



David L. Wallis
Attorney
Direct: (602) 530-8136
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January 31, 2017

VIA US MAIL

Arizona Department of Environmental Quality
Southern Regional Office
400 West Congress Street
Suite 433
Tucson, AZ 85701

**Re: Solid Waste Facility Notification
AA SYDCOL, LLC Transfer Station
2264 E. 13th Street
Yuma, AZ 85365**

Dear ADEQ Representative:

We represent AA SYDCOL, LLC. On May 21, 2014, the Arizona Department of Environmental Quality acknowledged that the solid waste facility notification for AA SYDCOL's above-referenced transfer station was complete. Please note that Yuma County recently changed the address of the transfer station as follows:

Old Address: 2255 E. Burr Street, Yuma, AZ 85365

New Address: 2264 E. 13th Street, Yuma, AZ 85365

The location of the transfer station has not changed, just the addresses. Please make this update to the approved solid waste facility notification for the transfer station.

Sincerely,

GALLAGHER & KENNEDY, P.A.

By: 
David L. Wallis

DLW:pgb
5824981v1/21506-0001



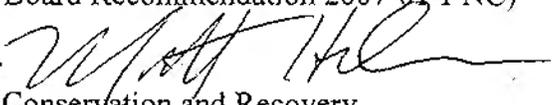
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR 5 2010

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

MEMORANDUM

SUBJECT: Preparedness and Prevention Requirements for RCRA TSDFs (Response to Chemical Safety Board Recommendation 2007-01-I-NC)

FROM: Matt Hale, Director 
Office of Resource Conservation and Recovery

TO: RCRA Directors
EPA Regions 1-10

This memorandum provides guidance for Resource Conservation and Recovery (RCRA) permitting authorities to ensure that state and local authorities and first responders have sufficient information for emergency preparedness, prevention, and response at RCRA hazardous waste Treatment, Storage, and Disposal Facilities (TSDFs). As you are aware, most preparedness and prevention requirements for TSDFs are now imposed through authorized states via the RCRA permitting process. Therefore, we worked with states and Regional staff in developing this guidance. I encourage you to share this guidance with your state counterparts, and am providing a copy to the states through the Association of State and Territorial Solid Waste Management Officials (ASTSWMO). In short, as discussed below, this guidance recommends that TSDF permits explicitly require that owners and operators provide up-to-date written information about the facility and hazardous waste located there to State Emergency Response Commissions (SERCs), Local Emergency Planning Committees (LEPCs)¹, local fire departments, and other state and local emergency response authorities, as appropriate. This guidance recommends also that owners of RCRA TSDFs that already have permits, and those that are operating under interim status, follow this practice as well.

Background

The U.S. Chemical Safety and Hazard Investigation Board (CSB) conducted a formal investigation into the fire that began on October 5, 2006 at the Environmental Quality Co. (EQ), Apex, North Carolina, hazardous waste facility. The CSB published a case study, *Fire and Community Evacuation in Apex, North Carolina* (2007-01-I-NC, April 16, 2008, <http://www.csb.gov/assets/document/EQFinalReport.pdf>). In its case study, CSB expressed a concern that the RCRA hazardous waste regulations do not explicitly state what information the

¹ LEPCs are responsible for developing a local contingency plan for chemical risks in their community.

owner of a RCRA TSDf must share with local authorities, whether the information should be written, or if updates are necessary.

According to the CSB, EQ “had not provided any detailed written information on the types, quantities, and location of hazardous materials in the facility to fire personnel or the Local Emergency Planning Committee.” Furthermore, since the EQ facility “was unoccupied at the time of the incident, no emergency coordinator was on-site to initiate the facility contingency plan.” EQ had addressed the RCRA regulatory requirement to “familiarize” local authorities with the facility and hazardous waste handled there by having the fire chief “tour the facility once.”² The CSB explained that “because of the unknown nature” of the burning chemicals and exploding drums at the EQ Apex site, local responders “chose to take only defensive actions” to minimize risks to emergency personnel and the community; about thirty people, including 13 first responders, sought medical attention, and about 3,300 residences were evacuated for two days.

In addition to the EQ incident, CSB identified 21 fire and chemical release incidents at hazardous waste facilities nationwide over the last five years, resulting in injuries, fatalities, evacuations, and other disruptions. CSB also reviewed fire protection practices in use at 12 hazardous waste facilities and found wide variation. CSB noted in their analysis that, “while not required, had EQNC used fire barriers (walls) to separate the segregated waste bays, the fire would likely have been contained within the oxidizer bay, significantly mitigating the incident’s consequences.”

Based on its investigation, CSB recommended that EPA:

Ensure that the emergency response planning required for permitted hazardous waste treatment, storage, and disposal facilities (40 CFR 264.37) includes providing written information to state and local emergency response officials on the type, approximate quantities, and locations of materials within the facility (similar to reporting requirements of the Emergency Planning and Community Right-to-Know Act).

Additionally, ensure that permit holders periodically update this information throughout the ten-year permit period.

CSB’s recommendation is intended to help address the apparent lack of communication between TSDf’s and state and local emergency authorities regarding facility operations.

EPA’s Response to CSB

In an October 2008 letter to the CSB, EPA agreed to “...encourage state Governors, SERCs, and LEPCs to exercise their authorities, as appropriate, to designate TSDf’s as subject to the requirements of Subtitle A of EPCRA, and to consider requiring them to annually provide

² According to the NC Department of Environment and Natural Resources, other members of the fire chief’s staff had routinely visited and inspected the EQ facility prior to the fire.

chemical inventory information to SERCs, LEPCs, and local fire departments.”³ EPA has since encouraged each state to exercise their authorities in this way under separate correspondence.⁴

In the same [October 2008] letter to the CSB, EPA expressed its intent to work with the states to develop guidance on how to accomplish CSB’s recommendation under the existing RCRA regulations for TSDFs, and to explore whether a regulatory change is needed. After conducting a thorough review of the existing regulatory framework, the Agency has concluded that the existing regulatory framework under 40 CFR Parts 264 and 265 provides the authority to address the CSB’s recommendation, and that the most effective and timely means of addressing a communications gap between TSDFs and state and local authorities is to provide additional guidance for TSDF permit writers under the existing regulations. Today’s memorandum fulfills the commitment to develop that guidance.

Regulatory Framework

This section focuses on the federal RCRA hazardous waste regulatory framework; state RCRA programs may have additional requirements. Under section 3006 of RCRA, EPA authorizes qualified states to administer the RCRA program within the state. RCRA section 3009 allows states to impose standards more stringent than those in the federal program (see also 40 CFR 271.1).

The requirements for TSDF preparedness and prevention and contingency planning are inter-related, and together provide the basis for the guidance below. These topics were discussed together in the preamble to the final rule (45 FR 33153, May 19, 1980). The preamble makes clear that “[t]he final Part 264 and 265 Subpart C preparedness and prevention rules are intended to minimize the possibility and effect of a release, fire, or explosion which could threaten human health or the environment.” (45 FR 33184). Also, with respect to contingency plans, the preamble states: “to protect human health and the environment in emergencies, it is vital that local authorities have up-to-date facility contingency plans in their possession.” (45 FR 33186). EPA believes that, just as TSDF owners/operators must submit written contingency plans and revisions “to all local police departments, fire departments, hospitals, and state and local emergency response teams that may be called upon to provide emergency services” (40 CFR §264.43(b), §265.53(b)), owners/operators also should submit **written preparedness and prevention information (PPI)** to these authorities, including SERCs and LEPCs, as appropriate.

RCRA’s TSDF Preparedness and Prevention regulations in 40 CFR Parts 264 and 265 Subpart C (for permitted and interim status facilities, respectively) require owners and operators to make arrangements with local authorities for potential emergency response. The owner or operator of a TSDF “must attempt to make the following arrangements, as appropriate for the type of waste handled at [the] facility and the potential need for the services of these organizations” (40 CFR §264.37 and §265.37, for permitted and interim status facilities, respectively):

³ October 31, 2008 letter from Susan Parker Bodine, Assistant Administrator for the Office of Solid Waste and Emergency Response to the Honorable John S. Bresland, Chairman and CEO of the CSB.

⁴ August 20, 2009 letters from Deborah Dietrich, Director, EPA Office of Emergency Management, to SERC chairperson in each State.

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

Furthermore, RCRA's TSDF Contingency Plan and Emergency regulations in 40 CFR Parts 264 and 265 Subpart D (for permitted and interim status facilities, respectively) include additional requirements that are relevant to responding to incidents in an informed and timely manner. The regulations in Subpart D - Contingency Plan and Emergency Procedures require that:

- The contingency plan (plan) be designed to minimize hazards to human health and the environment from fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous constituents to air, soil, or surface water (§§264.52(a), 265.52(a)).
- The plan describe arrangements agreed to by local police and fire departments, hospitals, contractors, state and local emergency response teams to coordinate emergency services (§§264.52(c), 265.53(c)).
- The plan list names, addresses, and phone numbers (home and work) of all persons qualified to act as emergency coordinators (§§264.52(d), 265.52(d)).
- The plan include a list of all emergency equipment at the facility, must include the location and physical description of each item on the list and a brief outline of its capabilities (§§264.52(e), 265.52(e)).
- Copies of the plan and all revisions to the plan be maintained at the facility (§§264.53(a), 265.53(a)).
- Copies of the plan and all revisions also be submitted to all local police and fire departments, hospitals, state and local emergency response teams that may be called upon to provide emergency services (§§264.53(b), 265.53(b)).
- The plan be reviewed, and immediately amended, if necessary, whenever a facility's permit is revised, the plan fails in an emergency, or the facility changes – in its design, construction, operation, maintenance or any other circumstances – in a way that materially increases the potential for fires, explosions, or releases of hazardous waste or hazardous waste constituents, or changes the response necessary in an emergency (§§264.54 and 265.54).
- There be at least one employee either on the facility premises or on call (i.e., available to respond to an emergency by reaching the facility within a short period of time) with the responsibility for coordinating all emergency response measures. They must be thoroughly familiar with all aspects of the contingency plan, all operations and activities

at the facility, the location and characteristics of waste handled, the locations of all records within the facility, and the facility layout (§§264.55 and 265.55).

The regulations clearly intend that, in the event of a fire, explosion or release, local responders have current and specific information to properly address the incident and minimize hazards to human health and the environment.

In addition, if there are facility-specific circumstances where the permitting authority determines that additional requirements are necessary to ensure protection of human health and the environment, then the RCRA “omnibus authority” (RCRA §3005(c)(3), codified at 40 CFR §270.32(b)(2)) may be used to incorporate additional conditions into the permit.

Guidance to RCRA Permitting Authorities

CSB’s findings underscore that, to be useful when an actual emergency occurs, PPI for state and local responders must be available to responders in advance and in writing. Furthermore, CSB’s recommendations are consistent with EPA’s intent that local responders have *in-hand* the specific information they need for prompt and effective response, particularly when a facility is unoccupied or its emergency coordinator is not on-site (as in the Apex, N.C. incident).⁵

Therefore, EPA strongly encourages Regions and states to include permit conditions requiring TSDFs [subject to 40 CFR Parts 264 and 265 Subparts C and D] to provide written information regarding waste quantities, types, and locations, to state and local authorities (including SERCs and LEPCs) and first responders for the purpose of emergency preparedness and prevention, and to place a copy of this information in the facility’s operating record, as well as to update such information as necessary, and provide the updates to state and local authorities and first responders. EPA also strongly encourages owners of TSDFs that already have permits or are operating under interim status to follow this practice (of providing written, up-to-date information) as well. Providing this information directly to local responders through an additional mode of communication (e.g., in addition to facility visits and walk-throughs) optimizes the capability of local authorities to mount a prompt and effective emergency response that can minimize the facility’s potential damage and liability, and reduce the risk of harm to the community.

Necessary written information will vary from facility to facility, but should contain the following common elements:

- Waste types (ignitable, reactive, etc.)/names ;
- Approximate quantities of each waste type;
- General locations of waste at the facility;

⁵ It is important to note that even when the emergency coordinator is not on-site, local responders should have 24-hour contact information for the designated emergency coordinator. As described in the Regulatory Framework section above, the contingency plan must include this information, and contingency plans must be provided to all local police, fire departments, and emergency response teams. Access to the emergency coordinator will aid in a timely and effective response.

- Layout of the facility;
- General locations within the facility where personnel normally work; and
- Entrances and roads inside the facility and possible evacuation routes.

TSDF owners and operators already are required to maintain or provide this type of information for other purposes, e.g., to include in the facility operating record (in accordance with §264.73) or to submit with the permit application (in accordance with §270.14).

Today, effective emergency planning and response relies on electronic storage and retrieval of information. Accordingly, most states require “written” emergency planning and response information to be submitted in an electronic format that is most useful to emergency responders. Increasingly, emergency responders use laptop computers, Personal Digital Assistants (PDAs), and other portable electronic devices to quickly retrieve facility hazard information using software tools, such as the Computer Aided Management of Emergency Operations (CAMEO) software suite developed by EPA. Therefore, EPA encourages Regions and states to include permit conditions requiring that TSDFs submit required emergency planning information in electronic format so that it can be easily integrated, stored, and retrieved along with other emergency response information, such as that submitted to the states under EPCRA.⁶

There are other advantages to having electronic versions of the contingency plans and PPI. For example, Regions and states could increase the availability of the plans by more readily sharing the material with communities and emergency responders. Electronic versions would also be easier to share with local fire departments for comment prior to approving the plan.⁷

Since the required contingency plan is inter-related with the PPI, we further recommend that EPA or the states require facilities to include a description of the preparedness and prevention measures as an appendix to the contingency plan. Contingency plans will likely be more effective when they include all relevant information, so that they exist as a “stand alone” document with no need to cross-reference other elements of the permit or permit application. Also, given the size of these plans, permitting authorities should consider having an executive summary included, and including in that summary the names and telephone numbers of all facility personnel qualified to act as emergency coordinators. This type of quick reference would facilitate prompt and effective response in an emergency situation.

Additionally, to ensure the accuracy and currency of PPI, we recommend that permits include conditions to have owners or operators of TSDFs update written information as necessary throughout the lifetime of the permit and provide this information to state and local authorities and first responders. Examples of events necessitating updating written information

⁶ Another national database to which States can submit data is “E-Plan,” a database of State EPCRA Tier 2 annual chemical inventory report databases that can be used by emergency responders. Currently, just over half of the States contribute data to E-Plan and EPA is encouraging more States to contribute. The E-Plan form structure has an area for “additional information” which RCRA TSDFs can use to input daily inventory information. See <http://erplan.net/eplan> for additional information.

⁷ In cases where facilities are located in rural areas, the plans should also be shared with the Mayor or Chief Executive Officer of the town where the facility is located, in case there is a voluntary fire department that may not be under the jurisdiction of the town.

include, but are not limited to: change in waste streams treated, significant changes in volumes or quantity of wastes handled, or significant design changes to the facility. Some of these types of events could trigger a permit modification, which under §264.54 would trigger a review and amendment (if necessary) of the facility's contingency plan.

The conditions recommended above all stem from the authority in 40 CFR Parts 264 and 265 to require PPI. As mentioned above, if there are additional facility-specific circumstances where the permitting authority determines that additional requirements are necessary to ensure protection of human health and the environment, then the RCRA "omnibus authority" (RCRA §3005(c)(3), codified at 40 CFR §270.32(b)(2)) may be used to incorporate additional conditions into the permit. For example, if a facility is not staffed outside of normal business hours, then the permitting authority may be able to use the omnibus provision to require a security monitoring system that would alert the facility's emergency coordinator (and possibly local police or fire departments) of any unauthorized entry or fire occurrence. Or, if the facility is not able to enter into arrangements with local authorities (see discussion under Regulatory Framework above), the permitting authority could explore using the omnibus provision to require the facility to contract with private emergency response coordinators.

As mentioned above, the CSB found wide variation in fire protection practices in use at hazardous waste facilities and commented that, "While not required, had EQNC used fire barriers (walls) to separate the segregated waste bays, the fire would likely have been contained within the oxidizer bay, significantly mitigating the incident's consequences." The RCRA omnibus authority is a tool that permitting authorities may use if there are situations like these where additional, facility-specific, requirements may be necessary to ensure protection of human health and the environment. There are examples of State permitting authorities using RCRA's omnibus authority to improve facility design as a first measure for ensuring preparedness and prevention in particular situations. For example, in response to a large-scale fire incident at an Alabama TSD fuel blender in July 1980, the Alabama Department of Environmental Management (ADEM) has used the "Required Equipment" requirement at 264.32(c) and the RCRA "omnibus authority" to require that fuel blending facilities, and other treatment and storage facilities which treat or store large quantities of ignitable wastes, to be equipped with automated foam-generating fire suppression equipment sufficient to extinguish any fire which might occur in the facility (as opposed to allowing just portable or manual fire-fighting equipment in these areas). In addition, ADEM has imposed minimum aisle space between rows of containers, and limited stacking of containers exceeding 30 gallons capacity to no more than two containers high to enable more effective inspection and response to leaks, as well as more effective fire-fighting capability. ADEM believes the record shows that these measures have helped avoid a repeat incident at any of their facilities. These and similar measures all fall within the overall scope of preparedness and prevention.

Public Involvement and Environmental Justice

Requiring that the waste preparedness and prevention information be provided to local authorities (i.e., LEPCs) and first responders in writing also provides an avenue for public involvement on this important topic. The public involvement regulations in 40 CFR Parts 25, 124 and 270 are intended to foster public awareness and ensure that the Regions and states are

providing the public an opportunity to understand the issues that may have impacts within their community. If the Director of the permitting authority believes sufficient need exists, the regulations allow the Director to require a facility to establish and maintain an information repository in a location easily accessible to the community (see 40 CFR §§124.33 and 270.30(m)). This repository, if required, could hold copies of preparedness and emergency response plans. The public can use this information to better understand their potential risk in an emergency situation and work with local authorities to better understand possible evacuation strategies and emergency response plans.

The Agency's public involvement guidance materials promote interaction among all interested parties, recognizing that both facility owners and operators and regulators have a significant role in ensuring that communities are well-informed about neighboring facilities and their operations. Emergency preparedness and contingency planning are key areas of public interest. Communities expect their governments to take the necessary steps to plan and protect them in the event of an emergency and expect first responders to have the appropriate information on the nature, amount, location, and routes of exposure of hazardous materials and wastes at TSDFs so they can effectively respond to emergency situations. The recommendations included in this memorandum are consistent with the Agency's public involvement regulations and guidance, and will ensure that communities are able to implement timely and effective responses in the event of an emergency. The recommendation to include permit conditions that would require the TSDFs to provide written information to local authorities (i.e., LEPCs) and first responders will help ensure that emergency preparedness and prevention efforts minimize effects to communities that may be impacted by an emergency situation.

Promoting environmental justice for all communities often requires special efforts to connect with those communities that have been historically underrepresented in environmental decision-making. When thinking of meaningful ways to engage all segments of an affected population, facility owners and operators and regulators should be aware that not all communities have equal access to information or an equal opportunity to participate in decision-making processes. Having preparedness, prevention and contingency planning information available locally (and, if appropriate, in a language besides English) will likely provide additional opportunities for members of the community to review the plans and possibly offer suggestions for additions or improvements to response plans.

Additional guidance, including model permits and information on public involvement, is available on the Agency's Internet site at <http://www.epa.gov/epawaste/hazard/tsd/permit/index.htm>.

For further information, please contact Tricia Buzzell at (703) 308-8622.

cc: Lisa Lund, OC
Charles Lee, OEJ
John Michaud, OGC
Dana Tulis, OEM
Mary Zdanowicz, ASTSWMO
John S. Bresland, CSB



Douglas A. Ducey
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Misael Cabrera
Director

July 26, 2018
REF: HWP EX3168

Mr. Charles M. Templer
Managing Member
A.A. Sydcol, LLC
3155 Golden Willow Ct
Yorba Linda, CA 92886-1303

Re: Site Visit for Corrective Action, A.A. Sydcol LLC, 2264 East 13th Street, Yuma, AZ 85365; EPA ID # AZR 000 520 304; Place ID # 148568; LTF ID # 70841.

Dear Mr. Templer:

This follows up on our discussion of July 20, 2018 regarding completion of a RCRA Facility Assessment (RFA) for the A.A. Sydcol Yuma facility, located at 2264 East 13th Street, Yuma, AZ 85365. This serves as notice that a site visit of this facility has been tentatively scheduled for August 16, 2018. The ADEQ staff conducting the site visit will include the following individuals: Lisa Kowalczyk, Diana Deming, Ramon Rivera, and Anthony Leverock. The site visit team from ADEQ will arrive at approximately 9:00 a.m.. ADEQ requests that the following areas be available for inspection:

1. Existing or historic solid waste management units;
2. Areas where solid waste may be stored in containers;
3. Areas used to manage stormwater (channels and impoundments);
4. Areas where spills of solid waste, hazardous waste, or hazardous materials, including products containing hazardous constituents, have occurred in the past;
5. Areas with waste recycling operations;
6. Areas with storage tanks containing chemical product, petroleum storage, or waste storage;
7. Onsite disposal areas (e.g., waste piles or impoundments);

ADEQ estimates that the site visit will take about 4 hours to complete. Please be aware that ADEQ staff will be equipped with cameras and electronic audio recorders to facilitate data collection. ADEQ does not anticipate any need to collect environmental samples at this time.

Please provide any special instructions for access to the facility, such as need for onsite briefing prior to inspection, any special PPE required.

Main Office

1110 W. Washington Street • Phoenix, AZ 85007
(602) 771-2300

Southern Regional Office

400 W. Congress Street • Suite 433 • Tucson, AZ 85701
(520) 628-6733

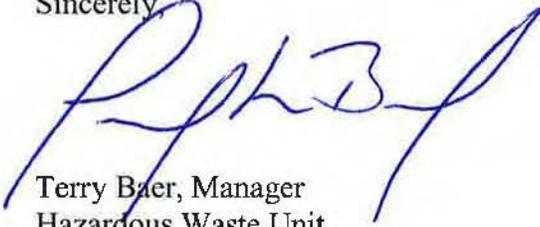
www.azdeq.gov

printed on recycled paper

July 26, 2018
Mr. Charles M. Templer
REF: HWP EX3168
Page 2 of 2

If you have any questions, please contact Anthony Leverock at 602-771-4160 or toll-free at (800) 234-5677, extension 7714160.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Terry Baer', written over a large, stylized 'B'.

Terry Baer, Manager
Hazardous Waste Unit
Waste Programs Division
Arizona Department of Environmental Quality

cc: Kellie Huston, Huston Environmental Services
Lisa Kowalczyk, Solid Waste Unit
Ramon Rivera, Solid Waste Unit
Diana Deming, Hazardous Waste Unit
Anthony Leverock, Hazardous Waste Unit

November 20, 2018

Mr. Anthony Leverock, Associate Engineer
Arizona Department of Environmental Quality
Hazardous Waste Unit
1110 West Washington Street
Phoenix, Arizona 85007



Subject: Responses to Questions for RCRA Facility Inspection Report
Sydc01 Waste Transfer Facility



Dear Mr. Leverock:

On behalf of AA Sydc01, Inc., JGP Consulting, PLC is submitting this response to questions from the Arizona Department of Environmental Quality (ADEQ) submitted by email to Kellie Huston of Huston Environmental Services on September 18, 2018 regarding the above-referenced facility. For clarity, ADEQ's questions are copied below in their entirety along with Sydc01's response.

- 1. Question: Describe the "portable VOC monitors" that are used to evaluate incoming loads of liquid waste. Are they PID's? If so, what compound is used for calibration?**

Answer: When screening non-hazardous liquid waste, Sydc01 typically uses a Model GX-6000 portable photo-ionization detector (PID) from RKI instruments that detects combustible gas (typically methane), carbon monoxide, and hydrogen sulfide as a percentage and volatile organic compounds (VOCs) as a part-per million (ppm) concentration of VOC's in a sample of air. The compounds used for calibration of the machine can be RKI 5-gas calibration cylinder or RKI 4-gas cylinders.

- 2. Question: A.A. Sydc01 said that a sample would be taken from a container of liquid solid waste as a result of "any reading" from the portable VOC monitor that indicates the presence of VOCs. Please elaborate on what "any reading" means considering the type of portable VOC monitor used at A.A. Sydc01.**

Answer: Samples from solid and liquid waste are taken when the portable PID indicates a VOC content over 200 parts per million.

- 3. Question: A.A. Sydc01 said that a flash test and an "organics test" is performed on containers when the portable VOC monitor indicates the presence of VOC's. Describe these analyses in more detail. What analytical method(s) are used? Are these the same methods used to analyze the random ten percent of the incoming containers?**

Answer: The flash test is qualitative test performed on non-hazardous solid wastes in which the portable PID screen indicates the presence of VOC's. A small sample of the waste at ambient temperature is placed on a watch glass and tested with a flame to see if

the sample is flammable and combustible. The ten percent/random screening samples of incoming containers are also tested using this flash test, as well as a screen for heavy metals using a portable x-ray fluorescence (XRF) device.

- 4. Question: During the VSI, a number of bulk containers were present at the site; however, it is not clear which of the vehicles were used for liquids transfer. We have made an effort to designate areas as "Liquids Transfer Areas". We came up with five such areas, but we are not sure if our assumptions are correct, so we would appreciate assistance here.**

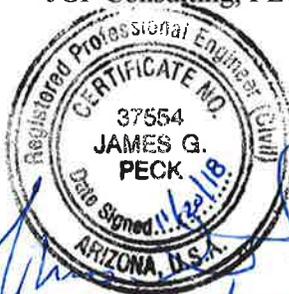
Answer: For non-hazardous waste transfer operations, the entire area identified in the solid waste facility notice is used for handling solid wastes. Bulk liquids that are non-hazardous are typically stored at the north end of the property, to the north of the lined solid waste storage pad. The locations ADEQ identified in the September 18, 2018 are generally representative of where liquid waste storage containers are maintained.

Note that at the time of the inspection the facility was operating as notice-level solid waste transfer station, and that the practices observed may be modified for hazardous waste operations under a pending Resource Conservation and Recovery Act (RCRA) hazardous waste facility permitting application.

We believe this response addresses ADEQ's questions from the RCRA facility inspection in their entirety as they relate to the current solid waste operations under the facility's solid waste facility notification. Sydcol looks forward to submitting a RCRA hazardous waste facility permit application in the near future and working with your office on addressing any technical completeness review questions regarding hazardous waste operations. If you have any comments or additional administrative questions, please contact me at (602) 396-4300.

Sincerely,

JGP Consulting, PLC



James G. Peck, P.E.
Project Engineer

Cc: AA Sydcol, Inc.



Anthony Leverock <leverock.anthony@azdeq.gov>

A.A.Sydcol Permit Application

Anthony Leverock <leverock.anthony@azdeq.gov>

Wed, Nov 24, 2021 at 11:14 AM

To: "James G. Peck" <james@jgpcn.com>

Cc: Jessica Kohls <kohls.jessica@azdeq.gov>, Charles Templer <chuck@sydcol.com>

Hello, James - I got the application and am doing a basic administrative completeness check.

1. When you have a chance, please send me the permit application files in word format. I am specifically interested in the narrative and the permit attachments that will be transferred to the permit. I am not interested in the Part A with its attachments, but those sections after the Part A with its attachments. Also, please provide the graphic files for all the figures used in the attachments either in .tiff, .jpg, or other commonly used graphic format. For large format diagrams such as would be provided for the containment structures or other diagrams for processing units a format using vector graphics (CAD formats) would be preferred if they are available.

2. Regarding updates to the Character Background Reference forms. There are four in there. Charles, Juvi, Dan Drewek, and Alexander Hayden. I want to make sure that all relevant persons have submitted the forms. The training plan lists a Facility Manager, a Compliance Manager, a Health and Safety Manager, a Training Manager. What are the names of the people in these positions. Also, the emergency coordinators and the alternate emergency coordinators are listed as Charles and Juvi. The EC should be at the facility or capable of being at the facility in a short period of time (minutes), even considering the virtualization possibilities of technology, the EC is supposed to personally engage with the emergency response agencies. Please confirm that Charles is the EC. and that Juvi is the alternate.

Also, this email serves to update you that Jessica Kohls has joined the Haz Waste Permits and Support Unit as our manager. If you have any issues with my review or if I am unavailable for some reason, you can contact Jessica at (602) 7710391, email is kohls.jessica@azdeq.gov.

Please email or call me if you have any questions or comments concerning the above. Thanks.

Anthony Leverock

Associate Engineer

Hazardous Waste Permits/Support Unit

Ph: 602-771-4160

**azdeq.gov****Your feedback matters to ADEQ. Visit azdeq.gov/feedback**



Anthony Leverock <leverock.anthony@azdeq.gov>

A.A.Sydcol Permit Application

James G. Peck <james@jgpcon.com>

Wed, Dec 1, 2021 at 10:31 AM

To: Anthony Leverock <leverock.anthony@azdeq.gov>

Cc: Jessica Kohls <kohls.jessica@azdeq.gov>, Charles Templer <chuck@sydcol.com>

Anthony:

Attached is a zip file with the files in the format as requested. I've also included several of the spreadsheets in excel format so that the Department can readily see formulas used in spreadsheet calculations.

As for the second question, the four individuals listed in the application as key employees are all the key employees as of now. Once the permit is issued, Sydcol anticipates additional hires and/or contractors to supplement the existing staff as per the training plan, and will submit key employee forms at that time.

Note that Dan Drazek is listed as the Primary Emergency Coordinator and Alex Hayden is listed as the Alternate Emergency Coordinator in Table 3.1 of Attachment G (Contingency Plan) of the application. I'm curious where you are seeing Chuck and Juvi listed as the emergency coordinators.

Sincerely,

-James

[Quoted text hidden]

 **Sydcol Part B.zip**
12474K



Anthony Leverock <leverock.anthony@azdeq.gov>

A.A.Sydcol Permit Application

Anthony Leverock <leverock.anthony@azdeq.gov>

Thu, Dec 2, 2021 at 12:44 PM

To: "James G. Peck" <james@jgpcon.com>

Cc: Jessica Kohls <kohls.jessica@azdeq.gov>, Charles Templer <chuck@sydcol.com>, Terry Baer <baer.terry@azdeq.gov>

James -

Thanks for the quick response on the administrative comments. My email was not intended as a detailed technical review, it was a broad administrative review which was intended to ensure that all components were submitted. You are right, it appears that all CBR forms have been submitted for the facility. However, I do have some comments on the Contingency Plan (CP).

I reviewed the printed copy of the CP- I assume it is the same as the copy on the flash drive. I note that the revision date on the cover and the TOC is 7-13-21, but on subsequent pages it is 6-23-20. The transmittal letters to the emergency response agencies is 11-12-19.

On page 3 under 2.1 General Facility Information in the table the "Primary Contact Person" is Charles M. Templer, phone number of (928) 783-3676, and the "Alternate Contact Person" is Juvi Remitio, phone number of (928) 210-7077. Then, on page 7 there is a table of "Emergency Coordinators" and it lists Dan Drewek, Facility Manager as Primary, Alexander Hayden, Operations Manager, as Alternate, and Juvi Remitio as a second Alternate. So, it appears that as far as identifying the Emergency Coordinators, you are correct, I incorrectly read the names on page 3 as being the EC's without going further into the document. This brings up a couple of issues that I have with the CP:

1) Organization of the CP

i) The EC's names should be prominently displayed in the CP. The EPA guidance on Preparedness and Prevention Requirements for TSDFs, dated 3/5/10 (attached) includes EPA recommendations derived from the lessons learned from the 10-05-06 EQ Fire in Apex, NC. It advises States to require that the CP's be submitted with certain presentation requirements and incorporated elements from the Procedures to Prevent Hazards component of the permit application. For example, the CP should have an executive summary in the intro of the document (see page 6 of the guidance for detail) that presents summary information for the facility including the names and phone numbers of the emergency coordinators. Currently, the CP has the names of Charles Templer and Juvi Remitio as the contacts on page 3. So, instead of as is currently presented, the CP needs to have an executive summary, and the "Primary Contact" and "Alternate Contact" persons must be replaced with the names of the Primary EC and Alternate ECs. Again, I note that the presentation was confusing to me as I skimmed the CP looking for the EC's, so I would expect it would likewise be confusing to an emergency responder who is quickly reviewing the document in order to contact the facility's EC during an emergency event, e.g., in the event that an incident (fire) was phoned in by a third party / neighbor after hours, and the responders are waiting at the gate to respond to the emergency event.

ii) The guidance states that a description of the preparedness and prevention measures for the facility be in the appendix. It appears much of this is done both in the body of the CP - it lists the emergency equipment in Section 6 - and in Appendix B, which provides an overview of the facility. The info in App B is quite general - it should be more specific on the following: a) detail on the emergency water supply needs to be shown, including a diagram showing the details concerning the hookup to the 121,000 gallon water tank. b) detail concerning the emergency response access to the facility (i.e., crash-through gate access details as described in the Att F, Section 2, and c) other relevant preparedness and prevention measures for the facility should be placed into the CP, preferably in the appendix, so that it remains a stand-alone go-to resource for emergency responders in the event of an emergency.

2) EC Authority - The CP in Section 3, page 8 states that the EC *should* make an initial internal notification to Mr. Templer in an emergency. It is not clear what the purpose of this internal notification is, but it should not be a specified step in the CP. Per 40 CFR 264.55 the EC must be authorized to commit the resources needed to carry out the contingency plan, so notifications of or authorizations from Mr. Templer are not needed. I expect that in an emergency the primary EC is going to be quite occupied as a resource to the emergency responders, and he may not have the time available to perform this notification during an emergency event. This paragraph must be removed.

3) Electronic Submission to Local Emergency Response Entities - The guidance advises States to promote the electronic submission of "emergency planning information" to the emergency response agencies. Has this been done? Please note the footnote on page 6 that provides a web link for erplan.net. As the EPA guidance was printed in 2010 it is likely out of date, and more sophisticated websites and resources may be available now.

12/9/21, 2:21 PM

State of Arizona Mail - A.A.Sydcol Permit Application

Please provide a response and update within seven days of this email.

[Quoted text hidden]

[Quoted text hidden]



Preparedness and Prevention Requirements for RCRA TSDFs.pdf

505K



Douglas A. Ducey
Governor

ARIZONA DEPARTMENT
OF
ENVIRONMENTAL QUALITY



Misael Cabrera
Director

December 3, 2021
REF: HWP-EX3459

Ms. Diana Gomez, Chief Health Officer
Yuma County Health District
2200 West 28th Street, Suite 137
Yuma, AZ 85364

Re: ARS §49-111 Notification; A.A. Sydcoll, LLC; 2264 East 13th Street, Yuma, Arizona 85365; EPA ID # AZR 000 520 304; Place ID No. 148568; LTF ID # 92113.

Dear Ms. Gomez:

This letter is in accordance with Arizona Revised Statutes (A.R.S.) §49-111, which requires the Arizona Department of Environmental Quality (ADEQ) to notify appropriate city or county jurisdictions following receipt of a permit application. This letter is for information purposes only, and no response is expected.

On November 22, 2021, A.A. Sydcoll, LLC (AAS) re-submitted to ADEQ a permit application for a hazardous waste management facility located at 2264 East 13th Street, Yuma, Arizona 85365. AAS had previously submitted a permit application to ADEQ on January 31, 2020; however, that application was withdrawn on June 30, 2020 -- the current application replaces the application withdrawn by AAS.

AAS currently operates a solid waste transfer facility. The facility receives and processes solid waste per a solid waste facility notification submitted in May 2014. Upon ADEQ approval of the hazardous waste permit application, AAS would also be allowed to operate a hazardous waste storage facility for a term of up to ten years.

If you have any questions, please contact me at (602) 771-4168 or toll-free at (800) 234-5677, extension 7714168.

Sincerely,

Anthony Leverock
Associate Engineer
Hazardous Waste Permits and Support Unit
Waste Programs Division

Main Office

1110 W. Washington Street • Phoenix, AZ 85007
(602) 771-2300

Southern Regional Office

400 W. Congress Street • Suite 433 • Tucson, AZ 85701
(520) 628-6733

www.azdeq.gov

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Douglas A. Ducey
Governor

ARIZONA DEPARTMENT
OF
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Misael Cabrera
Director

December 3, 2021
REF: HWP-EX3460

Ms. Susan Thorpe, County Administrator
Yuma County
198 South Main Street
Yuma, AZ 85364

Re: ARS §49-111 Notification; A.A. Sydcol, LLC; 2264 East 13th Street, Yuma, Arizona 85365; EPA ID # AZR 000 520 304; Place ID No. 148568; LTF ID # 92113.

Dear Ms. Thorpe:

This letter is in accordance with Arizona Revised Statutes (A.R.S.) §49-111, which requires the Arizona Department of Environmental Quality (ADEQ) to notify appropriate city or county jurisdictions following receipt of a permit application. This letter is for information purposes only, and no response is expected.

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AAS currently operates a solid waste transfer facility. The facility receives and processes solid waste per a solid waste facility notification submitted in May 2014. Upon ADEQ approval of the hazardous waste permit application, AAS would also be allowed to operate a hazardous waste storage facility for a term of up to ten years.

If you have any questions, please contact me at (602) 771-4168 or toll-free at (800) 234-5677, extension 7714168.

Sincerely,

Anthony Leverock
Associate Engineer
Hazardous Waste Permits and Support Unit
Waste Programs Division

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Anthony Leverock <leverock.anthony@azdeq.gov>

Administrative Review of Permit Application - Part A

Anthony Leverock <leverock.anthony@azdeq.gov>

Wed, Dec 8, 2021 at 3:19 PM

To: "James G. Peck" <james@jgpcon.com>

James -

I have completed a review of the Part A application. I have one comment.

Part 6 of the Part A was not completed. You may recall we had the same comment in the prior application. This needs to be filled out ASAP. For each management unit you need to provide the process code (S01), the process design capacity (this is the static storage capacity, probably in gallons), the "Process Total Number of Units (number of containers), and the Unit Name (Eg., HWMU-1, -2, -3, and -4).

Electronic submittal of the modified page is fine.

BTW, I have attached the email we received for the prior application in which you responded to our comment.

Please submit this correction ASAP.

Anthony Leverock

Associate Engineer
Hazardous Waste Permits/Support Unit
Ph: 602-771-4160



azdeq.gov

Your feedback matters to ADEQ. Visit azdeq.gov/feedback



Email JGP Peck to ADEQ Leverock - A.A.Sydcol Permit Application Update Part A Part 6 Page 8.pdf
597K



Anthony Leverock <leverock.anthony@azdeq.gov>

A.A.Sydcol Permit Application

8 messages

Anthony Leverock <leverock.anthony@azdeq.gov>
To: Lisa Kowalczyk <kowalczyk.lisa@azdeq.gov>

Fri, Feb 28, 2020 at 3:22 PM

FYI

Anthony Leverock

Associate Engineer, Hazardous Waste Permits/Support Unit
Ph: 602-771-4160



azdeq.gov

Your feedback matters to ADEQ. Visit azdeq.gov/feedback

----- Forwarded message -----

From: **James G. Peck** <james@jgpcon.com>
Date: Fri, Feb 28, 2020 at 3:19 PM
Subject: Re: A.A.Sydcol Permit Application
To: Anthony Leverock <leverock.anthony@azdeq.gov>

Anthony:

HWMU1: 525 drums

HWMU2: 800 drums

HWMU3: 980 drums

HWMU4: 1,250 drums

There's a discussion of this in Section 4.2 of Attachment D in Part B of the application.

Sincerely,

-James

On 2020-02-28 14:09, Anthony Leverock wrote:

James - Do you have a breakdown by HWMU1, 2, 3, and 4 ? I don't need this reflected on that sheet, but I want to be able to verify drum arrangements for each storage unit.

Anthony Leverock

Associate Engineer, Hazardous Waste Permits/Support Unit
Ph: 602-771-4160



azdeq.gov

Your feedback matters to ADEQ. Visit [azdeq.gov/feedback](https://www.azdeq.gov/feedback)

On Fri, Feb 28, 2020 at 12:39 PM James G. Peck <james@jgpcn.com> wrote:

Anthony:

Attached is a completed Item 6 of Part A of the Sydcol RCRA application. As the process considered is S01 "container storage" and there are four HWMUs, I listed the number of units as 4 and the design capacity based on the total number of drums that can be stored in all of the HWMUs combined. I believe that is consistent with the form instructions.

Sincerely,

-James

On 2020-02-28 07:47, Anthony Leverock wrote:

OK, please keep me apprised. Regarding item 1 in my email, I'll need that section of the Part A completed ASAP.

Anthony Leverock

Associate Engineer, Hazardous Waste Permits/Support Unit
Ph: 602-771-4160



Your feedback matters to ADEQ. Visit azdeq.gov/feedback

On Thu, Feb 27, 2020 at 1:29 PM Charles Templer <chuck@sydcol.com> wrote:

Anthony:

Our plan is to hire a facility manager who has RCRA expertise nearer to the end of the permit process.

Thank you.

Chuck Templer

From: Anthony Leverock <leverock.anthony@azdeq.gov>

Sent: Monday, February 24, 2020 11:59 AM

To: Charles Templer <chuck@sydcol.com>

Cc: James G. Peck <james@jgpcon.com>

Subject: A.A.Sydcol Permit Application

Chuck -

I am reviewing the Part A application form for the facility. I have a question concerning the Part A application and the character background reference forms.

1. Part A Form - Item 6 (Process Codes and Design Capacities) is blank. It must be completed.
2. Character Background Reference Forms - We received 3 CBR forms: AASydcol, Juvi, and yourself. The form for you says that you are the managing member for AAS. The form for Juvi says that he is the manager for sales and technical services. Does the AAS facility have a facility manager? If so, that person needs to submit a CBR form as well. I also see that there is a placeholder for an alternate emergency coordinator in the contingency plan. When filled, that person needs to submit a CBR form.

In order to remain on schedule to complete a timely permit application review I will be forwarding other comments as I complete the various sections of the application. Please advise me if you want me to direct the comments to James Peck instead of yourself.

Anthony Leverock

Associate Engineer, Hazardous Waste Permits/Support Unit

Ph: 602-771-4160



azdeq.gov

Your feedback matters to ADEQ. Visit azdeq.gov/feedback

Anthony Leverock <leverock.anthony@azdeq.gov>
To: "James G. Peck" <james@jgpcon.com>
Cc: Lisa Kowalczyk <kowalczyk.lisa@azdeq.gov>

Fri, Feb 28, 2020 at 3:21 PM

OK, great. Thank you.

Anthony Leverock

Associate Engineer, Hazardous Waste Permits/Support Unit
Ph: 602-771-4160



azdeq.gov

Your feedback matters to ADEQ. Visit azdeq.gov/feedback

On Fri, Feb 28, 2020 at 3:19 PM James G. Peck <james@jgpcon.com> wrote:

Anthony:

HWMU1: 525 drums

HWMU2: 800 drums

HWMU3: 980 drums

HWMU4: 1,250 drums

There's a discussion of this in Section 4.2 of Attachment D in Part B of the application.

Sincerely,

-James



Anthony Leverock <leverock.anthony@azdeq.gov>

Administrative Review of Permit Application - Part A

James G. Peck <james@jgpcon.com>
To: Anthony Leverock <leverock.anthony@azdeq.gov>

Wed, Dec 8, 2021 at 4:26 PM

Here is the edited Page 14 with Section 6 of the Part A completed, using info from Table 2 in Attachment D.

Sincerely,

-James

On 2021-12-08 14:19, Anthony Leverock wrote:

[Quoted text hidden]

 **Sydcot Part A Sec 6.pdf**
141K



Hazardous Waste Treatment, Storage, and Disposal Facility Permit Administrative Completeness Review Checklist

Checklist Instruction

This checklist is provided as a guideline for ADEQ staff in performing administrative completeness reviews and to the applicant on what information ADEQ will need to administratively review a TSDF permit application. This checklist is designed to ensure the applicant provides information necessary to review the application.

Applicant: A.A. Sydcol, LLC		LTF: 92113			
Reviewer: Anthony Leverock <i>AL</i>		Date: 12/08/21			
Item	Comments	Y	N	N/A	
APPLICATION COMPONENTS					
Submittal Format::					
Physical copy:	One complete original of Parts A and B	✓			
Electronic copy:	One full PDF of Parts A and B	✓			
Electronic copy:	One WORD of Part B files	✓			
Electronic copy:	One electronic copy of all Facility and Construction Diagrams, preferably in vector image format	✓			
Character Background Reference forms	Four forms submitted: Charles Templer, Juvi Remitio, Daniel Drewek, Alexander Hayden; Need to request form for A.A.Sydcol, LLC (applicant)	✓			
Operating Permit/Post-Closure Permit Application Checklist	Physical and electronic (PDF)	✓			
Certification of compliance with the U.S. EPA RCRA expanded public participation rule	Completed 7/9/2015 (LTF #70841)				✓
The applicant must have a U.S. EPA ID Number assigned for the facility at the time of submittal		✓			
An initial application submittal fee, \$20,000.00 for a new or renewal of an existing TSDF	Submitted with prior application (LTF #70841)	✓			
SECTION A. PART A GENERAL INFORMATION REQUIREMENTS					
Site name	NOTE that Site ID Form says "AASydcol LLC", but Part B says: "AASydcol Waste Transfer Facility"	✓			
EPA ID number	AZR 000 520 304	✓			
Site location information		✓			
Site contact and mailing address		✓			
Legal owner and operator of the Site		✓			
Type of regulated waste activity	LQG, TSDF, off-site HW, HW transporter, transfer facility, UW: batteries, pesticides, equipment, lamps, and aerosols, Used Oil, no pharmaceuticals	✓			

Applicant: A.A. Sydcol, LLC	<i>AS</i>	LTF: 92113		
Reviewer: Anthony Leverock		Date: 12/08/21		
Item	Comments	Y	N	N/A
Description of hazardous waste		✓		
Notification of hazardous secondary material (HSM) activity	Responded "No" on Form	✓		
Certification, signed by owner and operator		✓		
Facility permit contact		✓		
Permit contact and operator mailing address and telephone number		✓		
Facility existence date		✓		
Listing of all other environmental permits received		✓		
Nature of business		✓		
Process codes and design capacities	Updated this on 12-08-21t	✓		
Map		✓		
Facility drawing		✓		
Photographs				
SECTION B. FACILITY DESCRIPTION				
General Description		✓		
Flood plain		✓		
Surrounding land use		✓		
Surface waters		✓		
Wind rose		✓		
Map orientation		✓		
Legal boundaries		✓		
Access control		✓		
Injection and withdrawal wells		✓		
Buildings and other structures		✓		
Drainage and flood control		✓		
Location of SWMUs		✓		
Groundwater		✓		
Seismic requirements		✓		
Traffic patterns		✓		
SECTION C. WASTE CHARACTERISTICS				
Waste Analysis Plan		✓		
SECTION D. PROCESS INFORMATION				
Containers	Three CSA's: HWMU1 33,000 gal, HWMU2 60,500 gal, HWMU3 83,160 gal	✓		
Management Practices		✓		
Secondary containment	Containment Capacity CSA / Effective gal / Required gal HWMU1 / 7,588 / 5,062 HWMU2 / 24,276 / 8,795 HWMU3 / 15,749 / 11,267 Containment structure diagrams need to be sealed by PE	✓		
Run-on & run-off control		✓		
Tanks				✓

Applicant: A.A. Sydcol, LLC <i>AK</i>	LTF: 92113			
Reviewer: Anthony Leverock	Date: 12/08/21			
Item	Comments	Y	N	N/A
Description and capacity				✓
Certified Integrity assessment				✓
Secondary containment				✓
Leak detection requirements				✓
Other Waste Units				✓
SECTION E. GROUNDWATER MONITORING				
Groundwater monitoring exemption pursuant to 270.14(c)				✓
Groundwater monitoring plan, if not exempt				✓
Hydrogeological information				✓
Well location, construction details				✓
Sampling and analysis plan (SAP)				✓
Groundwater monitoring program (GWMP)				✓
Statistical procedures				✓
SECTION F. PROCEDURES TO PREVENT HAZARDS				
Security procedures		✓		
Inspection requirements for each containment system		✓		
Management of incompatible Waste		✓		
Management of ignitable waste		✓		
Fire protection		✓		
SECTION G. CONTINGENCY PLAN				
Contingency plan coordinators	Comments transmitted 12/Need to add in intro of CP	✓		
Emergency actions		✓		
Emergency equipment		✓		
Arrangement with local authorities		✓		
Evacuation plan		✓		
Reporting and recordkeeping procedures		✓		
SECTION H. PERSONNEL TRAINING				
Training program outline		✓		
Description of training		✓		
SECTION I. CLOSURE/POST-CLOSURE PLANS AND FINANCIAL REQUIREMENTS				
Closure plans		✓		
Post-closure Plan				✓
Required notices				✓
Cost estimates for closure and post-closure	CCE = \$741,663	✓		
Financial assurance for closure and post-closure	Insurance Policy to be provided	✓		
Liability requirements	Insurance Policy – ACCORD Certificate provided	✓		
SECTION J. SOLID WASTE MANAGEMENT UNITS				
Description of SWMUs		✓		
Description of releases		✓		
SECTION K. OTHER FEDERAL LAWS				
Demonstrate compliance with requirements of other applicable Federal laws		✓		
SECTION L. PART B CERTIFICATION				

Applicant: A.A. Sydcol, LLC <i>AK</i>	LTF: 92113			
Reviewer: Anthony Leverock	Date: 12/08/21			
Item	Comments	Y	N	N/A
Part B Certification		✓		
SECTION M. SUBPART AA PROCESS VENTS				
Subpart AA applicability				✓
Design, operation, monitoring, and inspection				✓
SECTION N. SUBPART BB EQUIPMENT LEAKS				
Subpart BB applicability		✓		
Equipment description		✓		
Monitoring program, recordkeeping and reporting		✓		
SECTION O. SUBPART CC AIR EMISSION STANDARDS				
Subpart CC applicability		✓		
List of units that are exempt				✓
Tanks, surface impoundments, or containers requirements	Subpart CC for Containers	✓		
Implementation plan		✓		
Monitoring plan		✓		
Reporting and recordkeeping requirements		✓		
SECTION P. EXPOSURE INFORMATION				
Only for surface impoundments and land disposal units				✓
SECTION Q. SUBPART X MISCELLANEOUS UNITS				
Subpart X applicability				✓
Environmental performance standards				✓
Monitoring, inspection, and reporting				✓
SECTION R. CORRECTIVE ACTION				
Corrective Actions	Application includes no info on new SWMUs, ADEQ RFA completed in 2020	✓		

A.A. Sydcol, LLC - Permit Processing Schedule LTF #92113

Project Step	Project Due Date
Submittal Date	11/22/21
Administrative Review Completeness	12/08/21
Substantive Review 1 Complete	01/03/22
Substantive Review 2 Complete	01/30/22
Complete Pre-draft Permit	03/01/22
Review Pre-draft Permit Complete	03/15/22
Prepare Draft Permit	03/22/22
Start of 45-day Public Comment Period	03/29/22
End of Public Comment Period	05/13/22
Draft Response to Comments	05/16/22
Final Response to Comments	05/18/22
Issue Final Permit	05/21/22



Douglas A. Ducey
Governor

ARIZONA DEPARTMENT
OF
ENVIRONMENTAL QUALITY



Misael Cabrera
Director

Notice of Administrative Completeness

December 9, 2021
REF: HWP-EX3463

Mr. Charles Templer
Managing Member
A.A.Sydcol, LLC
2264 East 13th Street
Yuma, Arizona 85365

**Re: Application for Hazardous Waste Permit; A.A. Sydcol, LLC; EPA ID No. AZR 000 520 304;
Place ID No. 148568; License Time Frames No. 92113.**

Dear Mr. Templer:

The Arizona Department of Environmental Quality (ADEQ), Hazardous Waste Permits and Support Unit, received the above-referenced application on November 22, 2021. A check (#7442) for \$20,000 was submitted on January 31, 2020 for the initial permit application fee. Review of this application is subject to the requirements of the licensing time frames (LTF) statute under Arizona Revised Statutes (A.R.S.) § 41-1072 through § 41-1079 and the LTF rules under Arizona Administrative Code (A.A.C.) R18-1-501 through R18-1-525. The LTF Number for the application is #92113.

Per A.R.S. § 41-1074, the Department considers the application to be administratively complete on December 8, 2021. The application is now subject to substantive review with a time frame of 251 business days. Enclosed is a copy of the administrative completeness review checklist and a proposed permit processing schedule for the application. Per A.A.C. R18-8-270(G)(1), the application will be processed at an hourly rate of \$136.00 per hour; the maximum fee for this application will not exceed \$250,000.00.

If you have any questions, please feel free to give me a call at (602) 771-4160 or toll free at (800) 234-5677, extension 771-4160. You may also contact me by email at acl@azdeq.gov.

Sincerely,

Anthony Leverock
Associate Engineer
Hazardous Waste Permits & Support Unit
Waste Programs Division

ec: James Peck, JGP Consulting PLC
Jessica Kohls, Permits & Support Unit Manager



Hazardous Waste Treatment, Storage, and Disposal Facility Permit Administrative Completeness Review Checklist

Checklist Instruction

This checklist is provided as a guideline for ADEQ staff in performing administrative completeness reviews and to the applicant on what information ADEQ will need to administratively review a TSDf permit application. This checklist is designed to ensure the applicant provides information necessary to review the application.

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Reviewer: Anthony Leverock <i>AL</i>		Date: 12/08/21			
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Electronic copy:	One WORD of Part B files	✓			
Electronic copy:	One electronic copy of all Facility and Construction Diagrams, preferably in vector image format	✓			
Character Background Reference forms	Four forms submitted: Charles Templer, Juvi Remitio, Daniel Drewek, Alexander Hayden; Need to request form for A.A.Sydcol, LLC (applicant)	✓			
Operating Permit/Post-Closure Permit Application Checklist	Physical and electronic (PDF)	✓			
Certification of compliance with the U.S. EPA RCRA expanded public participation rule	Completed 7/9/2015 (LTF #70841)				✓
The applicant must have a U.S. EPA ID Number assigned for the facility at the time of submittal		✓			
An initial application submittal fee, \$20,000.00 for a new or renewal of an existing TSDf	Submitted with prior application (LTF #70841)	✓			
SECTION A. PART A GENERAL INFORMATION REQUIREMENTS					
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EPA ID number	AZR 000 520 304	✓			
Site location information		✓			
Site contact and mailing address		✓			
Legal owner and operator of the Site		✓			
Type of regulated waste activity	LQG, TSDf, off-site HW, HW transporter, transfer facility, UW: batteries, pesticides, equipment, lamps, and aerosols, Used Oil, no pharmaceuticals	✓			

Applicant: A.A. Sydcol, LLC	<i>AS</i>	LTF: 92113		
Reviewer: Anthony Leverock		Date: 12/08/21		
Item	Comments	Y	N	N/A
Description of hazardous waste		✓		
Notification of hazardous secondary material (HSM) activity	Responded "No" on Form	✓		
Certification, signed by owner and operator		✓		
Facility permit contact		✓		
Permit contact and operator mailing address and telephone number		✓		
Facility existence date		✓		
Listing of all other environmental permits received		✓		
Nature of business		✓		
Process codes and design capacities	Updated this on 12-08-21t	✓		
Map		✓		
Facility drawing		✓		
Photographs				
SECTION B. FACILITY DESCRIPTION				
General Description		✓		
Flood plain		✓		
Surrounding land use		✓		
Surface waters		✓		
Wind rose		✓		
Map orientation		✓		
Legal boundaries		✓		
Access control		✓		
Injection and withdrawal wells		✓		
Buildings and other structures		✓		
Drainage and flood control		✓		
Location of SWMUs		✓		
Groundwater		✓		
Seismic requirements		✓		
Traffic patterns		✓		
SECTION C. WASTE CHARACTERISTICS				
Waste Analysis Plan		✓		
SECTION D. PROCESS INFORMATION				
Containers	Three CSA's: HWMU1 33,000 gal, HWMU2 60,500 gal, HWMU3 83,160 gal	✓		
Management Practices		✓		
Secondary containment	Containment Capacity CSA / Effective gal / Required gal HWMU1 / 7,588 / 5,062 HWMU2 / 24,276 / 8,795 HWMU3 / 15,749 / 11,267 Containment structure diagrams need to be sealed by PE	✓		
Run-on & run-off control		✓		
Tanks				✓

Applicant: A.A. Sydcol, LLC <i>AK</i>	LTF: 92113			
Reviewer: Anthony Leverock	Date: 12/08/21			
Item	Comments	Y	N	N/A
Description and capacity				✓
Certified Integrity assessment				✓
Secondary containment				✓
Leak detection requirements				✓
Other Waste Units				✓
SECTION E. GROUNDWATER MONITORING				
Groundwater monitoring exemption pursuant to 270.14(c)				✓
Groundwater monitoring plan, if not exempt				✓
Hydrogeological information				✓
Well location, construction details				✓
Sampling and analysis plan (SAP)				✓
Groundwater monitoring program (GWMP)				✓
Statistical procedures				✓
SECTION F. PROCEDURES TO PREVENT HAZARDS				
Security procedures		✓		
Inspection requirements for each containment system		✓		
Management of incompatible Waste		✓		
Management of ignitable waste		✓		
Fire protection		✓		
SECTION G. CONTINGENCY PLAN				
Contingency plan coordinators	Comments transmitted 12/Need to add in intro of CP	✓		
Emergency actions		✓		
Emergency equipment		✓		
Arrangement with local authorities		✓		
Evacuation plan		✓		
Reporting and recordkeeping procedures		✓		
SECTION H. PERSONNEL TRAINING				
Training program outline		✓		
Description of training		✓		
SECTION I. CLOSURE/POST-CLOSURE PLANS AND FINANCIAL REQUIREMENTS				
Closure plans		✓		
Post-closure Plan				✓
Required notices				✓
Cost estimates for closure and post-closure	CCE = \$741,663	✓		
Financial assurance for closure and post-closure	Insurance Policy to be provided	✓		
Liability requirements	Insurance Policy – ACCORD Certificate provided	✓		
SECTION J. SOLID WASTE MANAGEMENT UNITS				
Description of SWMUs		✓		
Description of releases		✓		
SECTION K. OTHER FEDERAL LAWS				
Demonstrate compliance with requirements of other applicable Federal laws		✓		
SECTION L. PART B CERTIFICATION				

Applicant: A.A. Sydcol, LLC <i>AK</i>	LTF: 92113			
Reviewer: Anthony Leverock	Date: 12/08/21			
Item	Comments	Y	N	N/A
Part B Certification		✓		
SECTION M. SUBPART AA PROCESS VENTS				
Subpart AA applicability				✓
Design, operation, monitoring, and inspection				✓
SECTION N. SUBPART BB EQUIPMENT LEAKS				
Subpart BB applicability		✓		
Equipment description		✓		
Monitoring program, recordkeeping and reporting		✓		
SECTION O. SUBPART CC AIR EMISSION STANDARDS				
Subpart CC applicability		✓		
List of units that are exempt				✓
Tanks, surface impoundments, or containers requirements	Subpart CC for Containers	✓		
Implementation plan		✓		
Monitoring plan		✓		
Reporting and recordkeeping requirements		✓		
SECTION P. EXPOSURE INFORMATION				
Only for surface impoundments and land disposal units				✓
SECTION Q. SUBPART X MISCELLANEOUS UNITS				
Subpart X applicability				✓
Environmental performance standards				✓
Monitoring, inspection, and reporting				✓
SECTION R. CORRECTIVE ACTION				
Corrective Actions	Application includes no info on new SWMUs, ADEQ RFA completed in 2020	✓		

A.A. Sydcol, LLC - Permit Processing Schedule LTF #92113

Project Step	Project Due Date
Submittal Date	11/22/21
Administrative Review Completeness	12/08/21
Substantive Review 1 Complete	01/03/22
Substantive Review 2 Complete	01/30/22
Complete Pre-draft Permit	03/01/22
Review Pre-draft Permit Complete	03/15/22
Prepare Draft Permit	03/22/22
Start of 45-day Public Comment Period	03/29/22
End of Public Comment Period	05/13/22
Draft Response to Comments	05/16/22
Final Response to Comments	05/18/22
Issue Final Permit	05/21/22

Account: R0039189

Location & Remarks

Situs Address 2264 E 13th ST
City YUMA
ZipCode 85365
Tax Area 0122 - 01122
Parcel Number 666-17-050

Legal Summary (**Note: Not to be used on legal documents**) Subdivision:
GILA ACRES Lot: 11 & E 40.97 FT OF LOT 12 EXC R/W AKA LOT 1
HOLLAND LOT TIE & LOT SPLIT BK 7 PG 40 Section: 26 Township: 08S
Range: 23W

Owner Information

Owner Name SYD COLE PROPERTIES AZ LLC
Owner Address 3155 GOLDEN WILLOW CT
YORBA LINDA, CA 92886

Assessment History

Full Cash Value (FCV)	\$752,019
Limited Property Value (LPV)	\$650,179
Primary Assessed	\$113,781
Secondary Assessed	\$131,603

Tax Area: 0122 **Primary Rate:** 9.2708
Secondary Rate: 2.3876

Legal Class	FCV	LPV	Primary Assessed	Secondary Assessed
1.12	\$752,019	\$650,179	\$113,781	\$131,603

Transfers

Sale Date	Sale Price	Doc Description
07/29/1985	\$0	WARRANTY DEED
04/26/2005	\$970,000	WARRANTY DEED
04/29/2005	\$0	JOINT TENANCY DEED
11/05/2008	\$0	LAND DIVISION PERMIT
11/05/2008	\$0	PLAT
07/14/2014	\$400,000	WARRANTY DEED
02/28/2017		EASEMENTS
10/27/2017		NOTICE OF COMPLETION

Tax History

Tax Year	Taxes
*2022	\$13,695.04
2021	\$13,424.32

* Estimated

Images

- [Photo](#)
- [Sketch](#)
- [GIS](#)



Draft Checklist for A.A. Sydcol Pre-draft Hazardous Waste Permit

3 messages

Anthony Leverock <leverock.anthony@azdeq.gov>

Mon, Apr 11, 2022 at 5:22 PM

To: "James G. Peck" <james@jgpccon.com>

Cc: Jessica Kohls <kohls.jessica@azdeq.gov>, Terry Baer <baer.terry@azdeq.gov>

James -

Thank you for completing the review quickly. Per our grant workplan and memo of agreement with EPA, we also provided them a copy of the draft and they recently told us that they will be finished with the review by 5/2/22. In the meantime, I am preparing the public notice, fact sheet, administrative record, and the letter to persons on the ADEQ public notification list (e.g., local governments and the "abutters" - property owners within 3 miles of the facility).

At present, our permit processing schedule is as follows:

05/02/22 - Receive EPA comments on pre-draft;

05/13/22 - Update pre-draft as necessary to meet EPA oversight/QA;

05/22/22 - Begin of 45-day public comment period;

07/06/22 - End of 45-day public comment period;

07/11/22 - Response to public comments and notice of Final Decision / transmittal of final invoice for permit fees.

Meeting this timeline will depend on the number and type of comments received from EPA and from the public. ADEQ will forward to AASydcol all comments received from EPA and the public. Note that the comments received from EPA would be on the pre-draft Permit -- the response will just require ADEQ to make the required changes to the pre-draft permit, and must be completed before the start of the public comment period. However, changes made to the draft permit in response to public comments must be included in a "Response to Comments (RTC) Summary" that is then sent to the commenters and to AASydcol with the notice of final decision. In both cases, it may be necessary for ADEQ to request from AASydcol additional information in order to ensure the preparation of a complete and timely response to the comments.

Lastly, issuance of the permit will also depend on AASydcol's timely payment of the final permit fees.

If you have any questions please let me know.

[Quoted text hidden]

James G. Peck <james@jgpccon.com>

Mon, Apr 11, 2022 at 4:39 PM

To: Anthony Leverock <leverock.anthony@azdeq.gov>

Anthony:

FYI, Sydcol has reviewed the draft permit and doesn't have any comments. The permit and it's connection to the application seems pretty clear. Our commendation to you and the ADEQ team in preparing such a well-drafted permit.

I also want to make sure you are not waiting for anything else on our end to proceed with the remaining steps in the process.

Sincerely,

-James

[Quoted text hidden]

Anthony Leverock <leverock.anthony@azdeq.gov>

Fri, Apr 1, 2022 at 5:11 PM

To: "James G. Peck" <james@jgpccon.com>

James -

Attached is the draft checklist for the pre-draft hazardous waste permit.

In addition, here is the link for the pre-draft hazardous waste permit. Please let me know if it doesn't work for you or if you have any questions.

https://drive.google.com/drive/folders/1_xujYRw0Ggh3XMUdbH9KFRIell5pWdkh?usp=sharing

Anthony Leverock

Associate Engineer

Hazardous Waste Permits/Support Unit

Ph: 602-771-4160





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 **AASydcoIWTF TSD Inspection Checklist 2022.pdf**
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