

STATE RCRA PERMIT

CF&I Steel, L.P.
d.b.a.
EVRAZ Rocky Mountain Steel

EPA I.D. NO. COD007057961

PERMIT NUMBER: CO-05-09-29-01

FACILITY ADDRESS: 2100 South Freeway
Pueblo, Colorado 81004

EFFECTIVE DATE: October 30, 2015

EXPIRATION DATE: October 30, 2025

STATE RCRA PERMIT
EVRAZ ROCKY MOUNTAIN STEEL

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ATTACHMENTS

- 1 WELL LOCATION MAP
- 2 GENERAL FACILITY DESCRIPTION
- 3 WASTE ANALYSIS PLAN

4	SECURITY PLAN
5	INSPECTION PLAN AND SCHEDULE
6	PERSONNEL TRAINING
7	LOCATION MAPS
8	CONTINGENCY PLAN
9	POST-CLOSURE ACTIVITIES-OPERATION AND MAINTENANCE
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11	GROUNDWATER MONITORING WELL INSTALLATION AND ABANDONMENT PROCEDURES
12	GROUNDWATER MONITORING, SAMPLING AND ANALYSIS, AND STATISTICAL EVALUATION PROCEDURES
13	WASTE INVENTORY
14	CORRECTIVE ACTION SCHEDULE

PART I: STANDARD PERMIT CONDITIONS

I.A EFFECT OF PERMIT

The Permittee must manage the facility throughout the Post-Closure Period in accordance with the conditions of this Permit. Any post-closure activities not authorized in this Permit are prohibited. Compliance with this Permit generally constitutes compliance, for purposes of enforcement, with the Act. Issuance of this Permit does not convey any property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of federal, state, or local law or regulations. Compliance with the terms of this Permit does not constitute a defense to any order issued or any action brought under the imminent hazard provisions of the Act or, Section 7003 of RCRA; Sections 106(a), 104 or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9601 *et seq.*, CERCLA; or any other law providing for protection of public health or the environment. [6 CCR 1007-3, Sections 100.46 and 100.42]

I.B PERMIT ACTIONS

I.B.1 Permit Modification, Revocation and Reissuance, and Termination

This Permit may be modified, revoked and reissued, or terminated for cause, as specified in 6 CCR 1007-3, Section 100.60. The filing of a request for a permit modification, revocation and reissuance, or termination, or the notification of planned changes or anticipated noncompliance on the part of the Permittee, does not stay the applicability or enforceability of any permit condition.

I.B.2 Permit Renewal

This Permit may be renewed as specified in 6 CCR 1007-3, 100.42(b) and Permit Condition I.E.2. Review of any application for a Permit renewal must consider improvements in the state of control and measurement technology, as well as changes in applicable regulations. [6 CCR 1007-3, 100.42(b)]

I.C SEVERABILITY

The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this Permit shall not be affected thereby.

I.D DEFINITIONS

For purposes of this Permit, terms used herein must have the same meaning as those in 6 CCR 1007-3, Parts 2, 99, 100, 101 and 260 through 279, unless this Permit specifically provides otherwise; where terms are not defined in the regulations or the Permit, the meaning associated with such terms must be defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term. "Director" means the Director of the Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division (herein referred to as "CDPHE"), or his or her designee or authorized representative. "Post-Closure Permit #05-09-29-01" means the Post-Closure Permit #05-09-29-01 issued to CF&I Steel L.P. d/b/a/ Evraz Rocky Mountain Steel (herein referred to as "EVRAZ Rocky Mountain Steel") by the CDPHE **September 29, 2005**, its attachments, and all modifications, work plans, investigations and reports incorporated therein both directly and by reference.

I.E DUTIES AND REQUIREMENTS

I.E.1 Duty to Comply

The Permittee must comply with all conditions of this Permit, except to the extent and for the duration such noncompliance is authorized by an emergency Permit. Any Permit noncompliance, other than noncompliance authorized by an emergency Permit, constitutes a violation of the Act and is grounds for enforcement action; for Permit termination, revocation and reissuance, or modification; or for denial of a Permit renewal application. [6 CCR 1007-3, Section 100.42(a)]

I.E.2 Duty to Reapply

If the Permittee wishes to continue an activity allowed by this Permit after the expiration date of this Permit, the Permittee must submit a complete application for a new Permit at least 180 days prior to Permit expiration. [6 CCR 1007-3, Sections 100.42(b) and 100.11(e)(1)]

I.E.3 Permit Expiration

Pursuant to 6 CCR 1007-3, Section 100.45, this Permit shall be effective for a fixed term not to exceed ten years. As long as CDPHE is the Permit-issuing authority, this Permit and all conditions herein will remain in effect beyond the Permit's expiration date, if the Permittee has submitted a timely, complete application and, through no fault of the Permittee, the Director has not issued a new Permit, as set forth in 6 CCR 1007-3, Section 100.11(e)(2).

I.E.4 Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the Permitted activity in order to maintain compliance with the conditions of this Permit. [6 CCR 1007-3, Section 100.42(c)]

I.E.5 Duty to Mitigate

In the event of noncompliance with this Permit, the Permittee must take all reasonable steps to minimize releases to the environment and must carry out such measures, as are reasonable, to prevent significant adverse impacts on human health or the environment. [6 CCR 1007-3, Section 100.42(d)]

I.E.6 Proper Operation and Maintenance

The Permittee must at all times properly operate and maintain all facilities and systems of disposal and control (and related appurtenances) that are installed or used by the Permittee to achieve compliance with the conditions of this Permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate process controls, including appropriate quality assurance/quality control procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Permit. [6 CCR 1007-3, Section 100.42(e)]

I.E.7 Duty to Provide Information

The Permittee must furnish to the Director, within a reasonable time, any relevant information that the Director may request, to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit, or to determine compliance with this Permit. The Permittee must also furnish to the Director, upon request, copies of records required to be kept by this Permit. [6 CCR 1007-3, Section 264.74, 100.42(h)]

I.E.8 Inspection and Entry

Pursuant to 6 CCR 1007-3, Section 100.42(i), the Permittee must allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- I.E.8.a Enter at reasonable times upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Permit;

- I.E.8.b Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
- I.E.8.c Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and
- I.E.8.d Sample or monitor, at reasonable times, for the purposes of assuring Permit compliance or as otherwise authorized by the Act, any substances or parameters at any location.

I.E.9 Monitoring and Records

- I.E.9.a Samples and measurements taken for the purpose of monitoring must be representative of the monitored activity. The method used to obtain a representative sample of the waste to be analyzed must be the appropriate method from Appendices I through III of 6 CCR 1007-3, Part 261, or other methods approved by CDPHE (6 CCR 1007-3, Section 260.12). Laboratory methods must be those specified in the EPA document Test Methods for Evaluating Solid Waste: Physical/Chemical Methods SW-846, as referenced in 6 CCR 1007-3, Section 260.11, Standard Methods of Wastewater Analysis, or an equivalent method approved by CDPHE, as specified in the Waste Analysis Plan (See Permit Attachment 3). [6 CCR 1007-3, Section 100.42(j)(1)]
- I.E.9.b The Permittee must retain records of all monitoring information, including all calibration and maintenance records and all original written, printed or electronic recordings for continuous monitoring instrumentation, copies of all reports and records required by this Permit and 6 CCR 1007-3, Section 264.74(a), the certification required by 6 CCR 1007-3, Section 264.73(b)(9) and (11), and records of all data used to complete the application for this Permit from the date of the sample, measurement, report, record, certification, or application until post-closure care is terminated. This period may be extended by request of the Director at any time and is automatically extended during the course of any unresolved enforcement action regarding this facility. The Permittee must maintain records from all ground water monitoring wells and associated ground water surface elevations for the post-closure care period. [6 CCR 1007-3, Sections 264.74(b) and 100.42(j)(2)]

I.E.9.c Pursuant to 6 CCR 1007-3, Section 100.42(j)(3), records of monitoring information must include:

- i. The dates, exact place, and times of sampling or measurements;
- ii. The individuals who performed the sampling or measurements;
- iii. The sample collection, storage, and handling techniques;
- iv. The dates analyses were performed;
- v. The individuals who performed the analyses;
- vi. The analytical techniques or methods used; and
- vii. The results of such analyses.

I.E.10 Reporting Planned Changes

The Permittee must give notice to the Director, as soon as possible, of any planned physical alterations or additions to the Permitted facility. [6 CCR 1007-3, Section 100.42(l)(1)]

I.E.11 Reporting Anticipated Noncompliance

The Permittee must give advance notice to the Director of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements. [6 CCR 1007-3, Section 100.42(l)(2)]

I.E.12 Certification Repairs

The Permittee must continue post-closure care of the facility to the extent possible unless limited by repairs during the repair process. For a facility undergoing repairs or modification the Permittee shall not treat, store, or dispose of hazardous waste in the modified or repaired portion of the facility until the Permittee has submitted to the Director, by certified mail or hand delivery, a letter signed by the Permittee and a Colorado registered Professional Engineer stating that the facility has been repaired in compliance with the Permit; and

- I.E.12.a The Director has inspected the repaired facility and finds it is in compliance with the conditions of the Permit; or

I.E.12.b The Director has either waived the inspection or has not within 15 days of the date of the notification submission, notified the Permittee of his or her intent to inspect. [6 CCR 1007-3, Section 100.42(1)(2)]

I.E.13 Transfer of Permits

This Permit is not transferable to any person, except after notice to the Director. The Director may require modification or revocation and reissuance of the Permit pursuant to 6 CCR 1007-3, Section 100.62. Before transferring ownership or operation of the facility during its post-closure care period, the Permittee must notify the new owner or operator in writing of the requirements of 6 CCR 1007-3, Parts 264 and 100 and this Permit. [6 CCR 1007-3, Sections 100.42(1)(3) and 264.12(c)]

I.E.14 Twenty-Four Hour Reporting

I.E.14.a The Permittee must report to the Director any noncompliance that may endanger health or the environment. Any such information must be reported orally within 24 hours from the time the Permittee becomes aware of the circumstances. The report must include the following:

- i. Information concerning release of any hazardous waste or hazardous constituent (Section 261, Appendix VIII and Section 264, Appendix IX) that may cause an endangerment to public drinking water supplies.
- ii. Any information of a release or discharge of hazardous waste or hazardous constituent, (Section 261, Appendix VIII and Section 264, Appendix IX) or of a fire or explosion from the hazardous waste management facility that could threaten the environment or human health outside the facility.

I.E.14.b The description of the occurrence and its cause must include:

- i. Name, address, and telephone number of the owner or operator;
- ii. Name, address, and telephone number of the facility;
- iii. Date, time, and type of incident;
- iv. Name and quantity of materials involved;

- v. The extent of injuries, if any;
- vi. An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable; and
- vii. Estimated quantity and disposition of recovered material that resulted from the incident.

I.E.14.c A written submission must also be provided within five days of the time the Permittee becomes aware of the circumstances. The written submission must contain a description of the noncompliance and its cause; the period(s) of noncompliance (including exact dates and times); whether the noncompliance has been corrected; and, if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Director may waive the five-day written notice requirement in favor of a written report within 15 days. [6 CCR 1007-3, Section 100.42(1)(6)]

I.E.15 Other Noncompliance

The Permittee must report all other instances of noncompliance not otherwise required to be reported above, Permit Conditions I.E.10. through 15., at the time monitoring reports are submitted. The reports must contain the information listed in Permit Condition I.E.14 [6 CCR 1007-3, Section 100.42(1)(7)]

I.E.16 Other Information

Whenever the Permittee becomes aware that it failed to submit any relevant facts in the Permit application, or submitted incorrect information in a Permit application or in any report to the Director, the Permittee must submit such facts or information within thirty (30) calendar days. [6 CCR 1007-3, Section 100.42(1)(8)]

I.F SIGNATORY REQUIREMENT

All applications, reports, or information submitted to or requested by the Director, his designee, or authorized representative, shall be signed and certified in accordance with 6 CCR 1007-3, Sections 100.44(a) and 100.42(k).

I.G REPORTS, NOTIFICATIONS, AND SUBMISSIONS TO THE DIRECTOR

All reports, notifications, or other submissions that are required by this Permit to be sent or given to the Director should be sent by certified mail or hand delivered to:

Colorado Department of Public Health and Environment
Hazardous Materials and Waste Management Division
HMWMD-B2
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

I.H CONFIDENTIAL INFORMATION

In accordance with 6 CCR 1007-3, Part 2, the Permittee may claim confidential any information required to be submitted by this Permit.

I.I DOCUMENTS TO BE MAINTAINED AT THE POST-CLOSURE OPERATIONAL OFFICES

The Permittee must maintain at the designated post-closure operational offices, until post-closure care is completed and certified by an independent, Colorado registered Professional Engineer, the following documents and all amendments, revisions and modifications to these documents:

- I.I.1 Waste Analysis Plan, as required by 6 CCR 1007-3, Section 264.13 and this Permit.
- I.I.2 Inspection Schedules, as required by 6 CCR 1007-3, Section 264.15(b) and this Permit.
- I.I.3 Personnel Training documents and records, as required by 6 CCR 1007-3, Section 264.16(d) and (e) and this Permit.
- I.I.4 Contingency Plan, as required by 6 CCR 1007-3, Section 264.50 through 56 and this Permit.
- I.I.5 All other documents required by Permit Condition I.E.9.
- I.I.6 This permit and all approved modifications.
- I.I.7 Operating Record
- I.I.8 Biennial Report