

SOLID WASTE FACILITY PERMIT

Under the provisions of N.J.S.A. 13:1E-1 et seq., known as the Solid Waste Management Act, this Solid Waste Facility Permit is hereby issued to:

MERCK & CO., INC. - BRANCHBURG FARM

FACILITY TYPE: Small-Scale Incinerator
LOT NO. (S): 3
BLOCK NO. (S): 21
MUNICIPALITY: Branchburg Township
COUNTY: Somerset
FACILITY REGISTRATION NO.: 1805001008
EXPIRATION DATE: August 14, 2000

This Permit is subject to compliance with all conditions specified herein and all regulations promulgated by the Department of Environmental Protection.

This Permit shall not prejudice any claim the State may have to riparian land, nor does it permit the Permittee to fill or alter or allow to be filled or altered, in any way, lands that are deemed to be Riparian, Wetlands, Stream Encroachment or Flood Plans or within the Coastal Area Facility Review Act (CAFRA) zone or are subject to the Pinelands Protection Act of 1979, nor shall it allow the discharge of pollutants to waters of this State without first acquiring the necessary grants, permits or approvals from the Department of Environmental Protection.

Failure to comply with all the conditions specified herein may result in revocation of this Permit and/or may result in other regulatory or legal actions which the Department is authorized to institute by law.

This Solid Waste Facility Permit is non-transferable without the approval from the Department pursuant to N.J.A.C. 7:26-2.7(e).

8/14/95
Date

Signed by Robert C. Ciolek, Assistant Director
Robert C. Ciolek
Assistant Director
Engineering and Finance

8/14/2000
Expiration Date

Solid Waste Facility Permit for Merck & Co., Inc. - Branchburg Farm Building 91, Small Scale Incinerator Identification Number 1805001008.

This Solid Waste Facility Permit, which includes the Certificate of Approved Registration and Engineering Design Approval (hereinafter Permit), is condition upon compliance with all applicable statutes, rules, regulations and ordinances and the implementation of the following:

1. Permitted Waste Types

The following solid waste materials as identified by waste ID numbers and defined in N.J.A.C. 7:26-2.13(g) and the following Regulated Medical Waste Classes as defined in N.J.A.C. 7:263A.6(a), may be accepted for disposal at this incinerator facility (hereinafter referred to as the facility).

<u>TYPE</u>	<u>WASTE</u>
Regulated Medical Waste	Classes 3, 4, 5, and 7 exclusively limited to waste originating at Merck & Co., Inc. - Branchburg Farm.
27	Dry Industrial Waste, exclusively limited to waste originating at Merck & Co., Inc. - Branchburg Farm (except those prohibited subcategories listed below).

Incineration of permitted waste types that are also low level radioactive waste containing byproduct material shall be conducted in accordance with the Permittee's U.S. Nuclear Regulatory Commission (NRC) Materials License No. 29-00117-06, 10 CFR Part 20 and 40 CFR Part 61, Subpart I, as applicable.

2. Prohibited Waste Types

The following solid and liquid waste materials, as identified by waste ID numbers and defined in N.J.A.C. 7:26-2.13(g) and (h) and 7:26-3A.6, respectively, are specifically prohibited from disposal at this facility.

<u>TYPE</u>	<u>WASTE</u>
Regulated Medical Waste	Classes 1, 2 and 6.
10	Municipal Waste
12	Dry Sewage Sludge
13	Bulky Waste
23	Vegetative Waste
25	Animal and Food Processing Waste
27	Dry Industrial Waste including the following subcategories: asbestos and asbestos containing wastes; dry non-hazardous pesticides; nonhazardous oil spill clean-up waste; contaminated soils; and hazardous waste as defined in N.J.A.C.

7:261.4, N.J.A.C. 7:26-8 and 40 CFR 261 which is generated by small quantity generators as defined in N.J.A.C. 7:26-8.3.

- 72 Bulk Liquid and Semi-Liquids
- 73 Septic Tank Clean-Out Wastes
- 74 Liquid Sewage Sludge

3. Recyclables

Recyclable materials designated in the Somerset County District Recycling Plan shall not be accepted for disposal at this facility. In this regard, the Permittee shall develop, implement and maintain a program to detect and remove designated recyclable materials from the solid waste stream directed to the incinerator for combustion. The recyclable materials detection and removal plan shall be included as a section of the Final O & M Manual prepared in accordance with Condition 5 of this Permit. The regulated medical waste stream directed to the incinerator is exempt from this requirement.

4. Referenced Engineering Plans

The construction and operation of this facility shall be in accordance with the provisions of N.J.A.C. 7:26-1 et seq. and the following submissions:

- a. "Solid Waste Facility Permit Application for the Merck Branchburg Farm", Document Number 4589-007-410, dated September, 1993, prepared by ENSR Consulting and Engineering, sealed and signed by John A. Balchan, N.J.P.E. license number GE 36024, August 26, 1993. The following drawings and documents are included with this submission:
 - Standard Application Form CP#1 and the Solid Waste Supplement to Standard Application Form CP#1;
 - Application for Permit to Construct, Install or Alter Control Apparatus or Equipment and Certificate to Operate Control Apparatus or Equipment;
 - Zoning Map, Township of Branchburg, dated December 9, 1991, prepared by Hintz Associates, Inc., Pennington, New Jersey;
 - Branchburg Township Tax Map, Sheet 6 dated February, 1959, rev. October 1, 1991, prepared by Aero Service Corporation, Philadelphia, Pennsylvania;
 - Affidavit of Exempt operator under N.J.S.A. 13:1E127.g;
 - Preliminary Operations and Maintenance Manual;
 - Engineering Report; and
 - Environmental and Health Impact Statement.

- b. "Addendum to September, 1993 Solid Waste Facility Permit Application for Merck Branchburg Farm", Document Number 4589-007-600, dated December, 1993, prepared by ENSR Consulting and Engineering, and submitted by Jerry D. Fry, Merck & Co., Inc. The following drawings and documents are included with this submission:
- Key Maps 1, 2, 3 and 4, (U.S.G.S. Base Map), prepared by ENSR Consulting and Engineering;
 - Vicinity Maps 1, 2 and 3;
 - Branchburg Township Tax Maps, Sheets 6.01, 14 and 15, revised October 1, 1992;
 - "Utility Plan", Drawing Sheet S-2, dated September 27, 1982, prepared by Donald H. Stires Associates, Somerville, N.J.;
 - Metabolism Facility, Drawing Sheets Nos. 1, 2, 4 and 5, dated August 13, 1981, prepared by Keith G. Westenhover, Architect;
- c. Letter dated March 17, 1995, -signed by Jerry D. Fry, Merck & Co., Inc. to Robert Ciolek, Division of Solid Waste Management, containing Merck commitment to shut down the Building 72 incinerator operation at Merck Branchburg Farm.
- d. Letter dated February 15, 1995, signed by Jerry D. Fry, Merck & Co., Inc. to Herbert Gross, Division. of Solid Waste Management, transmitting the following noise survey information:
- "Noise Measurements at Merck & Co., Inc. Branchburg Farm, January 26, 1995, dated January 31, 1995, prepared by Robert M. Earsy, Consultant, Lexington, Massachusetts
- e. Letter dated July 15, 1994, signed by Jerry D. Fry, Merck & Co., Inc., to Robert Ciolek, Division of Solid Waste Management, transmitting modifications to ash handling and security operations at the Branchburg Farm facility.

In case of conflict, the most recent revisions and supplemental information shall prevail over prior submittals and designs, and the conditions of this Permit shall supersede those of the engineering design and environmental impact statement referenced above.

5. Operations and Maintenance Manual

A finalized written Operations and Maintenance (O&M) Manual shall be developed and maintained at this facility. The Final O&M Manual shall be submitted to the Department no later than forty-five (45) days from the date of final Permit approval.

The O & M Manual shall include, as a minimum, the following:

- a. A description of the proposed procedures for the operation of each major facility component;
- b. Procedures to be followed during facility start-up;

- c. Procedures to be followed during the planned and unplanned shutdown of facility operations;
- d. Facility operation monitoring procedures;
- e. Provisions to implement security procedures relevant to the incinerator facility;
- f. An inspection plan, which shall include a schedule for inspecting all applicable aspects of facility operations necessary to ensure maximum facility availability and compliance with the conditions of this Permit. The frequency of inspection shall be based on the rate of potential equipment deterioration or malfunction and the probability of an adverse incident occurring if the deterioration or malfunction goes undetected between inspections. Areas of the incinerator facility subject to spills (loading and unloading areas) and other incinerator facility areas in which adverse environmental or public health consequences may result if breakdown occurs, shall be inspected daily when in use. The inspection plan shall include a schedule for inspection of monitoring, safety and emergency equipment, and security and processing equipment at the incinerator facility. The plan shall identify the types of problems which are to be looked for during the inspection and shall identify the frequency of inspections to be conducted. The plan shall include the maintenance of an inspection log pursuant to N.J.A.C. 7:26-2B.8(d);
- g. A maintenance plan, which shall include an analysis of all applicable major aspects of the facility operation based on industry established rates of potential equipment deterioration or malfunction if available, an analysis of spare parts inventory needs, schedules for anticipated repairs, and maintenance contracts with equipment dealers to supply standby or emergency equipment;
- h. A description of the proposed measures to handle quantities of waste directed to the incinerator facility which exceed the designed facility storage space and capacity, as well as measures to handle incoming waste flow during periods of short term facility shutdown for normal equipment repairs and also for periods of longer term facility shutdown for more extensive repairs; and
- i. Provisions to implement procedures outlined in the Branchburg Farm Emergency Response Procedures which will be available on-site at the facility dealing with fire fighting and contingencies for emergency response.

Any subsequent changes to be made to the approved Final O & M Manual by the Permittee shall be reviewed and approved by the Department in compliance with N.J.A.C. 7:26-2.11 (b) 18. Within fifteen (15) days of its receipt, the submission made by the Permittee to revise the approved O & M Manual shall be characterized by the Department regarding the nature of the revision relative to N.J.A.C. 7:26-2.6(d), and the Permittee shall be notified of the Department's finding. Any submission to revise the O & M Manual by the Permittee, which is determined by the Department to be a minor modification in accordance with N.J.A.C. 7:26-2.6(d) or is determined to require a minor technical review, shall be deemed approved unless denied within fifteen (15) calendar days of the date of its receipt.

6. Facility Staffing Plan

A written facility staffing plan shall be developed by the Permittee and shall be included as a section of the Final O & X Manual prepared in accordance with Condition 5 of this Permit. The staffing plan shall contain the following information:

- a. The job title for each position at the facility;
- b. A written job description for each position, including duties and performance standards. The description shall include the requisite skills, education and other qualifications deemed necessary of employees assigned to each position;
- c. An explanation of the criteria and reasons used in selecting the required number and types of positions, as well as the qualifications for each position; and
- d. A statement of the staffing provided for each operating shift, including the job titles and number of employees per each title for each shift.

7. Facility Personnel Training

The Permittee shall comply with the following requirements pertaining to facility personnel training:

- a. All personnel who are directly involved in facility waste management activities or who operate, service or monitor any facility equipment, machinery or systems shall successfully complete an initial program of classroom instruction and on-the-job training that includes instruction in the operation and maintenance of the equipment, machinery and systems which they must operate, service or monitor in the course of their daily job duties, and which teaches them to perform their duties in a manner than ensures the facility's compliance with the requirements of N.J.A.C. 7:26-1 et seq. and the conditions ' of all Department permits issued to the facility;
- b. The training program shall be directed by a person thoroughly familiar with the technology being utilized at the facility, the applicable waste regulations contained within N.J.A.C. 7:26-1 et seq., and the conditions of the facility's permits;
- c. The training program shall ensure that facility personnel are able to effectively respond to any equipment malfunction or emergency situation that may arise. The training program shall provide instruction in the use of personal safety equipment, procedures for inspecting and repairing facility equipment, machinery and monitoring systems (including any emergency equipment), the use of communications and/or alarm systems, the procedures to be followed in response to fires, explosions or other emergencies, and the procedures to be followed during planned or unplanned shutdown of operations;
- d. Facility personnel shall successfully complete the initial training program within six (6) months after the date of their employment or assignment to the facility. Employees shall not

work in unsupervised positions until they have completed the training program required herein;

- e. Facility personnel shall take part in a planned annual review of the initial training program;
- f. Training records that document the type and amount of training received by current facility personnel shall be kept until closure of the facility. Training records on former employees shall be kept for at least one (1) year from the date the employee last worked at the facility; and
- g. The Permittee shall prepare a written training plan which includes the type and amount of both the initial and follow-up training to be provided to facility personnel. This written plan shall be included as a section of the Final O & M Manual prepared in accordance with Condition 5 of this Permit.

8. Air Pollution Control

The Permittee shall operate and maintain the combustion system and air pollution control equipment in full compliance with the facility's "Permit to Construct, Install, or Alter Control Apparatus or Equipment and Certificate to Operate Control Apparatus or Equipment" issued by the Department.

9. Facility Staffing

The facility shall maintain sufficient trained personnel during each scheduled shift to assure the proper and orderly operation of all system components, along with the ability to handle all routine facility maintenance requirements and to implement any emergency procedures that may become necessary. Such personnel shall have sufficient educational background, employment experience and/or training to enable them to perform their duties in such a manner as to ensure the facility's compliance with applicable Department regulations and permits, the conditions of this Permit and all other permits or approvals issued to the facility, and the safe operation of the specific processes utilized at the facility.

Each shift shall have a designated shift supervisor authorized by the Permittee to direct and implement all operational decisions during that shift.

10. Waste Processing Rate

The facility shall not process waste at a rate greater than 500 pounds per hour.

11. Maintenance and Repair

Through an effective inspection, planned maintenance, repair and parts replacement program, the facility systems and related appurtenances shall at all times be kept in proper operating order. As part of this program, the Permittee shall maintain an appropriate inventory of spare parts and replacement equipment. Malfunction of instrumentation used to monitor process operations for environmental effects that prevent the continual processing of waste in compliance with this Permit shall be considered a major equipment malfunction as defined in Condition 19 of this Permit, and actions shall be taken accordingly.

The results of all inspections shall be recorded and logged at the facility. These records shall be maintained in the facility for a minimum of five (5) years from the date of inspection. These records shall include the date and time of the inspection, the name of the inspector, a notation of observations and recommendations, and the date and nature of any repairs or other remedial actions taken. These records shall be made available for inspection by the appropriate representatives of the Department upon request.

12. Storage of Regulated Medical Waste

The Permittee shall comply with the following storage requirements for regulated medical waste prior to the incineration of this material at the facility:

- a. Regulated medical waste shall be stored in a manner and location that maintains the integrity of the packaging and provides protection from water, rain, wind, vermin and vectors;
- b. Prior to being charged to the incinerator, regulated medical waste shall be maintained in a nonputrescent state at all times, by means of refrigeration or other method found acceptable to the Department;
- c. Regulated medical waste storage areas shall be secured at all times to prevent unauthorized access; and
- d. Access to on-site storage areas shall be limited to authorized employees only.

13. Housekeeping

Routine housekeeping and maintenance procedures shall be implemented at the facility to maintain general cleanliness in the working environment. Facility grounds shall be maintained free of litter, debris, and accumulations of unprocessed waste, process residues and effluents.

Unprocessed waste feedstock and facility process waste residues shall be stored in containers as specified in the referenced engineering plans and in accordance with the applicable requirements of N.J.A.C. 7:26-3A, and shall at all times be kept at levels that prevent spillage or overflow.

All facility floor drains, traps, sumps, or similar catchment basins shall be maintained free of obstructions to facilitate effluent drainage.

14. Wastewater Disposal

Wastewaters generated from facility operations shall be directed to the Somerset Raritan Valley Sewerage Authority Treatment Works. Such discharges shall comply with all limitations and requirements of the Somerset Raritan Valley Sewerage Authority.

15. Noise Control

Noise control shall be implemented so that sound levels generated by the facility operation shall not exceed the standards set forth by the New Jersey State Noise Control Regulations under N.J.A.C. 7:29-1 et seq.

16. Odor Control

The operation of this facility shall not result in odor associated with solid waste being detected off-site by sense of smell in any area of human use or occupancy. No waste shall be stored at the facility overnight without effective treatment to prevent odors associated with putrefaction.

17. Vermin Control

The Permittee shall institute and maintain an effective vermin control program at the facility, directed by a qualified applicator of pesticides, in accordance with the New Jersey Pesticide Control Code N.J.A.C. 7:30-1.1 et seq.

18. Fire Protection

The fire detection and protection system shall be maintained in operable condition at all times. Fire-fighting equipment shall be available on-site or on call to extinguish any and all fires. Fire-fighting procedures shall be posted, and shall include the telephone numbers of local fire, police, ambulance and hospital facilities.

19. Emergency Situations

An emergency situation is defined as the occurrence of a fire or explosion, or an uncontrolled pollutant discharge or emission to the environment. In the case of an emergency, the plant operator or the emergency coordinator identified in the contingency plan shall implement the following actions:

- a. Immediately identify the character, exact source, amount and extent of any discharged materials, and notify appropriate State or local agencies with designated response roles if assistance is needed.
- b. Concurrently, the plant operator or emergency coordinator shall assess possible hazards to public health or the environment that may result from the discharge, fire or explosion. This assessment shall consider both direct and indirect effects.
- c. If the plant operator or emergency coordinator determines that the facility has had an uncontrolled discharge, a discharge above standard levels permitted by the Department, or a fire or explosion, he or she shall immediately notify appropriate local authorities if an assessment indicates that evacuation of local areas may be advisable, and immediately notify the Department at (609) 292-7172. When notifying the Department, report the type of substance and the estimated quantity discharged if known, the location of the discharge, actions that the person reporting the discharge is currently taking and/or proposing to take in order to mitigate the discharge, and any other information concerning the incident which the Department may request at the time of notification.

Nothing in this condition shall be deemed to supersede any notification required pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10.23 et seq., Hazardous Substance

Discharges: Reports and Notices, N.J.A.C. 7:1-7, or the air pollution notification required pursuant to N.J.S.A. 26:2C-19.

- d. The plant operator shall take all reasonable measures to ensure that fires, explosions and discharges do not recur or spread to other areas of the facility. These measures must include, where applicable, the cessation of process operations, and shall involve the collection and containment of released waste.
- e. Immediately after an emergency, the plant operator or emergency coordinator shall provide for treating, storing or disposing of waste, contaminated soil or water, or any other material contaminated as a result of the discharge, fire or explosion.
- f. The plant operator or emergency coordinator shall ensure that no waste is processed until cleanup procedures are completed and all emergency equipment listed in the contingency plan is again fit for its intended use.
- g. The plant operator or emergency coordinator shall notify the Department and appropriate local authorities when operations in the affected area(s) of the facility have returned to normal.

Within fifteen (15) days after the incident, the plant operator or emergency coordinator shall submit a written report on the incident to the Department. The report shall include, but not be limited to: the name, address and telephone number of the facility; the date, time and description of the incident; the extent of injuries, if applicable, with names and responsibilities indicated, an assessment of the scope and magnitude of the incident; an assessment of actual damage to the environment, if applicable; a description of the immediate actions that have been initiated to clean up the affected area and prevent a recurrence of a similar incident; and, an implementation schedule for undertaking longer term measures to effect cleanup and avoid recurrence of the incident, if applicable.

A major equipment malfunction is defined as an instance whereby a system control or equipment malfunction occurs that could result in an impact adverse to the environment or public health that prevents the continual processing of waste in compliance with this Permit. In the case of such an occurrence, the Permittee shall undertake corrective actions immediately and shall notify the Department within three (3) days.

The notification shall outline the cause of malfunction, the corrective action being taken and the anticipated repair time. As a result of equipment or system malfunction or the occurrence of an emergency situation, wastes that cannot be processed and cannot be stored at the facility in compliance with the conditions of this Permit and the applicable regulations of N.J.A.C. 7:26-1 et seq., shall be disposed of in accordance with the approved District Solid Waste Management Plan and/or the Regulated Medical Waste Rules, N.J.A.C. 7:26-3A.

20. Security

Access to the incinerator facility shall be restricted to facility personnel and authorized visitors only. Security procedures shall be in accordance with the Merck Branchburg Farm facility security procedures.

21. Process Residue Handling and Storage

Ash residue generated by facility operations shall be containerized immediately upon its removal from the combustion chamber. Containers used for this purpose shall be filled at the back end of the incinerator unit and shall be constructed in a manner that protects against the leakage of its contents. The process of transferring ash from the primary container to a secondary container for storage and/or transport off-site for disposal shall be controlled to prevent fugitive dusting and spillage. Containers used for ash storage beyond the facility roofline shall be fully enclosed and watertight, and as such, shall be protected against the intrusion of precipitation and other affects of the weather. Container storage of ash shall be conducted within the area of the facility designated for this purpose, and the ash residue, while in storage, shall be secured to prevent unauthorized access. Ash residue shall be thoroughly extinguished upon its removal from the combustion chamber, while in the primary container. Containers shall not be filled to levels that permit overflow or spillage during handling, while in storage or during transport for disposal.

22. Process Residue Disposal Approval

Not more than fifteen (15) days from the date of final Permit approval, the Permittee shall submit the following to the Department for review and approval:

- a. A finalized plan for the secured storage of the residue ash, pending the receipt of the analytical results to be used in the classification of the residue for disposal, during the facility four (4) week ash characterization period, as well as the start-up and testing period that precedes the four-week characterization period.
- b. A final contingency plan for the secure handling, storage, transport and disposal of ash residue that may be found to be hazardous. As part of the final contingency plan, the Permittee shall identify and have an agreement with a licensed hazardous waste disposal facility for the purpose of disposing of any ash residue generated that may be proven hazardous after analysis. Evidence of the agreement shall be presented to the Department as part of the final ash contingency plan. The Permittee shall also describe the system that would be available to manifest any residue found to be hazardous after analysis. Further, the Permittee shall identify and confirm the availability of a licensed collection/haulage firm that would provide for the transport of any ash residue found to be hazardous.
- c. Identify the ultimate disposal facility, per the Somerset County District Solid Waste Management Plan, for the disposal of the ash residue that is non-hazardous by classification.

23. Residual Ash Monitoring Program

A residual ash-monitoring program shall be established and implemented by the Permittee for the purpose of assessing the chemical characteristics of the residue ash generated by facility operation.

As a minimum, this monitoring program shall consist of the following:

- a. The container used to store ash residue subject to disposal shall be cored using a device that provides for the stratified random sampling of the container contents. The coring procedure

implemented shall allow for the collection of the full vertical profile of the ash stored within the container. The coring locations within the container shall be randomly scattered. Each discrete core sample so recovered, shall then be thoroughly mixed as a preparatory step to analysis. As a minimum, four (4) core samples of ash residue shall be recovered from the container that comprises the ash subject to characterization and disposal. In the event multiple containers of ash require disposal, the sampling coring shall be proportionally distributed over the total number of containers involved. The following analysis shall be performed on each of the discrete cored samples:

- i. Toxicity Characteristic Leaching Procedure (TCLP) for the eight (8) heavy metals and the eight (8) pesticides and herbicides (As, Ba, Cd, Cr, Pb, Hg, Se, Ag and Endrin, Lindane, Methoxychlor, Toxaphene, 2,4-D, Silvex, Chlordane and Heptachlor, respectively); and
- ii. Total 2,3,7,8-Tetrachlorodibenzo-p-dioxin (TCDD).

The Permittee shall retain an equivalent portion of each of the discrete cored ash residue samples collected so that the Department may conduct follow-up analyses when necessary. The samples shall be clearly identified and stored at the facility for a period of sixty (60) days from the date of sample collection.

If the results of the analyses exceed the TCLP test limits or exceed one (1) part per billion of 2,3,7,8TCDD, or if the residue material is otherwise determined to be hazardous by the Department based upon the analytical results, the ash container shall be disposed of at a hazardous waste disposal facility secured by the Permittee for that purpose pursuant to Condition 22 (Process Residue Disposal Approval) of this Permit.

If the ash residue as tested, is determined to be nonhazardous, it shall be disposed of at the facility designated for that purpose as specified at N.J.A.C. 7:26-6 and in the Somerset County District Solid Waste Management Plan.

- b. All analyses called for as a condition of this Permit shall be performed by a laboratory approved and/or certified by the Department to conduct such analysis for the specified parameters.

Analyses shall be performed in accordance with the procedures outlined in the most recent edition of Test Methods for Evaluating Solid Waste-Physical/Chemical Methods, U.S.E.P.A. Publication SW-846. Results shall be subject to a statistical analysis as outlined in this publication. The Permittee shall submit each set of analytical results with the appropriate statistical analysis to the Division of Solid and Hazardous Waste, Bureau of Resource Recovery and Transfer Facilities upon receipt of said results. The following information shall accompany the analytical determinations:

- (1) The date(s), time(s), and place of sampling;
- (2) The name(s) of the individuals who performed the sampling;
- (3) The date(s) and place of analysis;

- (4) The sampling and analytical techniques used and/or protocols followed (include the minimum detection levels of the parameters for which analysis is being undertaken, and in the case of the TCLP determinations, the initial and final pH of the sample);
 - (5) The names of the individuals who performed and supervised analyses; and
 - (6) The dated signature and certification of the sampling and analytical report by an authorized agent of the Permittee.
- c. The Permittee shall retain all analytical reports at the facility for a period of five (5) years from the date of analysis.
 - d. The Permittee shall increase the monitoring frequency and/or expand the list of parameters for which testing is to be performed, should the type or quantity of waste types received for processing be significantly altered. The Department reserves the right to alter, at its discretion, the list of test parameters, the methods of sample collection, the analytical procedures employed and the frequency of sampling and analysis, as is deemed necessary.

The Permittee may petition the Department to reduce the number of test parameters specified herein by applying qualitative knowledge of incoming waste streams. Further, if the Permittee has demonstrated through testing that the concentration of any given parameter is found to be consistently below detection levels, the Permittee can petition the Department to eliminate those parameters from subsequent analysis.

24. Operations Records

The Permittee shall maintain records of facility operations on a daily basis. The information maintained shall include:

- a. The individual quantities (by weight) of industrial waste and regulated medical waste incinerated by calendar date; and
- b. The quantity (by weight) of ash transported off-site for disposal on any given day. Included will be the name, address and NJDEP Solid Waste or Hazardous Waste Registration Number of the transporter, and the name and address of the disposal facility utilized. In the case where interim containment and/or storage facilities are used, such facilities shall be identified, as shall the facility used for final disposal.

In the event chemical analysis result in the ash being characterized as hazardous, the operation records specified in (a) and (b) above shall be submitted with the ash analytical results.

The Permittee shall forward copies of the following reports to the Bureau of Resource Recovery as generated:

"Intermediate Handler and Destination Facility Annual Report", including copies of operation records as specified in (b) above;

"Annual General Report - Regulated Medical Waste (RMW) 11, and the

"On-Site Medical Waste Incinerator Report".

All operational records shall be maintained on the premises for a three (3) year period, and shall be available for inspection by representatives of the Department, upon request.

25. Plans On-Site

One complete set of the following documents shall be kept on file at the facility, and shall be available for inspection by Department personnel or its designated representatives:

- a. The Environmental and Health Impact Statement, with Appendices and Addenda;
- b. The referenced engineering plan and documents cited in Condition 4 of this Permit;
- c. The approved Final operations and Maintenance Manual;
- d. This Permit with its conditions for operation; and
- e. All other Departmental permits with their conditions for operation.

26. Right of Entry

The Permittee hereby agrees and authorizes Department personnel or the Department's designated representatives to make whatever inspections and examinations of all premises occupied by the facility which may be impacted by the activities authorized by this Permit whenever these representatives, in their discretion, consider such an inspection or examination necessary to determine the extent of compliance with the conditions of this Permit. Any refusal to allow entry to the Department's representatives shall constitute grounds for either suspension or revocation of this Permit.

27. Duration of Permit

This final Solid Waste Facility Permit is for a maximum period of five (5) years from the date of its issuance. This Permit may be renewed at that time in accordance with N.J.A.C. 7:26- 2.7. The Permit renewal application shall be submitted no later than six (6) months prior to the expiration date of the Permit.

Upon Permit expiration, waste delivery and processing activities shall cease and all other wastes, process residues and effluents in storage shall be removed from the premises.

28. Conformance With The Regulated Medical Waste Management Act

The Permittee shall comply with the New Jersey Comprehensive Regulated Medical Waste Management Act, N. J. S.A. 13: 1E-48.1 et seq. and all other applicable requirements of the Regulated Medical Waste Rules, N.J.A.C. 7:26-3A.

29. Conformance With The Solid waste Management Plan

This Permit is conditioned upon conformance with all requirements of the Somerset County District and State Solid Waste Management Plans as adopted and promulgated pursuant to N.J.S.A. 13:1E-1 et seq. No wastes

other than those directed to this facility under said plans may be accepted for processing/disposal. Similarly, waste residues generated by facility operation shall be disposed of in conformance with N.J.A.C. 7:26-6 and these solid waste management plans.

Failure to comply with any or all limitations heretofore mentioned will result in the Department seeking relief under N.J.S.A- 13:1E-1 et seq., the Solid Waste Management Act. Specifically, each day of failure to so comply shall constitute a separate violation on the basis of which a fine shall be assessed and may result in loss of operating authority, pursuant to N.J.S.A. 13:1E-12.

The issuance of this Permit and the conditions of operation identified herein shall not relieve the Permittee of his responsibility to secure and maintain all other applicable Federal, State and local permits or similar forms of authorization relating to the construction and operation of this facility.