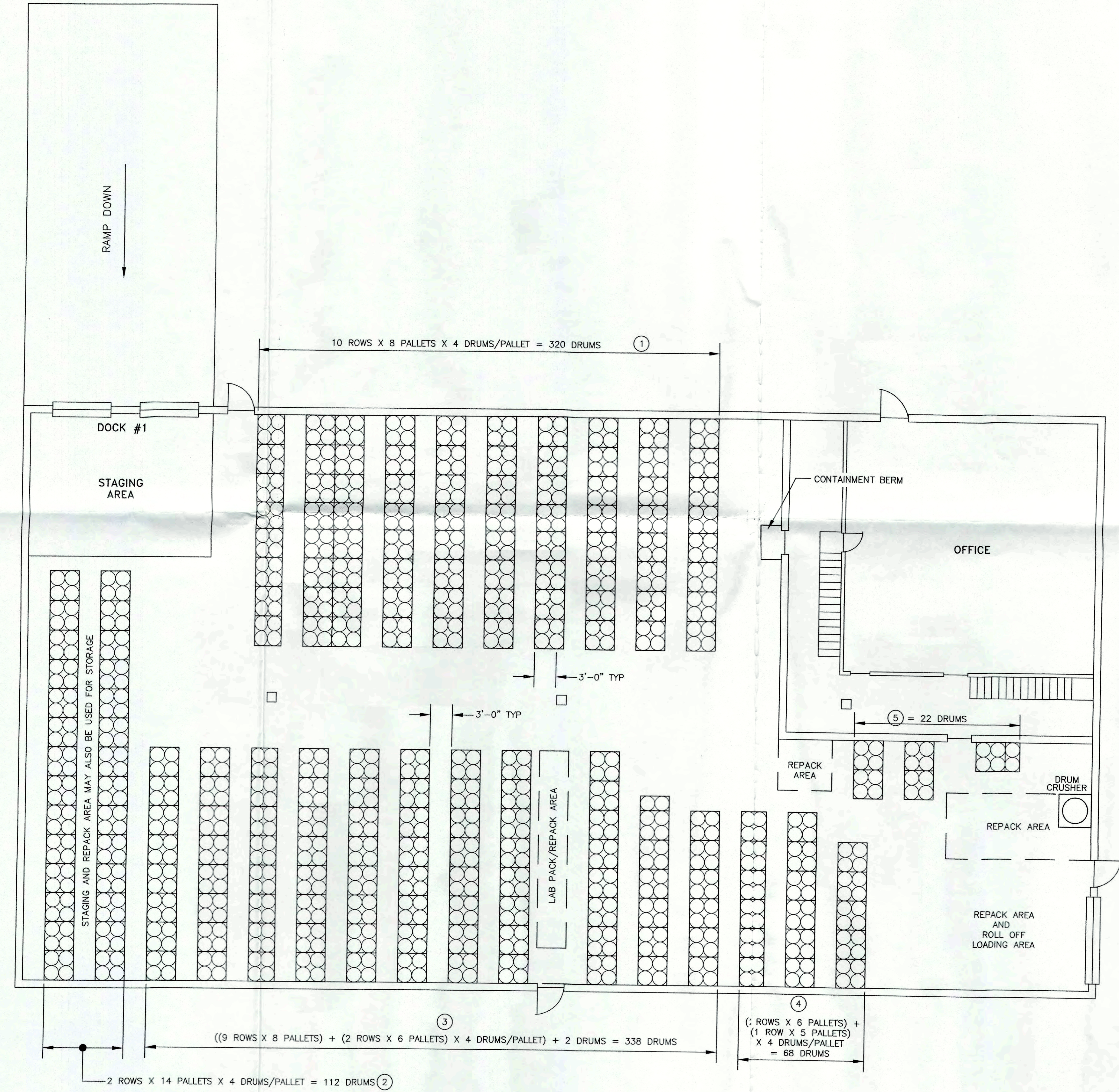
NOTES:

1. Based on Closure Plan Cost Estimate (see TABLE 1)
2. Based on \$1.00 per gallon & \$60/yd for disposal and transportation costs
3. Included in disposal of inventory unit cost.

LEGEND



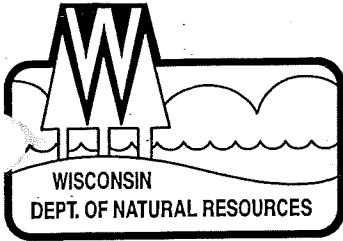
4'x4' PALLET WITH 4 DRUMS (HAZARDOUS WASTE); 4'x4' PALLET WITH 8 DRUMS WHEN DOUBLE STACKED (NONHAZARDOUS WASTE)



NO. OF DRUMS

1	320 RECOUNT
2	112 RECOUNT
3	338 RECOUNT
4	68 RECOUNT
5	22 RECOUNT
TOTAL 860 RECOUNT	

5.			
4.			
3.	MHS	3/3/04	REARRANGE STORAGE CONFIGURATION
2.	MHS	2/27/04	REARRANGED STORAGE CONFIGURATION
1.	TOP	1/04	REARRANGED STORAGE CONFIGURATION HJ
0.	MHS		ISSUED TO CLIENT
NO.	BY	DATE	REVISION
			APP'D.
PROJECT: BADGER DISPOSAL OF WL, INC. MILWAUKEE, WISCONSIN			
SHEET TITLE: FACILITY DRUM STORAGE LAYOUT			
DRAWN BY: MHS	SCALE: 1/8"=1'-0"	PROJ. NO. 00-06465.03	
CHECKED BY:		FILE NO. 64650301.dwg	
APPROVED BY:	DATE PRINTED:	SHEET 1 OF 1	
DATE: JANUARY 2004			
150 N. Patrick Blvd. Suite 180 Brookfield, WI 53045-5854 Phone: 262/879-1212 Fax: 262/879-1220			Revision Level 3



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Region Headquarters
2300 N. Dr. Martin Luther King, Jr. Drive
PO Box 12436
Milwaukee, Wisconsin 53212-0436
Telephone 414-263-8500
FAX 414-263-8606
TTY 414-263-8713

April 6, 2004

In Response Refer To: FID# 241384000
HW/LIC

Henry Krier, President
Badger Disposal of WI, Inc.
5611 West Hemlock Street
Milwaukee, WI 53223

RE: Conditional Class 1 Modification Determination
Revised Container Storage Layout from March 16, 2004, Request
Badger Disposal of WI Inc., 5611 West Hemlock Street, Milwaukee, WI
EPA ID# WID 988580056,

Dear Mr. Krier:

On March 17, 2004, the Wisconsin Department of Natural Resources (the Department) received from Badger Disposal of WI Inc. (Badger) a class 1 modification request, dated March 16, 2004, regarding a revised container storage layout. In order to incorporate this requested change, the Department is issuing a class 1 plan modification determination. This letter serves notice that the Department has completed its review of the request and is issuing a preliminary determination at this time.

This letter acknowledges the Department's receipt of your April 2, 2004, submittal regarding revisions to the Badger Feasibility and Plan of Operation Report, in response to Condition #9 from the January 7, 2004, class 2 Modification Determination. Even though the Department does not agree with your procedure for determining the containment area capacity, the Department agrees that the storage area provides adequate containment. A separate letter dated April 6, 2004, addresses the containment area calculations.

You may submit written comments to the Department regarding this preliminary determination within 10 business days of the date of this letter. A final determination may be issued thereafter based on comments we receive. Because this is a class 1 modification, if no written comments are received by the Department by the end of the 10 business day comment period, then the preliminary determination will become a final determination. This plan modification must be kept with the feasibility and plan of operation report determination, the operating license, and all plan modification determinations for the licensed facility.

PRELIMINARY AND FINAL DETERMINATION
HAZARDOUS WASTE LICENSE AND PLAN MODIFICATION

FINDINGS OF FACT

The Department finds that:

1. On April 19, 1996, the Department issued a feasibility and plan of operation report determination to EOG Disposal, Inc. (now Badger) for a hazardous waste container storage facility at 5611 W. Hemlock St., Milwaukee. On December 16, 1996, WDNR issued to EOG Disposal, Inc. (now Badger) an operating license for hazardous waste container storage at 5611 W. Hemlock St., Milwaukee.
2. The Department has issued plan modification determinations to Badger on May 14, 1997, May 6, 2003, July 17, 2003, January 7, 2004, and January 29, 2004.
3. On March 17, 2004, the Department received from Badger a class 1 modification request, dated March 16, 2004, regarding a revised container storage layout. Enclosed with the request was a \$300.00 check for the class 1 modification review.
4. On April 2, 2004, Badger submitted revisions to the Badger Feasibility and Plan of Operation Report, as required by Condition # 9 of the January 7, 2004, Class 2 Plan Modification Determination. The revisions included revised containment area calculations and the revised Facility Drum Storage Layout Drawing.
5. On April 6, 2004, The Department sent a letter to Badger regarding the revised containment area calculations.
6. Pursuant to s. NR 680.07(2), Wis. Adm. Code, the Department finds this request to be a class 1 plan modification.

CONCLUSIONS OF LAW

1. The Department has promulgated chs. NR 600 to 685, Wis. Adm. Code, establishing minimum requirements for hazardous waste management under the authority of ch. 291, Wis. Stats.
2. The Department has authority pursuant to s. 289.30(6), Wis. Stats., and s. NR 680.07(2), Wis. Adm. Code, to approve a class 1 modification to a license or plan of operation.
3. Any person who owns or operates a hazardous waste facility and proposes to modify that facility's plan approval or license is required to submit a plan modification pursuant to s. NR 680.07, Wis. Adm. Code.
4. Based on the foregoing findings, the Department has the authority, pursuant to s. 289.30(6), Wis. Stats., and s. NR 680.07(2), Wis. Adm. Code, to issue the following license and plan modification.

5. In accordance with s. NR 680.07, Wis. Adm. Code, the Department concludes that the revision described in Findings of Fact no. 3. requires a class 1 license and plan modification.

DETERMINATION AND CONDITIONS

Based on the foregoing Findings of Fact and Conclusions of Law, the Department hereby approves the March 16, 2004, revised container storage layout, as a class 1 modification request under s. NR 680.07, Wis. Adm. Code, and s. 289.30(6), Wis. Stats., and in accordance with the license and the most recent plan of operation approval and the conditions set forth as follows:

The Department has the right to modify this determination and to require additional information at any time. Nothing in this conditional approval shall relieve the owner or operator of the legal obligation to comply with applicable federal, state and local requirements. Except as may be expressly provided below, no other terms or conditions of the feasibility and plan of operation approval or license, or any subsequent modifications thereto, are affected by this determination.

1. The licensee shall comply with all conditions of the license, the provisions of chs. 289 and 291, Wis. Stats., all applicable requirements of chs. 680 through 685, Wis. Adm. Code, the plan of operation approval, and all modifications thereof, and any special order and modifications thereto issued by the Department, except as otherwise authorized by the Department under ss. NR 600.09 or 680.50, Wis. Adm. Code.
2. Badger shall store containers within the pattern laid out on the plan sheet named *Facility Drum Storage Layout*, labeled *Sheet 1 of 1, Revision Level 3*, with a revision date of March 3, 2004.

(This is a revised version of Condition # 2 from the January 29, 2004, Class 1 Plan Modification Determination.)

3. Badger is limited to storing 720 55-gallon hazardous waste containers in the licensed hazardous waste container storage area in the Container Storage Building. Badger also has a limit of 1,500 55-gallon drums of solid non-hazardous waste in the Container Storage Building. The container storage areas in this building overlap in a defined area (*Facility Drum Storage Layout*, labeled *Sheet 1 of 1, Revision Level 3*, with a revision date of March 3, 2004). A maximum of 860 55-gallon drums can be stored on one level and 1,720 55-gallon drums can be stored, when drums are stored two high. For hazardous waste storage, Badger will store only hazardous waste solids and lab packs two high. The total of 720 55-gallon containers of hazardous waste and 1,500 55-gallons of solid waste (2,220 55-gallons) is greater than the allotted space for the area (1,720 55-gallon drums). Badger shall use the following formula to ensure that limits on waste storage are met.

1,720 55-gallon drums = [X (the total number of liquid hazardous waste (non-solid hazardous waste and non-labpack hazardous waste) 55-gallon drums) x 2] + Y (the total number of hazardous waste solids and lab pack 55-gallon drums) + Z (the total number of solid waste 55-gallon drums). Where X + Y can not exceed 720 55-gallon drums, and Z can not exceed 1,500 55-gallon drums. The formula is for 55-gallon drums and their equivalents as shown in Condition # 7, of the January 7, 2004, class 2 plan modification determination.

(This is a revised version of Condition # 3 from the January 29, 2004, Class 1 Plan Modification Determination.)

4. Badger shall maintain the lines on the floor of the container storage area to clearly show the container layout pattern shown on the plan sheet named *Facility Drum Storage Layout*, labeled *Sheet 1 of 1, Revision Level 3*, with a revision date of March 3, 2004.

(This is a revised version of Condition # 4 from the January 29, 2004, Class 1 Plan Modification Determination.)

5. If no written comments are received by the Department within the 10 business day comment period, this preliminary determination shall become the Department's final determination. If comments are received, a final determination will be issued after the Department evaluates the comments

NOTICE OF APPEAL RIGHTS

If you believe you have the right to challenge this decision, you should know that Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to ss. 227.52 and 227.53, Wisconsin Statutes, you have 30 days after the decision is mailed, or otherwise served by the Department, to file your decision with the appropriate circuit court and serve the petition to the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent. This notice is provided pursuant to s. 227.48(2), Wisconsin Statutes.

Please contact Patrick Brady at (414) 263-8594 if you have any questions.

WISCONSIN DEPARTMENT OF NATURAL RESOURCES
FOR THE SECRETARY

Sincerely,



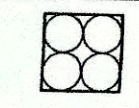
For
Franklin C. Schultz
Waste Management Team Supervisor
Southeast Region



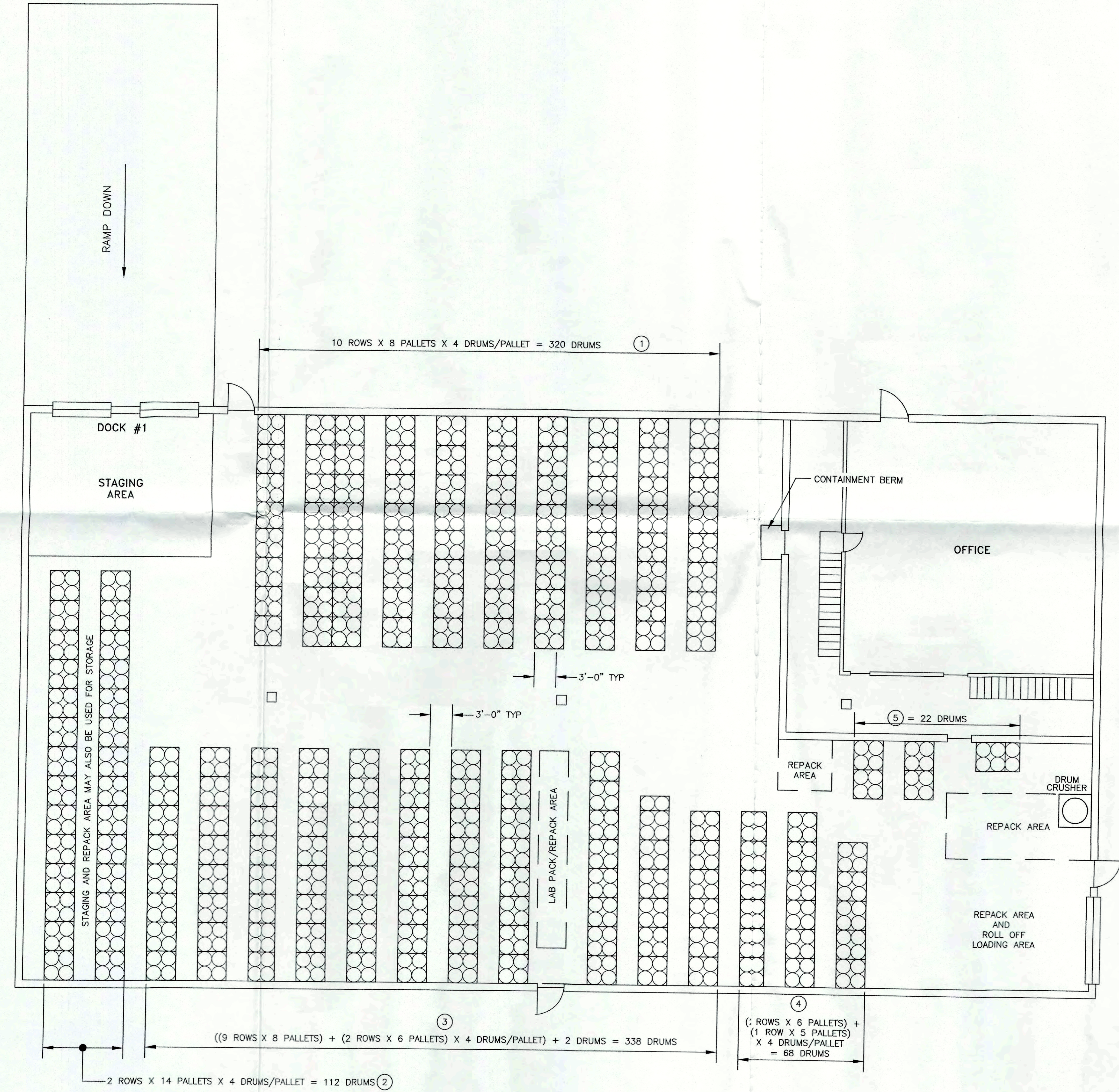
Patrick Brady
Waste Management Engineer
Southeast Region

- c. SER Casefile (F. Schultz, S. Miller, P. Brady)
Bureau - WA/3 (D. Kollasch)
Denise Reape - U.S. EPA - Region 5, DM-7J

LEGEND



4'x4' PALLET WITH 4 DRUMS (HAZARDOUS WASTE); 4'x4' PALLET WITH 8 DRUMS WHEN DOUBLE STACKED (NONHAZARDOUS WASTE)



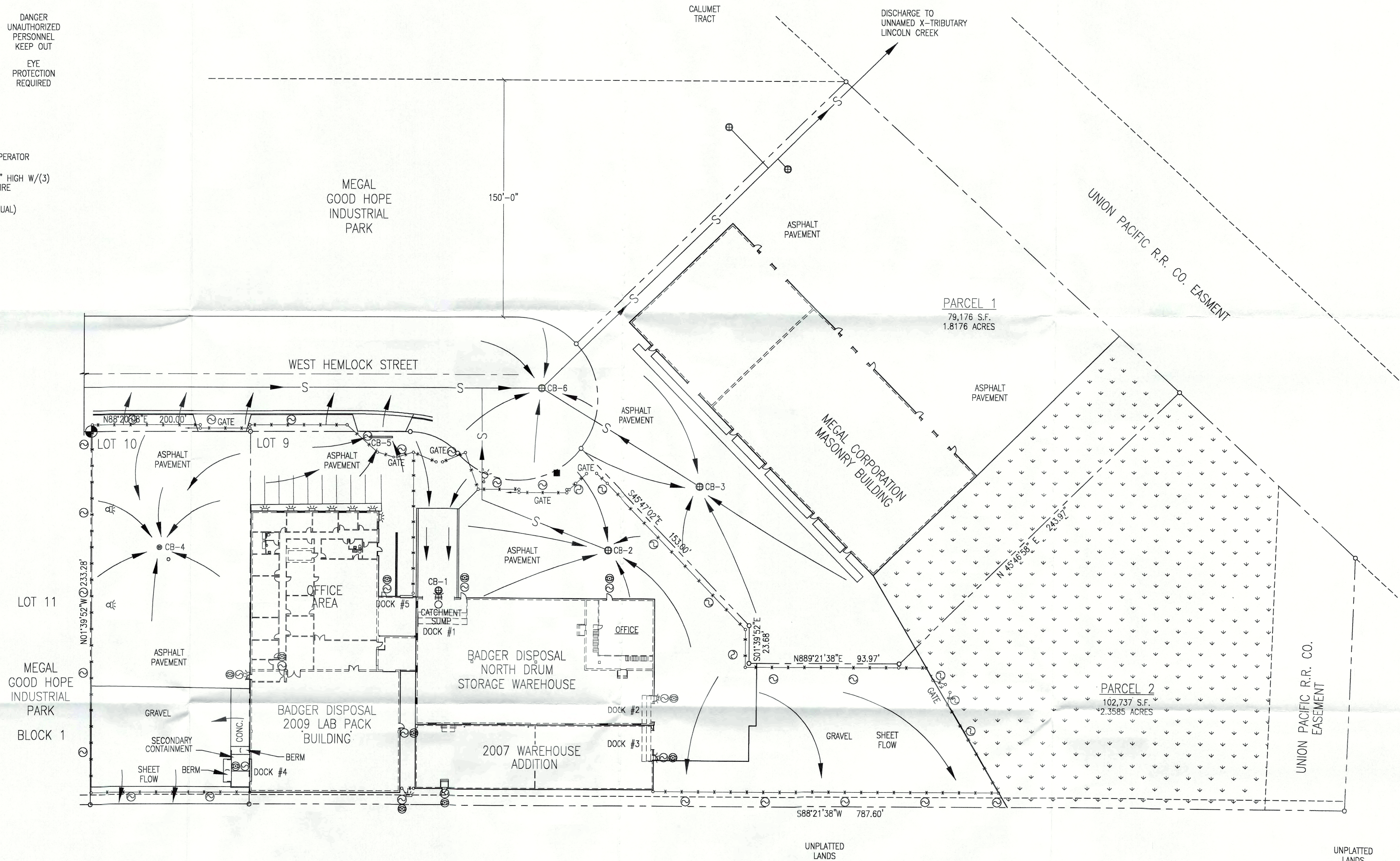
NO. OF DRUMS

1	320 RECOUNT
2	112 RECOUNT
3	338 RECOUNT
4	68 RECOUNT
5	22 RECOUNT
TOTAL 860 RECOUNT	

5.			
4.			
3.	MHS	3/3/04	REARRANGE STORAGE CONFIGURATION
2.	MHS	2/27/04	REARRANGED STORAGE CONFIGURATION
1.	TOP	1/04	REARRANGED STORAGE CONFIGURATION HJ
0.	MHS		ISSUED TO CLIENT
NO.	BY	DATE	REVISION
			APP'D.
PROJECT: BADGER DISPOSAL OF WL, INC. MILWAUKEE, WISCONSIN			
SHEET TITLE: FACILITY DRUM STORAGE LAYOUT			
DRAWN BY: MHS	SCALE: 1/8"=1'-0"	PROJ. NO. 00-06465.03	
CHECKED BY:		FILE NO. 64650301.dwg	
APPROVED BY:	DATE PRINTED:	SHEET 1 OF 1	
DATE: JANUARY 2004			
RMT 150 N. Patrick Blvd. Suite 180 Brookfield, WI 53045-5854 Phone: 262/879-1212 Fax: 262/879-1220			Revision Level 3

LEGEND

- WARNING SIGN READS: DANGER UNAUTHORIZED PERSONNEL KEEP OUT
- WARNING SIGN READS: EYE PROTECTION REQUIRED
- CATCH BASIN
- PUBLIC LIGHT POLE
- SECURITY LIGHTING
- INTERCOM/KEY PAD OPERATOR
- SECURITY FENCE 6'-0" HIGH W/(3) STANDS OF BARBED WIRE
- PANIC EXIT GATE (MANUAL)
- SWING GATE (MANUAL)
- ELECTRIC GATE
- STORM SEWER
- FLOW PATTERNS
- PROPERTY LINE
- UNPAVED GRASS OR GRAVEL



SITE PLAN
SCALE: 1" = 30'-0"

SPECTRUM ENGINEERING INCORPORATED

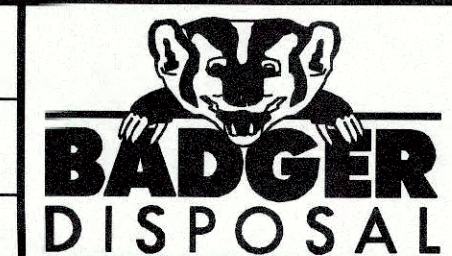
262-783-7725
FAX 262-783-7726
19395 West Capitol Drive,
Brookfield, Wisconsin 53045

THIS DRAWING AS AN INSTRUMENT OF PROFESSIONAL SERVICE, REMAINS THE PROPERTY OF SPECTRUM ENGINEERING INCORPORATED. ANY CHANGES, REPRODUCTION OR UNAUTHORIZED USE IN WHOLE OR IN PART, FOR OTHER PROJECTS IS PROHIBITED UNLESS EXPRESSLY APPROVED BY SPECTRUM ENGINEERING INCORPORATED.

VERIFY SCALES
BAR IS ONE INCH ON ORIGINAL DRAWING.
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

NO.	DATE	BY	REVISION
3	11/5/09	J.M.N.	ADDED SECONDARY CONTAINMENT AND RAMPS AT DOCK #4.
2	7/31/09	J.M.N.	ADDED PURCHASED PROPERTY TO WEST PER PROJECT NO. 08740
1	10/11/07	J.M.N.	ADDED 2007 WAREHOUSE ADDITION PER PROJECT NO. 07649

DRAWN BY: S.A.M.
CHECKED BY: BADGER
DESIGNED BY: J.M. NOLL, P.E.
PROJECT MANAGER: R.B. SMITS, P.E.

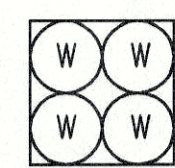


Badger Disposal of WI, Inc.
5611 West Hemlock Street
Milwaukee, WI 53223

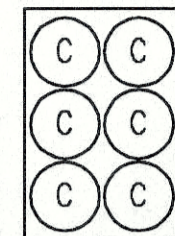
BADGER DISPOSAL - MILWAUKEE FACILITY
SPCC PLAN
SITE PLAN

DRAWING NUMBER:	05490-SITE
DATE:	10/11/07
PROJECT NUMBER:	08740
SHEET NUMBER:	

LEGEND (DOES NOT APPLY TO OIL DRUMS)



4'x4' PALLET WITH 4 DRUMS ON FLOOR LEVEL AND 8 DRUMS WHEN DOUBLE STACKED (HAZARDOUS WASTE)



4'-4"x6'-5" CONTAINMENT PALLET WITH 6 DRUMS ON FLOOR LEVEL AND 12 DRUMS WHEN DOUBLE-STACKED (HAZARDOUS WASTE)



MATERIAL CLASSIFICATION

OIL STORAGE AREA

SECTION B WAREHOUSE SOUTH:

- TYPICALLY UP TO (20) 55-GALLON DRUMS ARE STORED ON THE FLOOR IN SECTION B. HOWEVER, IN CERTAIN SITUATIONS ADDITIONAL OIL DRUMS MAY BE TEMPORARILY STORED IN THIS AREA.

NOTES:

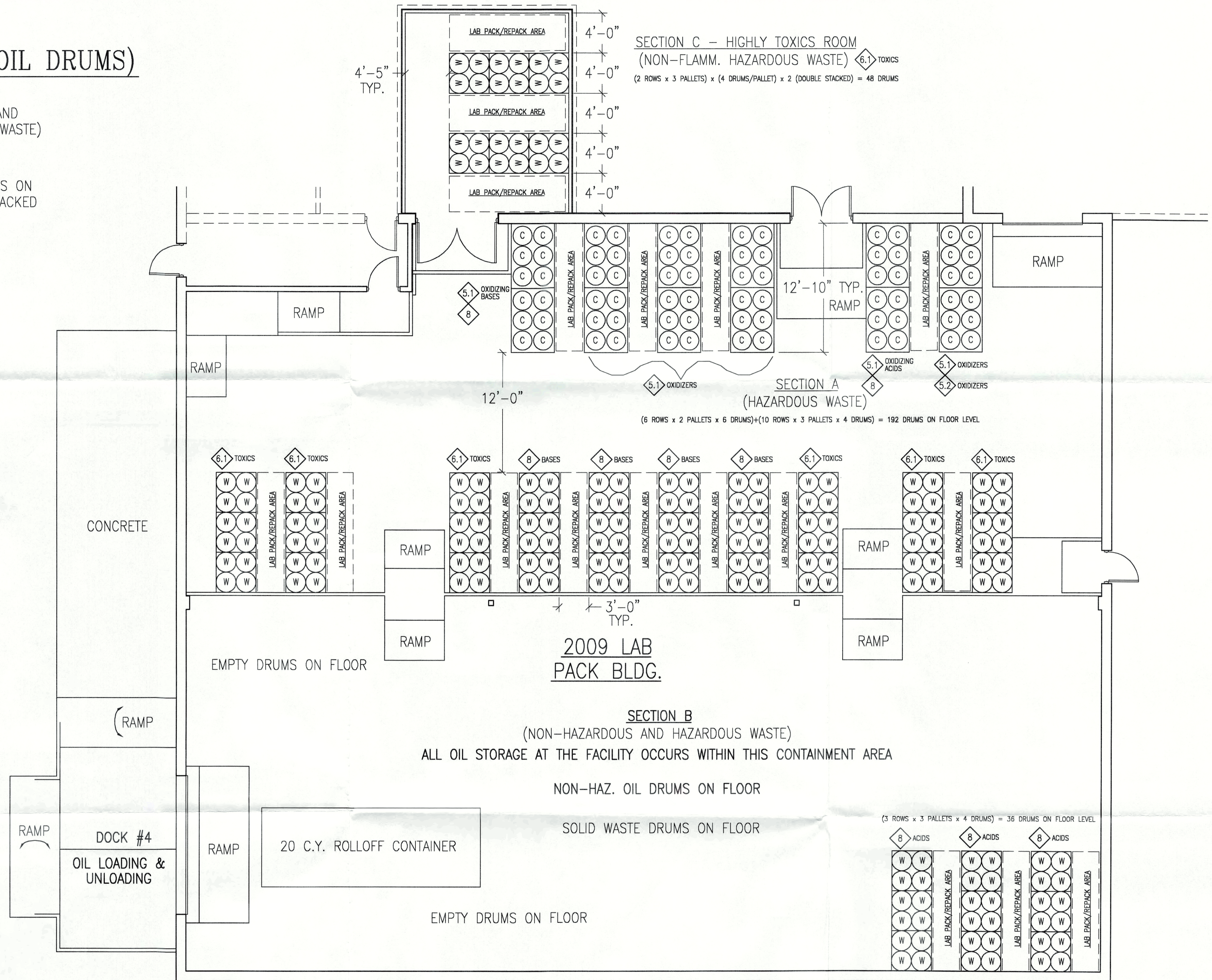
- REFER TO BADGER DISPOSAL CONAINMENT CALCULATIONS FOR BUILDING CONTAINMENT CAPACITY DETERMINATION (SECTION B).

DOCK #4 WAREHOUSE SOUTH:

- TANKER TRUCKS BACK INTO THE SECONDARY CONTAINMENT AREA BERMS IN ORDER TO REMOVE THE OIL FROM THE 55-GALLON DRUMS BY USE OF A HOSE AND VACUUM TANKER. BOTH THE TANKER HOSE CONNECTION AND THE DRUMS ARE WITHIN CONTAINMENT DURING TRANSFER.

NOTES:

- REFER TO SPCC PLAN FOR SECONDARY CONTAINMENT CALCULATIONS FOR THE LOADING DOCK AREA.



2009 LAB PACK BUILDING SPCC FACILITY DIAGRAM

SCALE: 3/16" = 1'-0"