New York State Department of Environmental Conservation
Division of Environmental Permits, Region 7
1285 Fisher Ave Cortland New York 13045
Phone: (607) 753-3095 • **FAX:** (607) 753-8532
Website: www.dec.state.gov

May 30, 2013

Mr. Gary Desko
NEXEO SOLUTIONS, LLC
5200 Blazer Parkway, DS-1
Dublin, OH 43017

Dear Mr. Desko:

Your renewed hazardous waste permit for your Binghamton facility is enclosed. Please read this new permit carefully and note the special conditions that are included in it. The permit is valid for only those activities expressly authorized therein. Work beyond the scope of the permit and the approved project plans may be considered a violation of the law and subject to appropriate enforcement action. Be advised, the Uniform Procedures Regulations (6NYCRR Part 621) provide that an applicant may request a public hearing if a permit is denied or contains conditions which are unacceptable to them. Any such request must be made in writing within 30 calendar days of the date of this permit issuance and must be addressed to the Regional Permit Administrator at the letterhead address. A copy should also be sent to the Chief Administrative Law Judge at NYSDEC, 625 Broadway, 1st Floor, Albany, NY 12233-1550.

If this permit is associated with a project that will entail construction of new pollution control facilities, or is a modification to existing facilities, the plans for the system design must be approved by this Department or if indicated in the permit by either the NYS Department of Health or delegated local Health Department.

DEC PERMIT NO: **7-0302-00068/00011, EPA ID #NYD049253719**
FACILITY NAME: **Nexeo Solutions, 3 Broad Street**
LOCATION: **City of Binghamton, Broome County**

If you have any questions on the extent of the work authorized, or your obligations under the permit, please feel free to contact me.

Sincerely,

Digitally signed by Joe Dlugolenski
Date: 2013.05.30 10:49:02 -04'00'

Joe Dlugolenski
Deputy Regional Permit Administrator

Enc. HW Permit
cc: Matt Dunham, DEC, DER-Albany
Tom Killeen, DEC, DER-Albany
Michael Cruden, DEC, DER-Albany
Broome County Health
File

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

DEC PERMIT NUMBER	EFFECTIVE DATE
7-0302-00068/00011	05/30/2013
FACILITY/PROGRAM NUMBER(S)	EXPIRATION DATE(S)
EPA I.D. # NYD049253719	05/29/2023

PERMIT

Under the Environmental Conservation Law (ECL)

TYPE OF PERMIT (Check All Appropriate Boxes)

☐ NEW ☒ RENEWAL ☐ MODIFICATION ☐ PERMIT TO CONSTRUCT ☐ PERMIT TO OPERATE

☐ ARTICLE 15, TITLE 5: PROTECTION OF WATER	☐ ARTICLE 17, TITLES 7, 8: SPDES	☒ ARTICLE 27, TITLE 9; 6NYCRR 373: HAZARDOUS WASTE MGMT.
☐ ARTICLE 15, TITLE 15: WATER SUPPLY	☐ ARTICLE 19: AIR POLLUTION CONTROL	☐ ARTICLE 34: COASTAL EROSION MANAGEMENT
☐ ARTICLE 15, TITLE 15: WATER TRANSPORT	☐ ARTICLE 23, TITLE 27: MINED LAND RECLAMATION	☐ ARTICLE 36: FLOODPLAIN MANAGEMENT
☐ ARTICLE 15, TITLE 15: LONG ISLAND WELLS	☐ ARTICLE 24: FRESHWATER WETLANDS	☐ ARTICLES 1, 3, 17, 19, 27, 37; 6NYCRR 380: RADIATION CONTROL
☐ ARTICLE 15, TITLE 27: WILD, SCENIC & RECREATIONAL RIVERS	☐ ARTICLE 25: TIDAL WETLANDS	☐ ARTICLE 27, TITLE 3, 6NYCRR 364: WASTE TRANSPORTER
☐ 6NYCRR 608: WATER QUALITY CERTIFICATION	☐ ARTICLE 27, TITLE 7: 6NYCRR 360: SOLID WASTE MANAGEMENT	☐ OTHER:

PERMIT ISSUED TO	TELEPHONE NUMBER
Nexeo Solutions, LLC – Owner and Operator of Facility	1-888-594-6009

ADDRESS OF PERMITTEE
5200 Blazer PKWY, DS-1, Dublin, Ohio 43017

CONTACT PERSON FOR PERMITTED WORK	TELEPHONE NUMBER
Gary Desko	607-723-8254

NAME AND ADDRESS OF PROJECT/FACILITY
Nexeo Solutions, LLC 3 Broad Street, Binghamton, New York 13902

LOCATION OF PROJECT/FACILITY
3 Broad Street, Binghamton, New York 13902

COUNTY	TOWN/CITY/VILLAGE	WATERCOURSE/WETLAND NO.	NYTM COORDINATES
Broome	Binghamton		420711N, 0755328W

DESCRIPTION OF AUTHORIZED ACTIVITY:
Permit issued under 6NYCRR Part 375 for the storage of 42,900 gallons of hazardous waste in container storage areas in six bays (A, B, C, D, E and G) as specified in Module III and Attachments I and VIII of this permit.

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified (see page 2) and any Special Conditions included as part of this permit.

DEPUTY PERMIT ADMINISTRATOR: Joe Dlugolenski	ADDRESS: NYSDEC, Region 7 Office, Division of Environmental Permits 1285 Fisher Avenue, Cortland, NY 13045-1090
AUTHORIZED SIGNATURE: Digitally signed by Joe Dlugolenski Date: 2013.05.30 10:35:05 -04'00'	DATE

GENERAL CONDITIONS

Inspections

1. The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the Permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3). A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

Permit Changes and Renewals

2. The Department reserves the right to modify, suspend or revoke this permit when:
   a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
   b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
   c) new material information is discovered: or
   d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.

3. The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms, fees or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

4. The permittee must submit a renewal application at least:
   a) 180 days before expiration of permits for State Pollutant Discharge Elimination System (SPDES), Hazardous Waste Management Facilities (HWMF), major Air Pollution Control (APC) and Solid Waste Management Facilities (SWMF); and
   b) 30 days before the expiration of all other permit types.

5. Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

Other Legal Obligations of Permittee

6. The permittee has accepted expressly, by the execution of the application, the full legal responsibility for all damages, direct or indirect, of whatever nature and by whomever suffered, arising out of the project described in this permit and has agreed to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from this project.

7. The permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

8. The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required for this project.

Special Conditions

FOR ARTICLE 27, Title 9, Hazardous Waste Management

1. This permit is based on the assumption that the information submitted in the permit application submitted in August 2012 and finalized as indicated below (thereafter referred to as the application) is complete and accurate and that the facility will be operated as specified in the application. Any inaccuracies or incompleteness found in the information may be grounds for termination or modification of this permit and potential enforcement action.

Complete Application Documents

- 6 NYCRR Part 373 Permit Application dated August 2012.

2. The Permittee must operate the facility in strict accordance with the modules and attachments to this permit as specified below:

Module I	General Conditions
	Schedule 1 of Module 1
Module II	Corrective Action Requirements
Module III	Use and Management of Containers

Attachments

Attachment	I	Waste Analysis Plan
Attachment	II	Inspection Plan
Attachment	III	Personnel Training Plan
Attachment	IV	Security Plan
Attachment	V	Preparedness & Prevention Plan
Attachment	VI	Contingency Plan
Attachment	VII	Closure Plan
Attachment	VIII	Management of Waste in Containers
Attachment	IX	Facility Description & Supporting Documents
Attachment	X	Air Emission Standards
Attachment	M	Permit Modifications

Special Conditions
FOR ARTICLE 27, Title 9, Hazardous Waste Management

4. The Permittee is responsible for verifying that the Qaulity Control/Assurance Program(QA/QC) followed by laboratories used by the Permittee to carry out analysis of the waste streams, conform to the QA/QC procedures approved in the permit and thus ensure the validity of the analytical data provided by the laboratories.

5. As required by ECL 03-0119, any laboratory (Permittee or contract) used by the Permittee to perform analysis pursuant to this Permit must be certified by the New York State Department of Health Environmental Laboratory Approval Program (ELAP) in the appropriate categories of analysis, if ELAP issues certifications in such categories. If the Permittee uses a contract laboratory to perform analysis required by this Permit, then the Permittee shall inform the laboratory in writing that it must operate under the waste analysis and quality assurance provisions of this Permit.

6. The Permittee will store Organic peroxide and other temperature sensitive wastes only as double overpacked labpacks. Packages containing organic peroxide formulation will be individually marked with chemical name of the organic peroxide or with other information adequate for proper storage. Storage areas for temperature sensitive wastes will be maintained within the recommended temperature range for the materials stored. The storage of organic peroxides with concentrations above the limits specified in 49 CFR 173.225 is prohibited.

7. Incompatible wastes (acids and alkalis) stored in adjacent rows in Bay D will be separated by 8 feet of aisle space as shown in Figure 3 of the permit renewal application.

8. The Permittee is not authorized to accept the following wastes:
   - Reactive wastes (D003) in bulk, except cyanide and sulfide wastes, (reactive wastes can be accepted as double overpacked lab packs*)
   - Water reactive wastes (except as double overpacked lab packs)
   - Dioxin wastes and PCB's
   - D003 wastes which have the property of 371.3(d)(l)(I), (vii) or (viii)
   - DOT Division 1.1 through 1.6 explosive wastes
   - Class 1A Flammable liquids in bulk
   - Poison Gas Cylinders (P waste Codes) and poison gas/mixtures meeting USDOT Division 2.3 hazard zone A.
   - Gas cylinders, except for aerosol cans and lectures bottles, which may be received in lab packs only

   Limitation on quantity of Oxidizers:

   - 4000 lbs, double overpacked – Class I Oxidizers
   - 1000 lbs, double overpacked – Class II Oxidizers
   - 200 lbs, double overpacked – Class III Oxidizers
   - 10 lbs, double overpacked - Class IV Oxidizers

Class 1A flammable liquids can only be accepted as labpacks with inner containers less than 1 (one) gallon.

* Example of Double Overpacked labpack - small containers of waste lab packed in a 30- gallon container as per DOT requirements and the 30 gallon container overpacked with absorbent in a 55-gallon drum.

9. 55 and 30 gallon hazardous and non hazardous waste drums must not be stacked more than two high. Consistent with the Fire and Property Maintenance Code of New York State (3404.3.5.2) and OSHA 29 CFR 1910.106 containers having less than 30 gallons in capacity which contain class I or II liquids shall not be stacked more than 3 feet or two containers high whichever is greater. Containers of Class I and II liquids having a capacity of 30 gallons or greater shall not be stored more than one container high. All containers shall be stored in upright position.

PART 373 PERMIT

MODULE I – GENERAL CONDITIONS

The Permittee is hereby authorized to operate only the hazardous waste units identified in Schedule 1 of Module I of this Permit. This Permit does not authorize the use of any other units to operate other than those identified in Schedule 1 of Module I. If this Permit conflicts with any regulations which are in effect on the date of final issuance of this Permit, the more stringent requirement applies.

A. EFFECT OF PART 373 PERMIT

1. This Permit consists of the general and special conditions contained in this and the attached Modules, including **Schedule 1 of Module I**; the Department-approved Permit Application, including the Attachments and documents incorporated by reference; and the applicable requirements of the New York State Environmental Conservation Law (ECL) Article 27, Title 9, Section 27-0900 et seq., and the following regulations:

   – 6 NYCRR 370 - Hazardous Waste Management System-General;

   – 6 NYCRR 371 - Identification and Listing of Hazardous Wastes;

   – 6 NYCRR 372 - Hazardous Waste Manifest System and Related Standards for Generators, Transporters and Facilities;

   – 6 NYCRR 373 - Hazardous Waste Management Facilities;

   – 6 NYCRR 374 - Management of Specific Hazardous Waste;

   – 6 NYCRR 376 - Land Disposal Restrictions;

   – 6 NYCRR 621 - Uniform Procedures; and,

   – 6 NYCRR 624 - Permit Hearing Procedures.

2. Certain provisions of 6 NYCRR 375 (Environmental Remediation Programs) are hereby incorporated by reference into this Permit to the extent expressly provided in Module II (Corrective Action Requirements) and as specifically called out herein:

   a. Within thirty (30) days of the effective date of this Permit, the Permittee must record a notice of the corrective action program in the office of the recording officer for the county or counties where the Facility is situated in the manner prescribed by Real Property Law Article 9 in accordance with the provisions of 6 NYCRR 375-1.5(a). Within sixty (60) days of such filing, the Permittee must provide the Department with a copy of such instrument certified by the recording officer to be a true and faithful copy.

   b. Permittee must notify the Department at least sixty (60) days in advance of any change of use, which is proposed for the Facility, in accordance with the

provisions of 6 NYCRR 375-1.11(d). For purposes of this Permit, "change of use" is as defined at 6 NYCRR 375-2.2(a).

3. The Permittee must comply with the applicable Remediation Guidance and Policy Documents found at http://www.dec.ny.gov/regulations/2393.html.

4. The Permittee must comply with the applicable Commissioner Policies found at http://www.dec.ny.gov/regulations/64558.html.

5. The applicable regulations or requirements are those which are in effect on the date of final issuance of this Permit. However, the Permittee must also comply with the following requirements:

   a. requirements which become effective by statute, including amendments thereto;

   b. requirements of 6 NYCRR 376, as modified (land disposal restrictions);

   c. requirements of 6 NYCRR 373-3.27, 373-3.28, and 373-3.29, as modified (air emission standards); and,

   d. other requirements specified in 6 NYCRR 373-1.6(e) (permit conditions).

6. The Permittee is authorized to manage hazardous waste in the permitted units identified in **Schedule 1 of Module I** in accordance with the conditions of this Permit. Any storage, treatment or disposal of hazardous waste not authorized by this Permit is prohibited unless exempt under 6 NYCRR Part 373-1.1(d). Issuance of this Permit does not authorize any injury to persons or property, any invasion of other private rights, or any infringement of federal, State or local laws or regulations.

7. All plans, reports, specifications and schedules required by the terms of this Permit and all subsequent amendments to those documents are incorporated by reference into this Permit upon approval by the Department. Upon incorporation, the provisions of each such document will be binding upon the Permittee and have the same legal force and effect as the requirements of this Permit.

8. The Permittee must submit plans, reports, specifications, implementation schedules and any subsequent amendments to those documents required by this Permit to the Department for review and comment. Following its review of a document, the Department may either approve the document as submitted or issue comments. If the Department issues comments on the document, subsequent activities for the document must proceed in accordance with the following schedule:

   a. Meeting between the Permittee and the Department to discuss the document comments, as appropriate; and,

   b. Submission of a revised document to the Department for approval within thirty (30) calendar days of the above-described meeting. (If the above referenced meeting is determined not to be necessary, the Permittee must submit a revised

document to the Department, according to a schedule specified by the Department, not to exceed forty-five (45) calendar days of the Permittee's receipt of comments from the Department).

9. The documents listed in **Condition B of Schedule 1 of Module I** are made part of this Permit, are binding upon the Permittee and have the same legal force and effect as the requirements of this Permit.

10. Informal advice, guidance, suggestion, or comment by the Department must not be construed as relieving the Permittee of the Permittee's obligation to obtain such formal approvals as may be required by this Permit. In the event of a conflict between the requirements within this Permit or between the terms of this Permit and any plans, reports, specifications and schedules submitted pursuant to this Permit, the more stringent requirement shall always control. The Permittee consents to and agrees not to contest the authority and jurisdiction of the Department to enter into or enforce this Permit.

11. The Permittee must also comply with the following:

    – 6 NYCRR 373-1.1(f) – Uniform Procedures
    – 6 NYCRR 373-1.1(g) – Enforcement
    – 6 NYCRR 373-1.1(h) – Severability

12. The Permittee must maintain a current and complete paper copy of this Permit, including all Modules, Attachments and documents incorporated by reference, in at least one location at the Facility for review by the Department upon request.

13. In the event that an Environmental Monitor is assigned to the Facility, the Permittee must maintain a complete set of paper copies of all submittals required by this Permit in the office of the Environmental Monitor.

B. DEFINITIONS

1. For the purposes of this Permit, the terms used herein shall have the same meanings as those provided in 6 NYCRR 370 through 376, and the terms defined in **Condition B.2** of this Module, unless this Permit specifically states otherwise. Where the terms are not otherwise defined, the meanings associated with such terms shall be as defined by a standard dictionary reference or the generally accepted scientific or industry meaning of the term.

2. The following additional terms used in this Permit are defined as such:

    a. Action Levels. For the purposes of this Permit, "action levels" are hazardous constituent concentrations for a specific environmental medium which if exceeded indicate a potential threat to human health or the environment. The exceedence of action levels may trigger further investigations, studies and corrective measures. Where available, action levels are based on appropriate

promulgated standards established for a specific environmental medium. When promulgated standards are not available, action levels can be media-specific hazardous constituent concentrations derived from non-promulgated human health risk data or environmental risk data with the latter levels being protective of aquatic life or wildlife. An action level may be set at the background level for a hazardous constituent for which data are inadequate to set a human health or environmental health-based level. The action levels for groundwater are the more stringent of the following for each compound or constituent: 6 NYCRR 703.5, New York State Department of Health's Drinking Water Standards and the United States Environmental Protection Agency's Maximum Contaminant Levels (MCLs).

b. Areas of Concern (AOC). Pursuant to the authority granted by 6 NYCRR 373-1.6(c)(2), an "area of concern" has been defined for purposes of this Permit to mean an area at the facility, or an off-site area, which is not at this time known to be a solid waste management unit (SWMU), where hazardous waste and/or hazardous constituents are present, or are suspected to be present, as a result of a release from the facility. The term shall include areas of potential or suspected contamination as well as actual contamination. Such area(s) may require study and a determination of what, if any, corrective action may be necessary. All Permit references to and conditions for SWMUs shall apply to areas of concern.

c. Corrective Action. For the purposes of this Permit, "corrective action" is a process that includes all activities related to the investigation, characterization and cleanup of a release of hazardous/mixed wastes or hazardous constituents from a solid waste management unit (SWMU) at a permitted or interim status treatment, storage and disposal facility (TSDF) to any environmental medium, including groundwater. Module II of this Permit contains a more detailed discussion of the corrective action process.

d. Hazardous Constituents. For the purposes of this Permit, "hazardous constituents" are those constituents listed in Appendix 23 of 6 NYCRR 371 or any constituent listed in Appendix 33 of 6 NYCRR 373-2.

e. Mixed Waste. For the purposes of this Permit, "mixed waste" means a waste that contains both Resource Conservation and Recovery Act (RCRA) hazardous waste and source, special nuclear, or byproduct material subject to the Atomic Energy Act of 1954, as amended.

f. Permittee. For the purposes of this Permit, "Permittee" herein refers to the party(ies) subject to this Permit. In addition, refer to **Conditions R.2 and R.3** of this Module.

g. Release. For purposes of this Permit, "release" includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into the environment of any hazardous waste, including hazardous constituents, unless expressly authorized under the

terms of this Permit or otherwise permitted under law (e.g., SPDES permitted discharges).

h. Solid Waste Management Unit (SWMU). For purposes of this Permit, a "solid waste management unit" includes any discernible unit at which solid wastes have been placed at any time, irrespective of whether the unit was intended for the management of hazardous or solid wastes. Such units include any area at the facility at which solid wastes have been routinely and systematically released. These units include certain areas associated with production processes that have become contaminated as a result of routine and systematic releases.

C. GENERAL PERMIT CONDITIONS [6 NYCRR 373-1.6]

1. 6 NYCRR 373-1.6 provides conditions applicable to all Part 373 Permits which are therefore incorporated into this Permit. The provisions are incorporated into, and made enforceable under this Permit.

2. Oral Reports: The Permittee must orally report any noncompliance that may endanger health or the environment immediately from the time the Permittee becomes aware of the circumstances. The oral reports must be made to the Department using the New York State 24-hour oil and hazardous material spill notification number (800) 457-7362 and the National Response Center using its 24-hour number (800) 424-8802, or any designated telephone numbers which may subsequently replace those listed above. The information reported must include that listed at 6 NYCRR 373-2.4(g)(4)(ii).

3. Entry Upon Facility:

a. The Permittee must allow, pursuant to 6 NYCRR 373-1.6(a)(9), entry upon the Facility (or areas in the vicinity of the Facility which may be under the control of the Permittee) at reasonable times by any duly designated officer or employee of the United States Environmental Protection Agency (USEPA), the Department or any State agency having jurisdiction with respect to matters addressed pursuant to this Permit, and by any agent, consultant, contractor or other person so authorized by the Department, upon presenting identification, for inspecting, sampling, copying records that must be maintained by this Permit, testing, and any other activities necessary to evaluate the Permittee's compliance with this Permit.

b. Upon request, the Permittee must: (i) provide the Department with suitable work space at the Facility, including access to a telephone, to the extent available, and (ii) allow the Department full access to all non-privileged records relating to matters addressed by this Permit. Raw data is not considered privileged and that portion of any privileged document containing raw data must be provided to the Department upon request.

c. In the event the Permittee is not the owner of the Facility property and is unable to obtain any authorization from third-party property owners necessary to provide

access, the Permittee must immediately notify the Department and provide any requested assistance in obtaining such authorizations.

d. The Department shall have the right to take its own photographs, samples and scientific measurements and to obtain split samples, duplicate samples or both.

D. PERMIT MODIFICATION AND PERMIT TRANSFER [6 NYCRR 373-1.7 and 621]

1. Proposed modifications to this Permit, including modifications to the Attachments and documents incorporated by reference into this Permit, must be addressed in accordance with 6 NYCRR 373-1.7 and 621.

2. The Permittee must maintain a log of all modifications requested and made to this Permit, including modifications made to the Attachments and documents incorporated by reference into this Permit. The log must conform to the Department-approved format presented in Attachment M of this Permit and must be submitted with each modification request. The log must be filled out in its entirety, except for the issuance date. Upon issuance of each Permit modification, the Permittee must place the updated log in Attachment M of this Permit along with a copy of the Department's approval letters, when applicable, and replace all affected pages in the Modules, Attachments and/or documents incorporated by reference with the modified pages.

3. The Permittee must contact the Department (or its representative) with respect to any and all proposed permit modifications requested by the Permittee. The Department shall make the determination as to whether a proposed permit modification is a minor or major modification in accordance with 6 NYCRR 373-1.7. For the purposes of this Permit, as described in **Condition D.3.a** of this Module, the Department will entertain proposed administrative modifications to this Permit that would not otherwise be required to follow the requirements of **Conditions D.3.b and/or D.3.c** of this Module. Administrative changes generally include in-kind replacements or minor updates to plans attached to this Permit or incorporated by reference. **However, the Department must determine whether any and all changes are administrative modifications to this Permit.**

a. For modifications determined by the Department to be administrative, the Permittee shall make the change in the Permittee's copy of all affected Attachment(s) and/or document(s) incorporated by reference. Submittal to the Department of a change that the Department has determined is administrative in nature is not necessary. However, at the time of Permit renewal, the Permittee must incorporate all administrative changes into this Permit. The Permittee must record all administrative changes in the Permit Modification Log provided as Attachment M of this Permit. Note: The Department reserves the right to have its project manager, environmental monitor and/or permit writer request proposed administrative changes in writing by the Permittee's submission of a cover letter, written description of the proposed administrative modification and a clean copy of the modified affected pages for the Department's review and approval.

b. For modifications determined by the Department to be minor pursuant to 6 NYCRR 373-1.7(c) and 40 CFR 270.42(a), the Permittee must receive written approval from the Department before implementing the modification into this Permit, and subsequently follow the requirements of 6 NYCRR 373-1.7(e) and Department guidance for minor modifications.

c. For modifications determined by the Department to be major, the Permittee must treat the modification as a new application in accordance with 6 NYCRR 621.11 and follow the applicable requirements of 6 NYCRR 621.

4. The Department may at any time, at its discretion, modify this Permit under the terms of 6 NYCRR 621.13 in accordance with the requirements contained therein.

5. Permit Transfer: The Permittee must process all changes in Facility ownership and/or operational control in accordance with the requirements of 6 NYCRR 373-1.7(a), including the timeframes specified therein. Prior to undertaking a change in Facility ownership and/or operational control, the Permittee must provide written notification to the Department and receive written approval from the Department to allow transfer of this Permit. The Permittee must demonstrate to the Department's satisfaction that the prospective transferee will be able to comply with all applicable laws and regulations, Permit conditions, financial assurance and other requirements to which the Permittee is subject. The written notification must include the identity of the transferee and of the nature and proposed date of the conveyance, and must notify the transferee in writing, with a copy to the Department, of the applicability of this Permit including the corrective action program, as appropriate. The Department will determine whether transfer of this Permit is acceptable and will require either a minor or major modification.

E. EXPIRATION AND CONTINUATION OF PERMITS [6 NYCRR 373-1.8]

1. Requests for continuation of this Permit must be submitted in accordance with 6 NYCRR 373-1.8 and 621.11.

2. No sooner than one (1) year and no later than 180 days before the expiration of this Permit, the Permittee must provide the Department with a report regarding the matters identified in ECL 27-0913(3) occurring within two years of the date of the report. The report must include any such matters involving the permitted Facility, all other facilities owned or operated by the Permittee and any duly incorporated parent or subsidiary managing hazardous wastes within the United States. The Permittee must supply such documents and pertinent details regarding the matters in the report as may be requested by the Department.

3. The Permittee must schedule a "Pre-Application" meeting with the Department at least 270 days prior to the expiration date of this Permit. Renewal applications with a significant change (as defined at 6 NYCRR 373-1.10(a)(1)) are subject to the requirements of 6 NYCRR 373-1.10.

4. Complete applications for permit renewal must be submitted at least 180 days before the expiration date of this Permit pursuant to 6 NYCRR 373-1.8(b).

5. At any time during the review of the renewal application, the Department may request that the Permittee submit any additional information in writing which is necessary for determining the completeness of the application. Failure to provide such information by the date specified in the request may be grounds for denial of the application and the extension allowed pursuant to Section 401(2) of the State Administrative Procedures Act.

F. TERMINATION OF PERMIT ACTIVITIES

1. Should the Permittee cease the hazardous waste management activities allowed by this Permit prior to the expiration of this Permit, then, pursuant to 6 NYCRR 373-1.6(d), the Permittee must continue to comply with the applicable closure, post-closure and corrective action conditions and requirements stipulated in this Permit.

2. If post-closure care or corrective action is determined to be necessary by the Department, the Permittee must execute an order on consent, unless the Department determines that a permit or other enforceable commitment document is appropriate, pursuant to Environmental Conservation Law (ECL) Section 71-2727(3) with the Department at least 180 days prior to the expiration date of this Permit.

G. FACILITY OPERATION

1. In accordance with 6 NYCRR 373-2.3(b), the facility must be designed, constructed, maintained and operated to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste(s) or hazardous waste constituents to air, soil, surface water or groundwater that could threaten human health or the environment.

2. The Permittee must at all times construct, operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee as designed in accordance with this Permit including **Schedule 1 of Module I**.

3. The Permittee must inspect the Facility to prevent malfunctions and deterioration, operator errors, and discharges that may cause or lead to the release of hazardous waste(s) or hazardous waste constituents to the environment, or a threat to human health pursuant to 6 NYCRR 373-2.2(g).

H. COMPLIANCE SCHEDULE

1. The Permittee must complete any activities referenced in **Condition C of Schedule 1 of Module I** within the timeframes set forth therein and in accordance with 6 NYCRR 373-1.6(d).

2. The Permittee must submit reports in a Department-approved format no later than 14 days following each interim and the final compliance date that summarize the status of each of the activities listed in **Condition C of Schedule 1 of Module I**.

I. WASTE ANALYSIS [6 NYCRR 373-2.2(e)]

1. The Permittee must perform general waste analysis in accordance with the requirements of 6 NYCRR 373-2.2(e) and this Permit, including the Department-approved Waste Analysis Plan incorporated by reference into this Permit by **Schedule 1 of Module I**.

J. PERSONNEL TRAINING PROGRAM [6 NYCRR 373-2.2(h)]

1. The Permittee must conduct personnel training in accordance with 6 NYCRR 373-2.2(h)(1), (2) and (3), and this Permit, including the Department-approved Personnel Training Program Plan incorporated by reference into this Permit by **Schedule 1 of Module I**.

2. The Permittee must maintain training documents in accordance with 6 NYCRR 373-2.2(h)(4) and (5), and this Permit, including the Department-approved Personnel Training Program Plan incorporated by reference into this Permit by **Schedule 1 of Module I**.

K. PREPAREDNESS AND PREVENTION, CONTINGENCY PLAN AND EMERGENCY PROCEDURES [6 NYCRR 373-2.3 and 2.4]

1. The Permittee must comply with the preparedness and prevention requirements in accordance with 6 NYCRR 373-2.3 and this Permit.

2. The Permittee must comply with contingency plan and emergency procedure requirements in accordance with 6 NYCRR 373-2.4 and this Permit, including the Department-approved Integrated Contingency Plan incorporated by reference into this Permit by **Schedule 1 of Module I**.

L. WASTE REDUCTION REQUIREMENTS

1. The Permittee must comply with the requirements of Article 27, Title 9, Section 27-0908 of the ECL and 6 NYCRR 373-2.5(c)(ix) relative to waste reduction requirements.

M. REQUIREMENTS FOR RECORDING AND REPORTING OF MONITORING RESULTS [6 NYCRR 373-1.6(b)]

1. The Permittee must comply with the recording, reporting and monitoring requirements listed in this Permit.

2. The Permittee must install, use and maintain monitoring equipment, utilize the approved methods, and report monitoring results as specified in this Permit, including **Schedule 1 of Module I** and 6 NYCRR 373-2.

N. DATA AND DOCUMENT STANDARDS

1. All analytical data is to be submitted in the standardized format in accordance with the Department's Electronic Data Deliverable guidance within 30 days of receipt from the laboratory (see http://www.dec.ny.gov/chemical/62440.html).

2. The Permittee must deliver to the Department preliminary or final reports, specifications or drawings in an electronic format that complies with the Department's Electronic Document Standards (EDS) or as otherwise directed by the Department. All final documents are to be submitted in an electronic format that complies with the most recent DER EDS. Until such time as the Department establishes an EDS, final documents are to be submitted as a PDF document (see http://www.dec.ny.gov/regulations/2586.html). Also, the Permittee must, at the request of the Department, provide electronic versions of technical documents in MS Word and/or MS Excel, and plan drawings and/or other site drawings in AutoCAD, or other format suitable to the Department.

3. In addition to electronic copies, the Permittee must provide paper copies of any document (e.g., reports, plans, data, specifications, drawings, etc.) requested by the Department in paper format or as may be specified in paper format in **Schedule 1 of Module I**.

O. FINANCIAL ASSURANCE

1. The Permittee must comply with all of the applicable requirements of 6 NYCRR 373-2.8 and this Permit. The definitions contained in 6 NYCRR 373-2.8(b) are applicable to the financial requirements within this Permit.

2. The Permittee must comply with this Permit and 6 NYCRR 373-2.6(l) for meeting the financial assurance requirements for corrective action for releases from any solid waste management unit located at the Facility, regardless of the time the waste was placed in the unit.

3. The Permittee must adjust for inflation all cost estimates required by 6 NYCRR 373-2.6(l), 373-2.8 and this Permit annually, and provide additional financial assurance for this adjustment in accordance with 6 NYCRR 373-2.8. These adjustments must be independent of any requests to decrease cost estimates, unless the Department has previously approved such a decrease (i.e., the inflationary adjustment must be made separately from any unapproved request for a decrease in the cost estimate). In addition, the total amount of any post-closure cost estimate must be established and maintained throughout the life of this Permit by multiplying the annual post-closure cost estimate by a minimum of 30 years unless the Department has approved a decrease in the post-closure care period for a unit or the Facility in accordance with 6 NYCRR 373-2.7(g)(1)(ii).

4. The Department-approved closure, post-closure and corrective action cost estimates are incorporated by reference into this Permit by **Condition B of Schedule 1 of Module I** of this Permit. These cost estimates must be adjusted annually for inflation in accordance with **Condition O.3** of this Module.

5. The Permittee must obtain approval in writing from the Department prior to any reduction in the approved cost estimates and for any changes to the instrument(s) and/or mechanism(s) (e.g., type of instrument(s) and/or mechanism(s), the issuing company(ies)/institution(s) and/or a reduction in the dollar amount(s)).

6. Corrective Action Cost Estimates: For any and all corrective actions required under the authority of this Permit for any newly identified Solid Waste Management Units, both final and interim, the Permittee must submit for the Department's approval, written estimates, in current dollars, which reflect all costs involved in implementing corrective action through Department-approved completion. Such estimates must reflect the cost of hiring a third party to perform the corrective action in accordance with 6 NYCRR 373-2.8(e)(1)(i). For the final corrective measure(s), the Permittee must provide such estimates with the submission of the Corrective Measures Implementation (CMI) work plan. For Interim Corrective Measures (ICM) requiring work plans, the Permittee must provide such estimates with the submission of each ICM work plan required by this Permit.

7. Short-Term Corrective Measures: For financial assurance of final or interim corrective measures for any newly identified Solid Waste Management Units required by Department-approved work plans where the implementation schedule in the approved work plan(s) indicates anticipated completion of said action(s) within one (1) year, the Permittee must provide the Department with a letter certifying that the Permittee has sufficient liquid financial resources to perform and complete the approved corrective measure(s) based on the Department-approved cost estimate(s) required by **Condition O.6** of this Module. This letter must include a certification in accordance with 6 NYCRR 373-1.4(a)(5) and must be provided for the Department's acceptance with the Permittee's submission of a final or interim corrective measures work plan(s). If the Department notifies the Permittee that the certification is not acceptable, the Permittee must establish financial assurance for corrective measures in accordance with the requirements of financial assurance for Long-Term Corrective Measures as specified in **Condition O.8** of this Module within sixty (60) days of said notification. If the corrective action(s) are not completed within one year of the initial certification, the Permittee may request and the Department, at its discretion, may approve up to a one (1) year extension of the certification. If the corrective action(s) has not been completed to the Department's satisfaction at the end of the first year or a Department-approved extension, the Permittee must, within sixty (60) days, provide financial assurance in accordance with the requirements of financial assurance for Long-Term Corrective Measures as specified in **Condition O.8** of this Module.

8. Long-Term Corrective Measures: For final or interim corrective measures required for any newly identified Solid Waste Management Units by a Department-approved

work plan(s) where the implementation schedule in the approved work plan(s) indicates that the anticipated completion of the final or interim corrective action(s) will take longer than one (1) year, the Permittee must establish and maintain a Department-approved financial assurance instrument(s) in accordance with 6 NYCRR 373-2.8(f). This financial assurance must be equal to the current dollar amount of the most recent Department-approved final or interim corrective measures cost estimate(s) required by **Condition O.6** of this Module. The Department-approved financial assurance must be one, or a combination, of the financial assurance instruments, specified in 6 NYCRR 373-2.8(f)(1) through (4) and these instruments must be issued by an entity, or entities, that are legally and fiscally separate and distinct from the Permittee and any parent or subsidiary thereof. If the Permittee chooses to use either 6 NYCRR 373-2.8(f)(2) or (3) (or a combination thereof), the Permittee must revise or establish a Standby Trust Fund in accordance with said regulations. The Permittee must submit the instrument(s), for the Department's approval, no later than sixty (60) days after the Department's approval of corrective measures work plan(s), or as required by the requirements of financial assurance for Short-Term Corrective Measures as specified in **Condition O.7** of this Module .

9. For any Permit modification request involving the Closure Plan or Post-Closure Plan provided as Attachment VII of this Permit involving an increase in the cost of closure or post-closure, the Permittee must also submit a revised cost estimate, in current dollars, which includes the increase in these costs with appropriate third party justification. For any new or modified corrective measure required by this Permit and submitted by the Permittee subsequent to the issuance of this Permit which involves an increase in the cost of corrective action, the Permittee must also submit for Department approval, a revised cost estimate, in current dollars, which includes the cost increase associated with implementing the corrective measure with appropriate third party justification.

10. Within sixty (60) days of a modification of this Permit or Department approval of a new or modified corrective measure involving an increase in a cost estimate, the Permittee must establish additional financial assurance to cover the amount of the increase in the cost estimate in accordance with the requirements of 6 NYCRR 373-2.8.

11. The Permittee must maintain the Department-approved financial assurance instruments for closure, post-closure and corrective action, which shall be those provided as Attachment VII of this Permit, and any Department-approved revisions thereof, or Department-approved replacements for these financial instruments selected by the Permittee from the instrument types specified in this condition. Changes in existing financial assurance instruments or replacement of existing financial assurance instruments must be approved by the Department. The Permittee must provide annual evidence to the Department within thirty (30) days prior to the anniversary on which the initial approved financial assurance instrument was established, that all instruments provided as Attachment VII of this Permit including any approved revisions or replacements thereof, have been maintained and not allowed to lapse.

12. Within sixty (60) days after any increase in the approved cost estimate, the Permittee must, in accordance with 6 NYCRR 373-2.8, either:

    a. Revise one or more of the Department approved financial assurance instrument(s) for closure to increase the instrument(s) amount by at least the amount of the increase in the approved cost estimate and submit the revised instrument(s) for Department approval; or

    b. Submit an additional financial assurance instrument, or instruments from the instrument types specified in 6 NYCRR 373-2.8 with an amount equal to at least the amount of the increase in the approved cost estimate and submit the additional instrument(s) for Department approval.

13. If the Permittee elects to replace any of the instruments provided as Attachment VII of this Permit for financial assurance, with new financial assurance instrument(s) as specified by 6 NYCRR 373-2.8, the new instruments must be issued by an entity, or entities, that are legally and fiscally separate and distinct from the Permittee and any parent or subsidiary thereof. Also, if applicable, any replacement instruments pertaining to post-closure and corrective action must be worded in accordance with 6 NYCRR 373-2.8(j) except that the words "post-closure and corrective action" must be substituted for the words "post-closure" in any such replacement instrument.

P. COMMUNICATIONS

1. The Permittee must transmit all communications pursuant to this Permit to the Department via electronic mail to the address specified in **Schedule 1 of Module I** of this Permit. All deliverables must be transmitted in a Department-approved format as specified in **Condition N** of this Module.

2. If requested by the Department in lieu of or in addition to an electronic deliverable, the Permittee must transmit the requested written communications pursuant to this Permit to the Department by United States Postal Service, by private courier service or by hand delivery to the following address:

   Chief, RCRA Permitting Section
   Division of Environmental Remediation
   New York State Department of Environmental Conservation
   625 Broadway, 12th Floor
   Albany, NY 12233-7017

3. The Permittee must submit additional copies of the specific deliverables identified in **Schedule 1 of Module I** to the addresses and agencies listed therein.

Q. PENALTIES

1. Permittee's Obligations

   a. The Permittee's failure to comply with any term of this Permit constitutes a violation of this Permit and the ECL. Nothing herein abridges the Permittee's right to contest any allegation that it has failed to comply with this Permit.

   b. Payment of any penalties must not in any way alter the Permittee's obligations under this Permit.

R. MISCELLANEOUS

1. The paragraph headings set forth in this Permit are included for convenience of reference only and must be disregarded in the construction and interpretation of any provisions of this Permit.

2. If there are multiple parties subject to this Permit, the term "Permittee" must be read in the plural, the obligations of each such party under this Permit are joint and several, and the insolvency of or failure by any Permittee to implement any obligations under this Permit must not affect the obligations of the remaining Permittee(s) under this Permit.

3. If the Permittee is a partnership, the obligations of all general partners (including limited partners who act as general partners) under this Permit are joint and several and the insolvency or failure of any general partner to implement any obligations under this Permit must not affect the obligations of the remaining partner(s) under this Permit.

4. In any administrative or judicial action to enforce a condition of this Permit, the Permittee waives any objection to the admissibility as evidence of any data generated pursuant to this Permit.

5. Whenever materials or equipment are specified or described in this Permit using the name of a proprietary item or the name of a particular supplier, the naming of the item is intended to establish the type, function, quality, performance and design criteria required. In all cases, unless the name is followed by words indicating that "no 'or equal' or substitution is allowed" or similar language, materials or equipment of other suppliers may be accepted by the Department if sufficient information is submitted by the Permittee to allow the Department to determine that the material or equipment proposed is equivalent or equal to that named. Requests for review of "or equal" or substitute items of material and equipment will not be accepted by the Department from anyone other than the Permittee. If the Permittee wishes to furnish or use an "or equal" or substitute item of material or equipment, the Permittee must make written application to the Department for acceptance thereof, certifying that the proposed "or equal" or substitute will perform the same functions and achieve the same results called for by the general design, be similar and of equal substance and quality to that specified, and be suited to the same use as that specified.

6. The Permittee may submit a written request to the Department for a clarification on compliance with any condition in this Permit. Any such request must be submitted at least 30 days prior to the date on which the Permittee must comply with the condition identified in the clarification request. In response, the Department will provide the Permittee with a written clarification, detailing what constitutes compliance with the identified Permit condition. This clarification process shall in no way relieve the Permittee from the obligation to comply with all the terms and conditions of this Permit.

7. Special Conditions Concerning Future State and/or Federal Laws or Regulations

   a. In the event that any State statutory or regulatory requirements are enacted, adopted or promulgated which are applicable to the Permittee's Facility and address the need for and/or the nature and extent of post-closure care and/or corrective action, and such statutory or regulatory requirements are deemed by the Department to be more stringent than the post-closure care and/or corrective action requirements stipulated in this Permit, such statutory and regulatory requirements shall supersede the pertinent requirements of this Permit.

   b. In the event that any federal statutory or regulatory requirements are enacted, adopted or promulgated which are applicable to the Permittee's Facility and address the need for and/or the nature and extent of post-closure care and/or corrective action, such statutory or regulatory requirements shall supersede the pertinent requirements of this Permit to the extent that it is determined by the Department that such statutory or regulatory requirements afford equal or greater protection to continuing post-closure care and/or corrective action as is afforded by this Permit.

PART 373 PERMIT

SCHEDULE 1 OF MODULE I
FACILITY-SPECIFIC CONDITIONS

– –

DEC Facility Name: **Nexeo Solutions, LLC**
DER Facility No.: 7-0302-00068/00011
EPA RCRA ID No.: NYD049253719

Facility Address: 3 Broad Street
Binghamton, New York 13902
Broome County
Hereinafter referred to as "Facility" or "Site"

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A. PERMITTED ACTIVITIES

The following hazardous waste management units, activities and types and quantities of hazardous waste to be managed are authorized by this Permit:

Unit Type	Waste Description*	Container Specifications (USDOT)	Storage Volume (Gal)	Secondary Containment Volume (Gal)
Bay A	Water reactives, organic or inorganic peroxides and oxidizers	1A1, 1A2, 1H1	1925	641
Bay B	Ignitable Wastes – ignitable and non halogenated solvents, U and P wastes which exhibit ignitability and toxicity characteristic (TC) wastes	1A1, 1A2, 1H1	9075	1874
Bay C	Ignitable Wastes – ignitable and non halogenated solvents, U and P wastes which exhibit ignitability and TC wastes.	1A1, 1A2, 1H1, 1H2, 6HA1, 6PA1	1595	625
Bay D	Corrosive Waste – D002 and TC wastes exhibiting corrosivity	1A1, 1A2, 1H1, 1H2	8745	3832

Unit Type	Waste Description*	Container Specifications (USDOT)	Storage Volume (Gal)	Secondary Containment Volume (Gal)
Bay E	Non- ignitable and non-corrosive waste; halogenated waste and non- halogenated toxic wastes, TC waste, plating wastes, K, U and P wastes	1A1, 1A2, 1H1, 1H2, 4G, 5H1, 5H2, 5H3, 1G	11330	4132
Bay G	Ignitable Waste	Same as Bays B and C	10230	2716
Total Storage Volume			42900 gal.	

* Waste numbers are in Table C-1 and C-1.1 of Attachment I – Waste Analysis Plan

B. PERMIT DOCUMENTS

The following Modules, Attachments and documents incorporated by reference are considered part of this Permit:

Modules:

I General Conditions
Schedule 1 of Module I
II Corrective Action Requirements
III Use and Management of Containers

Attachments:

Attachment I – Waste Analysis Plan
Attachment II – Inspection Plan
Attachment III – Personnel Training Plan
Attachment IV – Security Plan
Attachment V – Preparedness & Prevention Plan
Attachment VI – Contingency Plan
Attachment VII – Closure Plan
Attachment VIII – Management of Waste in Containers
Attachment IX- Facility Description & Supporting Documents
Attachment X - Air Emission Standards
Attachment M - Major/Minor Permit Modifications

Documents Incorporated by Reference:

1. Part A Application

C. COMPLIANCE SCHEDULE

The Permittee must complete the following activities within the scheduled timeframes indicated in the following table:

Item	Description	Compliance Date
NA		

D. SCHEDULE OF DELIVERABLES

The Permittee must complete the activities indicated in the following table within the scheduled timeframes from the effective date of the Permit:

Item	Description	Compliance Date
NA		

E. ROUTINE REPORTING AND COMPLIANCE ACTIVITIES

The Permittee must perform the following compliance activities and submit the following routine reports to the Department by the indicated due date in accordance with the requirements of this Permit:

Routine Reporting:

Report	Frequency	Due Date	Requirement
Secondary Containment	Triennially	30 Days after Inspection	3rd Party Inspection

Compliance Activities and Non-Routine Reporting:

Item	Due Date	Requirement
NA		

PART 373 PERMIT

MODULE II – CORRECTIVE ACTION REQUIREMENTS

A. APPLICABILITY

1. Statute and Regulations: Article 27, Title 9, Section 27-0913, and 6 NYCRR 373-2.6(l) requires corrective action, including corrective action beyond the Facility boundary where necessary to protect human health and the environment, for all releases of hazardous wastes, including hazardous constituents, from any solid waste management unit (SWMU) regardless of the time at which waste was placed in such unit. Pursuant to 6 NYCRR 373-1.6(c)(2), the Department may impose Permit conditions as the Department determines necessary to protect human health and the environment (such as areas of concern (AOCs) as defined in **Module I** of this Permit).

2. Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs): The Permittee must initiate and complete the corrective action process for all SWMUs and AOCs at the Facility. The conditions of this Module apply to:

   a. All known SWMUs and AOCs as identified in **Schedule 1 of Module I** that have not completed the corrective action process; and

   b. Any newly-identified SWMUs and AOCs identified during the course of groundwater monitoring, field investigations, environmental audits or other means including, but not necessarily limited to, those identified pursuant to **Condition C** of this Module.

B. STANDARD CONDITIONS FOR CORRECTIVE ACTION

1. The Permittee must follow the requirements for Groundwater Protection **as specified** in **Schedule 1 of Module I** of this Permit, including any groundwater sampling and analysis plan which may be required therein.

2. The Permittee and its consultants/contractors performing corrective action activities must demonstrate completion of appropriate training in accordance with the Department-approved Personnel Training Plan provided as Attachment III of this Permit and follow all applicable health and safety plans.

3. Compliance with Governmental Requirements: During investigative activities, interim corrective measures and final corrective measures (including, but not limited to, equipment decommissioning, excavation and unit demolition) required by this Module, the Permittee must ensure that the transportation, treatment, storage, discharge, and disposal of all contaminated materials generated as a result of such activities (including, but not limited to, soil, sediments, liquids, tanks, pipes, pumps, rubble, debris and structural materials) are performed in an environmentally sound manner pursuant to all applicable federal, State and local requirements, and in a way

that is protective of human health and the environment. Nothing in this Module shall be construed to require the Permittee to proceed in a manner which is in violation of any such requirements.

4. Notifications:

   a. Groundwater Contamination: If at any time the Permittee discovers that hazardous constituents in groundwater released from the Facility have migrated beyond the Facility boundary in concentrations that exceed an action level, the Permittee must, within fifteen (15) calendar days of discovery, provide written notice to the Department.

   b. Air Contamination: If at any time the Permittee discovers that hazardous constituents in air have been released from a SWMU or AOC at the Facility, and have or are migrating to areas beyond the Facility boundary in concentrations that exceed action levels in the Department's DAR-1 ("Guidelines for the Control of Toxic Ambient Air Contaminants"), and that residences or other places at which continuous, long-term human exposure to such constituents might occur are located within such areas, the Permittee must immediately initiate all appropriate actions necessary to mitigate the release to concentrations below the action levels or cease operation immediately. In addition, the Permittee must:

      i. Provide written notification to the Department within fifteen (15) calendar days of such discovery; and

      ii. Immediately initiate any actions that might be necessary to provide notice to all individuals who have been or may become exposed to the released constituents.

   c. Residual Contamination: If hazardous wastes or hazardous constituents are located within or have been released from SWMUs or AOCs and will remain in or on the land, including groundwater, after the term of this Permit has expired, the Permittee must record, in accordance with State law, a notation in the deed to the Facility property or in some other instrument acceptable to the Department which is normally examined during title search that will, in perpetuity, notify any potential purchaser of the property, of the types, concentrations and locations of such hazardous wastes or hazardous constituents.

   d. Newly Discovered SWMUs and AOCs: The Permittee must notify the Department, in writing, of any additional SWMUs and AOCs discovered during the course of groundwater monitoring, field investigations, environmental audits or other means within fifteen (15) days of discovery. Thereafter, the Permittee must proceed with the assessment, investigation, evaluation and remediation of the SWMU and/or AOC as set forth in **Condition C** of this Module.

   e. Newly Discovered Releases: The Permittee must notify the Department, in writing, of any release(s) of hazardous wastes, including hazardous constituents, discovered during the course of groundwater monitoring, field investigations,

environmental audits, or other activities no later than fifteen (15) calendar days of discovery. Such newly-discovered release(s) may be from newly-identified unit(s)/area(s), from unit(s)/area(s) for which, based on the findings of the RCRA Facility Assessment (RFA), the Department had previously determined that no further investigation was necessary, or from unit(s)/area(s) investigated as part of a RCRA Facility Investigation (RFI). Based on the information provided in the notification, the Department shall determine the need for further investigation of the release(s). If the Department determines that such investigations are needed, the Department shall, by written notification, require the Permittee to prepare an RFI Work Plan in accordance with **Condition D** of this Module. The Department may, at its discretion, also require the Permittee to prepare an Interim Corrective Measures (ICM) Work Plan.

5. Determination of No Further Action:

   a. Based on the results of a RFA or a RFI for a particular SWMU or AOC, or combination of SWMUs and/or AOCs, and any other relevant information, the Permittee may submit an application to the Department for a permit modification under 6 NYCRR 373-1.7(b) and 621.13 to terminate the subsequent corrective action requirements of this Module and **Schedule 1 of Module I** for the subject SWMU(s) or AOC(s). The permit modification application must contain information demonstrating that no release(s) of hazardous wastes, including hazardous constituents, have occurred from the subject SWMU(s) and/or AOC(s), or that such releases do not and will not pose a threat to human health or the environment. The permit modification application must also include the information required in 6 NYCRR 373-1, 373-2 and 621.4(n).

   b. If, based upon review of the Permittee's request for a permit modification, the results of the RFI, and other information, including comments received during the forty-five (45) calendar day public comment period required for major permit modifications, the Department determines that the release(s) or the suspected release(s) investigated are either non-existent or do not pose a threat to human health or the environment, the Department may grant the requested modification.

   c. A determination of no further action shall not preclude the Department from modifying this Permit in accordance with 6 NYCRR 621.13 in order to implement the following actions:

      i. Require the Permittee to perform such investigations as necessary to comply with the requirements of this Module and **Schedule 1 of Module I** if new information or subsequent analysis indicates that there are, or are likely to be, releases from SWMUs/AOCs that may pose a threat to human health or the environment; and/or,

      ii. Require continual or periodic monitoring of air, soil, groundwater, surface water, sediment or subsurface gas, if necessary, to protect human health and the environment, when site-specific circumstances indicate the release(s) of

hazardous waste(s), including hazardous constituents, are likely to occur from any SWMU(s) and/or AOC(s).

C. SCHEDULE FOR ASSESSMENT OF NEWLY IDENTIFIED SWMUs AND AOCs

1. Notification of Assessment: The Permittee must notify the Department, in writing, of any additional SWMU(s) and/or AOC(s) not listed in **Schedule 1 of Module I**, which are identified during the course of groundwater monitoring, field investigations, environmental audits, or other means within fifteen (15) calendar days of discovery.

2. SWMU/AOC Assessment Report: Within thirty (30) calendar days of notifying the Department, the Permittee must submit a SWMU/AOC Assessment Report. This report must provide, at a minimum, the following information for each newly identified SWMU/AOC:

   a. Type of unit/area;

   b. Location of each unit/area on a topographic map of appropriate scale;

   c. Dimensions, capacities, and structural descriptions of the unit/area (supply available engineering drawings);

   d. Function of unit/area;

   e. Dates that the unit/area was operated;

   f. Description of the wastes that were placed or spilled at the unit/area;

   g. Description of any known releases from the unit/area (to include groundwater data, soil analyses, air monitoring data, and/or surface water/sediment data);

   h. The results of any sampling and analysis required for the purpose of determining whether releases of hazardous wastes, including hazardous constituents, have occurred, are occurring, or are likely to occur from the unit/area; and

   i. Whether this unit/area, individually or in combination with other units/areas described in **Schedule 1 of Module I**, is a significant source of contaminant release.

3. SWMU/AOC Sampling and Analysis Plan: If prior to or after submission of the SWMU/AOC Assessment Report required in **Condition C.2** of this Module the Department determines and notifies the Permittee that sampling and analysis is required, the Permittee must, within thirty (30) calendar days of such notification, submit to the Department for approval a plan prepared in accordance with **Condition D** of this Module, for sampling and analysis of specific environmental media including, but not limited to, groundwater, land surface and subsurface strata, surface water/sediment or air, as necessary to determine whether a release of hazardous waste, including hazardous constituents, from such unit(s) and/or area(s)

has occurred, is likely to have occurred, or is likely to occur. The SWMU/AOC Sampling and Analysis Plan must demonstrate that the sampling and analyses program, if applicable, is capable of yielding representative samples and must include parameters sufficient to identify migration of hazardous waste, including hazardous constituents, from the newly-discovered SWMU(s) and/or AOC(s) to the environment.

4. Subsequent Assessment Actions: Following submission of the SWMU/AOC Assessment Sampling and Analysis Plan set forth in **Condition C.3** of this Module, the Department may either approve the Plan as submitted or issue comments on the Plan. If approved, the Permittee must implement sampling in accordance with the Plan within thirty (30) calendar days of receipt of the Department's approval. If the Department issues comments on the Plan, subsequent activities for the Plan must proceed in accordance with **Condition A.7 of Module I** of this Permit.

5. SWMU/AOC Sampling and Analysis Report: Within thirty (30) calendar days of receipt by the Permittee of validated analytical data generated under the approved SWMU/AOC Sampling and Analysis Plan, the Permittee must follow reporting requirements in the approved Plan and submit a SWMU/AOC Sampling and Analysis Report to the Department. The Report must describe all results obtained from the implementation of the approved Plan.

6. Assessment Conclusions: Based on the results of the SWMU/AOC Sampling and Analysis Report, the Department shall determine the need for further investigations at the specific unit(s) covered in the SWMU/AOC Assessment Report. If the Department determines that such investigations are needed, the Department shall, by written notification, require the Permittee to prepare and submit for approval a RFI Work Plan. In addition, the Department may, at its discretion, require the Permittee to submit an Interim Corrective Measures (ICM) Work Plan if an ICM is deemed necessary by the Department to safeguard human health and the environment. Any additional activities required by the Department must be undertaken in accordance with **Condition D** of this Module.

D. DEVELOPMENT AND IMPLEMENTATION OF CORRECTIVE ACTION PROGRAM

For the purposes of this Permit, the technical and administrative requirements of "DER-10 – Technical Guidance for Site Investigation and Remediation" are applicable where corrective action has been determined by the Department to be necessary. Since DER-10 uses State Superfund nomenclature, the following table provides a cross-reference between Resource Conservation and Recovery Act (RCRA) and State Superfund nomenclature when using "DER-10 – Technical Guidance for Site Investigation and Remediation":

RCRA Program Element	***Equivalent Superfund Program Element***
RCRA Facility Assessment (RFA) (including Preliminary Review [PR], Visual Site Inspection [VSI] and Sampling Visit [SV])	Site Characterization (SC)
RCRA Facility Investigation (RFI)	Remedial Investigation (RI)
Corrective Measures Study (CMS)	Feasibility Study (FS)
Interim Corrective Measure (ICM)	Interim Remedial Measure (IRM)
Statement of Basis (SOB)	Record of Decision (ROD)
Corrective Measures Implementation (CMI) (design)	Remedial Design (RD)
CMI (construction)	Remedial Action (RA)
Post-Closure / Effectiveness Evaluations	Site Management (SM)

Accordingly, when the Department, as part of this Permit, requires the Permittee to prepare any component (e.g., work plan, report, study, design, remedy, etc.) of a specific RCRA Program element identified in the above table, the Permittee must utilize DER-10 - Technical Guidance for Site Investigation and Remediation for the preparation of the appropriate analog RCRA Program element component. The required component shall be captioned with the appropriate RCRA program element title. This is the required approach unless specific alternative direction is otherwise provided by the Department in writing.

1. Work Plan Development

    a. The Permittee must submit a corrective action work plan to the Department within thirty (30) days of notification by the Department that such work plan is necessary.

    b. All corrective action activities at the Facility must be conducted pursuant to one or more Department-approved work plans. The work plan(s) prepared pursuant to this Permit must address both on-site and off-site contamination consistent with the provisions of Department guidance entitled "DER-10 - Technical Guidance for Site Investigation and Remediation."

    c. All work plans must be developed consistent with Department guidance entitled "DER-10 - Technical Guidance for Site Investigation and Remediation." Work plans prepared to address corrective action at active units or units under post-closure care must also incorporate the applicable requirements of 6 NYCRR 373-2.6 and 373-2.7.

d. All Department-approved work plans will be incorporated into this Permit when specifically noted in such approvals, pursuant to 6 NYCRR 621.13, and become enforceable under this Permit.

e. The Department may, at its discretion, direct the Permittee to prepare "supplemental" work plans, studies and/or designs as it determines necessary to ensure protection of human health and the environment.

f. The Permittee may opt to propose one or more supplemental work plans (including one or more IRM Work Plans) at any time, which the Department shall review for appropriateness and technical sufficiency.

g. Any proposed work plan must be submitted for the Department's review and approval, and must include, at a minimum, a chronological description of the anticipated activities, a schedule for performance of those activities, and sufficient detail to allow the Department to evaluate that work plan. The requirements for submittal review are specified in **Condition D.4** of this Module.

h. Within twenty (20) days of the Department's request for a work plan, the Permittee must submit for review and approval a written citizen participation plan prepared in accordance with applicable Department guidance. Upon approval, the citizen participation plan shall be incorporated by reference into this Permit.

i. All work plans prepared pursuant to this Module must be certified in accordance with 6 NYCRR 373-1.4(a)(5), and by a Professional Engineer or other qualified environmental professional as the Department may find acceptable using the language provided in DER-10.

2. Work Plan Implementation

a. Upon approval of a work plan by the Department, the Permittee must implement such work plan in accordance with the schedule contained therein.

b. The Department must be notified at least 7 days in advance of, and be allowed to attend, any field activities to be conducted under a Department-approved work plan, as well as any pre-bid meetings, job progress meetings, substantial completion meeting and inspection, and final inspection and meeting.

c. During all field activities conducted under a Department-approved work plan, the Permittee must have, on-site, a representative who is qualified to supervise the activities undertaken. Such representative may be an employee or a consultant retained to perform such supervision.

d. The Permittee must follow the notification requirements of **Condition B.5** of this Module during work plan implementation.

e. All corrective action activities must be conducted in accordance with **Condition B.4** of this Module.

f. In accordance with the schedule contained in a Department-approved work plan, the Permittee must submit a final report (e.g., RFI report, etc.) that meets the requirements set forth in "DER-10 - Technical Guidance for Site Investigation and Remediation", summarizes all data generated during implementation of the work plan, and includes a complete description of all assessments and evaluations required by the work plan.

g. Any final report or final engineering report that includes construction activities must include "as built" drawings showing any changes made to the remedial design or the IRM.

h. All final reports and final engineering reports must be submitted for the Department's review and approval. The requirements for submittal review are specified in **Condition D.4** of this Module.

i. All final reports and final engineering reports must be certified in accordance with 6 NYCRR 373-1.4(a)(5), and by a Professional Engineer or other qualified environmental professional as the Department may find acceptable using the language provided in DER-10.

3. Remedy Selection

a. The Department shall select a proposed remedy in accordance with DER-10 following receipt of the Corrective Measures Study (CMS) or Feasibility Study (FS). The proposed remedy shall be set forth in a draft Statement of Basis (SOB) prepared by the Department for the Facility. The selected remedy in the final SOB shall be incorporated by reference into this Permit by modification pursuant to 6 NYCRR 621.13.

b. Once the SOB has been incorporated into this Permit, the Permittee must submit a Corrective Measures Implementation (CMI) Work Plan or Remedial Design/Remedial Action (RD/RA) Work Plan that provides for the development and implementation of final plans and specifications for implementing the remedial alternative set forth in this Permit (i.e., in the SOB). This work plan must, unless otherwise provided in writing by the Department, be submitted within one hundred twenty (120) days of the effective date of the Permit modification. The Permittee must commence implementation of the CMI Work Plan or RD/RA Work Plan within thirty (30) days of the Department's approval of such work plan.

c. The Permittee must submit a Site Management Plan (SMP) or an update to an existing SMP, as necessary, in accordance with the schedule set forth in the approved CMI Work Plan or RD/RA Work Plan, or in accordance with a request from the Department. The Permittee must commence implementation of the Site Management Plan within thirty (30) days of the Department's approval of such plan.

d. The Permittee must submit an initial periodic review report (PRR) in accordance with the schedule in the SMP and thereafter annually, unless the Department approves an alternate frequency in writing. The periodic review report must include the information specified in DER-10 and other applicable NYSDEC guidance, and must also include, but not be limited to, documentation of the performance of any required groundwater compliance inspections, operation and maintenance inspections, groundwater comprehensive monitoring evaluations, and any required corrective measures effectiveness evaluations related to the remedy(ies) in place at the Facility, as well as a description and results summary for any investigation or corrective action activity that occurred at the Facility during the period. The PRR must be certified in accordance with 6 NYCRR 373-1.4(a)(5), and by a Professional Engineer or other qualified environmental professional as the Department may find acceptable using the language provided in DER-10.

e. As part of the periodic review report submission, the Permittee must provide an annual certification of institutional and engineering controls until such time that the Department notifies the Permittee in writing that this certification is no longer needed. Therefore, the PRR must: (a) contain certification that the institutional controls and engineering controls put in place are still in place and are either unchanged from the previous certification or are compliant with Department-approved modifications; (b) allow the Department access to the site; and, (c) state that nothing has occurred that would impair the ability of the control to protect public health or the environment, or constitute a violation or failure to comply with the SMP unless otherwise approved by the Department. The Permittee must submit a written certification in accordance with 6 NYCRR 373-1.4(a)(5) and DER-10 - Technical Guidance for Site Investigation and Remediation.

f. The Permittee must continue operation of the selected remedy until such time that the remedial objectives have been achieved and the Department determines that continued operation is technically impracticable or not feasible.

4. Review of Submittals

a. The Department shall review and respond in writing to each submittal (e.g., plans, studies, reports, schedules, written submittals, etc.) the Permittee makes pursuant to this Permit, unless the Department determines that a response is not necessary. The Department's response shall include an approval, modification request, or disapproval of the submittal, in whole or in part. Failure of the Permittee to act in accordance with the requirements of this Condition is a violation of this Permit.

b. Following its review of a submittal, the Department may either approve the submittal or issue comments. If approved, the Permittee must implement the submittal or initiate the next step in the program in accordance with the schedule contained in the submittal or the Department's approval letter. If the Department issues comments on the submittal, subsequent activities for the submittal must proceed in accordance with **Condition A.7 of Module I** of this Permit.

c. In the event the Department provides conditional approval of a submittal, within thirty (30) days of the Department's conditional approval the Permittee must modify the submittal in accordance with any Department comments and resubmit the document, including all required supporting data and documents in an electronic format acceptable to the Department in accordance with the requirements of **Condition N of Module I**. All resubmissions must be certified in accordance with 6 NYCRR 373-1.4(a)(5), and by a Professional Engineer or other qualified environmental professional as the Department may find acceptable using the language provided in DER-10.

d. Upon approval, the submittal will be incorporated into this Permit when specifically noted by the Department in such approval, pursuant to 6 NYCRR 621.13. If directed by the Department, the Permittee must place the submittal within the Facility's document repository within fifteen (15) days of receipt of the Department's approval.

e. In the event that the Permittee and the Department cannot resolve the Department's comments, the Department shall, pursuant to 6 NYCRR 621.13 and within 45 days of notice of disapproval or required modifications, send to the Permittee a notice of intent to modify this Permit with regard to all unresolved issues in order to safeguard human health and the environment.

E. OTHER REQUIREMENTS

1. Reservation of Rights

a. Nothing contained in this Permit shall be construed as barring, diminishing, adjudicating, or in any way affecting any of the Department's rights or authorities, including, but not limited to, the right to require performance of further investigations and/or response action(s), and/or to exercise any summary abatement powers with respect to any person, including the Permittee.

b. Except as otherwise provided in this Permit, the Permittee specifically reserves all rights and defenses under applicable law, and further reserves all rights respecting the enforcement of this Permit, including the rights to notice, to be heard, to appeal, and to any other due process. The existence of this Permit or the Permittee's compliance with it shall not be construed as an admission of liability, fault, wrongdoing, or breach of standard of care by the Permittee, and shall not give rise to any presumption of law or finding of fact, or create any rights, or grant any cause of action, which shall inure to the benefit of any third party.

2. Environmental Easement

a. If a Statement of Basis (SOB), or other approved work plan, for the Facility relies upon one or more institutional and/or engineering controls, the Permittee (or the owner of the Facility) must submit to the Department for approval an environmental easement and/or restrictive covenant to run with the land in favor of the State which must be:

i. created and recorded pursuant to ECL Article 71, Title 36;

ii. in a form and manner as prescribed by the Department;

iii. in compliance with General Obligations Law (GOL) 5-703(1) and ECL 71-3605(2); and,

iv. recordable pursuant to Real Property Law (RPL) 291.

b. Upon acceptance of the environmental easement and/or restrictive covenant by the State, the Permittee must comply with the requirements of **Condition E.2** of this Module.

c. Agents, employees or other representatives of the State may enter and inspect the property burdened by an environmental easement with reasonable prior notice to the property owner, to assure compliance with the restrictions identified by the environmental easement.

d. If the SOB provides for no action other than implementation of one or more institutional controls, the Permittee must cause an environmental easement to be recorded under the provisions of **Condition E.2.a** of this Module.

e. If the Permittee does not cause such environmental easement to be recorded in accordance with **Condition E.2.a** of this Module, the Department may file an Environmental Notice on the Facility.

3. Progress Reports

a. The Permittee must submit a written progress report of its actions under this Permit to the parties identified in **Schedule 1 of Module I** by the 10th day of each month commencing with the month subsequent to the approval of the first work plan and ending with the completion of a work item requiring reporting as specified in this Permit or a Department-approved work plan.

4. Dispute Resolution

a. The Permittee must submit any dispute related to the Department's comments to the designated individual in writing no more than 15 days after it knew or should have known of the facts which are the basis of the dispute. The designated individual shall render a written decision and furnish a copy thereof to the Permittee, which shall be the final Department determination, unless the Permittee files a written appeal of that decision with the designated appeal individual within 20 days of receipt of that decision.

i. Upon receipt of the written appeal pursuant to **Condition E.4.a** of this Module, the designated appeal individual, will review the record and decision. The designated appeal individual will take one of the following actions, with written notice to the Permittee:

'a') remand the matter to the program staff for further negotiation or information if it is determined that the matter is not ripe for review;

'b') determine that there is no need for further action, and that the determination of the designated individual is confirmed; or,

'c') make a determination on the record as it exists.

ii. The decision of the designated appeal individual shall be the final Department decision unless, within 20 days of receipt of the decision, the Permittee requests that the Department proceed in accordance with **Condition E.4.b** of this Module.

iii. The designated individual to:

'a') hear disputes is a bureau director in the Department's Division of Environmental Remediation; and

'b') to review dispute decisions is the assistant director of the Department's Division of Environmental Remediation.

b. In the event that the Department issues comments that cannot be resolved with the Permittee, the Department shall, pursuant to 6 NYCRR 621.13, send to the Permittee a notice of intent to modify this Permit with regard to all unresolved issues in order to safeguard human health and the environment.

c. Upon receipt of a notice of intent from the Department, the Permittee must act in accordance with 6 NYCRR 621.13(d) or the Department's action will become effective on the date specified in the notice of intent. In the event that the Permittee acts in accordance with 6 NYCRR 621.13(d) within the specified timeframe, the procedure for dispute resolution will continue in accordance with 6 NYCRR 621.13.

F. MISCELLANEOUS

1. Required Authorizations

a. The Permittee must use best efforts to obtain all Facility access, permits, easements, approvals, institutional controls, and/or authorizations necessary to perform the Permittee's obligations under this Permit, including all Department-approved work plans and the schedules contained therein. If, despite the Permittee's best efforts, any access, permits, easements, approvals, institutional controls, or authorizations cannot be obtained, the Permittee must promptly notify the Department and include a summary of the steps taken. The Department may, as it deems appropriate and within its authority, assist the Permittee in obtaining same.

b. If an interest in property is needed to implement an institutional control required by a work plan and such interest cannot be obtained, the Department may require the Permittee to modify the work plan to reflect changes necessitated by the Permittee's inability to obtain such interest. Within 15 days of receipt of such notice, the Permittee must elect in writing to either: a) modify the work plan as requested by the Department, or accept a Department modified work plan, within 30 days of receipt of the written notice; or, b) invoke dispute resolution in accordance with **Condition E.4** of this Module.

PART 373 PERMIT

MODULE III – USE AND MANAGEMENT OF CONTAINERS

A. AUTHORIZED STORAGE AREA, WASTE TYPES AND STORAGE VOLUME

1. The Permittee is authorized to manage and/or store hazardous wastes subject to the terms of this Permit as described in **Schedule 1 of Module I**. **Schedule 1 of Module I** provides information regarding the number, location, configuration and type of wastes in containers that may be stored in each permitted container storage area. The Permittee must not manage and/or store any wastes in excess of the maximum capacities for each individual area identified in **Schedule 1 of Module I** of this Permit. This Permit is applicable to containerized wastes in accordance with 6 NYCRR 373-2.9(a), with exceptions noted in, and in compliance with, 6 NYCRR 371.1(h), 371.4 (d)(3), 373-1.1(d)(1)(iii), 373-1.1(d)(1)(xiv) and 373-2.1(a).

B. CONDITION OF CONTAINERS [6 NYCRR 373-2.9(b)]

1. The Permittee must manage and maintain any and all containers holding hazardous wastes authorized by this Permit in accordance with the requirements of 6 NYCRR 373-2.9(b) and this Permit.

C. COMPATIBILITY OF WASTE WITH CONTAINERS [6 NYCRR 373-2.9(c)]

1. The Permittee must use a container made of, or lined with, materials which will not react with, and is otherwise compatible with, the hazardous wastes authorized by this Permit to be stored, so that the ability of the container to contain the waste is not impaired in accordance with 6 NYCRR 373-2.9(c) and this Permit.

D. MANAGEMENT OF CONTAINERS [6 NYCRR 373-2.9(d)]

1. The Permittee must manage containers holding hazardous waste authorized by this Permit in accordance with 6 NYCRR 373-2.9(d) and this Permit including **Schedule 1 of Module I**.

2. Any nonhazardous wastes and other materials stored in an area designated for hazardous wastes will be subject to all the terms and conditions of this Permit as required by 6 NYCRR 360-1.1(b). Any other materials stored in these designated areas must be compatible with the waste in accordance with **Condition H** of this Module.

3. The Permittee must maintain aisle space in accordance with 6 NYCRR 373-2.3(f) and this Permit including **Schedule 1 of Module I**. Drums must be stored in rows no greater than 2 drums wide. The aisle space between the rows must be a minimum of 2 feet wide or wider as required by **Schedule 1 of Module I** of this Permit. Drums must not be stacked greater than 2 high or as required by **Schedule 1 of Module I** of this Permit. For aisle space and stacking requirements for other container types, refer to **Schedule 1 of Module I** of this Permit. All container storage areas must comply

with the applicable sections of the New York State Fire Code and the National Fire Protection Association (NFPA) 30 - "Flammable and Combustible Liquids Code." The Permittee must demonstrate compliance with the applicable portions of the New York State Fire Code and the NFPA 30 to the satisfaction of the Department.

E. INSPECTIONS [6 NYCRR 373-2.9(e)] AND REPAIR/REMEDIAL ACTION [6 NYCRR 373-2.2(g)(3)]

1. The Permittee must inspect areas where containers are stored as authorized by this Permit in accordance with 6 NYCRR 373-2.2(g), 373-2.9(e) and this Permit including the Department-approved Security and Facility Inspection Plan incorporated by reference into this Permit.

2. Loading and unloading areas must be inspected daily when in use in accordance with 6 NYCRR 373-2.2(g)(2)(iv) and this Permit.

3. For each occurrence where hazardous wastes are stored in a container that is not in good condition or that is leaking, or if defects are identified in the secondary containment for containers, the Permittee must record the occurrence in the inspection log and maintain the log as part of the operating record required by 6 NYCRR 373-2.5(c). The Permittee must indicate in the facility's operating record the date the defect was identified, the date repairs were completed and a brief description of said repairs.

4. If any leaking container threatens human health or the environment of if leaks are discovered associated with the containment system, the Permittee must immediately report the situation as specified in **Condition C.2 of Module I** (i.e., Oral Reports).

5. For any container of hazardous wastes that is found to be not in good condition (e.g., severe rust, apparent structural deformity, etc.) or leaking, the Permittee must take immediate action to stop or prevent the leak and take steps in accordance with 6 NYCRR 373-2.9(b) and the Department-approved Integrated Contingency Plan incorporated by reference into this Permit.

6. The Permittee must repair all defects or other deficiencies identified with the secondary containment system for containers during the Permittee's regular inspections or as a result of independent assessments in accordance with 6 NYCRR 373-2.2(g)(3). The Permittee must maintain the secondary containment system for containers free of cracks or gaps and sufficiently impervious to contain leaks, spills and accumulated precipitation until the collected material is detected and removed.

7. If the secondary containment system for containers is found to be compromised or in a deteriorated condition, the Permittee must: a) take immediate action to stop or prevent any release from the area; b) take steps in accordance with the Department-approved Integrated Contingency Plan incorporated by reference into this Permit to clean up any leaked or spilled material; and, c) immediately cease operation of the area and relocate any containers located therein until the defect is repaired to the satisfaction of the Department.

8. For any identified deterioration or malfunction of equipment or structures associated with a hazardous waste management unit which do not result in a release or create the potential for a release of hazardous wastes from the unit's primary containment (i.e., defects other than those described in **Condition E.7** of this Module), except for specific defects where other Permit conditions or the regulations require repairs within other specified time periods, the Permittee must either:

   a. Schedule and complete repairs to the defect within thirty (30) days from the date the defect was first identified; or

   b. Submit a proposed schedule for Department approval within seven (7) days from the date the defect was first identified, if it is anticipated that it will take longer than 30 days to complete repairs. The proposed schedule must include the date for completing the repairs which must be within six (6) months from the date when the defect was identified. The Permittee may request, and the Department may approve, extensions to the schedule provided the Permittee has adequately demonstrated that the extension is needed due to unforeseen circumstances or circumstances beyond the Permittee's control and that the delay will not lead to an environmental or human health hazard.

F. CONTAINMENT [6 NYCRR 373-2.9(f)]

1. Container storage areas authorized by this Permit for the storage of containerized liquids must have a containment system that is designed and operated in accordance with 6 NYCRR 373-2.9(f)(1) and this Permit including **Schedule 1 of Module I**. Container storage areas authorized by this Permit for only the storage of containerized solids with no free liquids must, at a minimum, meet the requirements of 6 NYCRR 373-2.9(f)(2) and this Permit including **Schedule 1 of Module I**.

G. SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE [6 NYCRR 373-2.9(g)]

1. The Permittee must manage all ignitable or reactive waste placed in containers and authorized by this Permit in accordance with 6 NYCRR 373-2.9(g) and this Permit.

H. SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTE [6 NYCRR 373-2.9(h)]

1. The Permittee must adhere to the special requirements for the management of incompatible wastes in containers authorized by this Permit in accordance with 6 NYCRR 373-2.9(h) and this Permit.

2. The Permittee must demonstrate the compatibility of all hazardous wastes authorized by this Permit with other wastes and materials, and with the containers utilized to store the waste in accordance with this Permit including **Schedule 1 of Module I** and the Department-approved Waste Analysis Plan incorporated by reference into this Permit.

I. CLOSURE [6 NYCRR 373-2.9(i)]

1. At closure, the Permittee must comply with the closure requirements in accordance with 6 NYCRR 373-2.9(i), 6 NYCRR 373-2.7 and this Permit, including the Department-approved Closure Plan provided as Attachment C of this Permit.

J. AIR EMISSION STANDARDS [6 NYCRR 373-2.9(j)]

1. The Permittee must manage all hazardous wastes in containers authorized by this Permit in accordance with 6 NYCRR 373-2.28 and 373-2.29 of the regulations and **Schedule 1 of Module I** of this Permit.

K. OTHER REQUIREMENTS

1. Independent Secondary Containment Assessment of Container Storage Areas: The Permittee of a container storage area that requires secondary containment pursuant to this Permit must conduct an independent assessment of each secondary containment area. The independent secondary containment assessment must be conducted triennially for indoor areas not exposed to the weather and annually for all other areas, unless otherwise specified in **Schedule 1 of Module I**. The assessment must identify any deficiencies in each containment area including, but not limited to, cracks, gaps or other defects that would inhibit the ability of the containment system to contain leaks or spills of containerized liquids, in accordance with the requirements of 6 NYCRR 373-2.9(f)(1). The assessment must be performed by an independent, qualified Professional Engineer licensed in New York State or a qualified inspector working under the Professional Engineer. All containers, equipment and miscellaneous debris must be removed so that all surfaces of the containment system are completely exposed for inspection. Any defects identified during the assessment must be documented in an assessment report. Once any defects have been repaired, the secondary containment area(s) must be re-inspected by the engineer/inspector to evaluate the adequacy of the repairs and to confirm that the secondary containment area(s) meets the requirements of 6 NYCRR 373-2.9(f)(1)(i) and **Condition F** of this Module. The assessment report must document the results of such re-inspections and confirm that the secondary containment area(s) meets the cited requirements. Copies of each assessment report must be retained by the Permittee in accordance with 6 NYCRR 373-1.6(a)(10) and made available for review upon Department request. The Permittee may also be required to submit the assessment report to the Department if so specified in **Schedule 1 of Module I**.

2. Precautions in Flammable & Oxidizer Waste Storage Areas: Machinery and equipment must not be permitted in flammable and oxidizer waste storage areas or any process area where a flammable atmosphere may exist unless it has been fitted with appropriate safeguard devices approved by Underwriters Laboratories (UL) to render the machinery/equipment intrinsically safe. Only non-sparking tools shall be used in these storage areas.

3 BROAD STREET

BINGHAMTON, NY 13902

EPA ID. No:
NYD049253719

DEC Permit No: 7-0302-00068/00011

6 NYCRR Part 373
FINAL PERMIT
ATTACHMENT I

WASTE ANALYSIS PLAN

2012

Attachment I
WASTE CHARACTERISTICS

This section describes the chemical and physical properties of the hazardous wastes stored at the facility, and the Waste Analysis Plan, which is used to assure that sufficient information is available for the proper handling and storage of the wastes.

C.1 CHEMICAL AND PHYSICAL ANALYSES
[40 CFR 270.14(b)(2), 264.13(a), 266.102(a)(2)(ii), 266.102(b)]
[6 NYCRR 373-1.5(a)(2)(ii), 373-2.2(e)(l)]

The hazardous wastes stored at the Nexeo Solutions, LLC (Nexeo) facility in Binghamton, New York, are listed in the Part A application form (Section A of this permit) and in Table C-1 below. This facility stores wastes which are generated either on-site or off-site in containers. This facility stores only off-site generator generated wastes which have been pre-qualified for acceptance by a third party (non-Nexeo) permitted treatment, storage, or disposal facility (TSDF), or reclamation firm. Each off-site generated waste stream is profiled or characterized for its specific chemical and physical properties both by the generator and the permitted TSDF or reclamation facility.

Containerized hazardous wastes accepted by the Binghamton facility for storage are tested and pre-approved for acceptance by a permitted treatment, storage, disposal, or reclamation facility prior to waste pick- up. The following wastes codes are permitted for storage at the facility:

TABLE C-1

HAZARDOUS WASTE
STORAGE
3 Broad Street, Binghamton, New York

Waste Nos.	Characteristic, Chemical Name and/or Description
D00l	Ignitable
D002	Corrosive
D003	Reactive
D004	Arsenic
D005	Barium
D006	Cadmium

Waste Nos.	Characteristic, Chemical Name and/or Description
D007	Chromium
D008	Lead
D009	Mercury
D010	Selenium
D011	Silver
D012	Endrin
D013	Lindane
D014	Methoxychlor
D015	Toxaphene
D016	2,4-D
D017	2,4,5-TP (Silvex)
D018	Benzene
D019	Carbon tetrachloride
D020	Chlordane
D021	Chlorobenzene
D022	Chloroform
D023	o-cresol
D024	m-cresol
D025	p-cresol
D026	Cresol
D027	1,4-Dichlorobenzene
D028	1,2-Dichloroethane (I)
D029	1,1-Dichloroethylene (I)
D030	2,4-Dinitrotoluene
D031	Heptachlor (and its epoxide)
D032	Hexachlorobenzene
D033	Hexachlorobutadiene
D034	Hexachloroethane

Waste Nos.	Characteristic, Chemical Name and/or Description
D035	Methyl Ethyl Ketone (I)
D036	Nitrobenzene
D037	Pentachlorophenol
D038	Pyridine
D039	Tetrachloroethylene
D040	Trichloroethylene
D041	2,4,5-Trichlorophenol
D042	2,4,6-Trichlorophenol
D043	Vinyl chloride (I)
F001	The following spent halogenated solvents used in degreasing: Tetrachloroethylene, trichloroethylene, methylene chloride, 1,1,1-trichloroethane, carbon tetrachloride, and chlorinated fluorocarbons; all spent solvent mixtures/blends used in degreasing containing, before use, a total of ten percent or more (by volume) of one or more of the above halogenated solvents or those solvents listed in F002, F004, and F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures
F002	The following spent halogenated solvents: Tetrachloroethylene, methylene chloride, trichloroethylene, 1,1,1-trichloroethane, chlorobenzene, 1,1,2-trichloro-1,2,2-trifluoroethane, ortho-dichlorobenzene, trichlorofluoromethane, and 1,1,2-trichloroethane; all spent solvent mixtures/blends containing, before use, a total of ten percent or more (by volume) of one or more of the above halogenated solvents or those listed in F001, F004, or F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures
F003	The following spent non-halogenated solvents: Xylene, acetone, ethyl acetate, ethyl benzene, ethyl ether, methyl isobutyl ketone, n-butyl alcohol, cyclohexanone, and methanol; all spent solvent mixtures/blends containing, before use, only the above spent non-halogenated solvents; and all spent solvent mixtures/blends containing, before use, one or more of the above non-halogenated solvents, and, a total of ten percent or more (by volume) of one or more of those solvents listed in F001, F002, F004, and F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures
F004	The following spent non-halogenated solvents: Cresols and cresylic acid, and nitrobenzene; all spent solvent mixtures/blends containing, before use, a total of ten percent or more (by volume) of one or more of the above non-halogenated solvents or those solvents listed in F001, F002, and F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures

Waste Nos.	Characteristic, Chemical Name and/or Description
F005	The following spent non-halogenated solvents: Toluene, methyl ethyl ketone, carbon disulfide, isobutanol, pyridine, benzene, 2-ethoxyethanol, and 2-nitropropane; all spent solvent mixtures/blends containing, before use, a total of ten percent or more (by volume) of one or more of the above non-halogenated solvents or those solvents listed in F001, F002, or F004; and still bottoms from the recovery of these spent solvents and spent solvent mixtures
F006	Wastewater treatment sludges from electroplating operations except from the following processes: (1) Sulfuric acid anodizing of aluminum; (2) tin plating on carbon steel; (3) zinc plating (segregated basis) on carbon steel; (4) aluminum or zinc-aluminum plating on carbon steel; (5) cleaning/stripping associated with tin, zinc and aluminum plating on carbon steel; and (6) chemical etching and milling of aluminum
F007	Spent cyanide plating bath solutions from electroplating operations
F008	Plating bath residues from the bottom of plating baths from electroplating operations where cyanides are used in the process.
F009	Spent stripping and cleaning bath solutions from electroplating operations where cyanides are used in the process
F010	Quenching bath residues from oil baths from metal heat treating operations where cyanides are used in the process
F011	Spent cyanide solutions from salt bath pot cleaning from metal heat treating operations
F012	Quenching waste water treatment sludges from metal heat treating operations where cyanides are used in the process
F019	Wastewater treatment sludges from the chemical conversion coating of aluminum except from zirconium phosphating in aluminum can washing when such phosphating is an exclusive conversion coating process. Wastewater treatment sludges from the manufacturing of motor vehicles using a zinc phosphating process will not be subject to this listing at the point of generation if the wastes are not placed outside on the land prior to shipment to a landfill for disposal and are either: disposed in a Subtitle D municipal or industrial landfill unit that is equipped with a single clay liner and is permitted, licensed or otherwise authorized by the state; or disposed in a landfill unit subject to, or otherwise meeting, the landfill requirements in 40 CFR 258.40, §264.301 or §265.301. For the purposes of this listing, motor vehicle manufacturing is defined in paragraph (b)(4)(i) of this section and (b)(4)(ii) of this section describes the recordkeeping requirements for motor vehicle manufacturing facilities
F024	Process wastes, including but not limited to, distillation residues, heavy ends, tars, and reactor clean-out wastes, from the production of certain chlorinated aliphatic hydrocarbons by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution. (This listing does not include wastewaters, wastewater treatment sludges, spent catalysts, and wastes listed in 40 CFR 261.31 or §261.32.)

Waste Nos.	Characteristic, Chemical Name and/or Description
F025	Condensed light ends, spent filters and filter aids, and spent desiccant wastes from the production of certain chlorinated aliphatic hydrocarbons, by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution
F028	Residues resulting from the incineration or thermal treatment of soil contaminated with EPA hazardous waste nos. F020, F021, F022, F023, F026, F027.
F032	Wastewaters, process residuals, preservative drippage, and spent formulations from wood preserving processes generated at plants that currently use, or have previously used chlorophenolic formulations [except potentially cross-contaminated wastes that have had the F032 waste codes deleted in accordance with Section 261.35 (i.e., the newly promulgated equipment cleaning of replacement standards) and where the generator does not resume or initiate use of chlorophenolic formulations].
F034	Wastewaters (except those that have not come into contact with process contaminants), process residuals, preservative drippage, and spent formulations from wood preserving processes generated at plants that use creosote formulations. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote and/or pentachlorophenol
F035	Wastewaters (except those that have not come into contact with process contaminants), process residuals, preservative drippage, and spent formulations from wood preserving processes generated at plants that use inorganic preservatives containing arsenic or chromium. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote and/or pentachlorophenol
F037	Petroleum refinery primary oil/water/solids separation sludge—Any sludge generated from the gravitational separation of oil/water/solids during the storage or treatment of process wastewaters and oily cooling wastewaters from petroleum refineries.
F038	Petroleum refinery secondary (emulsified) oil/water/solids separation sludge—Any sludge and/or float generated from the physical and/or chemical separation of oil/water/solids in process wastewaters and oily cooling wastewaters from petroleum refineries.
F039	Leachate resulting from the treatment, storage, or disposal of wastes classified by more than one waste code under Subpart D, or from a mixture of wastes classified under Subparts C and D of this part.
K001	Bottom sediment sludge from the treatment of -wastewaters from wood preserving processes that use creosote and/or pentachlorophenol
K002	Wastewater treatment sludge from the production of chrome yellow and orange pigments.
K003	Wastewater treatment sludge from the production of molybdate orange pigments.

Waste Nos.	Characteristic, Chemical Name and/or Description
K004	Wastewater treatment sludge from the production of zinc yellow pigments
K005	Wastewater treatment sludge from the production of chrome green pigments
K006	Wastewater treatment sludge from the production of chrome oxide green pigments
K007	Wastewater treatment sludge from the production of iron blue pigments.
K008	Oven residue from the production of chrome oxide green pigments.
K009	Distillation bottoms from the production of acetaldehyde from ethylene.
K010	Distillation side cuts from the production of acetaldehyde from ethylene.
K011	Bottom stream from the wastewater stripper in the production of acrylonitrile.
K013	Bottom stream from the acetonitrile column in the production of acrylonitrile.
K014	Bottoms from the acetonitrile purification column in the production of acrylonitrile.
K015	Still bottoms from the distillation of benzyl chloride.
K016	Heavy ends or distillation residues from the production of carbon tetrachloride.
K017	Heavy ends (still bottoms) from the purification column in the production of epichlorohydrin.
K018	Heavy ends from the fractionation column in ethyl chloride production.
K019	Heavy ends from the distillation of ethylene dichloride in ethylene dichloride
K020	Heavy ends from the distillation of vinyl chloride chloride monomer production.
K021	Aqueous spent antimony catalyst waste from fluoromethanes production.
K022	Distillation bottom tars from the production of phenol/acetone from cumene.
K023	Distillation light ends from the production of phthalic anhydride from naphthalene.
K024	Distillation bottoms from the production of phthalic anhydride from naphthalene.
K025	Distillation bottoms from the production of nitrobenzene by the nitration of benzene.
K026	Stripping still tails from the production of methyl ethyl pyridines.
K028	Spent catalyst from the hydrochlorinator reactor in the production of 1.1.1-trichloroethane.
K029	Waste from the product stream stripper in the production of 1.1.1-trichloroethane.

Waste Nos.	Characteristic, Chemical Name and/or Description
K030	Column bottoms or heavy ends from the combined production of trichloroethylene and perchloroethylene.
K031	By-product salt generated in the production of MSMA and cacodylic acid.
K032	Wastewater treatment sludge from the production of chlordane.
K033	Wastewater and scrub water from the chlorination of cydopentadiene in the production of chlordane.
K034	Filter solids from the filtration of hexachlorocyclopentadiene in the production of chlordane.
K035	Wastewater treatment sludges generated in the production of creosote.
K036	Still bottoms from toluene reclamation distillation in the production of disulfoton.
K037	Wastewater treatment sludges from the production of disulfoton.
K038	Wastewater from the washing and stripping of phorate production.
K039	Filter cake from the filtration of diethylphosphorodithioic acid in the production of phorate.
K040	Wastewater treatment sludge from the production of phorate.
K041	Wastewater treatment sludge from the production of toxaphene.
K042	Heavy ends or distillation residues from the distillation of tetrachlorobenzene in the production of 2,4,5-T.
K043	'2,6-Dichlorophenol waste from the production of '2.4-D.
K044	Wastewater treatment sludges from the manufacturing and processing of explosives
K045	Spent carbon from the treatment of wastewater containing explosives
K046	Wastewater treatment sludges from the manufacturing, formulation and loading of lead-based initiating compounds.
K047	Pink/red water from TNT operation
K048	Dissolved air flotation (DAF) float from the petroleum refining industry.
K049	Slop oil emulsion solids from the petroleum refining industry.
K050	Heat exchanger bundle cleaning sludge from the petroleum refining industry.
K051	API separator sludge from the petroleum refining industry.
K052	Tank bottoms (leaded) from the petroleum refining industry.
K060	Ammonia still lime sludge from coking operations.
K061	Emission control dust/sludge from the primary production of steel in electric furnaces.

Waste Nos.	Characteristic, Chemical Name and/or Description
K062	Spent pickle liquor generated by steel finishing operations of facilities within the iron and steel industry (SIC Code 331 and 332).
K064	Acid plant blowdown slurry/sludge resulting from the thickening of blowdown slurry copper production.
K065	Surface impoundment solids contained in and dredged from surface impoundments at primary lead smelting facilities.
K066	Sludge from treatment of process wastewater and/or acid plant blowdown from primary zinc production.
K071	Brine purification muds from the mercury cell process in chlorine production, where separately prepurified brine is not used.
K073	Chlorinated hydrocarbon waste from the steps of the diaphragm cell process using graphite anodes in chlorine production.
K083	Distillation bottoms from aniline production.
K084	Wastewater treatment sludge generated during the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.
K085	Distillation or fractionation column bottoms from the production of chlorobenzene.
K086	Solvent washes and sludges, caustic washes and sludges, or water washes and sludges from cleaning tubs and equipment used in the formulation of ink from pigments, driers, soaps, and stabilizers containing chromium and lead
K087	Decanter tank: tar sludge from coking operations.
K088	Spent potliners from primary aluminum reduction.
K090	Emission control dust or sludge from ferrochromium-silicon production.
K093	Distillation light ends from the production of phthalic anhydride from ortho-xylene.
K095	Distillation bottoms from the production of 1.1.1-t.richloroethane.
K096	Heavy ends from the heavy ends column from the production of 1.1.1-trichloroethane.
K097	Vacuum stripper discharge from the chlordane chlorinator in the production of chlordane.
K098	Untreated process wastewater from the production of toxaphene.

Waste Nos.	Characteristic, Chemical Name and/or Description
K099	Untreated wastewater from the production of 2,4-D.
K100	Waste leaching solution from acid leaching of emission control dust/sludge from secondary lead smelting.
K101	Distillation tar residue from the distillation of aniline-based compounds in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.
K102	Residue from the use of activated carbon for decolorization in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.
K103	Process residues from aniline extraction from the production of aniline.
K104	Combined wastewater streams generated from nitrobenzene/aniline productions.
K105	Separated aqueous stream from the reactor product washing step in the production of chlorobenzenes
K111	Product washwaters from the production of dinitrotoluene via nitration of toluene
K112	Reaction by-product water from the drying column in the production of toluenediamine via hydrogenation of dinitrotoluene
K113	Condensed liquid light ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.
K114	Vicinals from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.
K115	Heavy ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.
K116	Organic condensate from the solvent recovery column in the production of toluene diisocyanate via phosgenation of toluenediamine.
K117	Wastewater from the reactor vent gas scrubber in the production of ethylene dibromide via bromination of ethene.
K118	6pent adsorbent solids from purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.
K123	Process wastewater (including supernates, filtrates, and washwaters) from the production of ethylenebisdithiocarbamic acid and its salt
K124	Reactor vent scrubber water from the production of ethylenebisdithiocarbamic acid and its salts
K125	Filtration, evaporation, and centrifugation solids from the production of ethylenebisdithiocarbamic acid and its salts
K126	Baghouse dust and floor sweepings in milling and packaging operations from the production or formulation of ethylenebisdithiocarbamic acid and its salts

Waste Nos.	Characteristic, Chemical Name and/or Description
K131	Wastewater from the reactor and spent sulfuric acid from the acid dryer from the production of methyl bromide.
K132	Spent absorbent and wastewater separator solids from the production of methyl bromide
K136	Still bottoms from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.
P001	Warfarin (>0.3%)
P002	Actyl-2-thiourea
P003	Acrolein [I]
P004	Aldrin
P005	Allyl Alcohol [I]
P006	Aluminum phosphide [R,T]
P007	5-(Aminomethy)-3-isoxazolol
P008	4-Aminopyridine
P009	Ammonium picrate, phenol, 2,4,6-trinitro, ammonium salt [R]
P010	Arsenic Acid
P011	Arsenic Pentoxide
P012	Arsenic Trioxide
P013	Barium Cyanide
P014	Thiophenol [I]
P015	Beryllium Dust
P016	Dichloromethyl Ether [I]
P017	Bromoacetone
P018	Brucine
P019	2-Butanone Peroxide
P020	Dinoseb
P021	Calcium Cyanide
P022	Carbon Disulfide [I]
P023	Chloroacetyldehyde [WR]
P024	p-Chloroaniline

Waste Nos.	Characteristic, Chemical Name and/or Description
P026	1-(o-Chlorophenyl) Thiourea
P027	3-Chloropropionitrile
P028	Benzyl Chloride [WR]
P029	Copper Cyanide
P030	Cyanide, n.o.s.
P031	Cyanogen (in solution only)
P032	Cyanogen Bromide
P033	Cyanogen Chloride (in solution only)
P034	2-Cyclohexyi-4,6-Dinitrophenol
P036	Dichlorophenylarsine
P037	Dieldrin
P038	Diethylarsine
P039	Disulfoton
P040	0,0-Diethyl-0-pyrazinylphosphorothioate
P041	Diethyl-p-nitrophenylphosphate
P042	Epinephrine
P043	Diisopropylfluorophosphate
P044	Dimethoate
P045	Thiofanox
P046	1,1-Dimethylphenethylamine
P047	4,6-Dinitro-o-cresol Salts
P048	2,4-Dinitrophenol
P049	Dithiobiuret
P050	Endosulfan
P051	Endrin
P054	Aziridiue
P055	Ferric Cyanide
P056	Fluorine

Waste Nos.	Characteristic, Chemical Name and/or Description
P057	Fluoroacetamide
P058	Fluoroacetic Acid, Sodium Salt
P059	Heptachlor
P060	Isodrin
P062	Hexaethyl Tetraphosphate
P063	Hydrogen Cyanide (stabilized w/ water)
P064	Isocyanate Acid, Ethyl Ester [I,WR]
P065	Fulminic acid, mercury (2+) salt, Mercury fulminate [R,T]
P066	Methomyl
P067	2-Methyi-Aziridine [I]
P068	Methyl Hydrazine [I]
P069	2-Methylacetonitrile [WR]
P070	Aldicarb
P071	Methyl Parathion
P072	1-Napthyl-2-Thiourea
P073	Nickel Carbonyl [I]
P074	Nickel Cyanide
P075	Nicotine and Salts
P076	Nitric oxide, nitrogen oxide NO
P077	p-Nitroaniline
P078	Nitrogen dioxide, Nitrogen oxide NO_2
P081	1,2,3-Propanetriol, trinitrate, nitroglycerine [R]
P082	N-Nitrosodimethylamine
P084	N-Nitrosodimethylvinylamine
P085	Octomethylpyrophosphoramide
P087	Osmium Tetroxide
P088	Endothall
P089	Parathion

Waste Nos.	Characteristic, Chemical Name and/or Description
P092	Phenyl Mercuric Acetate [I]
P093	Phenyl Thiourea
P094	Phorate
P095	Carbonic dichloride, phosgene
P096	Hydrogen phosphide, phosphine
P097	Famphur
P098	Potassium Cyanide
P099	Potassium Silver Cyanide
P101	Propanenitrile [I]
P102	PropargylAlcohol (I]
P103	Selenourea
P104	Silver Cyanide
P105	Sodium Azide
P106	Sodium Cyanide
P107	Strontium sulfide
Pl08	Strychnine and Salts
P109	Tetraethyldithiopyrophosphate
P110	Tetraethyl Lead
P111	Tetraethylpyrophosphate
P112	Tetranirtomethane [R]
P113	Thallic Oxide
P114	Thallium Selenite
P115	Thallium (I) Sulfate
P116	Thiosemicarbize
P118	Trichloromethanethiol
P119	Ammonium Vanadate
Pl20	Vanadium Pentoxide
P121	Zinc Cyanide

Waste Nos.	Characteristic, Chemical Name and/or Description
P122	Zinc phosphide, Zn_3P_2, when present at concentrations greater than 10% [R,T]
Pl23	Toxaphene
Pl28	Mexacarbate
Pl85	Tirpate
Pl88	Physostigmine Salicylate
Pl89	Carbosulfan
Pl90	Metolcarb
Pl91	Dimetilan
Pl92	Lsolan
Pl94	Oxamyl
Pl96	Manganese Dimethyldithiocarbamate
P197	Formparanate
Pl98	Formetanate
Pl99	Methiocarb
P201	Promecarb
P202	m-Cumenyl Methylcarbamate
P203	Aldicarb Sulfone
P204	Pyhsostigmine
P205	Ziram
U001	Acetaldehyde [I]
U002	Acetone [I]
U003	Acetonitrile [I,T)
U004	Acetophenone
U006	Acetyl chloride [C,R,T]
U007	Acrylamide
U008	Acrylic Acid [I]
U009	Acrylonitrile
U010	Mitomycin C

Waste Nos.	Characteristic, Chemical Name and/or Description
U011	Amitrole
U012	Analine [I]
U014	Auramine
U015	Azaserine
U016	Benzo acridine
U017	Benzal Chloride
U018	Benz (a) anthracene
U019	Benzene [I,T]
U021	Benzidine
U022	Benzo (a) pyrene
U023	Benzene (trichloromethy)-, Benzotrichloride [C,R,T]
U024	bis (2-chloroethoxy) methane
U025	bis (2-chloroethyl) ether [I]
U026	Chloronaphthazine
U027	bis (2-Chloroisopropyl) ether
U028	bis (2-Ethylhexyl) phthalate
U029	Methyl Bromide
U030	4-Bromophenyl Phenyl Ether
U031	n-Butyl Alcohol [I]
U032	Calcium Chromate
U033	Carbon oxyfluoride [R,T], Carbonic difluoride
U034	Trichloroacetylaldehyde
U035	Chloroambucil
U036	Chlordane
U037	Chlorobenzene
U038	Chlorobenzilate
U039	Chloro-rn-cresol
U041	Epichlorohydrin [I]

Waste Nos.	Characteristic, Chemical Name and/or Description
U042	2-Chloroethyl Vinyl Ether [I]
U043	Vinyl Chloride [I, only in solution]
U044	Chloroform
U045	Methyl Chloride [I]
U047	2-Chloronaphthalene
U048	2-Chlorophenol
U049	4-Chloro-o-toluidine hydrochloride
U050	Chrysene
U051	Creosote
U052	Cresols
U053	Crotonaldehyde [I]
U054	Methyl Chloride [I, T]
U055	Cumene [I]
U056	Cyclohexane [I]
U057	Cyclohexanone [I]
U058	Cyclophosphamide
U059	Daunomycin
U060	DDD
U061	DDT
U062	Diallate
U063	Dibenz (a,h) anthracene
U064	Dibenz (a,i) pyrene
U067	1,2-Dibromoethane
U068	Dibromomethane
U069	Di-n-butyl phthalate
U070	o-Dichlorobenzene
U071	m-Dichlorobenzene
U072	p-Dicblorobenzene

Waste Nos.	Characteristic, Chemical Name and/or Description
U073	3,3'-Dicblorobenzidine
U074	1,4-Dicbloro-2-Butene [I,T]
U075	Dicblorodifluoromethane
U076	1,1-Dicbloroethane [I]
U077	1,2-Dicbloroethane [I]
U078	1,1-Dichloroethylene [I]
U079	1,2-Dichloroetbylene [I]
U080	Methylene Chloride
U081	2,4-Dichlorophenol
U082	2,6-Dichlorophenol
U083	1,2-Dichloropropane [I]
U084	1,3-Dichloropropane [I]
U085	1,2,3,4-Diepoxybutane [I,T]
U086	N,N'-Diethylhydrazine
U087	0,0-Diethyl S-methyldithiophosphate
U088	Diethyl Phthalate
U089	Diethyl Stilbestrol
U090	Dihydrosafrole
U091	3,3'-Dimethoxybenzidine
U092	Dimethylamine (solutions only) [I]
U093	p-Dimethylaminoazobenzene
U094	7,12-Dimethylbenz (a) anthracene
U095	3,3'-Dimethylbenzidine
U096	alpha, alpha-dimethylbenzylhydroperoxide
U097	Diemthylcarbamoyl Chloride
U098	1,1-Dimethyl Hydrazine [l]
U099	1,2-Dimethyl Hydrazine [I]
U101	2,4-Dimethylphenol

Waste Nos.	Characteristic, Chemical Name and/or Description
Ul02	Dimethyl Phthalate
U103	Dimethyl Sulfate
U104	2,4-Dinitrophenol
U105	2,4-Dinitrotoluene
U106	2,6-Dinitrotoluene
U107	Di-n-octyl phthalate
U108	1,4-Dioxane [I]
U109	1,2-Diphenylhydrazine
U110	Dipropylamine [I]
U111	Di-n-propylnitrosoamine
Ull2	Ethyl Acetate [I]
Ull3	Ethyl Acrylate (stabilized) [I]
Ull4	Ethylenebisdithiocarbamic Acid Salts
U115	Ethylene oxide, Oxirane [I,T]
Ull6	Ethylene Thiourea
U117	Ethyl Ether (inhibited) [I]
Ul18	Ethyl Methacrylate [I]
U119	Ethyl Methane Sulfonate
Ul20	Fluoranthene
U121	Trichloromonofluoromethane
U122	Formaldehyde (solutions only) [I]
U123	Formic Acid
U124	Furao (inhibited) [I]
U125	Furfural [I]
U126	Glycidylaldehyde
U127	Hexachlorobenzene
U128	Hexachlorobutadiene
U129	Lindane

Waste Nos.	Characteristic, Chemical Name and/or Description
U130	Hexachlorocyclopentadiene
Ul31	Hexachloroethane [R,T]
UI32	Hexachlorophene
U133	Hydrazine [R,T]
U134	Hydrogen Fluoride (solutions only)
U135	Hydrogen Sulfide (in solution only)
U136	Cacodylic Acid
U137	lndeno (1,2,3-c,d) pyrene
U138	Lodomethane
U140	Isobutyl Alcohol [I]
Ul41	Isosafrole
Ul42	Kepone
U143	Lasiocarpine
Ul44	Lead Acetate
U145	Lead Phosphate
U146	Lead Subacetate
Ul47	Maleic Anhydride
U148	Maleic Hydrazide
Ul49	Malononitrile
Ul50	Melphalan
U151	Mercury
Ul52	Methacrylonitrile (inhibited) [I]
Ul53	Methanethiol [I, T]
Ul54	Methanol [I]
U155	Methapyrilene
Ul56	Methyl Chlorocarbonate [I,T]
Ul57	3-Methyl Chloroanthrene
U158	4,4'-Methylene bis (2-chloroaniline)

Waste Nos.	Characteristic, Chemical Name and/or Description
U159	Methyl Ethyl Ketone [I]
U160	Methyl Ethyl Ketone Peroxide [R] (will be stored in 1 gallon containers double over packed in steel drums and stored in a temperature controlled storage area.)
U161	Methyl Isobutyl Ketone [I]
U162	Methyl Methacrylate (inhibited) [I]
U163	N-Methyl N'-nitro N-nitrosoguanidine
U164	Methylthiouracil
U165	Naphthalene
U166	1,4-Naphthoquinone
U167	1-Naphthylamine
U168	2-Naphthylamine
U169	Nitrobenzene
U170	p-Nitrophenol
U171	2-Nitropropane [I,T]
U172	N-Nitrosodi-n-butylamine
Ul73	N-Nitrosodiethanolamine
U174	N-Nitrosodiethylamine
U176	N-Nitroso-N-ethylurea
U177	N-Nitroso-N-methylurea
U178	N-Nitroso-N-methylurethane
Ul79	N-Nitrosopiperidine
U180	N-Nitrosopyrrolidine
U181	5-Nitro-o-toluidine
U182	Paraldehyde [I]
U183	Pentachlorobenzene
U184	Pentachloroethane
U185	Pentachloronitrobenzene
U186	1,3-Pentadiene [I]

Waste Nos.	Characteristic, Chemical Name and/or Description
U187	Phenacetic Acid
U188	Phenol
U189	Phosphorus sulfide, Sulfur phosphide [R]
U190	Phthalic Anhydride
U191	2-Picoline [I]
U192	Pronamide
U193	1,3-Propane Sultone
U194	n-Propylamine [I,R]
U196	Pyridine [I]
U197	p-Benzoquinone
U200	Reserpine
U201	Resorcinol
U202	Saccharin and Salts
U203	Safrole
U204	Selenium Dioxide
U205	Selenium Sulfide [R,T]
U206	Streptozotocin
U207	1,2,4,5-Tetrachlorobenzene
U208	1,1,1,2-Tetrachloroethane
U209	1,1,2,2-Tetrachloroethane
U210	Tetrachloroethylene
U211	Carbon Tetrachloride
U213	Tetrahydrofuran [I]
U214	Thallium (I) acetate
U215	Thallium (I) carbonate
U216	Thallium (I) chloride
U217	Thallium (I) nitrate
U218	Thioacetamide

Waste Nos.	Characteristic, Chemical Name and/or Description
U219	Thiourea
U220	Toluene [I]
U221	Toluenediamine
U222	o-Toluidine Hydrochloride
U223	Toluene Diisocyanate [T] [WR]
U225	Bromoform
U226	1,1,1-Trichloroethane
U227	1,1,2-Trichloroethane
U228	Trichloroethylene
U229	Trichlorfluromethane
U230	2,4,5-Trichlorophenol
U231	2,4,6 Trichlorophenol
U234	Benzene, 1,3,5-trinitro- [R,T]
U235	Tris-(2,3-Dibromopropyl)-phosphate
U236	Trypan Blue
U237	Uracil Mustard
U238	Urethane (Ethyl Carbamate)
U239	Xylenes [I]
U240	2,4-D and salts
U243	Hexachloropropylene
U244	Thiram
U246	Cyanogen Bromide
U247	Methoxychlor
U248	Warfarin
U249	Zinc Phosphide, <10% cone [WR]
U271	Benomyl
U278	Bendiocarb
U279	Carbaryl

Waste Nos.	Characteristic, Chemical Name and/or Description
U280	Barban
U328	o-Toluidine
U353	p-Toluidine
U359	2-Ethoxyethanol [I]
U364	Bendiocarb Phenol
U367	Carbofuran Phenol
U372	Carbendazim
U373	Propham
U387	Prosulfocarb
U389	Triallate
U394	A2213
U395	Diethylene Glycol, Dicarbamate
U404	Triethylamine
U409	Thiophanate-methyl
U410	Thiodicarb
U411	Propoxur

Footnotes: [I] Ignitable, [WR] Water Reactive, [R] Reactive, [C] Corrosive, [T] Toxic

Table C-1.1 shows where the various different types of waste are stored by waste number. Bay A is used to store water reactives, reactives (D003) (with the exception of cyanide and sulfides), organic peroxides, and oxidizers Bays B, C and G are used to store wastes that are flammable and exhibit the characteristic of ignitability, i.e. they have a flash point of less than 140° F. Bay D is used to store corrosives wastes with alkaline wastes stored on the office side of this bay and acids stored along the other wall of this bay (toward Bay E). Bay E is used to store non-ignitable and non-corrosive toxic wastes. This would include many of the U, P, K and F waste codes. Bays A, B, C, D, and E in Building 1 are all temperature controlled.

TABLE C-1.1
STORAGE LOCATIONS

Storage Area	Storage Capacity (Gallons)	Waste Description Lab packs, drummed liquids, solids & sludges	Hazardous Waste Codes
Bay A (Temp. controlled)	1,925	Water reactives, oxidizers, and organic or inorganic peroxides	D001, D003, P023, P028, P064, P069, P087, U096, U160, U223, U249
Bay B (Temp. controlled)	9,075	Ignitable Wastes- ignitable and non halogenated solvents, U and P wastes which exhibit ignitability and toxicity characteristic (TC) wastes	D001,D018,D028,D029,D035, D043, F003,F004, F005,P003, P005, P014, P016, P022, P064, P067, P068,P073,P092,Pl01, Pl02,U001,U002,U003,U008,U012, U019, U025, U031, U041- U043, U045, U053, U055- U057, U074, U076- U079, U083- U085, U092, U098, U099, U108, U110, Ul12, U113, U117, Ull8, U122, U124, U125, U140, U152- U154, U156, U159, U161, U162, U17l,U182, U186, U191, U194,U196,U213, U220, U239, U359 D003 (only aqueous cyanide and sulfide
Bay C (Temp. controlled)	1,595		
Bay D (Tem	8,745	Corrosive Wastes - D002 and TC wastes exhibiting corrosivity	D002, D004-D011, K062, K111, K124, K131, U123, U134
Storage Area	Storage Capacity (Gallons)	Waste Description Lab packs, drummed liquids, solids & sludges	Hazardous Waste Codes

Bay E (Temp. controlled)	11,330	Non-ignitable and Non-corrosive Wastes – halogenated and non halogenated toxic wastes, TC wastes, plating wastes, U and P wastes	F001, F002,F006,F007,F008,F009, F010, F011, F012, F019,F024,F025,F034,F035,F037,F038,D004- D017, D019-D027 ,D030-D034,D036-D042, K001- K011,K013-K026,K028-K043, K046, K048-K052,K060, K061, K064-K066, K071, K073,K083- K088, K090, K093, K095-K105, Kl12-Kll8,K123, K125, K126, K132, K136, ALL LISTED "P" CODES IN TABLE C-1 UNLESS IGNITABLE (see above) U004, U007, U009-U011,U014-U018, U021,U022, U024, U026-U030, U032,U034-U039, U044, U047-U052, U058-U064,U067-U073,U075, U080-U082, U086-U091,U093-U095,U097, U101- U107, U109, Ulll,U114,U116, U119-U121,U126- U132,U135-Ul38,Ul41-Ul51, U155, U157, U158, U163-U170,U172-U174, U176-U181, Ul83-U185, U187, U188,U190, U192,U193,Ul97, U200- U2ll,U214-U219,U221- U222, U225-U228, U235-U238, U240, U243, U244,U246-U249, U271, U278- U280, U328, U353,U364, U367, U372, U373, U387, U389, U394, U395, U404, U409- U411

Bay G	10,230	Ignitable Wastes	DOOl,D018,D028,D029,D035, D043, F003,F004, F005,P003,P005,POI4, P016, P022,P064,P067, P068,P073,P092,Pl01,Pl02, U001,U002,U003,U008,U012,U019, U025, U031, U041 - U043, U045, U053, U055- U057, U074, U076- U079, U083- U085, U092, U098, U099, U108, U110, U112, Ull3, U115,U117, Ull8, Ul22, U124, U125, U140, Ul52- U154, U156, Ul59, U161, U162, U171,U182, UI86, U191,

The Binghamton facility is not authorized to accept the following wastes:

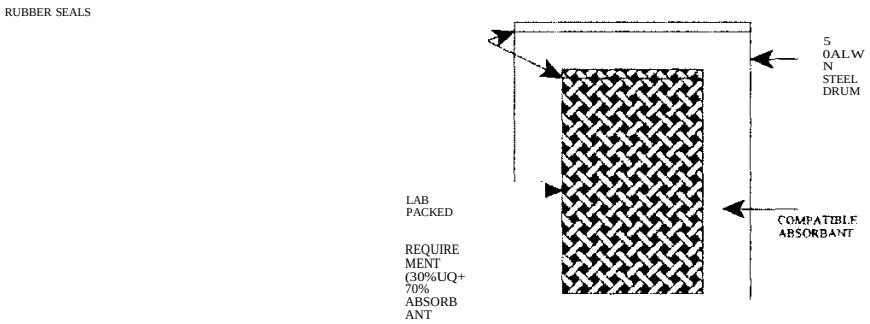
- Reactive wastes (D003) in bulk, except cyanide and sulfide wastes, (reactive wastes can be accepted as double overpacked lab packs)
- Water reactive wastes (except as double overpacked lab packs)
- Dioxin wastes and PCB's
- D003 wastes which have the property of 371.3(d)(l)(I), (vii) or (viii) DOT Division 1.1 through 1.6 explosive wastes
- Class 1A Flammable liquids in bulk
- Poison Gas Cylinders (P waste Codes) and poison gas/mixtures meeting USDOT Division 2.3 hazard zone A.
- Gas cylinders, except for aerosol cans and lecture bottles, which may be received in lab packs only

Limitation on quantity of Oxidizers:

4,000 lbs, double overpacked- Class I Oxidizers
1,000 lbs, double overpacked- Class II Oxidizers
200 lbs, double overpacked- Class III Oxidizers
10 lbs, double overpacked - Class IV Oxidizers

Class 1A flammable liquids can only be accepted as lab packs with inner containers less than 1
(one) gallon.

Example: [Double Overpacks - lab packed in a 30- gallon container as per DOT requirements and overpacked with absorbent in a 55-gallon drum.]



On-site Generated Wastes

On site generated wastes are derived from clean up, monitoring well waters (non-hazardous) and maintenance operations (paints, oils, thinners, etc). On site generated waste is profiled for acceptance by an off-site TSDF for disposal or treatment.

. . .

Off-site Generated Wastes

The Binghamton facility stores off-site wastes generated by various generators. As a matter of routine, such wastes are pre-approved for acceptance by a commercial (non-Nexeo) waste management facility.

The largest volume of off-site generated wastes are waste solvents and waste products containing spent solvents. These wastes include paint solvents, lacquer thinner, cleaning and degreasing solvents, waste paints and paint residues, printing inks, distillation bottoms, etc. These wastes are deemed hazardous due to ignitability and toxicity. Some of these wastes are hazardous due to presence of TC constituents.

Corrosives are the next largest volume of off-site wastes. These include spent paint strippers spent cleaning solutions, and other wastes which exhibit the characteristics of corrosivity. Some toxicity characteristic leaching procedure (TCLP) toxic metals may also be present in the corrosive wastes handled by the facility.

Nexeo also sells chemicals which are used for plating, metal treating, and mineral metals recovery. Spent wastes from our generators who use these chemicals represent a small volume of off-site wastes. Off-specification commercial chemical products also represent a small volume of off-site wastes.

A very thorough waste analysis system, described below, is used to identify each off-site waste stream, get it approved for disposal or reclamation, and assure that it is handled properly and disposed in the approved manner.

Step 1

The first step in the system involves obtaining specific chemical and physical data for each waste stream. Our off-site generator is required to provide this data in the form of a Waste Profile Sheet (WPS) for each waste stream. A sample WPS is included in Attachment C-1. The off-site generator provides known data relative to the physical, chemical, and RCRA hazardous characteristics of the waste on the WPS. The waste is identified by name, the process generating the waste, and RCRA hazardous waste codes.

In addition to the WPS the off-site generator also provides, as required by the final disposal facility, a representative sample, a material specification sheet, a MSDS, etc. for the profiled waste stream and its constituents.

Step 2

The second step involves verification of the generator's data and determination of the best available method for disposal or reclamation. A Nexeo Waste Management Specialist (WMS) reviews the customer's WPS for accuracy and completion. Most TSDFs sample the waste streams submitted for disposal to determine the best available method for disposal or reclamation. This sample may be taken prior to approval of the waste for disposal or when the waste shipment arrives. The TSDF laboratory analyzes the physical and chemical composition of the waste to both confirm the information provided by the generator and to determine the most efficient and effective method for the disposal or reclamation of the waste material.

Step 3

The third step is an acknowledgment by the waste management firm of the disposition of the waste. If they agree to accept the waste, an agreement is reached between Nexeo and the

TSDF which identifies, among other things, the approved waste stream by reference to the specific WPS, specifies the method of disposal or reclamation, and location of the TSDF to which the waste is to be sent.

Step 4

The final step of the waste approval process is the signing of a contract between Nexeo and the generator. The contract specifies that if the waste is found to be non-conforming upon delivery to the waste management facility, the generator shall be liable for all reasonable expenses and charges that may be incurred. A waste is non-conforming if it does not match the description on the WPS or if it has constituents not identified in the WPS which might increase the nature of the hazard or for which the disposal facility is not designed or permitted to manage.

C.1.a Waste Analysis

The off-site generator's waste streams are re-certified as often as necessary or as required by either this waste analysis plan or to meet the requirements of the receiving TSDF's Waste Analysis Plan. The generator is additionally required to re-certify his waste whenever the waste changes significantly and/or the process generating the waste has changed. The initial waste analysis performed shall be kept on file at the facility (receiving TSDF). If the waste code is changed at the facility, (receiving TSDF) a full waste analysis shall be performed by an Environmental Laboratory Approval Program (ELAP) certified laboratory. Nexeo shall submit a monthly exception report to the Regional Hazardous Materials Engineer listing all incidents involving such modifications of a waste code by the facility during the previous month. Based on the frequency and nature of such exceptions, the Department may require Nexeo to review its initial waste analysis procedures. If appropriate, such procedures may be modified.

TSDF Feedback

Nexeo shall request and obtain copies of all analytical tests performed by TSDFs on the hazardous wastes it sends to the TSDFs and shall maintain copies of such tests for a period of three years. In addition, Nexeo shall request and obtain copies of the QA/QC procedures followed in connection with such analytical tests.

If for any reason, Nexeo is unable to obtain copies of the test results requested from the TSDFs, Nexeo shall communicate such fact to the New York State Department of Environmental Conservation (NYSDEC) explaining the steps it has taken to secure such test results and the circumstances or reasons why the test results could not be obtained. Nexeo shall include copies of all correspondence relating to its efforts to secure such test results in its communication with the NYSDEC.

C.1.b Containerized Waste
[40 CFR 264.172, 270.15(b)(l), 6 NYCRR 373-1.5(b)(2)(1)]

Containers for hazardous wastes must be made of or lined with materials which will not react with, and are otherwise compatible with, the hazardous waste to be stored. Containers to be stored include portable containers that meet U. S. Department of Transportation (USDOT) requirements for the hazardous material in the container.

Hazardous waste containers are always kept closed during storage. Containers will not be opened, handled, or stored in a manner that may cause them to rupture or leak. If a container holding hazardous waste is not in good condition, or if it begins to leak, it will be placed in a compatible overpack drum that meets the USDOT specifications.

Incompatible wastes will not be placed in the same container. Only wastes that are compatible with each other will be stored within a specific bay in the curbed storage area. Wastes which may be stored at the facility are listed in Table C-1 and storage locations in Table C-1.1 of this
permit. These hazardous wastes may contain free liquids, however, each storage area is designed for containers with free liquids.

The hazardous waste labels on the containers specifically identify ignitable (D001), corrosive (D002), and potentially reactive (F006, F007, and cyanide-containing) wastes. Nexeo's personnel are trained to keep acids and caustics stored separately and to keep all cyanide-containing wastes separate from acids. Bulk cyanide wastes with a pH lower than 10 will not be accepted for storage at the facility. Also, inorganic corrosive wastes are kept separate from the waste solvents. Hazardous waste containers are stored on pallets. The pallets are adequately spaced for inspection and for access by forklift. Containers are stored with labels visible for inspection (refer to section D for additional information).

C.2 WASTE ANALYSIS PLAN
[40 CFR 270.14(b)(3), 264.13(b) and(c), 266.102(a)(2)(ii), 266.104(a)(2), 268.7]
[6 NYCRR373-1.5(a)(2)(iii), 373-2.2(e)(2) & (3)]

The waste analysis plan which is used to assure that sufficient information is available for the proper handling and storage of wastes is described below.

Nexeo assists its off-site generators in qualifying their hazardous waste streams for approval and acceptance at a selected commercial waste management or reclamation facility. The waste handling program was developed by Nexeo to ensure proper container management and involves joint agreements between Nexeo and various permitted TSDFs. Nexeo assists with pick-up and transportation of off-site generator containerized wastes for disposal or reclamation at a permitted TSDF.

Nexeo subsequently picks up and transports the off-site generators containerized wastes to the identified waste management facility. Containerized off-site generator wastes are stored

temporarily at the facility until such time as a truck load quantity is accumulated and can effectively and efficiently be transported to the receiving TSDF.

This Waste Analysis Plan for the Binghamton facility addresses three primary areas in detail:

1. Pre-acceptance Procedure
2. Pre-shipment Inspection
3. Incoming Waste Inspection

Pre-acceptance Procedure

The principal objectives of the pre-acceptance procedures are to identify the waste; qualify it for acceptance at a non-Nexeo treatment, disposal or reclamation site; and to prepare a contractual agreement with the off-site generator, Nexeo, and the waste management facility.

The off-site generator is required to provide detailed information about each waste stream on a WPS. An example of a WPS form is included in Attachment C-1. The WPS identifies the stream as a wastewater or non-wastewater for treatability group purposes. The off-site generator is required to complete a WPS for each waste stream generated.

The off-site generator, upon request, is required to provide a representative sample of the waste. It is the off-site generator's responsibility to ensure that the sample collected and submitted for disposal/reclamation is representative of the waste to be shipped to the receiving TSDF.

The off-site generator is required to supply additional information about wastes which are subject to land ban disposal restrictions. If the waste is restricted from land disposal as designated in 40 CFR 268 and 6 NYCRR Part 376 Land Disposal Restrictions (LDRs), the permitted TSDF will not accept the waste stream unless it is accompanied with one of the applicable notices below:

1. A notice from the generator to the treatment facility specifying the appropriate treatment standard.

2. A notice and certification by the generator stating whether the waste meets applicable treatment standards.

3. A notice from the generator stating that the waste is subject to a case-by-case extension, a petition, or nationwide variance.

An example of an LDR notification form is included in Attachment C-2.

The waste management firm confirms the information provided on the WPS by the generator. The waste management firm's laboratory may perform selected analyses on a

representative sample as may be necessary to confirm the appropriateness and cost of the specified method of disposal. If the waste stream is characteristic of the WPS and the waste management firm accepts the waste for disposal/reclamation, an agreement is reached between Nexeo and the waste management facility which identifies the approved waste stream by reference to the specific WPS, specifies the method of disposal or reclamation and the location of the disposal facility to which the waste will be sent.

After approval by the permitted TSDF, an agreement is signed between Nexeo and the off-site generator. The off-site generator is informed that RCRA regulations require a re-analysis whenever a waste is reasoned to be different than previously offered. The off-site generator is also informed that they are liable for costs, transportation, handling, and analysis if, upon arrival at the TSDF, the waste is not as listed on the WPS, manifest, or container labels. This procedure is applicable to each waste stream that an off-site generator offers.

Pre-shipment Inspection

Prior to scheduling a pick-up of off-site generator waste, the off-site generator file is checked to verify that the waste stream has been qualified for acceptance. At this time it is also verified if any waste streams are covered by land disposal restrictions. The off-site generator is required to complete forms which identify the wastes as restricted and confirm if the waste has been or must be treated to comply with applicable performance standards. These forms must accompany each shipment of the waste stream. The truck driver is given a pre-shipment inspection checklist (Attachment C-3) to help the driver in determining if the waste is properly packaged and labeled. At the time of pick-up from the off-site generator's plant, the driver will inspect and verify that the lot of waste is properly labeled and containers are all intact (i.e., the integrity of the containers is verified through a visual inspection), and that the required forms are included.

Incoming Waste Inspection and Analysis

A Nexeo representative will inspect all incoming shipments of waste. The representative will utilize the manifest accompanying the shipment and the driver's checklist to verify the following points:

- The drums are counted to verify the number shown on the manifest.
- The drums are inspected to ensure that they are physically sound, tightly closed, and are not bulging or showing evidence of any recent physical damage.
- The drum labels are checked against the waste manifest. The manifest is checked for the generator's signature and the proper DOT shipping data.
- The representative will confirm that land disposal notification forms have been

completed for wastes subject to these restrictions.

Any significant discrepancy between the shipment, the manifest, or the waste profile sheet will be noted in writing on the manifest. Nexeo will immediately contact the off-site generator representative listed on the WPS to reconcile any discrepancies. If a significant discrepancy cannot be reconciled with the off-site generator within fifteen (15) calendar days, the NYSDEC will be notified of our attempt to resolve the matter along with an explanation of the manifest discrepancy. Also, Nexeo will notify the department within 15 days if the pre-approved waste delivered by Nexeo is rejected by the treatment/disposal facility. All documents pertaining to such rejection of wastes and the actions taken by Nexeo will be maintained in the operating records of the facility as per 6 NYCRR 373-2.5(c)(2).

Once the Nexeo representative has verified the consistency of the manifest and shipment quantity, the integrity of each container, and the presence and accuracy of the labels and coding, the lot of waste is moved to the hazardous waste storage area. The representative will note the reactive properties of each lot of wastes as a basis for segregating the wastes. Plant personnel are trained to keep acids and caustics separate from each other and to keep cyanide wastes separate from acids. Incompatible wastes in adjacent bays are separated by a four-inch high curb and at least five feet of aisle space.

C.2.a Parameters and Rationale
[40 CFR 264.13(b)(l), 6 NYCRR 373-2.2(e)(2)(i)]

The most extensive analytical evaluations of wastes are conducted by the receiving facility's laboratory. The qualifying or confirmatory testing is done primarily for five reasons:

1. To confirm the accuracy of the information provided on the WPS;
2. To confirm the accuracy of the declared RCRA hazardous waste code (WPS);
3. To establish the most effective waste management alternative;
4. To establish the safest container/shipment handling methods; and
5. To establish potential land disposal restrictions for the waste.

C.2.b Sampling Methods
[40 CFR 264.13(b)(3), Part 266- Appendix IX, 6 NYCRR 373-2.2(e)(2)(iii)]

For Nexeo on-site generated waste, if a sample is required, a representative sample of the waste stream is obtained following the procedures outlined in U.S. EPA Publication, SW-846- Test Methods for Evaluating Solid Waste, Physical Chemical Methods, Third Edition, November 1986 or most recent update.

For off-site generator generated wastes, the sampling method used to obtain a representative sample is specified by the generator. Nexeo will not perform sampling of off-site generator

generated waste. . The off- site generator certifies that the sample offered is representative of the waste generated and in accordance with SW-846 Methods. From a sample collection standpoint the waste types are described as free flowing liquids, sludges, and solids. For free flowing liquids, representative samples are typically collected by using a Coliwasa (or equivalent) sampler, or dip tube. Representative samples of sludges and solids are typically collected by using a trier, scoop, hand auger, or equivalent.

Nexeo will direct the off-site generator to use SW-846 sampling methods required by the U.S. EPA. Nexeo will also inform the off-site generator that the analysis must only be conducted in New York State Department of Health (NYSDOH) ELAP approved laboratories and all samples must be accompanied by appropriate chain-of-custody documentation.

C.2.c Frequency of Waste Analyses [40 CFR 264.13(a)(3), 264.13(b)(4), 6 NYCRR 373-2.2(e)(2)(iv)]

C.2.c.1 Plant Generated Waste

If a plant generated material is determined to be a regulated hazardous waste, Nexeo applies knowledge of the hazard characteristics of the waste based on the materials and the processes used, each time a waste is generated.

C.2.c.2 Off-site Generator Generated Waste

Pre-Acceptance and Re-certification Analyses

The TSDF may require sampling and analysis of the waste stream prior to acceptance of the waste. In other cases, the waste shipment is sampled upon arrival at the TSDF.

Each waste stream will be re-certified according to TSDF permit conditions. Re-certification may be more frequent if the process generating the waste or the raw materials used in the process changes. The off-site generator is required to notify Nexeo of any change in either the process or raw materials.

The intent of this Waste Analysis Plan is to verify (or correct) information provided on the WPS or equivalent analytical report.

Disposal/Reclamation Facility Acceptance

The ultimate receiving TSDF/Reclamation facility will abide by its approved waste analysis plan for acceptance of wastes. In general, TSDF personnel identify containers for sampling, numbering no less than 10-percent of the aggregate shipment. The collected samples are immediately analyzed for comparison to the waste characteristics provided on the WPS and their own laboratory generated qualification analyses. The tests performed at the time of

delivery may include:

- Visual inspection
- Color
- Physical state (solid, liquid, sludge) Viscosity
- Layers (single, multi)
- pH
- Water mix (qualitative test for reactivity) Flash point

The results of these screening procedures confirm the identification of received wastes.

C.2.d Additional Requirements for Wastes Generated Off-site [40 CFR 264.13(b)(5) and(c), 264.73(b), 6 NYCRR 373-2.2(e)(2)(v) & (3)]

Each waste shipment is inspected as it is received at the facility as described in the Pre-Acceptance Procedures above. The hazardous waste manifest is checked for the generator's signature, the DOT shipping data, the identification of the waste, and the total quantity of the shipment. The containers are counted to verify the quantity on the manifest. The waste labels are checked to see that they are completely and correctly filled out and that they refer to the correct manifest. This procedure is documented in writing by using the Driver's Checklist found in Attachment C-3.

If there is a discrepancy between the waste shipment and the accompanying hazardous waste manifest, it is noted in writing on the waste manifest. If the discrepancy cannot be reconciled with the off-site generator within 15 days, the NYSDEC will be notified of Nexeo’s attempt to resolve the matter, and will be sent a copy of the manifest along with an explanation of the manifest discrepancy.

A RCRA Operating Log (Attachment C-4) is maintained for each waste shipment received at the facility. The description and quantity of each hazardous waste received are recorded. Each off- site generator manifest number is recorded on the log. Waste analysis and other re-certification documentation are kept in an off-site generator file onsite.

C.2.e Additional Requirements for Ignitable, Reactive, or Incompatible Wastes [40 CFR 264.13(b)(6), 264.17, 6 NYCRR 373-2.2(e)(2)(vi)]

Hazardous waste containers are stored in an area which is protected from accidental ignition sources. Smoking is not permitted in the plant and "No Smoking" signs are conspicuously posted.

The waste storage area satisfies RCRA requirements for storage of flammable and combustible liquids.

Containers of hazardous wastes that are reactive with each other are segregated by placing

them in separate storage bays in the waste storage area. The waste containers in adjacent bays are separated by a four inch high curb and at least five feet of aisle space. The basis for segregating the wastes are the known properties of the waste and the process from which they come. This is supplemented by the data which is supplied by the generator on the WPS. This is confirmed by the pre-acceptance procedure.

No mixing of off-site generated hazardous wastes from different generators or different waste streams, or opening of off-site generated waste containers is done by this facility. Incompatible onsite generated wastes are not mixed or placed in the same container. Self-reactive wastes are not stored at this facility. Organic peroxide/formulation wastes with self accelerated decomposition temperature (SADT), as determined in accordance with 49 CFR 173.21, below ambient temperature will not be accepted at the facility.

C.3 WASTE ANALYSIS REQUIREMENTS PERTAINING TO LAND DISPOSAL RESTRICTIONS
[40 CFR 262.10, 262.11, 264.13, 264.73, 266.102(a)(2)(ii), Part 268, 270.14(b)(3)]

Waste that is restricted from land disposal will not be accepted for storage unless it is accompanied by one of the applicable notices, an example of which is shown in Attachment C-2.

C.4 WASTE ANALYSIS
[40 CFR 261.21 THROUGH 261.24, 264.13()(1), 268.1, 268.7, 268.9, 268.32 THROUGH 268.37, 268.41 THROUGH 268.43]

The hazardous wastes stored at this facility are listed in Table C-1. The facility stores wastes that are generated off-site and wastes that are generated onsite. Wastes are accepted for storage only after they are pre-qualified for acceptance by a permitted TSDF. Each waste stream is profiled or characterized for its specific chemical or physical properties. This information is provided by the generator. A copy of the WPS is included in Attachment C-1.

C.4.a.1 <u>Spent Solvent and Dioxin Wastes</u>
[40 CFR 264.13(a)(1), 268.2(F)(1), 268.7, 268.30, 268.31}

F001 to F005 spent solvent wastes which are restricted from land disposal are identified by the generator during the pre-acceptance process, and the information is confirmed by the ultimate TSDF. These wastes are accompanied by the proper LDR notification form which indicates treatment standards. A typical LDR notification form is included in Attachment C-2.

Containers are marked with the initial date of storage, and may not be stored at the facility for more than one year. Nexeo will not accept any dioxin or PCB wastes for storage at the facility.

C.4.a.2 California List Wastes
[40 CFR 264.13(a)(1), 268.7, 268.32, 268.42(a), RCRA Section 3004(d))

California List wastes, as defined in 40 CFR 268.32, are identified by the generator, confirmed by the ultimate TSDF, and are accompanied by the proper LDR notification form. A typical LDR form is included in Attachment C-2.

C.4.a.3 Listed Wastes
[40 CFR 264.13(a)(l), 268.7, 268.33, 268.34, 268.35, 268.36, 268.41, 268.42, 268.43]

Listed wastes are identified by the generator and confirmed by the ultimate TSDF, and are accompanied by the proper LDR notification form.

C.4.a.4 Characteristic Wastes
[40 CFR 261.3(d)(1), 264.13(a)(l), 268.7, 268.9, 268.37, Part 268 - Appendix I, Part 268 -Appendix IX]

Characteristic wastes are identified by the generator and confirmed by the ultimate TSDF, and are accompanied by the proper LDR notification form.

C.4.a.5 Radioactive Mixed Waste
[40 CFR 268.7, 268.35(c), 268.35(d), 268.36, 268.42(d)]

Radioactive wastes are not accepted at this facility.

C.4.a.6 Leachates
[40 CFR 260.10, 268.35(a)]

Not applicable to this facility, as all wastes are stored only for disposal at an outside approved TSDF.

C.4.a.7 Lab Packs
[40 CFR 268.7(a)(7), 268.7(a)(8), 268.42(c), Part 268- Appendix IV, Part 268 - Appendix V]

Nexeo will ensure that the lab packs accepted for storage are packed in accordance with USDOT requirements and in compliance with LDR. Nexeo's representatives will oversee the packaging of lab packs by the generators. Additionally Nexeo's representatives will inspect the contents of lab pack containers that are prepared without their oversight prior to transportation to ensure that they are packaged in accordance with USDOT and LDR requirements.

No treatment or disposal of lab packs takes place at the facility. Any lab packs accepted by the facility for storage must be accompanied by an inventory sheet which lists each container, size of container, and identification of the contents of each container. Any wastes within the lab pack which are restricted from land disposal, must be accompanied by the proper LDR notification form.

C.4.a.8 Contaminated Debris
[40 CFR 268.2(g), 268.7, 268.9, 268.36, 268.45, 270.13(n)]

Hazardous debris accepted by this facility for storage will be containerized and will be stored as hazardous waste under the requirements of the 6 NYCRR Part 373 hazardous waste storage permit. Hazardous debris which contains contaminants which are restricted from land disposal must be accompanied by the proper LDR notification form.

C.4.a.9 Waste Mixtures and Wastes with Overlapping Requirements
[40 CFR 264.13(a), 268.7, 268.4l(b), 268.43(b), 268.45(a)]

Waste mixtures and wastes carrying multiple waste codes must be characterized and compositions identified by the generator on a WPS before the material will be accepted for storage by this facility. Applicable LDR notification forms will accompany the material to the ultimate TSDF.

C.4.b Notification, Certification, and Recordkeeping Requirements
[40 CFR 264.73, 268.7, 268.9(d), 6 NYCRR 373-2.5(i)(2)(iii)]

Applicable LDR notifications and certifications from generators must accompany affected hazardous waste shipments to this storage facility. The proper documentation will be reviewed by personnel prior to accepting the waste for storage.

C.4.b.1 Retention of Generator Notices and Certifications
[40 CFR 268.7(a)]

Hazardous wastes that are subject to land disposal restrictions must have notices and certifications, submitted by the original generator of the waste. These notices will be reviewed by Nexeo and retained in the facility's files.

C.4.b.2 Notification and Certification Requirements for Treatment Facilities
[40CFR 268.7(b)]

This facility is not a treatment facility.
This facility is not a treatment facility.

C.4.b.3 Notification and Certification Requirements for Land Disposal Facilities
[40 CFR 268.7(c)(1)]

This facility is not a land disposal facility.

C.4.b.4 Wastes Shipped to Subtitle C Facilities [40 CFR 268.7(a), 268.7(b)(6)]

All restricted waste accepted at this facility for storage will be shipped off-site to a Subtitle C hazardous waste TSDF. When such waste is shipped, Nexeo will submit notifications and certifications in compliance with the notice and certification requirements applicable to generators under 40 CFR 268.7(a). Each shipment of waste that is transported off-site to a RCRA permitted Subtitle C TSDF will include a written notification and certification that the waste either meets or does not meet applicable standards or prohibition levels.

C.4.b.5 Wastes Shipped to Subtitle D Facilities [40 CFR 268.7(d), 268.9(d)]

Not applicable, no waste or debris is treated at this facility to remove hazardous characteristics.

C.4.b.6 Recyclable Materials [40 CFR 268.7(b)(6)]

Not applicable, no wastes are used at this facility in a manner constituting disposal.

C.4.b.7 Recordkeeping [40 CFR 264.73, 268.7(a)(5), 268.7(a)(6), 268.7(a)(7), 268.7(d)]

On-site generated waste will be evaluated by process knowledge or by sample analyses to determine if it is subject to land disposal restrictions. If so, all data, including waste analysis data, will be retained by the facility as per 6 NYCRR 373-2.5(c)(2).

Waste which is received at the facility from off-site must be accompanied by the proper notifications and certifications by the generator. This documentation will be reviewed by Nexeo and will be maintained as part of the facility's files until closure of the facility, in accordance with the record keeping requirements of 40 CFR 264.73.

C.4.c Requirements Pertaining to the Storage of Restricted Wastes [40 CFR 268.50]

Hazardous wastes that are restricted from land disposal will be stored in containers in the permitted hazardous waste storage areas. Storage of restricted wastes will be for the sole purpose of accumulating sufficient quantities for efficient and economic shipment to permitted TSDFs. Restricted wastes will not be stored for longer than one year.

C.4.c.1 Restricted Wastes Stored in Containers [40 CFR 268.50(a)(2)(i)]

Containers of restricted wastes will be clearly marked to identify the contents, and to note the date in which accumulation begins.

C.4.c.2 Restricted Wastes Stored in Tanks [40 CFR 268.50{a)(2)(ii)]

No wastes are stored in tanks at this facility.

C.4.c.3 Storage of Liquid PCB Wastes [40 CFR 268.50(t)]

No liquid Polychlorinated Biphenyl (PCB) or PCB-containing wastes will be stored at this facility.

C.4.d Exemptions, Extensions, and Variances to Land Disposal Restrictions [40 CFR 268.4, 268.5, 268.6, 268.13(b)(6) and (7), 268.14, 268.44, 270.l4(b)(2l)]

No exemptions, extensions, or variances to land disposal restrictions are requested for this facility.

Transfer Waste Management Service

The facility offers a service to collect and manage various hazardous and non-hazardous wastes from its industrial and automotive customers. The waste is generated from a variety of processes and varies from customer to customer. These containerized wastes are managed at the facility under the 10-day storage exemption provided in 6 NYCRR Part 373, Section 373-l.1(d)(xv). At the facility, transfer wastes are stored in Building 4. Building 4 is designed and provided with fire suppression system in accordance with the design specifications of NFPA and Fire & Property Maintenance Code of New York State. *All* storage areas for transfer waste are secondarily contained and meet the storage area design requirements found in 6 NYCRR Part 373-2.9(f).

High hazard wastes including explosives, radioactives, pyrophorics, and infectious materials are not managed as transfer waste at the facility. Prior to acceptance of a waste for management in the transfer waste program, wastes are evaluated to establish a safe level of acceptance. This evaluation is performed using a waste profile sheet. The purpose of this review is to determine safe handling limits for all compounds entering the transfer facility. These transfer wastes are managed in accordance with the following guidelines:

a. The areas where the consolidation of loads takes place by moving containers from one transport vehicle to another or containers are removed from transport vehicles and stored prior to being reloaded are designed to meet the secondary containment requirements stipulated in 6NYCRR Part 373, Section 373-2.9(f).

b. The facility does not commingle wastes by repackaging, mixing or pumping from one container to another.

c. Transfer wastes are packaged in accordance with applicable USDOT regulations set forth in 49 CPR Parts 173, 178 and 179.

d. Transfer wastes are classified and segregated in accordance with 49 CFR 173.2(a) and 177.848 for storage and management at the facility.

e. Lab packs will be packaged in accordance with 49 CFR 173.12(b) and the contents of lab pack containers that are packed by other than the facility personnel will be inspected prior to transport to the facility by the facility personnel to ensure that they are packaged in accordance with USDOT requirements.

f. Solid wastes will be managed in accordance with 6 NYCRR Part 360, Section 360-1.7(b)(7).

g. Transfer wastes (Hazardous wastes) are stored on site for a maximum of 10 days.

h. A current inventory of all transfer wastes on site will be maintained at all times.

i. Transfer waste containers will be inspected each operating day.

j. 10-Day transfer wastes trucks if parked overnight will be staged in designated areas.

k. Ignitable wastes and oxidizers will be managed in accordance with NFPA requirements and Fire & Property Maintenance Code of New York State.

l. Organic peroxides, water reactives, pyrophorics, unstable monomers, flammable metal powders, materials classified as DOT 6.1 zone A and strong oxidizers (example: NFPA Class 3 and 4) are not accepted for storage.

Because containers are never opened while in storage the potential for reactions between incompatible materials remains low. However, a risk does exist in the event of leaks from multiple adjacent containers. To reduce this hazard, containers are segregated according to the USDOT segregation rules for hazardous materials in transportation (see 49 CFR 177.848). Materials that are prohibited from storage together on a transport vehicle or

incompatible (example: cyanides and acids) are not stored together in the same room or area in the facility. Containers are stored on pallets to prevent possible contact with leaked material.

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BINGHAMTON NY 13902

EPA ID. No: NYD049253719

DEC Permit No: 7-0302-00068/00011

6 NYCRR Part 373

FINAL PERMIT ATTACHMENT II

INSPECTION PLAN

2012

Attachment II
INSPECTION PLAN

F.2 GENERAL INSPECTION REQUIREMENTS [6 NYCRR 373-1.5(a)(2)(v), 373-2.2(g)]

6 NYCRR Part 373-2.2(g) requires that the facility be routinely inspected for conditions that may cause or pose a threat to human health or the environment. To meet the regulatory requirement, the facility has a written inspection schedule. The inspection schedule identifies the types of problems to look for during the inspection. A copy of the inspection schedule is located in Attachment F-1.

Inspections are recorded on inspection log forms. These forms are kept for three years from the date of inspection. Deterioration or malfunctions revealed by an inspection are remedied before they lead to an environmental or human health hazard. These inspection log forms are included as Tables F-1, F-2 and F-3.

The inspection records include the following minimum information:

1. The date of the inspection
2. The time of the inspection
3. The name of the inspector
4. A notation of the observations made
5. The date and nature of any repairs or other remedial actions

F.2.a General Inspection Requirements [6 NYCRR 373-1.5(a)(2)(v), 373-2.2(g)(l) & (2), 373-2.3(d)]

The hazardous waste storage area is subject to the inspection requirements in the Part 373 permit. A schedule of required inspections is included in Attachment F-1.

Any deterioration or malfunction of equipment or structures which the inspection reveals will be remedied on a schedule which ensures that the problem does not lead to an environmental or human health hazard. Where a hazard is imminent or has already occurred, or results in noncompliance of any regulatory requirements or permit condition, remedial action will be taken immediately.

Records of the inspections will be kept in inspection log forms at the facility for at least three years from the date of the inspection. At a minimum, these records will include the date and time of inspection, the name of the inspector, notation of the observations made, and nature of any repairs or other remedial actions. These inspection forms are included as Tables F-1, F-2 and F-3.

F.2.a.1 Types of Problems
[6 NYCRR 373-2.2(g)(2)(iii)]

The types of problems to look for during each inspection are specified on the inspection log forms located in the included tables.

F.2.a.2 Frequency of Inspections
[6 NYCRR 373-2.2(g)(2)(iv)]

The frequency of each type of inspection is noted in the inspection schedule in Attachment F-1 and on each inspection log form.

F.2.b Specific Process Inspection Requirements
[6 NYCRR 373-1.5(a)(2)(v), 373-2.2(g)(2)(iv)]

Plant facilities are inspected routinely to ensure safe working conditions. Supervisors and workers are responsible for daily visual inspection of their work areas. The hazardous waste storage areas are inspected daily. The storage areas inspection log is attached. The inspection log identifies the potential problems that are to be looked for during inspection. Plant emergency and safety equipment are inspected monthly. These inspections are recorded in inspection logs. The monthly emergency equipment inspection logs are included in Table F-3.

In addition to monthly inspections of emergency and safety equipment, monthly safety meetings are conducted. Employees are trained in the use of emergency equipment such as fire extinguishers and breathing gear. Employees are trained in fire-fighting, dealing with spills, plant evacuation procedures, and hazardous waste regulations.

Plant security devices are inspected weekly. This includes the facility fence, all plant gates, and warning signs. The weekly inspection log is included as Table F-2 for the security devices. The log identifies the potential problems that are to be looked for during the inspection.

F.2.b.1 Container Inspection
[6 NYCRR 373-2.9(e)]

The hazardous waste container storage area is inspected daily. The storage area is checked for proper housekeeping. The area is inspected for general cleanliness and for proper placement and stacking of containers. Stacks are checked for damaged and leaking containers and damaged or broken pallets. The damaged or leaking container is placed in a recovery drum. Containers are inspected to see that they are in good condition, properly closed, and properly labeled. Drum labels are checked to ensure that incompatible wastes are not being stored in the same storage area.

The floor and curbs of the storage area are checked for cracks, wet spots, or erosion and damaged or spalled concrete. The daily inspection log is included as Table F-1.

Inspection of Secondary Containment:

As required in the NYSDEC TAGM 91-07 the secondary containment system will be inspected as follows:

The secondary containment system will be inspected once every three years by an independent NYS registered professional engineer, who is qualified to evaluate the condition of the concrete. All surfaces will be completely exposed where possible and inspected for cracks, failed joint filler, welding or sealant, differential settlement, and any other defects which may decrease the relative impermeability of the containment areas or reduce the effectiveness of collecting spilled waste or storm water. The engineer will prepare a detailed report which specifies the nature and content of the inspection, observations made, details of any defects found (including photographs, if needed to fully describe the defects) evaluate the adequacy of any repairs made, provide details of any remedial action taken (including methods, procedures, and material specifications) and certify that all repairs made in response to the inspections were made in accordance with descriptions contained within the report. The report will be submitted to NYSDEC.

F.2.c Inspection of Emergency Equipment

Emergency equipment is inspected monthly. The monthly inspection logs are attached as Table F-3. The absorbent materials, chemical neutralizers, first aid supplies and tools in the tool box will be inspected to ensure that there are sufficient quantities on hand and that they are in good condition to use. The air compressor, fan, forklifts and public address system will be inspected and tested to ensure their readiness during an emergency. The supply of disposable dust masks is checked to ensure that there is a sufficient quantity available and in good condition

All fire extinguishers are checked to make sure that seals are intact, that there is no damage to the hose or case and that the gauge registers full. Any damaged, empty or partially full fire extinguishers are replaced or recharged.

The plants sprinkler systems are checked annually by an outside contractor. Copies of the most recent annual inspection report and Nexeo follow up are maintained on file at the facility.

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All personal protective gear will be checked to ensure that there is an adequate supply. Damaged and dirty gear will be replaced or cleaned.

Following an emergency event which requires the use of the listed equipment, the equipment will be cleaned and readied for use again. All consumed materials will be replaced.

Equipment will be inspected and repaired as needed. The monthly inspection log will be used for the inspection.

F.2.d Inspection of Security Devices

Plant security devices are inspected weekly. The weekly inspection log is attached as Table F-2. The Plant is enclosed completely by a seven-foot high chain link security fence with three strands of barbed wire on top. The fence is checked for damage to the chain link or barbed wire.

Entrance to the plant is through a locked gate on Broad Street next to the office. There is also a locked gate on Bevier Street adjacent to Building #4 and railroad gate. These gates and locks are checked for signs of damage, corrosion, and to ensure that they are in working condition.

All the doors in the hazardous waste storage area are locked during non-working hours. The office doors are wired to a security alarm which in turn is wired to the local police. All doors are checked for working condition and signs of damage or corrosion. The security alarm is inspected to ensure that it is in working order.

Table F-1
DAILY CONTAINER STORAGE AREA INSPECTION LOG SHEET
Binghamton, NY

Inspector's Name _____
Date of Inspection _____(Month, Day, Year)
Time of Inspection _____

Item	Type of Potential Problem	Status (X)		Observation	Date & Type of Repairs/remedial Action
		Good	Not Good		
Container Placement and	Aisle space, height of stack				
Sealing Containers	Open lids				
Labeling Containers	Improper identification, Date				
Container Condition	Corrosion, leakage,				
Segregation of incompatible wastes	Storage of incompatible wastes in the same area or not storing wastes in designated storage				
Pallets	Damaged (e.g., Broken wood, warping, nails				
Warehouse Doors and locks	Corrosion, Damaged Doors, Sticking or				
Impervious coating/containment	Cracks, Spalling, Uneven Settlement, Erosion, Wet Spots				
Housekeeping in Area	Dirty Floors, Trash in Area				
Warning Sign	Readable, Damaged or Missing				
Yard Storm drain and Valve	Open/Closed, Functioning				
Loading/Unloading Areas	Cracks, impervious coating damaged, erosion, wet spots, containers not on pallets.				

TABLE F-2
WEEKLY SECURITY DEVICES INSPECTION LOG SHEET
Binghamton, NY

Inspector's Name _____
Date of inspection _____ (Month, Day, Year)
Time of Inspection _____

Item	Types of Potential Problems		Status (X)		Observations	Dates and Type of Repairs/ Remedia
			Good	Not Good		
Facility Fence	Corrosion, Damage to Chain Link Fence or Barbed Wire					
Main Entrance Broad Street	Corrosion, Damage to Chain Link Fence or Barbed Wire					
Lower Gate Broad Street	Corrosion, Damage to Chain Link Fence or Barbed Wire; Sticking or Corroding Lock					
Railroad Gate	Corrosion, Damage to Chain Link Fence or Barbed Wire; Sticking or Corroding Lock					
Container Storage Area Doors and Locks	Corrosion, Damage to Doors; Sticking or Corroding Lock					
Public Address System	BLDG 1					
	BLDG2					
	BLDG3					
	BLDG4					
	Yard					
Office Burglar Alarm	Out of Service, Damage					

TABLE F-3

MONTHLY INSPECTION EMERGENCY EQUIPMENT

Binghamton, NY

Inspector's Name _____
Date of inspection _____ (Month, Day, Year)
Time of Inspection _____

Item Inspected		Potential Problems	No.	Good	Not Good	Observation	Remedial Action
Sprinkler System	BLDG 1	Pressure Valve on	1				
	BLDG2	Pressure Valve on	2				
	BLDG3	Pressure Valve on	3				
	BLDG4	Pressure Valve on	4				
Personal Protection	Gloves	Qty, Condition, Access					
	Goggles	Qty, Condition, Access					
	Tyvek	Qty, Condition, Access					
Tools	Cart	Any missing					
	Wall	Any damaged					
	Fork	Any missing					
Public Address System	BLDG 1	Operational	1				
	BLDG2		2				
	BLDG3		3				
	BLDG4		4				
	Yard		Yard				
First Aid Kit	Office	All present and clean					
Safety Shower	BLDG 1	Working, Accessible					
Fire Extinguishers	BLDG 1	Seals intact, no damage, fully charged	1				
	BLDG2		2				
	BLDG3		3				
	BLDG4		4				

Air Compressors		Operational					
Fans		Operational					
Forklifts		Operational					
Neutralizers		Qty, Condition, Access					
Absorbent Materials		Qty, Condition, Access					
Respirators	Disposable Dust Mask Type	Qty, Condition, Access					

ATTACHMENT F-1

INSPECTION SCHEDULE

Binghamton, NY

Inspection	Frequency
Container Storage Area	Daily
Plant Security Devices	Weekly
Plant Emergency Equipment	Monthly

3 BROAD STREET

BINGHAMTON NY 13902

EPA ID. No:NYD049253719

DEC Permit No: 7-0302-00068/00011

6 NYCRR Part 373

FINAL PERMIT ATTACHMENT III

PERSONNEL TRAINING PLAN

2012

Attachment III
PERSONNEL TRAINING
[40 CFR 270.14(b)(12), 264.16; 6 NYCRR 373-1.5(a)(2)(xii), 373-2.2(h)]

H.1 OUTLINE OF THE TRAINING PROGRAM [40 CFR 264.16(a)(l); 6 NYCRR 373-1.5(a)(2)(xii)]

This section describes training for facility personnel who work with hazardous waste to ensure compliance with 6 NYCRR 373-1.5(a)(2)(xii) and 373-2.2(h). The training program is directed by personnel who have been trained in hazardous waste management procedures. The training program includes training on hazardous waste management procedures relevant to each position, initial instruction and annual retraining on the facility Contingency Plan. The training includes the plan's description of emergency procedures, equipment, and systems.

Nexeo has an active safety program which includes training required by the 6 NYCRR Part 373 Regulations and the Part 373 Permit. Each employee attends monthly safety meetings. In addition to the safety meetings, each employee is provided with a safety manual. The safety manual contains company safety regulations and provides basic instructions on how to handle the hazardous waste at the plant. Periodic training is provided to reinforce safety manual procedures and tests are given to ensure that the safety procedures are understood. The class room instruction that satisfies the regulatory requirement is based on the Resource Conservation and Recovery Act of 1976 (RCRA) audio-visual program.

Employees involved in handling hazardous waste and chemical products are required to take the following training prior to being allowed to handle hazardous waste:

1. Truck drivers and forklift operators must successfully complete training before being allowed to operate any unit.
2. Before hazardous waste and chemicals are handled, truck drivers must be knowledgeable with Federal Motor Carrier Safety Regulations to ensure compliance.
3. Handlers of hazardous waste and chemicals receive on the job training from the plant manager and experienced plant personnel. Part of the on-the job training includes instructions on properly preparing manifests, placarding drums, etc. for hazardous chemical products and wastes.
4. An audio-visual training program on RCRA is provided to truck drivers and plant personnel at the time they first enter the site.
5. Other audio-visual programs on safety
6. Procedures for use, inspection, repair, and replacement of facility emergency equipment, monitoring equipment and alarm system.
7. Requirements for action during fire, explosion or groundwater contamination incidents that include proper usage of fire extinguishers, employee protection, proper reporting procedures, etc.
8. Shutdown plan during a fire, explosions, power blackout pump failure, operational spillage, etc.
9. Clean-up procedures
10. All employees are required to repeat RCRA training annually.

An outline of the training program is included in Table H-1. Specific course content information is available upon request.

H.l.a Job Title/Job Description [40 CFR 264.16(d); 6 NYCRR 373-2.2(h)(4)(ii)]

Facility Manager/Compliance Supervisor/Plant Supervisor/Plant Lead/Designated Representative

These personnel are responsible for:

- directing the safe and efficient operation of the facility
- ensuring compliance with state and federal regulations governing hazardous waste
- operations at the facility overseeing the maintenance of vehicles and equipment
- training materials handlers/truck drivers in RCRA requirements and safety-related issues
- reviewing and signing hazardous waste paperwork
- assisting in determining correct placement of incoming waste
- rejecting waste shipments or activities not in compliance
- conducting inspections of the permitted waste storage areas
- reviewing samples and waste profile sheets
- coordinating the transportation of waste
- conducting required training for Customer Service Representatives

The minimum education requirement for this position is a B.S. degree.

Customer Service Representatives - Located on-site

Customer Service Representatives are responsible for:

- preparing and filing paper work involving hazardous waste shipments
- maintaining RCRA operating logs, manifests, and land disposal restriction (LDR) certification
- reviewing and signing hazardous waste paperwork
- reviewing samples and profile sheets
- assisting in determining the correct placement of incoming hazardous waste

The minimum education requirement for this position is a high school diploma and training in Nexeo hazardous waste management procedures.

Inventory Control Coordinator

The Inventory Control Coordinator is responsible for:

- filing paperwork involving hazardous waste shipments
- maintaining RCRA operating logs, manifests, and lLDR certifications

The minimum education requirement for this position is a high school diploma and training in Nexeo hazardous waste management procedures.

Materials Handlers Handlers/Truck Drivers

Materials Handlers/Truck Drivers are responsible for:

- handling and storing hazardous waste properly, responsible through the Facility Manager and Compliance Supervisor
- ensuring paperwork is complete at time of pick-up or shipment i.e., signatures, total number of pieces, total quantity, transporter numbers in place, etc.
- ensuring that the required documents are maintained with the truck
- maintaining knowledge of the emergency procedures necessary in the event of a hazardous waste spill during transportation or storage of the waste or material

The minimum education requirement for this position is a high school diploma and training in Nexeo hazardous waste management procedures.

H.1.b Training Content, Frequency and Techniques
[40 CFR 264.16(c) and (d)(3), 6 NYCRR 373-2.2(h)(1)(ii), 373-2.2(h)(3)]

Job titles, major responsibilities, and education requirements for each position are described above. Introductory training and annual training for each position are described below. The names of employees filling each of these job descriptions are maintained at the facility.

Facility Manager/Compliance Supervisor/Plant Supervisor/Plant Lead/Designated Representative

Introductory training includes RCRA training, U.S. Department of Transportation (DOT) requirements, an external course in hazardous waste management, hazardous waste operations (HAZWOPER) training, the facility Contingency Plan, and emergency response procedures.

Annual training reviews include the subjects above, and training on Hazard Communication, . DOT requirements, firefighting, and biennial training on the Toxic Substances Control Act (TSCA). Forklift training is renewed every three years.

Customer Service Representative/Inventory Control Coordinator

Introductory training includes RCRA training, the facility Contingency Plan, and on-the- job training on RCRA operating logs, the preparation of manifests, labels, and land-ban certifications.

Annual training reviews include RCRA regulations, the facility Contingency Plan, Hazard Communication, DOT shipping papers, incipient firefighting, and biennial training on TSCA.

Materials Handlers/ Truck Drivers

Introductory training includes RCRA training, the facility Contingency Plan, the proper handling and storage of hazardous materials, proper and safe operation of forklifts and/or trucks. Drivers must be

knowledgeable of Federal Motor Carrier Safety Regulations, and regulations on manifests, labels, placards, and containers.

Annual training reviews include all of the above and training on Hazard Communication, DOT shipping papers, incipient firefighting, and biennial training on TSCA. Forklift training is renewed every three years.

Facility personnel are required to complete the RCRA training following initial employment or assignment and must review it on an annual basis.

H. 1.c Training Director
[40 CFR 264.16(a)(2), 6 NYCRR 373-2.2(h)(l)(ii)]

The training director is the Facility Manager/Compliance Supervisor. The Facility Manager/Compliance Supervisor ensures proper training of the personnel employed in the management of hazardous waste. The credentials of the training director are extensive. The training program is directed by personnel who have been trained in hazardous waste management procedures. These personnel include the Facility Manager, the Compliance Supervisor and the Plant Supervisor. Their training is acquired through company approved training programs.

H.1.d Relevance of Training to Job Position
[40 CFR 264.16(a)(2), 6 NYCRR 373-2.2(h)(1)(ii)]

Employees involved in handling hazardous wastes are required to have the following training in order to prepare them for the operation and maintenance of the facility in a safe manner:

1. Truck drivers must successfully complete forklift training before being allowed to operate the unit. Proper forklift operation is necessary for transportation of containerized and palletized waste from the loading/unloading area to/from the waste storage areas.

2. Before hazardous wastes are handled, truck drivers must demonstrate a knowledge and understanding of Federal Motor Carrier Safety Regulations 49 CFR Parts 390 through 397.

3. Handlers of hazardous wastes receive on-the-job training from the Facility Manager or the Compliance Supervisor. On-the-job training includes, but is not limited to, instruction on the proper packaging of materials, preparation of hazardous waste manifests, labeling of containers, placarding of trucks, and emergency response procedures for hazardous wastes.

4. Procedures for use and inspection, repair, and replacement of facility emergency equipment, monitoring equipment, and the alarm system are taught to facility personnel.

5. Employees are trained in the proper procedures to be followed in the event of a fire, explosion, or spillage incident. These requirements include, but are not limited to, the proper use of fire extinguishers, employee's personal protection, proper incident reporting procedures, and emergency response and evacuation procedures.

6. Shutdown procedures during a fire, explosion, power outage, pump failure, operational spillage,

etc., are fully covered in the employee training protocol.

7. Personnel who handle hazardous waste receive Occupational Safety and Health Administration (OSHA)-required HAZWOPER training, initially and annually. Facility employees receive Hazard Communication training annually. Training requirements and materials may be updated as necessary to keep them current.

H.1.e Training for Emergency Response [40 CFR 264.16(a)(3), 6 NYCRR 373-2.2(h)(l)(iii)]

Training is designed to ensure that personnel are able to respond properly to emergencies and that they are familiar with emergency procedures, equipment, and systems. These include procedures for using and inspecting the facility emergency equipment and communication and alarm systems. Personnel are also trained in the proper responses to fires, explosions, and releases of hazardous wastes to air, soil, or surface waters.

These requirements include the proper use of fire extinguishers, personal protective equipment, proper incident reporting, and responses to specific types of emergencies.

Contingency Plan training covers emergency response procedures including the following specific subjects:

1. Communications & alarm systems
2. Fire and/or explosions
3. Spills or material release
4. Prevention of recurrence or spread of fires, explosions, or releases
5. Spill Control Plan
6. Post emergency equipment maintenance and notification
7. Container spills and leakage
8. Personal protective equipment

Classroom instruction to meet RCRA requirements is accomplished with RCRA training program which includes a RCRA overview and U.S. Environmental Protection Agency (EPA) regulations concerning: hazardous waste identification; hazardous waste category determination; generator, transporter, and treatment, storage, or disposal facility (TSDF) requirements; manifesting; labeling; recordkeeping; and LDR) notification forms.

Employee training also covers shut down procedures during fire, spill, or other emergency.

H.2 IMPLEMENTATION OF TRAINING PROGRAM [40 CFR 264.16(b), (d)(4) and (e), 6 NYCRR 373-2.2(h)(4)(iv), 373-2.2(h)(2)]

Facility personnel are required to receive the necessary training within six months after the date of their employment or assignment to the facility, or to a new position at the facility. New employees at the facility may not work in unsupervised positions until they have completed the necessary training. After completion of introductory training, the requirements associated with this Section are repeated

annually, biennially, or triennially and selected areas are reinforced at regular training sessions to ensure a continuous understanding of the job requirements and applicable regulations.

Training records are maintained electronically at the facility and are available upon request. Training records for current personnel will be maintained until closure of the facility. Training records for former employees will be kept for at least three years from the date the employee last worked at the facility.

Table H-1 TRAINING PROGRAM SUMMARY
Program No: l DOT Regulations for Surface Transportation of Hazardous Materials. This program covers shipping papers, packaging, loading, unloading, marking, labeling, and placarding. Required for Facility Managers, drivers, and office personnel.
Program No: 2 RCRA which covers regulations for generators, transporters, and TSDFs. Required for all facility personnel.
Program No: 3 HAZWOPER. Required by the Occupational Safety and Health Administration (OSHA) for training new employees before they are permitted to engage in hazardous waste operations. Annual refresher training is required. Required for Facility Manager and any others who manage hazardous waste on-site. Includes training on the facility Contingency Plan, emergency response actions, emergency equipment, and decontamination. Length of training depends on the position classification of the employee. For Customer Service Representatives and Administrative Personnel, the length of training is typically 8 hours and addresses labeling, emergency contacts, manifest preparation and the HAZWOPER training course. For the Facility Manager and Drivers, the training is more extensive and is a minimum of 24+ hours, including the same information as for Customer Service Representatives. In addition to those requirements, training is conducted on emergency equipment, decontamination, emergency response action, and Spill Response.

Program No: 4 Hazard Communication Standard. This program covers Material Safety Data Sheets, labels, and industrial hygiene. Required for all facility personnel.
Program No: 5 Incipient Fire-fighting. This program covers the elements of fighting small fires and the use of fire extinguishers. Required for all facility personnel.
Program No: 6 Toxic Substances Control Act Sections SC and SE. This program covers response procedures for new hazards or hazards not previously known. Required for all facility personnel.
Program No: 7 Forklift Training. This program covers the safe operation of forklifts. Required for Facility Manager, Materials Handlers, Truck Drivers, and any others who may operate a forklift.
Program No: 8 Waste Acceptance Procedures Required for all employees who are responsible for accepting and segregating wastes for storage

3 BROAD STREET

BINGHAMTON NY 13902

EPA ID. No: NYD049253719

DEC Permit No: 7-0302-00068/00011

6 NYCRR Part 373

FINAL PERMIT ATTACHMENT IV

SECURITY PLAN

2012

Attachment IV
PROCEDURES TO PREVENT HAZARDS

F.1 SECURITY
[6 NYCRR 373-1.5(a)(2)(iv)]

F.1.a Security Procedures and Equipment

The Binghamton facility is equipped with a barrier (fence) and has a means to control entry.

F.1.a.1 24-Hour Surveillance System
[6 NYCRR 373-2.2(f)(2)(i)]

The facility uses the barrier and controlled entry method as well as a 24-hour surveillance system, in the office and ignitable and reactive bay areas, as described below.

F.1.a.2 Methods to Control Entry

F.l.a.2.a Barrier
[6 NYCRR 373-2.2(f)(2)(ii)]

The active portion of the plant property is completely enclosed by a seven-foot high fence. The fence is of chain link construction with barbed wire on top. The fence is in good condition.

F.1.a.2.b Means to Control Entry
[6 NYCRR 373-2.2(f)(2)(ii)]

As the plot plan for the facility indicates, access to the plant yard is gained through the gates adjacent to the office on Broad Street. This gate is open during plant operating hours which are 7.00 a.m. - 6.00 p.m., Monday - Friday. This gate is closed and locked during non-operating hours. There is also a gate on Bevier Street adjacent to Building #4 and a railroad gate. These gates are locked at all times. Attachment 6, Appendix B contains the site layout including the location of the fence.

The hazardous waste storage area is inside the building and the doors of the storage areas are shut except when the loading dock is being used. At these times, personnel are present to control access to the storage area. The ignitable, reactive, poisons, toxics and corrosive hazardous waste storage areas are adjacent to the plant administrative office, which are in the same building. Personnel are always present during normal working hours. The office and the hazardous waste storage areas Bays A, B, C, D, E and G are equipped with an electronic security alarm and fire alarm system. The alarm systems are monitored by a central station, which is operated 24 hours a day by United Alarms. If the central station receives an alarm and does not subsequently receive a coded verification of a false alarm, it contacts the local police department and the fire department, if the fire alarm is triggered, and then contacts the emergency coordinator of Nexeo to inform them of the possible intrusion or fire.

F.1.a.3 Warning Signs
[6 NYCRR 373-2.2(f)(3)]

Along the fence and at all entrances to the facility have signs that state:

"Danger- Unauthorized Personnel Keep Out."

In addition, signs are posted on the fence in sufficient numbers to insure that one sign can be seen from any direction and is legible from a distance of at least 25 feet.

F.1.b Waiver
[6 NYCRR 373-2.2(f)(l)]

No waiver of the security procedures and equipment requirements is requested for this facility.

3 BROAD STREET

BINGHAMTON NY 13902

EPA ID. No: NYD049253719

DEC Permit No: 7/0302-00068/00011

6 NYCRR Part 373

FINAL PERMIT ATTACHMENT V

PREPAREDNESS & PREVENTION PLAN

2012

Attachment V
PREPAREDNESS AND PREVENTION

F.3 WAIVER OF DOCUMENTATION OF PREPAREDNESS AND PREVENTION REQUIREMENTS
[6 NYCRR 373-1.5(a)(2)(vi)]

No waiver of documentation of preparedness and prevention requirements is requested for this facility.

F.3.a Equipment Requirements
[6 NYCRR 373-2.3(d)]

F.3.a.l Internal Communications
[6 NYCRR 373-2.3(c)(1)]

The plant has an intercom system which is used to make announcements over the plant's public address system. This is adequate to provide emergency instructions to facility personnel in a situation requiring such action.

F.3.a.2 External Communications
[6 NYCRR 373-2.3(c)(2)]

The facility telephone system is used for summoning emergency assistance from the local police and fire departments and from state emergency response teams.

F.3.a.3 Emergency Equipment
[6 NYCRR 373-2.3(c)(3)]

The facility is equipped with emergency equipment to combat a fire, explosion, or spill of products or hazardous waste. A listing of the emergency equipment is included in the Contingency Plan which is in Attachment 6 of this permit application.

F.3.a.4 Water for Fire Control
[6 NYCRR 373-2.3(c)(4)]

Fire suppression water is supplied by the municipal water system. Water is available at adequate volume and pressure to supply fire hoses, foam producing equipment, automatic sprinklers and water supply systems should the need arise. The facility has an automated sprinkler system in the Bays where ignitable hazardous wastes are stored and in the office. The sprinklers are monitored for 24 hours per day by an independent alarm service.

F.3.b Aisle Space Requirements [6 NYCRR 373-2.3(f)]

The hazardous waste container storage area is inspected daily for proper placement of containers and pallets. The storage area is maintained in good order with adequate aisle space for placement of pallets. All stored containers can be fully inspected from the aisles. A minimum space of two and a half feet is maintained between aisles (see Part A Attachment -2for aisle locations). There is adequate space around the hazardous waste storage area and stored containers to allow for the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment in the event of an emergency.

F.4 PREVENTIVE PROCEDURES, STRUCTURES, AND EQUIPMENT [6 NYCRR 373-1.5(a)(2)(viii)]

F.4.a Unloading Operations [6 NYCRR 373-1.5(a)(2)(viii)(a)]

Each container loaded/unloaded is inspected for deterioration and any suspect container is placed in a recovery drum. Absorbent pads and corrosive neutralizers are available for clean- up, if necessary. Containers are stored, loaded and unloaded on wooden pallets from trucks at the dock. A fork lift is used to load and unload pallets to and from trucks. Each forklift is rated for service in a Class I Division II area. A certification plate is attached to each unit. A forklift driver is always present until the waste is unloaded at the storage area or loading dock.

The loading/unloading pads are coated with an impervious coating.

F.4.b Run-off [6 NYCRR ·373-1.5(a)(2)(viii)(b)]

The hazardous waste storage area is curbed to prevent run-off to other areas. The storage area is within the warehouse and, therefore, not subject to precipitation. The warehouse floor is elevated above grade, and the entire facility is not within a 100-year floodplain.

F.4.c Prevention of contamination of Water Supplies [6 NYCRR 373-1.5(a)(2)(viii)(c)]

The hazardous waste container storage area is located within the warehouse and is not subject to precipitation or storm water run-on. The storage area is fully-contained to prevent run-off of spills or leaks. The facility is not within a 100-year floodplain. There are no known water wells near the facility. The site drainage pattern does not interact with the city water supply. Therefore, there is little potential for operations at this facility to contaminate water supplies.

F.4.d Equipment and Power Failure [6 NYCRR 373-1.5(a)(2)(viii)(d)]

Operations in the hazardous waste storage area would not be affected by a power outage since material handling is manual. The facility is equipped with emergency lighting that will function in the case of a power outage.

The principal equipment failure would be mechanical failure of the fork lift trucks. In that event, hand trucks would be used to move the containers.

F.4.e Personnel Protective Equipment [6 NYCRR 373-1.5(a)(2)(viii)(e)]

The facility maintains standards for protective clothing and equipment that are required for the workplace. Adequate supplies of personal protective clothing and equipment are kept at the facility. The protective equipment at the facility is listed and described in the facility Contingency Plan in Section G of this application.

The facility maintains standards for protective clothing. These standards are described in Standard Practice Instruction (SPI) I-8.

F-5 PREVENTION OF REACTION OF IGNITABLE, REACTIVE, AND INCOMPATIBLE WASTE [6 NYCRR 373-1.5(a)(2)(ix)]

F.5.a Precaution to Prevent Ignition or Reaction of Ignitable or Reactive Waste [6 NYCRR 373-2.2(i)(1) & (3)]

To reduce/prevent the possibility of a chemical reaction, drivers are instructed to never pick up any leaky, suspect, or deteriorated containers of waste. Once any material is received, only closed containers are stored at the facility. Hazardous waste containers are always kept closed when stored or moved. The storage area is designed to prevent/reduce the possibility of an adverse reaction between incompatible wastes because the pad is equipped with storage bays separated by a concrete curb and a five-foot aisle space. Smoking is not permitted in the plant, and "No Smoking" signs are conspicuously posted. The forklifts which are used to handle hazardous wastes are approved for use in Class I, Division 2 hazardous areas. Potential reactive material is stored in separate bays.

In addition, the storage area is inspected daily and any spillage is cleaned up immediately which also reduces the possibility of any reaction. Any suspect or leaky container is placed in a recovery drum.

F.5.b General Precautions for Handling Ignitable or Reactive Waste and Mixing of incompatible Waste
[6 NYCRR 373-1.5(a)(2)(ix), 373-2.2(i)]

No treatment or mixing of wastes is done by this facility. Containers are inspected upon arrival at the facility to assure that they are in good condition. Containers, which are kept closed, are then moved into the proper storage area. Containers are not opened at this facility. Therefore, accidental mixing of ignitable or reactive wastes is highly unlikely.

F.6.c Management of Ignitable or Reactive Wastes in Containers
[6 NYCRR 373-1.5(b)(3), 373-2.9(g)]

The ignitable waste storage area is more than 15 meters (50 feet) from the facility's property line.

F.5.d Management of Incompatible Wastes in Containers
[6 NYCRR 373-1.5(b)(4), 373-2.9(h)(1) & (2)]

Facility personnel who are responsible for the management and storage of hazardous waste are fully trained in proper waste handling procedures. Stored waste materials are not handled outside of the containers in which they were received. Potentially incompatible wastes are stored in separate bays and are separated by storage area curbs. Waste containers are approved for receipt and shipment only after confirmation that the containers are in good condition and properly closed. Once received, further handling of the waste materials is neither necessary nor allowed, and no mixing of wastes occurs. Therefore, incompatible wastes would neither be put into the same container with other wastes nor put into an incompatible container in the event of a transfer due to leakage. Incompatible wastes are segregated according to DOT compatibility categories. Unmarked or unknown wastes are not accepted. The DOT classification may be determined by reference to 49 CFR Part 172.101, "Hazardous Materials Table." Additionally the facility uses MSDS sheets and the EPA document "A Method for determining the Compatibility of Hazardous Materials" as guidance for segregation of waste for storage.

No Class 1 organic peroxides will be accepted at the facility for storage.

The facility will not store organic peroxides or other temperature sensitive materials with a self-accelerating decomposition temperature (SADT) <122 ^{o}F (as determined by any of the test methods described in Part II of the UN manual of test and criteria) unless deactivated.

Organic peroxides or temperature sensitive materials that are passed their expiration date or mixtures of temperature sensitive materials or formulations must be deactivated as provided in 49 CFR 173.225 with the required amount of dilute to desensitize them in order to be accepted for storage at the facility. The desensitized organic peroxides will be packaged in accordance with 49 CFR 173.225 and 173.24(a) and must be labeled with the chemical names of the waste along with other information adequate for proper storage.

Lithium batteries will not be accepted for storage at the facility.

3 BROAD STREET
BINGHAMTON NY 13902

EPA ID. No: NYD049253719

DEC Permit No: 7-0302-00068/00011

6 NYCRR Part 373

FINAL PERMIT ATTACHMENT VI

CONTINGENCY PLAN

2012

SPILL PREVENTION CONTROL AND COUNTERMEASURE

AND

RCRA CONTINGENCY PLAN

NEXEO SOLUTIONS, LLC

3 Broad Street

Binghamton, New York 13902

EPA IDENTIFICATION NUMBER: NYD049253719

A complete copy of this SPCC and RCRA Contingency Plan is maintained at the Nexeo facility in Binghamton, New York per 40 CFR 112.3(e)(1).

SPILL PREVENTION CONTROL & COUNTERMEASURE PLAN AND RCRA CONTINGENCY PLAN

Table of Contents

CROSS REFERENCE LIST – 40 CFR 112.7

Final SPCC Rule	Description of Section	Section
§ 112.3(d)	P.E. Certification.	2.0, 3.0
§ 112.3(e)	Maintain copies of SPCC plan onsite.	Title page
§ 112.4(a)	Reportable discharges.	4.0
§ 112.4(c)	Submit information to State and local agencies.	4.0
§ 112.4(d) § 112.5	Plan amendment.	14.0
§ 112.7	General requirements for SPCC plans for all facilities and all oil types. Management approval certification. Cross Reference.	1.0, throughout plan
§ 112.7(a)	General requirements; discussion of facility's conformance with rule requirements; deviations from Plan requirements; facility characteristics that must be described in the Plan; spill reporting information in the Plan; emergency procedures.	4.0, 5.0, 6.0, 9.0. 14.0, 16.0
§ 112.7(b)	Fault analysis. Potential Spills.	7.0
§ 112.7(c)	Secondary containment or diversionary structures to prevent a discharge.	7.0
§ 112.7(d)	Contingency planning.	NA
§ 112.7(e)	Inspections, tests, and records.	10.0
§ 112.7(f)	Employee training and discharge prevention procedures.	12.0
§ 112.7(g)	Security (excluding oil production facilities).	11.0
§ 112.7(h)	Loading/unloading (excluding offshore facilities).	8.0
§ 112.7(i)	Brittle fracture evaluation requirements. Field constructed aboveground containers.	NA
§ 112.7(j)	Conformance with State requirements.	NA
§ 112.8 § 112.12	Requirements for onshore facilities (excluding production facilities).	6.0, 8.0
§ 112.8(a) § 112.12(a)	General and specific requirements.	8.0
§ 112.8(b) § 112.12(b)	Facility drainage.	8.0
§ 112.8(c) § 112.12(c)	Bulk storage containers. Storm water drainage. Integrity testing, etc.	8.0
§ 112.8(d) § 112.12(d)	Facility transfer operations, pumping, and facility process. Piping.	8.0
§ 112.9 § 112.13	Requirements for onshore production facilities.	NA

*Note: NA = not applicable to the Nexeo facility in Binghamton, NY

CROSS REFERENCE LIST (continued) – 40 CFR 112.7

Final SPCC Rule	Description of Section	Section
§ 112.9(a) § 112.13(a)	General and specific requirements. Oil production facilities.	NA
§ 112.9(b) § 112.13(b)	Oil production facility drainage.	NA
§ 112.9(c) § 112.13(c)	Oil production facility bulk storage containers.	NA
§ 112.9(d) § 112.13(d)	Facility transfer operations, oil production facility.	NA
§ 112.10 § 112.14	Requirements for onshore oil drilling and workover facilities.	NA
§ 112.10(a) § 112.14(a)	General and specific requirements. Onshore drilling and workover facilities.	NA
§ 112.10(b) § 112.14(b)	Mobile facilities. Onshore drilling and workover facilities.	NA
§ 112.10(c) § 112.14(c)	Secondary containment - catchment basins or diversion structures. Onshore drilling and workover facilities.	NA
§ 112.10(d) § 112.14(d)	Blowout prevention (BOP). Onshore drilling and workover facilities.	NA
§ 112.11 § 112.15	Requirements for offshore oil drilling, production, or workover facilities.	NA
§ 112.11(a) § 112.15(a)	General and specific requirements. Offshore facilities.	NA
§ 112.11(b) § 112.15(b)	Facility drainage. Offshore facilities.	NA
§ 112.11(c) § 112.15(c)	Sump systems. Offshore facilities.	NA
§ 112.11(d) § 112.15(d)	Discharge prevention systems for separators and treaters. Offshore facilities.	NA
§ 112.11(e) § 112.15(e)	Atmospheric storage or surge containers; alarms. Offshore facilities.	NA
§ 112.11(f) § 112.15(f)	Pressure containers; alarm systems. Offshore facilities.	NA
§ 112.11(g) § 112.15(g)	Corrosion protection. Offshore facilities.	NA
§ 112.11(h) § 112.15(h)	Pollution prevention system procedures. Offshore facilities.	NA
§ 112.11(i) § 112.15(i)	Pollution prevention systems; testing and inspection. Offshore facilities.	NA

*Note: NA = not applicable to the Nexeo facility in Binghamton, NY

CROSS REFERENCE LIST (continued) – 40 CFR 112.7

Final SPCC Rule	Description of Section	Section
§ 112.11(j) § 112.15(j)	Surface and subsurface well shut-in valves and devices. Offshore facilities.	NA
§ 112.11(k) § 112.15(k)	Blowout prevention. Offshore facilities.	NA
§ 112.11(l) § 112.15(l)	Manifolds. Offshore facilities.	NA
§ 112.11(m) § 112.15(m)	Flowlines, pressure sensing devices. Offshore facilities.	NA
§ 112.11(n) § 112.15(n)	Piping; corrosion protection. Offshore facilities.	NA
§ 112.11(o) § 112.15(o)	Sub-marine piping; environmental stresses. Offshore facilities.	NA
§ 112.11(p) § 112.15(p)	Inspections of sub-marine piping. Offshore facilities.	NA

*Note: NA = not applicable to the Nexeo facility in Binghamton, NY

1.0 MANAGEMENT CERTIFICATION — 40 CFR 112.7

Nexeo Solutions, LLC
3 Broad Street
Binghamton, NY 13902

EPA Identification Number: NYD049253719

Management Certification: This SPCC and RCRA Contingency Plan is fully approved by the management of Nexeo and has been implemented as described herein:

Signed: _____
Tim McCoy
Regional Logistics Manager

Date: _____

2.0 DESIGNATED AGENT (PLANT MANAGER) CERTIFICATION - 40 CFR 112.3(d)

Nexeo Solutions, LLC
3 Broad Street
Binghamton, NY 13902

EPA Identification Number: NYD049253719

Designated Agent Certification: By means of this certification, I attest that I am familiar with the requirements of provisions of 40 CFR Part 112, that as the designated agent of the P.E., I have visited and examined the facility, that this SPCC Plan has been prepared in accordance with good engineering practices, including consideration of applicable industry standards, and with the requirements of this Part, that procedures for required inspections and testing have been established and that the Plan is adequate for the facility.

Designated Agent Signature: _____

Gary Desko
Plant Manager

Date: _____

3.0 P.E. CERTIFICATION — 40 CFR 112.3(d)

Nexeo Solutions, LLC
3 Broad Street
Binghamton, NY 13902

EPA Identification Number: NYD049253719

P.E. Certification:

By means of this certification, I attest that I am familiar with the requirements of provisions of 40 CFR Part 112, that the Plant Manager, as my designated agent has visited and examined the facility, that this SPCC Plan has been prepared in accordance with good engineering practices, including consideration of applicable industry standards, and with the requirements of this Part, that procedures for required inspections and testing have been established and that the Plan is adequate for the facility as described by the Plant Manager.

P.E. Signature: _____

Print Name: Edward C. Graves, P.E.

Registration No.: 55621 State: OH

Date: _____

4.0 SCOPE AND APPLICABILITY - 40 CFR 112.1(b); 112.7; 112.7(a)(1), (2), (j); 265.51

This Spill Prevention, Control, and Countermeasure (SPCC) and Resource Conservation and Recovery Act (RCRA) Contingency Plan, as a part of the facility's Emergency Preparedness Master Plan (EPMP), describes the facility's response to a fire, explosion, or release to the environment of oil or hazardous waste. This plan is designed to minimize hazards to human health or the environment from fires, explosions, or releases. Any deviations of this Plan from the SPCC rules and regulations are included in Appendix D. This plan does not follow the sequence specified in the SPCC regulations and therefore, a Cross Reference List was prepared to conveniently identify the required regulatory information in this Plan. The Cross Reference List begins on page i of this document.

This SPCC Plan is prepared and implemented as required by the U.S. Environmental Protection Agency (EPA) Regulations contained in Title 40 of the Code of Federal Regulations (CFR) Part 112. A non-transportation related facility is subject to SPCC regulations if: the aggregate aboveground capacity of the facility exceeds 1,320 gallons (excluding those tanks and oil filled equipment below 55 gallons in capacity) or if the aggregate underground capacity of the facility exceeds 42,000 gallons (excluding those that are currently subject to all of the technical requirements of 40 CFR Part 280 or all of the technical requirements of state programs approved under 40 CFR Part 281); and if, due to its location, the facility could reasonably be expected to discharge oil into or upon the navigable waters or adjoining shorelines of the United States.

The EPA does not require a SPCC Plan to be filed with the agency. However, a copy must be available for on-site review by the Regional Administrator (RA) during normal working hours. The SPCC Plan must be submitted to the EPA Regional Administrator and the state agency along with the other information specified in 40 CFR 112.4(a) if either of the following occurs:

1. The facility discharges more than 1,000 gallons of oil into or upon the navigable waters of the United States or adjoining shorelines in a single spill event which violates applicable water quality standards or cause a film, sheen, or discoloration or causes a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines; or

2. The facility discharges oil in quantities greater than 42 gallons in each of two spill events within any 12-month period which violate applicable water quality standards or cause a film, sheen, or discoloration of the surface of the water or adjoining shorelines or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.

The following spill information must be submitted to the RA within 60 days if either of the above thresholds is reached. This report is to contain the following information (40 CFR 112.4 (a)):

1. name of the facility
2. name of the individual submitting the information
3. location of the facility
4. maximum storage or handling capacity of the facility and normal daily throughput
5. corrective actions and/or countermeasures taken, which include an adequate description of equipment repairs and/or replacements
6. description of the facility including maps, flow diagrams, and topographical map
7. cause(s) of such spill(s), including a failure analysis of system or subsystem in which failure occurred
8. additional preventive measures taken or contemplated to minimize the possibility of recurrence
9. other information as the Regional Administrator may reasonably require that is pertinent to the plan or spill event(s)

In addition to submitting the report to the RA, the report will also be submitted to the state and local agencies listed in Appendix A.

The SPCC Plan and RCRA Contingency Plan must be reviewed and amended as required by 40 CFR 112 and 40 CFR 264.54. Review and amendment requirements are included in Section 13.

If the owners and operators of a facility that are required to prepare an SPCC Plan and are not required to submit a Facility Response Plan (FRP), the SPCC Plan should include a signed certification form, provided in Appendix E of this Plan (per Appendix C to 40 CFR 112).

5.0 FACILITY INFORMATION, DESCRIPTION AND OPERATIONS - 40 CFR 112.7(a)(3)

The facility's street address is:	Nexeo Solutions, LLC 3 Broad Street Binghamton, NY 13902
The facility's mailing address is:	Same as street address
Owner:	Nexeo Solutions, LLC 5200 Blazer Parkway Dublin, Ohio 43017
Facility Contact:	**Gary Desko** **Plant Manager** 607-723-8254

The facility's operations include storage and transportation of wastes for disposal. The facility maintains a RCRA Part B hazardous waste permit for the storage of hazardous waste generated by customers. The facility also maintains a 90-day hazardous waste storage area, located in the north room of Building #1 Room 2, for plant-generated waste. The property is bordered to the north by the Binghamton Public Works Department; to the east by Broad Street; to the south by Bevier Street and the west by the Delaware and Hudson railroad tracks. The nearest water body is the Chenango River located approximately 0.5 mile west of the property.

Refer to the facility diagram (i.e., plot plan) in Appendix B for the location of the hazardous waste storage areas and the physical layout of the facility. Also provided on this diagram are storm water drain inlets and flow (i.e., slope) directions of storm water and spilled oil paths. As required under 40 CFR 112.7(a)(3)(i), this facility diagram indicates the location of each container storage area. There have been no underground storage tanks on the property since 1989.

5.1 Fixed and Mobile Storage of Oil (40 CFR 112.7(a)(3)(i)):

Container	Product	Capacity (gallons)	Construction Material	Secondary Containment	Location
Staged, full trucks	Various Solvents and Oils	6 M	Carbon, Stainless Steel	Truck internal containment, Concrete, curbing	On concrete within facility containment
Totes	Various Solvents and Oils	36* 350 gal = 12.9 M	Poly / Stainless Steel	Concrete floor, curbing	Warehouse #2, Bay F
Drums	Various Solvents and Oils	780 * 55 gal = 42.9 M	Poly / Stainless Steel	Concrete floor, curbing	Warehouses #1 and #2 hazardous waste storage areas
Drums	Various Solvents and Oils	545* 55 gal = 30 M	Poly / Stainless Steel		Warehouse #2 Bay H

*Note: M = 1,000-gallons

Total regulated oil storage capacity: 91.8 M gallons

6.0 SITE DRAINAGE - 40 CFR 112.7(a)(3)(iii), (c)(1)(iii); 112.8(c)(3)

Refer to the site plot plan (Appendix B) for reference to plant drainage. General site drainage is towards the southwest corner of the property. Storm water from the site is discharged into the municipal storm sewer, which flows into the Chenango River approximately 0.5 mile west of the plant.

The facility currently operates under a no exposure certification for storm water. All of the waste associated with the Part B storage operations is protected from storm water. The rest of the facility not currently required to have a National Pollutant Discharge Elimination System (NPDES) Permit for storm water discharges.

7.0 POTENTIAL SPILLS AND CONTROL - 40 CFR 112.7(b), (c)(1)

Source	Major Failure Type	Max Potential Quantity	Probable Rate	Flow Direction*	Secondary Containment
Hazardous waste storage areas - TSDF	Puncture or rust	55 gallons	Gradual release	Within waste pad	Floor, curbs
90-day hazardous waste storage	Puncture or rust	55 gallons	Gradual release	Within waste pad	Floor, curbs

* See Appendix B for locations of the containers.

8.0 DESIGN & OPERATING INFORMATION - 40 CFR 112.7(c)(1), (h); 112.8

This facility conforms to the following design and operating standards.

Drainage from Diked Areas (40 CFR 112.8(b)) – There are no diked areas at the facility

Bulk Storage Containers (40 CFR 112.8(c)) – There is no bulk storage at the facility

There are no internal heating coils located at the facility. In addition, there are no field constructed aboveground tanks at this facility. There are two tanks which once stored used oil located in the First Recovery building. Both tanks have been emptied and closed.

Inspections and Integrity Testing (40 CFR 112.7(e),112.8(c)(6))
As required by the SPCC rule, Nexeo performs the inspections, tests, and evaluations listed in the following table. Table 8-1 summarizes the various types of inspections and tests performed at the facility. The inspections and tests are described later in this section.

Table 8-1: Inspection and Testing Program

Facility Component	Action	Frequency / Circumstance
Portable Aboveground Containers	Visually inspect outside of containers for deterioration or leakage on a regular basis. Complete a documented inspection. Utilize DOT approved drums.	Employees observe and document daily during normal operations. If leaks or deteriorated containers are observed, corrective actions shall be implemented and documented.
Fixed Aboveground Tanks	None	Not Applicable
All aboveground valves, piping and appurtenances	None	Not Applicable
Underground Tanks and Pipes	None	Not Applicable
Liquid Level Sensing Devices (overfill)	None	Not Applicable
Diked Areas	None	Not Applicable
Lowermost drain and all outlets of tank truck	None	Not Applicable

Daily Inspection
Employees perform a complete walk-through of the facility each day. These documented daily visual inspections consist of a complete walk-through of the facility to inspect containers for integrity, look for evidence of releases, and excessive accumulation of storm water in truck docks.

The facility's checklists provided in Appendix C are used for inspections by designated personnel. The inspections cover the following key elements:

- Observing the exterior of portable containers for signs of deterioration or leaks.
- Checking the inventory of discharge response equipment and restocking as needed.

- Observing the truck pads and storm sewers to verify that they are free of oil.

All problems regarding containment or response equipment must immediately be reported to the Facility Manager. Visible oil leaks from components must be repaired as soon as practicable to prevent larger spills or a discharge to the soil or storm water. Pooled oil is removed immediately upon discovery. Written inspection records are signed by the inspector and maintained on site for a period of three years.

Integrity Testing

Portable, Single-Use Containers (Drums and Totes)

Containers are stored on concrete floors enabling prompt detection of leaks. Therefore, visual inspections provide equivalent environmental protection and periodic testing is not required. Nexeo only uses drums and totes that meet the Department of Transportations Performance Oriented Packaging standards found in 49 CFR 178. This provides a measure of assurance that the container has been properly made and should not leak under normal operating conditions.

Facility Transfer Operations and Aboveground Piping (40 CFR 112.8(d)) – There are no transfer stations located at the plant.

Drivers are instructed by facility employees on proper routes to use in order to control traffic flow in the facility operating areas.

Tank Truck/Car Loading/Unloading Rack (40 CFR 112.7(h)) - Tank car and tank truck loading is not performed at the facility

9.0 SPILL CONTROL PLAN & EMERGENCY PROCEDURES – 40 CFR 112.7(a)(3)(iv)-(vi), (4); 265.56

Determination of Whether an Emergency Exists

Based on the emergency identification and hazard assessment, the emergency coordinator will determine whether facility personnel can handle the incident, or whether an emergency situation exists which requires outside help.

Non-emergency responses are responses to releases of hazardous substances where there is no potential safety or health hazard (where a health hazard can be defined as fire, explosion, or chemical exposure). Further, responses to incidental releases of hazardous substances where the substance can be absorbed, neutralized, or otherwise controlled at the time of release by employees in the area of the release are not considered to be emergency responses within the scope of OSHA 1910.120(a)(3).

If the incident can be handled internally, it will be handled in accordance with the Emergency Procedure Master Plan (EPMP), followed by a call to Nexeo Emergency Reporting (1-855-NEXEO4U), describing the incident.

An emergency release is one that is beyond an employee's Hazard Communication training (29 CFR 1910.1200) and cannot be cleaned up by employees in the immediate area. If the incident requires an emergency response, the emergency coordinator will notify the appropriate agencies and contact Nexeo Emergency Reporting (1-855-NEXEO4U). The emergency coordinator will implement the EPMP and rely on further guidance from the corporate Emergency Response Coordinator. Once an outside authority arrives, the emergency coordinator will brief them on the situation and assist in any way possible until the emergency is over.

Facility Emergency Action Procedures

The facility will conduct its emergency response in accordance with Nexeo's EPMP, which is outlined below. The emergency response plans for responding to a fire, explosion, injury or a release are based on defensive actions to be taken by properly trained and equipped individuals. These defensive actions are designed to avoid situations during a response that could result in overexposure or direct contact with chemicals. Upon the discovery of an incident, the response procedures are as defined below.

Discovery of an Incident

When associates discover an incident, they are to sound the alarm, shut down any production processes if that can be done safely, observe as many details of the incident as can be done safely, and get away to a safe distance. Notification procedures are outlined in the Notification section of the EPMP.

Safe Distance and Refuges

During an emergency it is essential that uninvolved and inadequately prepared persons remain safely away from danger and from areas where mitigation operations are in progress. All personnel not directly involved with emergency response will follow the procedure detailed in the EPMP. Concerns for personal injury or illness from structural collapse, exposure to chemicals or products of combustion and physical injury from contact with fire or hazardous materials must be addressed.

Notification of Emergency Coordinator

Facility personnel are instructed to notify the emergency coordinator and inform him/her of the known details of the incident. If an emergency coordinator is unavailable in the immediate area, employees are to page him or his alternate, evacuate the facility, and call Nexeo Emergency Reporting (1-855-NEXEO4U).

Nexeo Emergency Reporting (1-855-NEXEO4U)

The response line is staffed 24 hours a day and puts the facility in touch with a corporate Emergency Response Coordinator who is trained to coordinate emergency responses and who has access to resources that can help in an emergency. It is designed to assist personnel at the facility site who have been trained but may not have the practical experience to handle emergencies.

Emergency Identification

The emergency coordinator will determine the source and amount or extent of a fire, release of hazardous waste or oil, or injury. The emergency coordinator will determine the extent to which the facility and surrounding area are affected.

The identity of any released material is determined from the location and source of the release and from facility inventory records. If the incident involves a release of hazardous waste, characteristics will be obtained from the Waste Profile Sheets (WPS). If the incident involves a release of a chemical product, Material Safety Data Sheets (MSDS) define product characteristics. If for some reason the released material cannot be identified, a sample will be taken for chemical analysis.

Hazard Assessment - 40 CFR 265.56(c)

The emergency coordinator is responsible for assessing possible hazards to human health and to the environment. To assist the emergency coordinator, Nexeo maintains a 24-hour emergency telephone operator who provides contact with corporate Emergency Response Coordinators.

The emergency coordinator will assess the hazards involved with an incident by utilizing the MSDS or WPS for a specific material in question and all other information that can be obtained from container labels, manifests and facility inventory records. The chemical constituents that comprise a hazardous waste are listed on the WPS. Once the chemical constituents of the waste are known, an MSDS can be obtained in order to determine the hazards associated with the individual chemical components of the waste.

External Reporting - 40 CFR 112.7(a)(3)(vi), (a)(4); 265.56(d)

If the facility has had a release, fire, or explosion which could threaten human health or the environment outside the facility, the emergency coordinator will immediately notify

- National Response Center 800-424-8802
- New York State Emergency Management Office 518-292-2200
- New York State Department of Environmental Conservation 518-457-7362
- Broome County Emergency Services 607-778-2170

The emergency coordinator will provide the following information:

- caller's name and telephone number
- name and address of the facility
- time and type of incident (e.g., release, fire)
- name and quantity of materials involved, to the extent known
- the extent of injuries, if any
- the possible hazards to human health, or the environment, outside the facility

In addition, both State and Local notifications must be made in accordance with the EPMP***, which includes notifying the Fire Department at 911.***

Written Response - 40 CFR 265.56(i)

The emergency coordinator must note the time, date and details of any incident that requires implementing this RCRA Contingency Plan. Within 15 days after the incident, a written report must be sent to the agencies listed in Appendix A.

This report must include:

- name, address and telephone number of the facility owner or operator
- name, address and telephone number of the facility
- date, time and type of incident
- name and quantity of material(s) involved
- the extent of injuries, if any
- an assessment of actual or potential hazards to human health or the environment
- estimated quantity and composition of recovered material resulting from the incident
- any other information the agencies may require

Reporting requirements under SPCC are addressed in Section 4.0 of this plan

Prevention of Recurrence or Spread of Fires, Explosions, or Releases – 40 CFR 265.56(e)

The EPMP specifies that in an event requiring evacuation, all personnel are to shut down their operations if it can be done safely. If the facility stops operations in response to an incident, the emergency coordinator will designate someone to monitor for leaks, gas generation, and pressure buildup.

Any spills outside a contained area will be isolated and cleaned up. The collected material will be disposed of at a permitted disposal site. Damaged containers will be handled in the following ways: measures will be taken to prevent further leakage and the product within will be transferred to another container, or if possible, the entire damaged container will be placed into a recovery drum.

Employees are trained in the proper use of fire extinguishers, since many products and wastes stored are flammable or combustible.

The procedures for collecting, containing and managing released wastes are the same as those for products. Aisle space will be maintained in all hazardous waste storage areas to allow unobstructed movement of applicable emergency response personnel and equipment. Procedures in the EPMP will be followed.

Storage & Treatment of Released Material - 40 CFR 112.7(a)(3)(v); 265.56(g)
After an emergency, the emergency coordinator will make arrangements for treatment, storage, or disposal of recovered waste, contaminated soil, surface water, or any other contaminated material. Some recovered products may be resold or recycled.

Incompatible Wastes - 40 CFR 112.7(a)(3)(v); 265.56(h)(1)
The emergency coordinator will ensure that no wastes are stored in an area that may be incompatible with a released material until cleanup procedures are completed.

Post Emergency Equipment Maintenance - 40 CFR 265.56(h)(2)
Following an emergency event, the emergency coordinator will see that all emergency and process equipment is cleaned and readied for use again. All fire extinguishers will be checked to make sure that seals are intact, that the hose and case are not damaged, and that the gauge registers full. All damaged, empty, or partially full fire extinguishers will be replaced or recharged before operations are resumed. All safety showers and eyewashes will be checked to determine that they are clean and in good working condition. All damaged or dirty personal protective clothing and equipment will be replaced or cleaned.

The areas of the facility affected by the emergency will be inspected for cleanliness and safe working conditions. Containers will be checked to see that they are in good condition and properly sealed and labeled. Tanks, pipe fittings, pumps and hoses will be inspected to ensure proper working order. The buildings, building supports, framework, walls and floors will be checked for signs of deterioration. Facility security devices will be inspected for damage and proper working condition. This includes the facility fence and all gates, doors, windows and locks. Post-incident salvage procedures are listed in the EPMP in section VI “Salvage and Recovery.”

During and following an emergency event, the emergency coordinator will ensure that proper employee decontamination procedures are implemented for exposed associates. In addition, all employees leaving contaminated areas will be decontaminated and all contaminated clothing and equipment leaving those areas will be decontaminated and reused or disposed. All decontamination procedures will be monitored and assessed by the emergency coordinator.

10.0 INSPECTIONS, TESTS & RECORDS - 40 CFR 112.7(e)

Daily visual inspections consist of a complete walk-through of the facility to inspect containers for integrity, look for evidence of releases, and excessive accumulation of storm water in truck docks. The daily inspections are documented. The facility does not maintain oil and water separators on-site.

A checklist is used during inspections of containers, security devices, and emergency equipment. The items covered in the inspections are performed in accordance with API standards and good engineering practices. This written checklist is prepared, signed by the inspector, and the original copies are maintained on file for three years.

A copy of the facility's inspection checklists is included in Appendix C and includes:

- Observing the exterior of portable containers for signs of deterioration, leaks, or corrosion.
- Checking the inventory of discharge response equipment and restocking as needed.
- Observing the truck pads and storm sewers to verify that they are free of oil.

11.0 SECURITY - 40 CFR 112.7(g)

The facility is fully fenced and gated. Gates are left closed during operating hours and secured during non-operating hours. Facility lighting illuminates the facility after dark. There is adequate lighting for night-time detection of leaks and spills, as well as to deter vandalism.

12.0 PERSONNEL, TRAINING, & SPILL PREVENTION PROCEDURES - 40 CFR 112.7(f); 40 CFR 265.16

Oil handling personnel have been instructed by management in the operation and maintenance of equipment to prevent discharges, to follow discharge procedure protocols and general facility operations, and to understand the contents of Nexeo's SPCC Plan.

The Facility Manager maintains a written description of training activities and personnel training records. New employees are trained in SPCC within 6 months of starting work. The Facility Manager is the designated individual responsible for discharge prevention, and maintains the SPCC Plan.

Management provides yearly spill prevention briefings for operating personnel to ensure adequate understanding of the SPCC Plan. These briefings highlight any past spill events or failures and recently developed precautionary measures. Training includes oil spill prevention, containment, and retrieval methods. Records of these briefings and spill prevention training are maintained on file at the site.

Facility personnel must also complete a training program to comply with the RCRA Contingency Plan. This program teaches subject employee how to perform their duties in a way that ensures the facility's compliance with the requirements of 40 CFR 265. This training is designed to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment, and emergency systems, including:

(i) Procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment;
(ii) Communications or alarm systems;
(iii) Response to fires or explosions;
(iv) Response to ground-water contamination incidents; and
(v) Shutdown of operations.

Initial Contingency Plan training must be completed within 6 months of an employee being assigned to the area. Employees will be supervised by trained employees until they complete their own training. Annual training is also conducted for all employees to ensure emergency preparedness.

13.0 COORDINATION AGREEMENTS & AMENDMENTS – 40 CFR 265.52(c)

Coordination Agreements - 40 CFR 265.37; 265.53; 265.52(c)
A copy of the SPCC and RCRA Contingency Plan and all revisions will be sent to the organizations with which there are coordination agreements. Those organizations are listed in Appendix A.

Fire Department: Employees from the Fire Department are familiar with the facility layout, products transferred, stored, and handled, and hazardous waste stored.

Other Emergency Response: Nexeo retains a third party emergency response contractor available through the 1-855-NEXEO4U emergency reporting line.

Amendments - 40 CFR 112.4(d); 112.5; 265.54
The SPCC Plan must be amended within 6 months whenever there is a change in facility design, construction, operation, or maintenance that materially affects the facility's spill potential. The SPCC Plan must be reviewed at least once every 5 years and amended to include more effective prevention and control technology, if such technology will significantly reduce the likelihood of a spill event and has been proven in the field. The 5 year review will be documented in Appendix F. The review will be signed and will include the following statement "I have completed the review and evaluation of the SPCC Plan for the (name of facility) on (date), and will (not) amend the Plan as a result." The Plan will be amended within six months of the review. All technical amendments must be re-certified by a registered professional engineer (P.E.).

The SPCC Plan must also be amended when requested by the EPA Regional Administrator in accordance with 40 CFR 112.4(d)-(f).

Per 112.5(a)-(c), this facility will attach an amendment to the SPCC plan reflecting any change made on the most recently inserted date, which materially affects the facility's potential for the discharge of oil into or upon the navigable waters of the United States. Such amendments will be fully implemented within six months after such change occurs.

The RCRA Contingency Plan must be reviewed and amended, if necessary, whenever:

- The facility permit is revised;
- The plan fails in an emergency;
- The facility changes – in its design, construction, operation, maintenance, or 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;
- The list of emergency coordinators change; or
- The list of emergency equipment changes.

Please see Appendix F for a history of this plan's amendments and reviews.

14.0 EMERGENCY COORDINATORS - 40 CFR 112.7(a)(3)(vi), (4); 265.55

The primary and secondary emergency coordinators are listed in Appendix A. If an emergency situation occurs in their absence, all facility and office personnel will evacuate, and the most senior employee will page the emergency coordinators and call Nexeo Emergency Reporting (1-855-NEXEO4U).

At least one emergency coordinator is either on site or on call and available to respond to an emergency by reaching the facility within a short period of time. The emergency coordinators are thoroughly familiar with all aspects of the facility's RCRA Contingency Plan, all operations and activities at the facility, the location and characteristics of chemical products and wastes handled, the location of all records within the facility, and the facility layout. In the event of a fire, explosion, spill, or release of material, they have full approval of management to commit the resources necessary to implement this SPCC and RCRA Contingency Plan.

15.0 EVACUATION PLAN - 40 CFR 265.52(f)

In the event of a serious spill, fire, or explosion, all personnel will immediately evacuate the premises. A map showing evacuation routes is included in Appendix B.

1. An intercom system will be used to notify facility personnel

2. All exits in the office, warehouse, and drum room are marked. All employees are familiar with at least two exit routes from the facility

3. Upon complete evacuation of the facility, all employees will immediately group at the assembly area which is the Agway Parking Lot on Broad Street south of the plant

16.0 EMERGENCY EQUIPMENT LIST - 40 CFR 112.7(a)(3)(iv); 265.52(e)

The facility is equipped with the following emergency equipment. All emergency equipment is inspected periodically and maintained as necessary to assure its proper operation in time of emergency.

Physical Description	Location	Capabilities/Intended Use
Absorbents	Warehouse and waste hauling trucks	The plant stocks two types of absorbents. One is a granular clay type which is intended for aqueous spills. The other is absorbent pads and booms which are intended for solvent spills.
Chemical Neutralizers	Warehouse	Chemical neutralizers are stocked to neutralize spills of corrosives
16 Portable Fire Extinguishers	Throughout plant	Class B and Class C fires
3 Fire Extinguishers	Office/Basement	Class A fires
4 Fire Hydrants	On warehouse walls	Supply water from municipal water system for fighting fires
Fire Water Sprinkler	Warehouse and office	Fire protection from Class A combustibles
Forklift trucks	Warehouse	Move drums and equipment. Each forklift has a fire extinguisher for Class B and Class C fires
Telephone/Intercom	Throughout Plant	Can summon emergency assistance from local police/fire and notify plant personnel of emergency instructions
First Aid Kit	Office	Treat minor injuries
Tool Box	Office	Various repairs
Recovery Drums	Warehouse and waste hauling trucks	Containment for leaky drums
Safety and Warnings Signs	Throughout plant	Employee safety
Safety Shower and Eyewash Station	Building #1	Employee safety from chemical splashes and burns
Hard Hats and Goggles	Throughout Plant	Head and eye protection
Safety Shoes	Throughout Plant	Foot protection
Work Gloves	All locations	Hand protection
Security Alarm	Office	Detect illegal entry

Appendix A - KEY EMERGENCY CONTACTS

AGENCIES TO WHOM A WRITTEN REPORT MUST BE SENT IF THE EMERGENCY PLAN IS IMPLEMENTED

1. Bureau Director
   Remedial Bureau E
   Division of Environmental Remediation
   NYSDEC
   625 Broadway
   Albany, New York 12233-7017

2. Broome County Emergency Services
   153 Lt. Vanwinkle Drive
   Binghamton, NY 19305

AGENCIES TO WHOM A COPY OF THE SPCC/RCRA CONTINGENCY PLAN MUST BE SENT (COORDINATION AGREEMENTS)

Binghamton Police Bureau
38 Hawley St
Binghamton, NY 13901
607-723-5321

Binghamton Fire Department
38 Hawley St
Binghamton, NY 13901
607-772-7133

State Emergency Management Office
1220 Washington Avenue
Suite 101, Building 22
Albany, NY 12226-2251

Broome County Emergency Services
153 Lt. Vanwinkle Drive
Binghamton, NY 19305

Lourdes Hospital
169 Riverside Drive
Binghamton, NY 13905
607-798-5111

Binghamton General Hospital
10 Mitchell Avenue
Binghamton, New York 13903
607-762-3232

EMERGENCY INCIDENT COMMANDERS

Primary

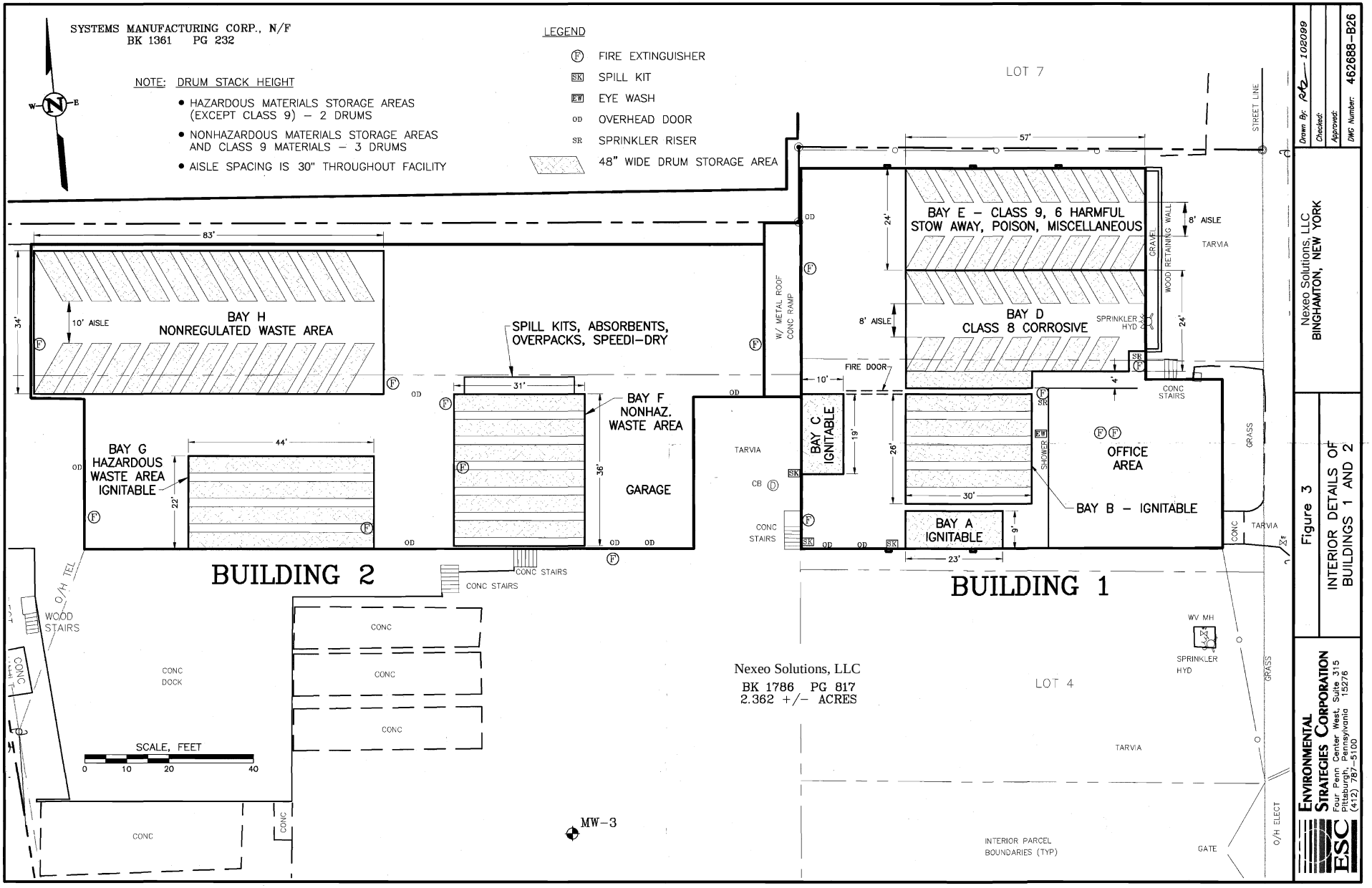
Gary Desko	Office Phone:	607-723-8254
Facility Manager	Home Phone:	607-648-5670
3 Teeburn Blvd.	Cell Phone:	607-759-1409
Binghamton, NY 13901		

Secondary

John Cook	Office Phone:	607-8254
Material Handler	Home Phone:	607-785-0029
2101 Donna Avenue		
Endicott, NY 13760		

Appendix B - FACILITY DIAGRAMS

Aerial Photograph of Binghamton, New York Facility



Rick Z – Z:\DWG\460\462688\B26.dwg :December 17, 1999 2:18 pm

Nexeo Solutions, LLC
BINGHAMTON, NEW YORK

Figure 3

INTERIOR DETAILS OF BUILDINGS 1 AND 2

Drawn By: RAZ 102099
Checked:
Approved:
DWG Number: 462688-B26

ENVIRONMENTAL STRATEGIES CORPORATION
Four Penn Center West, Suite 315
Pittsburgh, Pennsylvania 15276
(412) 787-5100

Figure 2

BINGHAMTON, NEW YORK

Drawn By: RJC 102799

EN[illegible] NMENTAL STRATEGIES CORPORATION

To Meeting Point (AGWAY)

BROAD STREET

EDGE OF PAVEMENT

NYSEG GAS MARKER

302

SET 5/8" REBAR W/ CAP

O/H ELECT & TEL

50.00'

S01°10'03"E GRASS

(S01°07'22"E 322.58' DEED)

O/H ELECT

GRASS

327.67'

CUY

GUY

TARVIA

GAS METER

9.70'

GRASS

CONC

9.73'

40.03'

CB

WV MH

SPRINKLER HYD

GATE

GRASS

6" CLF

CB W/VALVE

OOD RETAINING WALL

GRAVEL

49.97'

18.11'

CONC STAIRS

SPRINKLER HYD

LOT 4

TARVIA

UNDRGRD ELECT

TARVIA

LOT 2

GRASS

LOT 6

EX. 5/8" I. PIN W/ CAP

CONC. BLOCK/ BRICK BLDG

LOT 5

100.01'

INTERIOR PARCEL BOUNDARIES (TYP)

LOT 3

ELECTRIC METER

CONC

CONC

GRAVEL

40.21'

BK 1786 PG 817
2.362 +/- ACRES

LOT 1

GRASS

CONC RAMP W/ METAL ROOF

8.74'

41.20'

41.20'

8.82'

90.14'

36.17'

16.77'

TARVIA

CB

CONC STAIRS

36.03'

CONC

54.85'

METAL BLDG

54.93'

GRAVEL

40.26'

CONC

CONC

CONC RAMP / PAD

CB

MW-3

MW-5

CONC STAIRS

CONC STAIRS

TARVIA

TARVIA

GRAVEL

CONC RAMP

174.03'

METAL BLDG

144.69'

CONC DOCK

CONC

CONC

CONC

CONC

CONC

CONC DOCK

GRAVEL

METAL STAIRS

60.69'

35.59'

12.64'

36.53'

O/H TEL

WOOD STAIRS

4.07'

MW-2

364.82'

GATE

CONC DOCK

O\H ELECT

CONC VAULT

MW-1

N10°12'22"W

6" CLF

GRAVEL

(N10°12'22"W 359.86' DEED)

6" CLF

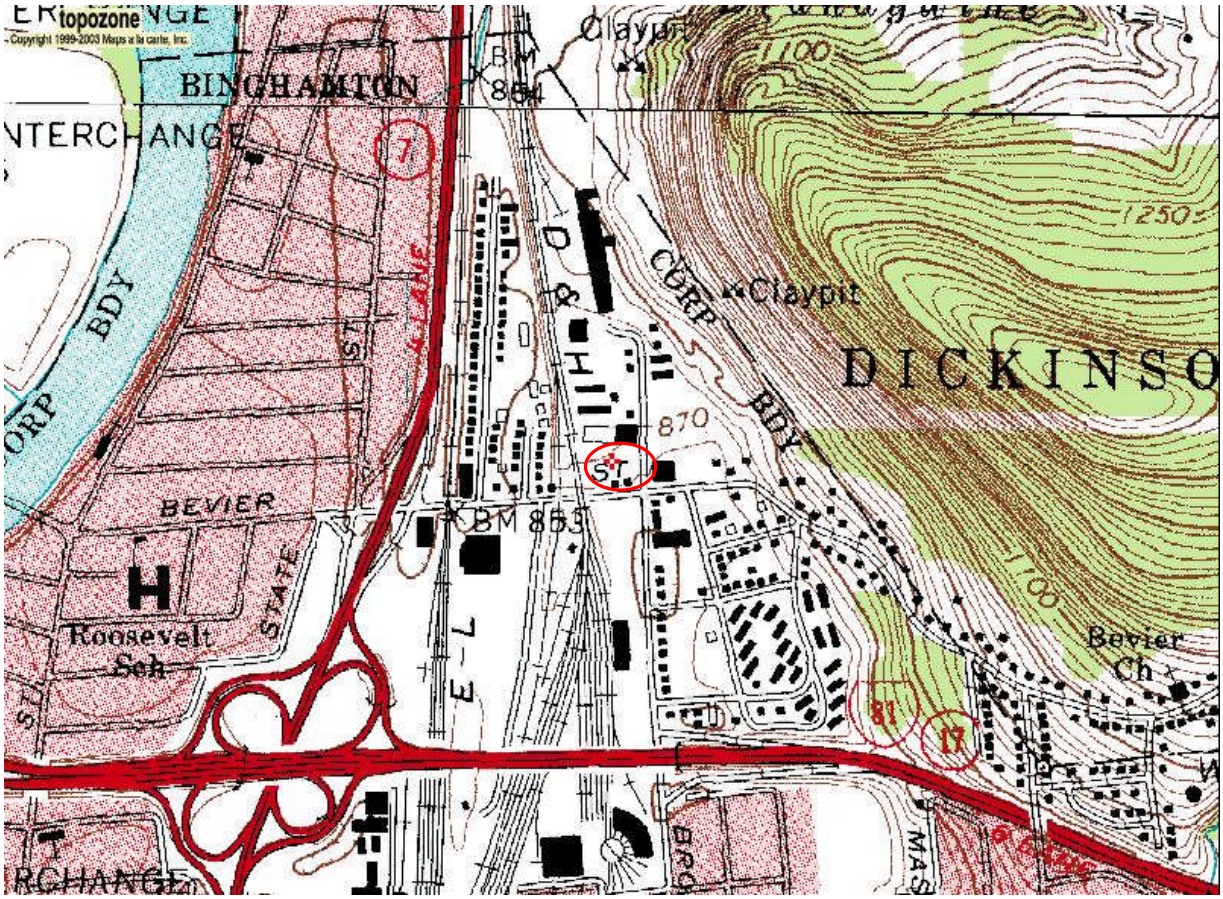
D & H CORPORATION, N/F

MW-4

SCALE, FEET

0 15 30 60

Topographical Map of Binghamton, New York Facility



Appendix C - INSPECTION FORMS

Table F-1
DAILY CONTAINER STORAGE AREA INSPECTION LOG SHEET
Binghamton, NY

Inspector's Name _____
Date of Inspection _____(Month, Day, Year)
Time of Inspection _____

Item	Type of Potential Problem	Status (X)		Observation	Date & Type of Repairs/remedial Action
		Good	Not Good		
Container Placement and stacking	Aisle space, height of stack				
Sealing Containers	Open lids				
Labeling Containers	Improper identification, Date missing				
Container Condition	Corrosion, leakage, structural defects				
Segregation of incompatible wastes	Storage of incompatible wastes in the same area or not storing wastes in designated storage locations				
Pallets	Damaged (e.g., Broken wood, warping, nails missing)				
Warehouse Doors and locks	Corrosion, Damaged Doors, Sticking or Corroding locks				
Impervious coating/containment	Cracks, Spalling, Uneven Settlement, Erosion, Wet Spots				
Housekeeping in Area	Dirty Floors, Trash in Area				
Warning Sign	Readable, Damaged or Missing				
Yard Storm drain and Valve	Open/Closed, Functioning				
Loading/Unloading Areas	Cracks, impervious coating damaged, erosion, wet spots, containers not on pallets.				

TABLE F-2
WEEKLY SECURITY DEVICES INSPECTION LOG SHEET
Binghamton, NY

Inspector's Name _____
Date of inspection _____ (Month, Day, Year)
Time of Inspection _____

Item	**Types of Potential Problems**		**Status (X)**		**Observations**	**Dates and Type of Repairs/ Remedial Action**
			Good	**Not Good**		
Facility Fence	Corrosion, Damage to Chain Link Fence or Barbed Wire					
Main Entrance Broad Street	Corrosion, Damage to Chain Link Fence or Barbed Wire					
Lower Gate Broad Street	Corrosion, Damage to Chain Link Fence or Barbed Wire; Sticking or Corroding Lock					
Railroad Gate	Corrosion, Damage to Chain Link Fence or Barbed Wire; Sticking or Corroding Lock					
Container Storage Area Doors and Locks	Corrosion, Damage to Doors; Sticking or Corroding Lock					
Public Address System	BLDG 1					
	BLDG2					
	BLDG3					
	BLDG4					
	Yard					
Office Burglar Alarm	Out of Service, Damaged					

TABLE F-3

MONTHLY INSPECTION EMERGENCY EQUIPMENT

Binghamton, NY

Date _____Time _____

Inspector _____

Item Inspected		**Potential Problems**	**No.**	**Good**	**Not Good**	**Observation**	**Remedial Action**
Sprinkler System	BLDG 1	Pressure Valve on	1				
	BLDG2	Pressure Valve on	2				
	BLDG3	Pressure Valve on	3				
	BLDG4	Pressure Valve on	4				
Personal Protection	Gloves	Qty, Condition, Access					
	Goggles	Qty, Condition, Access					
	Tyvek	Qty, Condition, Access					
Tools	Cart	Any missing					
	Wall	Any damaged					
	Fork	Any missing					
Public Address System	BLDG 1	Operational	1				
	BLDG2		2				
	BLDG3		3				
	BLDG4		4				
	Yard		Yard				
First Aid Kit	Office	All present and clean					
Safety Shower	BLDG 1	Working, Accessible					
Fire Extinguishers	BLDG 1	Seals intact, no damage, fully charged	1				
	BLDG2		2				
	BLDG3		3				
	BLDG4		4				

Air Compressors		Operational					
Fans		Operational					
Forklifts		Operational					
Neutralizers		Qty, Condition, Access					
Absorbent Materials		Qty, Condition, Access					
Respirators	Disposable Dust Mask Type	Qty, Condition, Access					

Appendix D - ACTION ITEMS

There are currently no deviations from the SPCC rules and regulations that need to be addressed.

Appendix E - Certification of the Applicability of the Substantial Harm Criteria

Appendix C to 40 CFR Part 112—Substantial Harm Criteria
Attachment C-II—Certification of the Applicability of the Substantial Harm Criteria

Facility Name: Nexeo Solutions, LLC

Facility Address: 3 Broad Street

Binghamton, New York 13902

1. Does the facility transfer oil over water to or from vessels and does the facility have a total oil storage capacity greater than or equal to 42,000 gallons?

   Yes___ No_X_

2. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and does the facility lack secondary containment that is sufficiently large to contain the capacity of the largest aboveground oil storage tank plus sufficient freeboard to allow for precipitation within any aboveground oil storage tank area?

   Yes___ No_X_

3. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III to this appendix or a comparable formula 1) such that a discharge from the facility could cause injury to fish and wildlife and sensitive environments? For further description of fish and wildlife and sensitive environments, see Appendices I, II, and III to DOC/NOAA's "Guidance for Facility and Vessel Response Plans: Fish and Wildlife and Sensitive Environments" (see Appendix E to this part, section 10, for availability) and the applicable Area Contingency Plan.

   Yes___ No_X_

4. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III to this appendix or a comparable formula) such that a discharge from the facility would shut down a public drinking water intake?

   Yes___ No_X_

5. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and has the facility experienced a reportable oil spill in an amount greater than or equal to 10,000 gallons within the last 5 years?

   Yes___ No_X_

Certification

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals responsible for obtaining this information, I believe that the submitted information is true, accurate, and complete.

Signature: _____

Print Name: Gary Desko

Title: Plant Manager

Date: _____

Appendix F - PLAN REVIEWS AND AMENDMENTS

Amendment or Review Date	Personnel, Physical, or Operational Change	Amendment Location in SPCC / RCRA Contingency Plan
May 2009	Rewrite plan to include new regulations	Throughout plan
July 2012	Revised contact information; removed references to diked area, underground and aboveground tanks and piping, all of which are not present on-site	Throughout plan

5 YEAR REVIEW AND CERTIFICATION

The next five year review of the SPCC and RCRA Contingency Plan is due in May 2014. The Plan must be amended within six months of the review date. Amendments are listed on the previous page. The Plan must be reviewed by the Plant Manager and the following statement must be completed and signed:

"I have completed the review and evaluation of the SPCC Plan for the Nexeo Solutions, LLC facility in Binghamton, New York on _____, and will (not) amend the Plan as a result." (date)

_____ _____

Signature of Plant Manager Date

3 BROAD STREET

BINGHAMTON NY 13902

EPA ID. No: NYD049253719

DEC Permit No: 7-0302-00068/00011

6 NYCRR Part 373

FINAL PERMIT ATTACHMENT VII

CLOSURE PLAN

2012

Section I
CLOSURE PLANS, POST-CLOSURE PLANS, AND FINANCIAL REQUIREMENTS
[6 NYCRR 373-1.5(a)(2)(xiii-xvii), 373-2.7, 2.8, 2.9(i)]

This Closure Plan describes the activities that will be undertaken for the closure of the hazardous waste storage area when the facility ceases to operate or alters operations in Binghamton, New York. Within 90 days after receiving the final volume of hazardous wastes, Nexeo Solutions, LLC (Nexeo) will initiate closure of the facility as per the approved closure plan in accordance with 373-2.7(d). General facility information is provided below:

U.S. EPA ID No:	NYD049253719
Owner's Name:	Nexeo Solutions, LLC
Address:	5200 Blazer Parkway Dublin, Ohio 43017
Person Responsible for Maintenance of Closure Plan:	Gary Jackson, P.E. Sr. Environmental Engineer (281) 297-0651
Plant Name:	Nexeo Solutions, LLC
Location:	3 Broad Street Binghamton, NY 13902

I.1 CLOSURE PLANS
[6 NYCRR 373-1.5(a)(2)(xiii), 373-2.7(c)(l)]

I.1.a <u>Closure Performance Standard</u>
[6 NYCRR 373-2.7(b)(l) & (2)]

The hazardous waste storage area will be closed in a manner that will:

- Minimize the need for further maintenance.
- Control, minimize, or eliminate, to the extent necessary to protect human health and the environment the post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated run off, or hazardous waste decomposition products to the ground or surface waters or to the atmosphere.
- Comply with the closure requirements of 6 NYCRR 373-2.7 and unit-specific closure requirements.

The closure performance standard will be accomplished by removing from the facility all the hazardous waste in the facility's inventory at the time of closure, decontaminating equipment and containment systems and post closure sampling and analysis.

Copies of this Closure Plan and subsequent approved amendments to the plan will be available at the facility until closure of this area is completed and certified.

I.1.b Partial Closure and Final Closure Activities [6 NYCRR Part 373-2.7(c)]

The hazardous waste storage area is expected to remain operational during the life of the Binghamton facility. No partial closure activities are planned for this facility. If an unanticipated partial closure is necessary, this Closure Plan will be amended in accordance with the regulations.

I.1.c Maximum Waste Inventory [6 NYCRR Part 373-2.7(c)(2)(iii)]

The maximum inventory of hazardous wastes that could be in storage at any time during the life of this facility is 42,900 gallons (which is equivalent to 780, 55-gallon drums). Table C-1 in the Waste Analysis Plan (Attachment I of this Permit) contains a list of all hazardous waste codes the facility is permitted to store. Table C-1.1 lists which bays are used to store the various hazardous wastes.

I.1.d Schedule for Closure

A time schedule for the closure of the hazardous waste storage unit is shown in Figure I-1. Figure I-1 represents the maximum time allotted for closure activities at the Binghamton facility.

I.1.d.1 Time Allowed for Closure [6 NYCRR 373-2.7(d)(l) & (2)]

Nexeo will notify the Commissioner in writing at least 45 days prior to the date on which it expects to begin closure of the hazardous waste management unit.

Figure I-1 shows that:

- All hazardous wastes will be removed off-site within 90 days from the receipt of the final volume of waste.
- All closure activities will be completed in accordance with the approved closure plan within 180 days from the receipt of the final volume of waste.

I.1.d.1.a Extension of Closure Time [6 NYCRR Part 373-2.7(d)(1)(i)]

If closure activities are expected to extend beyond 180 days after receiving the final volume of hazardous waste, a petition for a schedule for closure that justifies that a longer period of closure time is required will be submitted to the Department for approval.

The storage area consists of six separate bays which are shown on the plot plan in Attachment A-2. Hazardous waste is stored in bays A, B, C, D, E, and G. Each storage bay is encircled by concrete curbing and ramps which will contain a spill or leak within the bay. Hazardous waste containers are stored on pallets within each storage bay. Bays F and H are used to store only 10-day transfer and non-hazardous wastes.

The base of the storage area is constructed of concrete which is free of cracks or gaps and is sufficiently impervious to contain leaks or spills, until any collected material is discovered and removed. The concrete base in each bay is sealed with a coating which is compatible with the wastes stored.

Closure of this storage area will be completed within 180 days after receiving the final volume of hazardous waste. The need for a time extension is not anticipated at this time. Closure activities will include:

Within 90 days of receiving the final volume of hazardous waste, the entire inventory will be transported to a RCRA permitted off-site, treatment, storage, or disposal facility (TSDF). Containers will be properly manifested, packaged, and labeled for shipment according to U.S. Department of Transportation (USDOT) and EPA/NYSDEC regulations. Prior to shipment, containers will undergo an additional inspection for leakage. Leaking containers will be placed in overpack drums with absorbent materials. Any equipment or clothing that contacts the hazardous waste will be decontaminated or disposed of as a hazardous waste.

Any liquids in the storage bay containment system will be drummed and removed for disposal at a permitted TSDF. The floor will be swept clean and/or scraped to remove any solid residues. The entire surface area of the hazardous waste storage area and any equipment used in the transport and handling of hazardous waste or equipment used during closure activities will be steam cleaned or rinsed using a high pressure water wash within the storage area containment system.

The floor will be washed with a steam generator cleaner unit employing an industrial grade detergent, pressurized steam and water. A heavy duty industrial vacuum cleaner will be used to pick up water and sediment from the floor. Detergent washing will continue until it is visually evident that the floor surface is clean. The wash water will be disposed of at a permitted TSDF facility.

Plastic sheeting, or other moisture barrier, will be placed around the outside perimeter of the storage area to protect surrounding surfaces. This sheeting will be characterized and managed appropriately following the decontamination of the storage area. Following steam cleaning and scrubbing activities, the entire surface area of the storage area will be triple rinsed with potable water. The floor will be thoroughly wetted over the entire surface area. Then using a dry vacuum, new floor mops, and squeegees, the surface water will be removed working from the periphery to the center. Once the first rinse is removed, this procedure will be repeated for the second and third rinses.

Wash and rinse water will be accumulated into 55-gallon containers. This water will be characterized (i.e., analyzed for corrosivity and TCLP and managed accordingly. If determined to be hazardous, it will be managed in the same manner as the final volume of hazardous waste. An estimated 200 gallons per hour of wash water will be generated during steam cleaning, rinsing, and scrubbing activities. The cleaned area will be inspected using a photo ionization detector to determine completeness of cleaning. As proof of decontamination of the storage bays the protocol listed in section I.9 of this document will be used. Two blank samples will also be collected. Two rinsate samples from each bay will be sent for chemical analysis. Each sample will be analyzed for pH, TCL volatiles, TCL semi volatiles and TAL metals. Sampling methods will be in accordance with the procedures established in SW-846 *(EPA Test Methods for Evaluating Solid Waste, November 1986, or most recent update).* The closure data will be provided as a NYSDEC Analytical Service Protocol (ASP) category B or Contract Laboratory Program (CLP) data deliverables package by the analytical laboratory to provide sufficient analytical QC data quality.

Soils in the facility are not expected to be contaminated by the container storage of hazardous wastes. However, to demonstrate that the soils are clean, two soil samples six inches below the concrete pad will be taken from each bay and analyzed for the same parameters as the rinsate samples. The exact sampling locations will be determined in consultation with the NYSDEC representative at the time of closure. The analytical values will be compared to 6 NYCRR Part 375-6, Remedial Program Soil Cleanup Objective. If contaminants above these levels are present in the soil samples, additional sampling and analysis may be required.

I.1.e.2 Analytical Parameters and Test Methods

Table C-1 contains a list of all hazardous waste codes the facility is permitted to store. Samples collected during closure activities will be analyzed for the most common constituents which have been stored at this facility, according to the applicable SW -846 methods by a NYSDOH Environmental Laboratory Approval Program (ELAP) certified off-site analytical laboratory.

Flash point and pH will also be analyzed to determine if samples exhibit the characteristics of ignitability or corrosivity.

I.1.e.3 Clean Standards

The sample results for the rinsate samples shall be compared to the New York State Water Quality Standards for Class GA groundwater or background per 6NYCRR Part 703.6. If the sample results are less than this water quality standard, the storage area will be considered closed clean.

The final and specific choice of sampling points, number of samples, type of sampling to be performed and closure analyte list will be determined at the time of closure by NYSDEC. These determinations will be based upon the past history of operating practices and types of wastes handled at the facility. The operating record, the record of spills, the types of waste released, location of spills in the facility and the condition of secondary containment systems will also provide data to be used in these determinations. The flexibility afforded by this approach will

allow compliance with closure regulations and requirements that will be in effect at the time of closure. Different sampling procedures may be considered at closure and the locations and the total number of samples required will be determined based on the information gathered at the time of closure. The verification of decontamination will be based on NYSDEC's regulatory cleanup standards at the time of closure.

I.l.e.4 NYSDEC Notification Before Closure

As required by 6 NYCRR Part 373-2.7(c)(4), a written notification will be submitted to the NYSDEC at least 45 days prior to the date on which closure of the regulated unit is expected to begin.

I.1.e.5 Certification of Closure
[6 NYCRR 373-2.7(f)(1) & (2)]

A report documenting closure activities, analytical results, and closure certification will be prepared within 60 days of completion of closure activities. The certification will specify that the closure was conducted in accordance with the specifications of this Closure Plan and will be submitted to the NYSDEC. The certification will be signed by an independent, qualified, professional engineer registered in New York and by the owner of the Binghamton facility.

I.2 POST-CLOSURE PLAN/CONTINGENT POST-CLOSURE
[6 NYCRR 373-2.7(g) through (j)]

Post-Closure care requirements do not apply to the hazardous waste storage area.

I.3 CLOSURE COST ESTIMATE
[6 NYCRR 373-1.5(a)(2), 373-2.8]

The closure cost estimate is shown in Table I-1. Total closure cost is estimated to be approximately $419,274.

1.4 FINANCIAL ASSURANCE MECHANISM FOR CLOSURE
[6 NYCRR 373-1.5(a)(2)(xv) & (xvi), 373-2.8(d)]

The company uses a trust fund to demonstrate financial assurance for facility closure and insurance to satisfy liability requirements. The trust agreement and certificate of insurance liability are included in Attachment I-1. The closure cost estimate included in the attachment is based on the current approved Closure Plan. The cost estimate included in Table I-1 will be used as the basis for closure cost when this permit application is approved.

I.7 POST-CLOSURE COST ESTIMATE

No post-closure cost estimate is required for this facility.

I.8 COVERAGE FOR NON-SUDDEN ACCIDENTAL OCCURRENCES

Coverage for non-sudden accidental occurrence is not required for this facility.

I.9 RINSATE SAMPLE COLLECTION PROTOCOL FOR VERIFICATION OF DECONTAMINATION

The following procedure will be used to collect samples for analysis.

Rinsate Sample Collection Protocol

This procedure is intended to be used to collect samples for analysis of concrete floors, secondary containment areas and sumps, including surfaces that have been coated, to establish whether or not there is any contamination on the concrete surfaces. This procedure is to be performed after the surfaces have been cleaned and decontaminated pursuant to the approved closure plan. This procedure may also be suitable for use on other surfaces on a case-by-case basis.

1. Mark areas to be sampled on a facility floor plan for the area(s) to be closed. Sketches should include locations of building columns, walls, fixed equipment, and the rinsate sampling locations themselves to accurately locate the rinsate sampling points within the buildings.

2. Assemble and clean all equipment necessary for sample collection. Equipment needs to be cleaned, if not already pre-cleaned by the laboratory.

3. Create a temporary containment area on the floor using an inert, pre-cleaned, flexible boom.

4. Label the sample containers with a unique sample code, information on the site, sample location and date/time sample was collected. Affix appropriate labels for test parameters on the sample containers. Put on a new pair of disposable nitrile gloves.

5. At each sampling location, slowly pour the minimum quantity of distilled or deionized water (start with one gallon for metals analysis, much less for only volatiles) needed to collect all sample parameters, including QC samples, onto the concrete area. If the individual area is sloped, start pouring at the highest elevation. The deionized water may be provided by the analytical laboratory, purchased, or generated on-site.

6. Allow de-ionized water to collect and remain in the sample location for 10 minutes.

7. Collect the number of samples as specified in the closure plan along with appropriate QA/QC samples. Samples may be collected using dedicated, sterile glass pipettes provided by the laboratory, or any other suitable device approved in the closure plan. The pipettes are used to transfer the sample fluids into the appropriate laboratory supplied containers. Volatile sample containers shall be filled first to minimize loss of volatiles.

8. Samples must not be composited.

9. Cap the sample container and place sample containers in a cooler with ice to maintain a temperature of 4º C.

10. Remove and discard the gloves. Place all disposable gloves into a plastic bag designated for proper disposal.

11. Fill out sampling details in field log book. Photographs of the sample locations, wetted areas, equipment, and actual sampling events may be taken by the facility or Department staff and a list of the photographs shall be recorded in the field book.

12. Fill out the chain-of-custody and any other sample forms. Prepare the samples for storage and shipping in the cooler with ice to maintain a temperature of 4 ± 2°C. Ship overnight to the laboratory for analysis.

13. Follow the chain-of-custody procedures as detailed in the Quality Assurance Program Plan.

3 BROAD STREET

BINGHAMTON NY 13902

EPA ID. No: NYD049253719

DEC Permit No: 7-0302-00068/00011

6 NYCRR Part 373

FINAL PERMIT ATTACHMENT VIII

MANAGEMENT OF WASTE IN CONTAINERS

2012

ATTACHMENT VIII
PROCESS INFORMATION

D.1 CONTAINERS
[40 CFR 270.15, 264.170 through 264.178, 6 NYCRR 373-1.5(b), 373-2.9]

Containers used for storage of hazardous wastes at this facility are portable containers which meet the requirements of the U.S. Department of Transportation (USDOT). The layouts of the hazardous waste storage areas are shown in Appendix A.

This section discusses process information for the storage of containerized wastes. The facility will store customers' containerized wastes until a truckload quantity is accumulated for shipment to a permitted disposal site.

Container Inventory Logging System

When the waste enters the plant, a copy of the manifest and profile sheet are made and attached to a clipboard. There is a separate clipboard for each treatment, disposal, and recycling (TSD) facility used by Nexeo Solutions, LLC (Nexeo) for ultimate disposition of the waste. On the front of each clipboard there is a cover sheet that tracks the total number of containers currently in storage destined for shipment to each off-site permitted TSD facility used by Nexeo. Shipments of wastes to the designated TSD facility are scheduled once the drum count approaches a full load.

Container Storage Management

The waste storage bays B, C, and G are designated for storage of ignitable and some reactive wastes only. These rooms are dedicated for the storage of all wastes which have a flash point below 140°F. This would include the D001, D003 (aqueous cyanides and sulfides wastes only) F003, and F005 wastes and all other toxic, Toxicity Characteristic

(TC), K, U and P wastes which exhibit the characteristic of ignitability. Bay A is used to store all other reactive wastes (D003), water reactives, organic peroxides, and oxidizers.

While in storage on-site, incompatible wastes are segregated by concrete diking. There are six individual diked bays utilized to prevent the accidental mixing of incompatible wastes. Each bay has sufficient capacity to contain a leak or spill as described in this section.

Only compatible wastes are stored in each individual bay. Additionally, containers in each bay are segregated as to the ultimate TSD facility. At the end of each working day, a site diagram of the hazardous waste storage area is posted on the door of the facility that illustrates the number of containers of each hazard classification in each bay. This site diagram information is posted in accordance with the agreements with local authorities.

The warehouse rooms are separated from the other rooms by fire doors. This area is 50 feet from the property line in accordance with State and Federal Regulations for storage of ignitable wastes.

Non-hazardous wastes are not stored in the hazardous waste storage areas.

Basic Design Parameters, Dimensions, and Materials of Construction

The layout of the hazardous waste storage areas is shown in Appendix A. This drawing provides the overall dimensions of the storage rooms as well as the dimensions of each individual storage bay.

The hazardous waste storage area has six individual storage bays in three warehouse rooms in two buildings (Building #1 and #2). These bays meet the requirements for secondary containment and separation of incompatible wastes as specified in Title 40 of the Code of Federal Regulations (40 CFR) Part 264, Subpart I. The location of the hazardous waste storage area is shown in Appendix A.

Each storage bay is curbed to provide secondary containment in case of potential spills and leakage. Entrance ramps are installed on one end of each storage bay as shown in the layout drawing, Appendix A-2.

D.l.a Containers with Free Liquids

Hazardous wastes that may be stored at this facility are listed in Section C, Table C-1 of this permit. The chemical and physical characteristics of these wastes are described in Section C - Waste Characteristics. These hazardous wastes may contain free liquids, therefore, the hazardous waste storage area is designed for containers containing free liquids.

Table D-1

Storage Area	Waste Description	Container specifications (USDOT)	Storage Volume (Gal)	Secondary Containment Volume (Gal)
Bay A	Water reactives, organic peroxides, and Oxidizers	1A1,1A2,1H1	1,925	614
Bay B	Ignitable Wastes - ignitable and non halogenated solvents, U and P wastes which exhibit ignitability and TC wastes plus D003 (only aqueous cyanide and sulfide wastes).	1A1,1A2,1H1	9,075	1,874
Bay C		1A1,1A2,1H1 1H2,6HA1, 6PA1	1,595	625
Bay D	Corrosive Wastes- D002 and TC wastes exhibiting corrosivity	1A1,1A2,1H1 lID,	8,745	3,382
Bay E	Non-ignitable and non-corrosive wastes; halogenated and non- halogenated toxic wastes, TC wastes, plating wastes, K, U and P wastes	1A1,1A2,1Hl 1H2, 4G, 5Hl, 5H2, 5H3, lG	11,330	4,132
Bay G	Ignitable Wastes	Same as Bays B and C	10,230	2,716
Total storage volume			42,900	

All containers and liners used to manage hazardous wastes meet USDOT specifications. Stacking height shall not exceed 2 pallets high. Containers of different capacities shall not be stored on the same pallet for stacking purposes. All non cyanide and sulfide reactive wastes are accepted only as double overpacked labpacks. These wastes are labpacked in a 30 gallon container as per USDOT requirements, and overpacked in a steel drum with vermiculite.

Organic peroxide will be stored only as double over packed labpacks. Packages containing organic peroxide formulations will be individually marked with the chemical name of the organic peroxide or with other information adequate for proper storage. Storage areas for organic peroxides will be maintained within the recommended temperature range for the materials stored. The storage of organic peroxides with concentrations above the limits specified in 49 CFR 173.225 is prohibited. Organic peroxides are stored in Bay A on raised containment pallets. Oxidizers and water reactives are also stored in Bay A, which is temperature controlled.

Building #1 contains the main plant office and two warehouse storage rooms. Hazardous wastes are stored in both Building #1 and Building #2 warehouse storage rooms.

Ignitable Waste Storage Area

D001 and other ignitable wastes are stored within two individual storage bays in the south room (Bay B and C) of Building 1 and also in Bay G in Building 2. The storage bays are curbed and ramped for secondary containment. The room has a total area of 2,200 square feet. The storage bays occupy 940 square feet. The remaining area consists of aisle ways for the movement of equipment (forklift trucks) and personnel. The bays are dedicated for the storage of all wastes which have a flash point below 140° F. This includes the D001, F003, and F005 wastes and all other Toxic, Toxicity Characteristic (TC), U, K and P wastes which exhibit the characteristic of ignitability.
This area is 50 feet from the property line in accordance with State and Federal Regulations for storage of ignitable wastes.

Attachment A-2 shows the floor plan and configuration of the bays, pallets and isle space with dimensions in the hazardous waste warehouse. The existing warehouse floor is 6 inch thick concrete and is in good condition with no cracks, chips, or spalling. Curbs and entrance ramps extend 5 and 1/2 inches above the base floor elevation. The south warehouse room is separated from the other rooms by a fire door and man doors.

Corrosive, Non-Corrosive and Non-Ignitable Waste Storage Areas

The north warehouse room, in Building #1, is divided into two storage bays, bay D and bay E. Bay D stores wastes which exhibit the characteristic of corrosivity (). These are D002 wastes and any other toxic or TC waste which may also exhibit corrosivity. Bay E stores non-ignitable and non-corrosive wastes (). These are halogenated and non- halogenated toxic wastes, TC wastes, plating/metal treating wastes, and non-ignitable U, K and P wastes. The layout and dimensions of the storage bays are shown in the layout drawing in Attachment A-2.

Building 1 has a total area of 4,000 square feet. The storage bays occupy a total of 2,780 square feet. This provides adequate room for the movement of waste handling and emergency equipment and personnel in and around the storage bays. Entrance ramps are installed in the west end of the storage bays. Curbing is installed in the southeast comer of the room to separate the firewater sprinkler system header from the hazardous waste storage area. Specifications for the construction of entrance ramps and curbing are given in the layout drawing. Curbs and ramps are set into the existing warehouse floor to extend 5and ½ inches above the base floor elevation.

All New York non-hazardous wastes are stored in other areas of the plant (Building #2, Bay F and Bay H). Bay F is a temperature controlled area to prevent non-hazardous temperature

sensitive wastes from freezing. Non-hazardous wastes are not stored in the RCRA hazardous waste storage area.

D.l.a.1 Description of Containers
[40 CFR 264.171, 264.172, 270.14(b)(2), 6 NYCRR 373-2.9]

All containers used for each hazardous waste must meet USDOT requirements for the appropriate hazard. Facility personnel responsible for shipping and receiving hazardous waste containers are trained to inspect the containers to assure compliance. A list of container types is included as Table D-1 in this section. Examples of labels used for container marking are included in Appendix B. Container labeling requirements are satisfied by following USDOT requirements (Title 49 of the Code of Federal Regulations [49 CFR]).

The facility ensures that all containers and liners used to manage hazardous wastes at the facility meet USDOT specifications.

D.l.a.2 Container Management Practices
[40 CFR 264.173, 6 NYCRR 373-1.5(b), 373-2.9]

The hazardous waste storage area drum storage layout is shown on Attachment A-2. This drawing shows the overall dimensions of the individual storage bays and the arrangement of the storage pallets. Waste containers are always kept closed when in storage. This facility serves only as temporary storage for customer generated wastes. Hazardous waste containers are marked with hazardous waste labels (see Appendix B) and labeled with the appropriate USDOT hazard labels.

The hazardous waste storage area is inspected daily to ensure that containers are stored in a manner to prevent ruptures and leaks. Containers are stored on pallets. The storage area is inspected to verify that pallets are properly placed and that containers are properly placed on the pallets. The pallets elevate the drums by 4 inches.

Containers are stacked no more than two high in the hazardous waste storage area with each layer palletized. This ensures stability. Pallets are placed in storage bays such that an aisle spacing of a minimum of three feet is maintained between rows of pallets.

The hazardous waste storage area is away from sources of ignition. The storage area is located more than 50 feet from the nearest property line. Containers of incompatible wastes are stored in separate bays in the hazardous waste storage area. All ignitable wastes stored at this facility are compatible. No self-reactive or explosive wastes are accepted at this facility.

Containers and pallets of containers are moved and handled with forklift trucks by fully-trained personnel.

D.1.a.3 Secondary Containment System Design and Operation
[40 CFR 270.15(a)(1), 264.175(a), 264.175(d)], [6 NYCRR 373-1.5(b)(1)(I),

373-2.9(f)(1)(l)]

The layout of the hazardous waste storage area is shown on Attachment A-2.

This storage facility has six individual storage bays in three warehouse rooms. Each storage bay is curbed for secondary containment of potential spills and leakage. Entrance ramps are installed on one end of each storage bay as shown in the layout drawing. The height of the curbing and entrance ramps is 5 and 1/2 inches above the base floor elevation.

The capacity of the secondary containment system is calculated as shown in Section D.l.a.3.c below.

D.l.a.3.a Requirement for the Base or Liner to Contain Liquids [40 CFR 264.175(b)(1)]

Containers are stored in bays located inside the hazardous waste storage area warehouse on a six-inch thick concrete floor that is free of cracks or gaps. Curbs and ramps are doweled to existing concrete and adhered to the concrete with an epoxy poly sulfide bonding agent (Deco-Rez SBA-3576).

Protective coating is applied to the floors of the storage bays as required. The floor of the corrosives Bay D is coated for protection from strong acids and alkalies with a chemical resistant sealer, Deco-Rez Epoxy 3510. The floor of storage Bay D is coated for protection from chlorinated solvents with a solvent resistant coating, Deco-Rez 3511. Storage Bays A, B, C, and G is coated with Sikaguard.

Technical specifications for the various coatings are included in Appendix C.

The floors of the waste container storage areas are inspected daily. If the condition of the coating has deteriorated, or worn out or the secondary containment is found to have cracks or gaps, it will be noted in the inspection log and re-coated/repaired for the continued use of the secondary containment. All liquid spills or leaks are cleaned up immediately. Any suspect or leaking containers are placed in recovery drums, which are kept in plant inventory for such purposes. Spills will be neutralized and/or absorbed with materials which are maintained in plant inventory for such purposes.

The identity of the spilled material can be determined in most cases from plant inventory records. If the identity of the recovered material cannot be determined from plant records, it will be sampled and analyzed by an external lab, as necessary, prior to being submitted for disposal at a permitted disposal facility. If the identity or characteristics of the recovered material is expected to change as a result of the cleanup process, a sample will be taken and analyzed by an external lab.

D.l.a.3.b Containment System Drainage [40 CFR 270.15(a)(2), 264.175(b)(2)], [6 NYCRR 373-1.5(b)(1)(ii), 373-

2.9(f)(1)(ii)]

There are no drains within the secondary containment system. Waste containers are stored on pallets which elevate the containers approximately four inches above the floor, to protect the bottoms of containers from contact with spilled or leaked liquids.

D.l.a.3.c Containment System Capacity
[40 CFR 270.15(a)(3), 264.175(b)(3)], [6 NYCRR 373-1.5(b)(1)(iii), 373-2.9(f)(1)(iii)]

Storage Bay A Containment Capacity

Storage Bay A can contain five pallets as shown on the storage area layout plan, Appendix A. Each pallet holds up to four, 55-gallon drums and pallets may be stacked a maximum of two pallets high. This storage bay is permitted for a storage volume of 1,925 gallons. The secondary containment system must be capable of containing 10% of the total storage volume or 193 gallons.

The secondary containment capacity of this storage bay is as follows:

Required Capacity:

1,925 gallons X 0.10[a] = 193 gallons

Capacity Available:

(25 ft X 0.46ft X 8.83 ft) X 7.48 gal/ft^3 = 760 gallons

Volume Displacement of Ramp:

(3ft X 0.46ft X 8.83 ft X 0.5) X 7.48 gal/ft^3 = 46 gallons

Volume Displacement of Pallets:

2.67 ft^3/pallet[b] X 5 pallets X 7.48 gal/ft^3 = 100 gallons

Net Capacity Available:

760 gallons - 46 gallons- 100 gallons = 614 gallons

There are 614 gallons of secondary containment available which exceeds the required minimum containment capacity of 193 gallons.

Storage Bay B Containment Capacity

Storage Bay B can contain 24 pallets as shown on the storage area layout plan, Appendix A. Each pallet holds up to four, 55-gallon drums and pallets may be stacked a maximum of two pallets high.

This storage bay is permitted for a storage volume of 9,075 gallons. The secondary containment system must be capable of containing 10% of the total storage volume or 908 gallons.

The secondary containment capacity of this storage bay is as follows:

Required Capacity:

9,075 gallons X 0.10[a] = 908 gallons

Capacity Available:

(24ft X 0.46ft X 30ft) X 7.48 gal/ft^3 = 2477 gallons

Volume Displacement of Ramp:

(3 ft X 0.46ft X 24ft X 0.5) X 7.48 gal/ft^3 = 124 gallons

Volume Displacement of Pallets:
2.67 ft^3/pallet[b] X 24 pallets X 7.48 gallons/ft^3 = 479 gallons

Net Capacity Available:

2477 gallons- 124 gallons- 479 gallons = 1874 gallons

There are 1,874 gallons of secondary containment available which exceeds the required minimum containment capacity of 908 gallons.

Storage Bay C Containment Capacity

Storage Bay C can contain 4 pallets as shown on the storage area layout plan, Appendix A. Each pallet holds up to four, 55-gallon drums and pallets may be stacked a maximum of two pallets high.

This storage bay is permitted for a storage volume of 1,595 gallons. The secondary containment system must be capable of containing 10% of the total storage volume or 160 gallons.

The secondary containment capacity of this storage bay is as follows:

Required Capacity:

1,595 gallons X 0.10[a] = 160 gallons

Capacity Available:

(10ft X 0.46ft X 22ft) X 7.48 gal/ft^3 = 757 gallons

Volume Displacement of Ramp:

(3 ft X 0.46ft X 10ft X 0.5) X 7.48 gal/ft^3 = 52 gallons

Volume Displacement of Pallets:

2.67 ft^3/pallet[b] X 4 pallets X 7.48 gal/ft^3 = 80 gallons

Net Capacity Available:

757 gallons- 52 gallons- 80 gallons = 625 gallons

There are 625 gallons of secondary containment available which exceeds the required minimum containment capacity of 160 gallons.

Storage Bay D Containment Capacity

Storage Bay D can contain 23 pallets as shown on the storage area layout plan, Appendix A. Each pallet holds up to four 55-gallon drums and pallets may be stacked a maximum of two pallets high.

This storage bay is permitted for a storage volume of 8,475 gallons. The secondary containment system must be capable of containing 10% of the total storage volume or 846 gallons.

The secondary containment capacity of this storage bay is as follows:

Required Capacity:

8,475 gallons X 0.10[a] = 846 gallons

Capacity Available:

[(25ft X 58ft) - (24ft x 4ft) - (8ft x 4ft)] x 0.46ft X 7.48 gal/ft3 = 4,549 gallons
(three dimension characteristics are listed as the bay is not a rectangle)

Volume Displacement of Ramp:

(3ft X 0.46ft X 25ft X 0.5) x 2 X 7.48 gal/ft^3 = 258 gallons

Volume Displacement of Pallets:

2.67 ft^3/pallet[b] X 23 pallets X 7.48 gallons/ft^3 = 459 gallons

Net Capacity Available:

4,549 gallons - 459 gallons- 258 gallons = 3,832 gallons

There are 3,832 gallons of secondary containment available which exceeds the required minimum containment capacity of 846 gallons.

Storage Bay E Containment Capacity

Storage Bay E can contain 30 pallets as shown on the storage area layout plan, Appendix A. Each pallet holds up to four, 55-gallon drums and pallets may be stacked a maximum of two pallets high.

This storage bay is permitted for a storage volume of 11,330 gallons. The secondary containment system must be capable of containing 10% of the total storage volume or 1,133 gallons.

The secondary containment capacity of this storage bay is as follows:

Required Capacity:

11,330 gallons X 0.10[a] = 1,133 gallons

Capacity Available:

(25 ft X 58 ft) x 0.46ft X 7.48 gal/ft^3 = 4,989 gallons

Volume Displacement of Ramp:

(3 ft X 0.46ft X 25 ft X 0.5) x 2 X 7.48 gal/ft^3 = 258 gallons

Volume Displacement of Pallets:

2.67 ft^3/pallet[b] X 30 pallets X 7.48 gal/ft^3 = 599 gallons

Net Capacity Available:

4,989 gallons- 599 gallons- 258 gallons = 4,132 gallons

There are 4,132 gallons of secondary containment available which exceeds the required minimum containment capacity of 1,133 gallons.

Storage Bay G Containment Capacity

Storage Bay G can contain 27 pallets as shown on the storage area layout plan, Appendix A. Each pallet holds up to four, 55-gallon drums and pallets may be stacked a maximum of two pallets high.

This storage bay is permitted for a storage volume of 10,230 gallons. The secondary containment system must be capable of containing 10% of the total storage volume or 1,023 gallons.

The secondary containment capacity of this storage bay is as follows:

Required Capacity:

10,230 gallons X 0.10[a] = 1,023 gallons

Capacity Available:

(46.5 ft X 0.46ft X 21.5 ft) X 7.48 gal/ft^3 = 3,440 gallons

Volume Displacement of Ramp:

(5 ft X 0.46ft X 21.5 ft X 0.5) X 7.48 gal/ft^3 = 185 gallons

Volume Displacement of Pallets:

2.67 ft^3/pallet[b] X 27 pallets X 7.48 gal/ft^3 = 539 gallons

Net Capacity Available:

3,440 gallons- 185 gallons- 539 gallons= 2,716 gallons

There are 2,716 gallons of secondary containment available which exceeds the required minimum containment capacity of 1,023 gallons.

Notes:

[a] Ten-percent of the aggregate permitted capacity of the storage area or bay
[b] Pallet volume displacement

D.l.a.3.d Control of Run-On
[40 CFR 270.15(a)(4), 264.175(b)(4)], [6 NYCRR 373-l.5(b)(1)(iv), 373-2.9(f)(1)(iv)]

The hazardous waste storage areas are located inside a warehouse and run on and precipitation are prevented from entering the storage areas by the roof and walls of the building.

D.1.b Containers Without Free Liquids
[6 NYCRR 373-1.5(b)(2), 373-2.9(f), (2) & (3)]

All hazardous waste containers stored at the facility are handled as though they may contain free liquids. These containers are stored in the hazardous waste storage area which is designed for containers with free liquids.

D.2 CONTROL OF AIR EMISSIONS FROM CONTAINERS
[6 NYCRR 373-2.29(g)]

The facility stores waste containers which are in light and non-light material service and, therefore, need to meet Level 1 and Level 2 control. The containers which are used for a particular waste must meet USDOT requirements for the appropriate hazard. Facility personnel responsible for shipping and receiving hazardous waste containers are trained to inspect the containers to ensure compliance. At the time of pick-up, the Nexeo driver will visually inspect all containers to be picked up to verify that all containers are intact. Trailers arriving at the Binghamton facility with hazardous waste containers for storage will be unloaded onto a loading dock. Facility personnel visually inspect the containers to ensure they are properly labeled and intact prior to moving them to the hazardous waste storage area. Waste containers are always kept closed when in storage. The hazardous waste storage area is inspected daily to ensure that containers are stored in a manner to prevent ruptures and leaks. See section D.4 for specific control requirements.

D. 3 REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTES AND INCOMPATIBLE WASTES

The ignitable and reactive waste storage areas meet local codes for the storage of ignitables. Fire protection is provided with portable fire extinguishers and a sprinkler system. The ignitable waste storage area is located more than 50 feet from the property line in accordance with State and Federal Regulations for the storage of ignitable hazardous wastes.

All reactive wastes, except cyanides and sulfides, are stored at this facility only as double overpacked labpacks. Other reactive wastes, e.g. water reactives, oxidizers, organic peroxides

and other temperature sensitive wastes are stored in temperature controlled Bay A. No ignitable wastes (USDOT Class 3) or spontaneously combustible (USDOT Division 4.2) wastes will be stored in Bay A. A fire suppression system installed in accordance with the New York State Fire Code and approved by the Fire Department is provided for Bays A, B, C, D, E and G. Only Forklifts conforming to Types DY, EE or EX specified in NFPA 505-4.2.3.1 and OSHA 1910.178(c)(2)(iv) will be used for handling ignitable wastes stored in Bays B, C and G or for handling reactive wastes stored in Bay A.

Incompatible wastes are placed within separate storage bays. The storage bays are dedicated for the storage of certain waste types as previously explained. The six storage bays are provided with secondary containment to keep potential spills within a bay.

In the corrosive waste Bay D, acids will be stored in the Northern Row and alkalis will be stored in the Southern Row separated by a distance of 8 feet.

The principal source of incompatibility is between spent corrosives and the materials with which they may react, such as plating wastes. Plating wastes are stored in Bay E.

As described in Attachment I, prior to shipment to Nexeo each customer must label each container of waste with the WPS number in addition to the information required by hazardous waste regulations. The WPS number on each container, the WPS data which has been provided by the customer and confirmed by the disposal firm, and the waste shipment identification on the hazardous waste manifest are adequate information for the segregation of incompatible waste streams. The wastes will be segregated according to standard USDOT compatibility categories. Unmarked or unknown wastes are not accepted by Nexeo. Guidance for ensuring compatibility of packed waste is obtained from several sources. Nexeo maintains a copy of the USDOT - Hazardous Materials Table 49 CPR 172.101. This table lists requirements for handling, packing, transporting and storing materials by USDOT hazard classification. The wastes are segregated and stored at Nexeo in accordance with USDOT Table 49 CPR 177.848 "Segregation and Separation Chart of Hazardous Material" and as per the EPA document, "A Method for Determining the Compatibility of Hazardous Wastes (EPA-600/2-80-076)." Additionally, Nexeo uses Material Safety Data Sheets (MSDS) as a supplemental source of information on chemical/physical properties and hazards.

D.4 AIR EMISSION STANDARDS FOR CONTAINERS

Provided in Attachment X.

D.5 LOADING/UNLOADING AND STAGING

The loading/unloading and drum staging area and the truck staging areas are shown in Appendix D. The truck staging area is an 8 inch thick asphalt pad coated with an impervious seal. The wastes are transferred directly from the truck into the drum unloading/loading and

staging area located inside the building by fork lift or hand pallet trucks. Nexeo transports the wastes in its own transport vehicles. These vehicles are equipped with a secondary containment system designed to capture wastes, if any, released into the storage compartment of the vehicle. Before the waste drums are transferred from the truck into the building, they are inspected by the Nexeo's trained personnel to ensure that the lids are properly secured and the containers are structurally sound. The loading/unloading and hazardous waste container storage areas are coated with an impervious coating and inspected daily for cracks, coating damage, erosion, wet spots etc., as specified in the inspection schedule in Attachment II.

On Mondays, Tuesdays, Wednesdays and Thursdays, the containers from the trucks will be unloaded into the building within 16 hours of arrival at the facility. Vehicles arriving after work hours on Fridays or holidays will be off-loaded before 12 noon of the next working day. Vehicle holding containers of waste will be staged at the facility in the truck staging area shown in Appendix D.

3 BROAD STREET

BINGBAMTON, NY 13902

EPA ID. No: NYD049253719

DEC Permit No: 7-0302-00068/00011

6 NYCRR Part 373

FINAL PERMIT ATTACHMENT IX

Facility Description & Supporting Documents

2012

Section B
FACILITY DESCRIPTION

B.1 GENERAL DESCRIPTION [40 CFR 270.14(b)(1), 6 NYCRR 373-1.51(a)(2)(i)]

The Nexeo Solutions, LLC (Nexeo) facility is located at 3 Broad Street, Binghamton, Broome County, New York. The total facility size is 2.362 acres.

The street address of the facility is:

Nexeo Solutions, LLC
3 Broad Street
Binghamton, NY 13902

The mailing address of the facility is:

Nexeo Solutions, LLC
P.0. Box 1300
Binghamton, NY 13904

The latitude and longitude of the facility are:

Latitude: 42º 07' 11"N
Longitude: 75º 53' 28" W

The facility is owned by Nexeo. A copy of the property deed and legal description of the site is included in Attachment B-1.

The facility is located in an area which is zoned as general industrial and as such is compatible with the land use in the area. The properties immediately adjacent to the facility area include the Delaware and Hudson railroad tracks to the west, Bevier Street to the south, Broad Street to the east, and the Binghamton Public Works Department site to the north.

The facility once served as a solvent and chemical distribution site. These operations are no longer performed. The facility is a storage site for customer generated hazardous waste. Customers are general industrial companies including: coatings, inks, printing, adhesive, and metal working, and general manufacturing companies.

Off-site generated hazardous wastes are transported from generator location to the Nexeo facility in containers which meet U.S. Department of Transportation (DOT) requirements. Incoming containers are placed on pallets and stored in the designated hazardous waste storage area. Containers are kept closed. The facility does not commingle wastes. Hazardous wastes are stored until a sufficient quantity is accumulated for shipment to an authorized recycling, treatment, or disposal facility.

The types of hazardous waste codes that may be stored at the facility are listed in Section A of this permit application. The waste characteristics of the permitted wastes are described in detail in Table C-1 of this permit application. The facility is currently permitted to store 42,900 gallons of hazardous waste.

B.2 TOPOGRAPHIC MAPS

B.2.a General Requirements
[40 CFR 270.14(b)(19), 6 NYCRR 373-l.5(a)(2)(xix)]

The following maps, drawings, and pictures are included as Attachments to this section.

- Attachment B-2 – Environmental Plan (scale: 1 inch equals 40 feet) showing hazardous waste storage areas, facility surface water flow, and legal boundaries of the facility.
- Attachment B-3 – A Flood Insurance Rate Map for Binghamton which indicates that the facility is located outside of the 100 year floodplain.
- Attachment B-4 – A wind rose for Binghamton, NY.

B.2.b Additional Requirements for Land Disposal Facilities
[40 CFR 270.14(c)(3) and (4)(I), 264.95, 264.97]

The facility is not a land disposal facility.

B.3 LOCATION INFORMATION
[40 CFR 270.14(b)(11)]

B.3.a Seismic Requirements
[40 CFR 270.14(b)(11)(i) and (ii), 264.18(a), Part 264 Appendix VI]

The site is not subject to a seismic standard because the facility is not a 'new' facility and it is not located in a jurisdiction identified in Part 264, Appendix VI.

B.3.b Floodplain Requirements
[40 CFR 270.14(b)(11)(iii), 264.18(b), 6 NYCRR 373-l.5(a)(2)(xi)]

The facility is not located in a 100 year flood zone.

B.4 TRAFFIC PATTERNS
[40 CFR 270.14(b)(10), 6 NYCRR 373-l.5(a)(2)(x)]

Truck traffic volume averages approximately 3 semi-trucks per day.

The facility has a truck entrance gate which is closed and locked when facility personnel are not

present. Access is limited to authorized vehicles. Warning signs are posted at the gate that state "Danger – Unauthorized Personnel Keep Out". The hazardous waste storage areas are located inside Building #1 and Building #2.

Trucks transporting off-site waste to the facility unload containers on a loading dock. The drummed waste is placed on pallets and moved by fork lift to the storage areas. Shipments of waste going out of the facility are moved on pallets by fork lift to the loading dock and loaded into trucks.

The access street is Broad Street, an asphalt-paved street routinely used by transport trucks weighing 80,000 pounds (gross). Broad Street is maintained by the City of Binghamton. The facility's operations do not significantly increase traffic volume in the area.

3 BROAD STREET

BINGHAMTON, NY 13902

EPA ID. No: NYD049253719

DEC Permit No: 7-0302-00068/00011

6 NYCRR Part 373

FINAL PERMIT ATTACHMENT X

Air Emission Standards

2012

ATTACHMENT X
AIR EMISSION STANDARDS FOR CONTAINERS
ABSTRACT

Purpose: To ensure compliance with relevant sections of NYDEC Hazardous Waste Regulations, 6 NYCRR 373-2.29(g) air emission standards for containers. The purpose of this attachment is to describe how the facility will undertake these efforts.

ATTACHMENT X – AIR EMISSIONS STANDARDS FOR CONTAINERS

As provided in 6 NYCRR 373-2.29(g)(2), the facility uses Level 1 and Level 2 controls for controlling air pollutant emissions from containers subject to these regulations since the containers smaller than 0.46 cubic meters, and containers larger than 0.46 cubic meters in light and non-light material service are used at the facility. Level 3 controls are not required because no waste stabilization processes take place at the facility.

All containers used at the facility are managed in accordance with the applicable DOT regulations on packaging hazardous materials for transportation specified in 49 CFR part 107, subpart B - Exemptions; 49 CFR part 172 - Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, and training requirements; 49 CFR part 173-Shippers - General Requirements for Shipments and Packages; and 49 CFR part 180 - Continuing Qualification and Maintenance of packaging as incorporated by reference in 370.1(e).

For the purpose of complying with this requirement, no exceptions to the 49 CFR part 178 or part 179 regulations are claimed except for labpacks managed in accordance with the requirements of 49 CFR part 178 complying with the exceptions for combination packaging specified in 49 CFR 173.12(b).

All containers are equipped with a cover and closure devices that form a continuous barrier over the container openings such that when the cover and closure devices are secured in the closed position there are no visible holes or other opening spaces into the interior of the container. The covers of the containers will be designed and made in accordance with 6 NYCRR 373-2.29(g)(3)(ii) and 6 NYCRR 373-2.29(g)(4)(i).

Containers are not opened.. Containers are kept closed all the time. The containers are inspected daily and if defects are detected in the cover or closure device, it is rectified within 24 hours. If repair of the defect cannot be completed in 24 hours, the contents in the drum will be removed and transferred to another container and closed properly.

The facility maintains a copy of the procedure used to ensure that containers which do not meet applicable DOT regulations are not managed at the facility.

3 BROAD STREET

BINGHAMTON, NY 13902

EPA ID. No: YD049253719

DEC Permit No: 7-0302-00068/00011

6 NYCRR Part 373

FINAL PERMIT ATTACHMENT M

Permit Modifications

2012

ATTACHMENT M – MAJOR/MINOR MODIFICATION

The permit may be modified for causes as allowed under 6 NYCRR 373-1.7. General Permit Condition 4 in page 2 of this permit and 6 NYCRR 621.14. Modification shall be requested in writing as required by 6 NYCRR 621.13 and 621.14. Requests for modifications shall be submitted to the Regional Permit Administrator for approval and modification of the permit.

PERMIT MODIFICATION LOG

The name of the specific document being modified (sections, and/or attachments)	Modified page numbers		Date of Revised pages	The nature of the modifications
	Old	New		
Module II		88A to 88 I	11/20/2006	The General Groundwater Monitoring Conditions that were included in the previous permit (issued June 15, 2000) not included in the current permit. These conditions were updated and now incorporated into the current permit as Appendix E to the Module
Attachment I Waste Analysis Plan	136,	136, l36A, 1368, & l36C	May 1 , 2007	For managing 10-Day Transfer Wastes
Attachment M Permit Modification Log	328	328	01/04/2007	Updated

All attachments	N/A	N/A	August 2011	As part of the permit renewal and transfer of ownership and operations from Ashland to Nexeo, removed all references to Ashland and replaced with “Nexeo” or “facility”; changed abbreviation of WMPS to WPS; replaced examples of WPS, LDR, and driver’s checklist with Nexeo equivalent forms; removed references to RCRA Compliance Kit in Attachment III, updated corporate emergency contact telephone number.

ATTACHMENT C-1

WASTE PROFILE SHEET

Nexeo Solutions, LLC Waste Profile Sheet

NAICS Code (Six digits): http://www.census.gov/eos/www/naics/

Waste Profile #

EPA Hazardous Waste Form Code: **W**

Site:

EPA Hazardous Waste Source Code: **G**

Technology:

(Office Use Only):Management Code: **Category 1**

All invoices should be mailed/emailed to:
Nexeo Solutions, 5200 Blazer Parkway, Dublin, OH. 43017 Nexeoeastes@nexeosolutions.com

Generator Information

Generator Name:

US EPA ID#:

Pick Up Address:

State ID#:

Mail to the Attn of: (for Manifest Return)

City/State: Zip:

Mailing Address: (for Manifest Return)

e-mail:

City/State: Zip:

Sales Rep:

Technical Contact:

Phone: Fax:

Phone: Fax:

e-mail: @nexeosolutions.com

Properties and Composition

Waste Name (30 Character Maximum):

Storage Time in Containers:

Waste stream generation process details:

Container Storage Climate/ Conditions:

EPA Hazardous Waste (40CFR Part 261) Yes ☐ No ☐ Wastewater (40CFR 268.2 (f)) Yes ☐ No ☐

EPA Waste Codes:

State Waste Code:

Physical Properties @ 70 °F (21 °C)

Physical State :
Solid ☐
Liquid ☐
Both ☐
Sludge ☐
Gas ☐
Aerosol ☐

Liquid Phase:
Single Layer ☐
Multilayer ☐
N/A: ☐

Free Liquids:
Min. %
Max %
N/A: ☐

pH:
Min:
Max:
Typical:
N/A: ☐

Liquid Specific Gravity:
Min:
Max:
Typical:
N/A: ☐

Odor:

Color

Flash Point (Closed Cup):
< 73°F ☐ (22.7°C)
73-99°F ☐ (22.7-37.2°C)
100-139°F ☐ 37.8-59.4°C)
140-199°F ☐ (60 -92.7 C)
≥ 200°F ☐ (93.3°C)
N/A ☐

Transportation Information **Is this a DOT Hazardous Material? Yes ☐ No ☐**

Proper Shipping Name:

Primary Hazard Class: N/A

Subsidiary Hazard Class: N/A

ID# ERG#

Tertiary Hazard Class: N/A

Packing Group: PGI

CERCLA Reportable Quantity Substance:

RQ QTY: LB

SPECIAL HANDLING INFORMATION:

ATTACHMENT C-2

LAND DISPOSAL RESTRICTION FORM

LAND DISPOSAL RESTRICTION NOTIFICATION FORM

Generator/ City:					
US EPA ID#					
Profile #:		Manifest #		Line Item:	
EPA Codes:					

☐ Wastewater ☐ Non Wastewater (For P, U, K, & F codes not listed below)

☐ Waste Analysis Data Available

EPA Waste Codes	Waste Description & Treatment/Regulatory Subcategory

☐ D001 Ignitable Characteristic Waste except for 261.21(a)(1) High TOC Subcategory (Must Meet 268.48 Standards)
- ☐ Managed in Non-CWA/Non-CWA equivalent/Non Class 1 SDWA System
- ☐ Managed in a CWA/ CWA equivalent/ Class 1 SDWA System

☐ D001 High TOC Ignitable Characteristic Liquids subcategory based on 40 CFR 261.21(a)(1)-greater than or equal to 10% TOC. (Non Wastewater Only)

☐ D002 Corrosive Characteristic Waste (Must Meet 268.48 Standards)
- ☐ Managed in Non-CWA/Non-CWA equivalent/Non Class 1 SDWA System
- ☐ Managed in a CWA/ CWA equivalent/ Class 1 SDWA System

☐ D003 Reactive Sulfides Subcategory ☐ WW ☐ NWW
☐ D003 Reactive Cyanides Subcategory ☐ WW ☐ NWW
☐ D003 Other Reactive Subcategory (Must Meet 268.48 Standards) ☐ WW ☐ NWW
☐ D003 Explosive Subcategory (Must meet 268.48 Standards) ☐ WW ☐ NWW
☐ D003 Water Reactive Subcategory (Must meet 268.48 Standards) ☐ WW ☐ NWW

D004 – D011 Characteristic Wastes	Must meet applicable Treatment Standards per 268.40

☐ Wastewater ☐ Nonwastewaters (For D004 – D011)

☐ D004 Arsenic
☐ D005 Barium
☐ D006 Cadmium Toxicity Subcategory
☐ D006 Cadmium Containing Batteries Subcategory (Nonwastewaters Only)
☐ D007 Chromium
☐ D008 Lead Toxicity Subcategory
☐ D008 Lead Acid Battery Subcategory (Nonwastewaters Only)
☐ D009 High Mercury Inorganic (Nonwastewaters Only)
☐ D009 High Mercury Organic (Nonwastewaters Only)
☐ D009 Low Mercury <260 ppm (Nonwastewaters Only)
☐ D009 Mercury Wastewaters
☐ D010 Selenium
☐ D011 Silver

D012 – D043 Characteristic Wastes	Must meet applicable Treatment Standards per 268.40

☐ Wastewater ☐ Nonwastewaters (For D012 – D043)

☐ D012 Endrin
☐ D013 Lindane
☐ D014 Methoxychlor
☐ D015 Toxaphene
☐ D016 2,4-D
☐ D017 2,4,5-TP Silvex
☐ D018 Benzene
☐ D019 Carbon Tetrachloride
☐ D020 Chlordane
☐ D021 Chlorobenzene
☐ D022 Chloroform
☐ D023 o-Cresol
☐ D024 m-Cresol
☐ D025 p-Cresol
☐ D026 Total Cresols
☐ D027 1,4-Dichlorobenzene
☐ D028 1,2-Dichloroethane
☐ D029 1,1-Dichloroethylene
☐ D030 2,4-Dinitrotoluene
☐ D031 Heptachlor/epoxides
☐ D032 Hexachlorobenzene
☐ D033 Hexachlorobutadiene
☐ D034 Hexachloroethane
☐ D035 Methyl Ethyl Ketone
☐ D036 Nitrobenzene
☐ D037 Pentachlorophenol
☐ D038 Pyridine
☐ D039 Tetrachloroethylene
☐ D040 Trichloroethylene
☐ D041 2,4,5-Trichlorophenol
☐ D042 2,4,6-Trichlorophenol
☐ D043 Vinyl Chloride

F001 – F005 Spent Solvent Wastes

☐ F001 ☐F002 ☐ F003 ☐ F004 ☐ F005 ☐ Wastewater ☐ Nonwastewaters

☐ Acetone	☐ o-Dichlorobenzene	☐ 2-Nitropropane (F005 only)
☐ Benzene	☐ 2-Ethoxyethanol (F005 only)	☐ Pyridine
☐ n-Butyl Alcohol	☐ Ethyl Acetate	☐ Tetrachloroethylene
☐ Carbon Disulfide	☐ Ethyl Benzene	☐ Toluene
☐ Carbon Tetrachloride	☐ Ethyl Ether	☐ 1,1,1-Trichloroethane
☐ Chlorobenzene	☐ Isobutyl Alcohol	☐ 1,1,2-Trichloroethane
☐ o-Cresol	☐ Methanol	☐ Trichloroethylene
☐ m-Cresol	☐ Methylene Chloride	☐ 1,1,2-Trichloro-1,2,2-Trifluoroethane
☐ p-Cresol	☐ Methyl Ethyl Ketone	☐ Trichloromonofluoromethane
☐ Cresol – Mixed Isomers	☐ Methyl Isobutyl Ketone	☐ Xylene – Mixed Isomers
☐ Cyclohexanone	☐ Nitrobenzene	☐ Chlorinated Fluorocarbons (F001)

Underlying Hazardous Constituents

Regulated Constituent	WW Std Conc.	NWW Std Concentration	Regulated Constituent	WW Std Conc.	NWW Std Concentration

If additional UHC's are required, please attach continuation sheet. Check for Additional Sheet ☐

☐ This waste meets the definition of a Hazardous Debris pursuant to 40 CFR 268.2(h) and is intended for treatment/disposal in compliance with the alternative debris treatment technologies for 40 CFR 268.45

Lab Packs, Containing Hazardous Wastes

☐ This waste is a lab pack that is intended for incineration using the alternative lab pack treatment standards under 40 CFR 268.42. NOTE: In accordance with 40 CFR Part 268 Appendix IV lab packs containing waste codes D009, F019, K003, K004, K005, K006, K062, K071, K100, K106, P010, P011, P012, P076, P078, U134, and U151 are not eligible for this alternative treatment standard.

I certify under penalty of law that I personally have examined and am familiar with the waste and that the lab pack contains only wastes that have not been excluded under appendix IV to 40 CFR part 268 and that this lab pack will be sent to a combustion facility in compliance with the alternative treatment standards for lab packs at 40 CFR 268.42(c). I am aware that there are significant penalties for submitting a false certification, including the possibility for fine or imprisonment.

Contact Signature:_____ Date:_____

This is to notify that to be land disposed, this waste must meet the applicable land disposal restriction treatment standard in 40 CFR 268 Subpart D.

Contact Signature:_____

Date:_____

NOTE: Retain one copy for your files, send one copy with your shipment.
This form is not valid for generators who wish to use the alternative treatment standard for contaminated soils. Contact Nexeo Solutions, LLC Environmental Services for proper documentation.

ATTACHMENT C-3

DRIVER'S CHECKLIST

Environmental Services Driver's Checklist

Checklist

	Generator/Shipper responsibilities for proper shipment of containers:	YES*	NO	N/A*
1.	Have you verified the container marking labels are complete and accurate?			
2.	Have you asked the customer to destroy all old marking labels previously provided by Nexeo Solutions?			
3.	Have you verified you can visibly see the entire UN Specification and Packaging Standards number displayed on the side of each hazardous material / hazardous waste container (e.g., UN 1A1/X/1.8/250/92/USA/AJ0000)?			
4.	Have you verified the Department of Transportation (DOT) Hazard Class label on the container, matches the hazard class identified on each line item of the manifest?			
5.	Have you verified there are no leaking containers? During cold weather, frozen drums that exhibit cracking or splitting or any drums that have been patched with putty, etc., must be overpacked or rejected.			
6.	Have you verified there are no containers that exhibit bulging (including heads or bottoms), cracking or splitting?			
7.	Have you verified there are no large dents in the containers?			
8.	Have you verified there are no rusty spots on the containers?			
9.	Have you verified all non-bulk containers (<119 Gallons) weigh less than the DOT maximum limit of 882 pounds? NOTE: If a container weighs over 700 pounds, the customer MUST move the drums onto our trailer, using motorized equipment such as a forklift with drum grabbers. Palletized containers will not be accepted under these conditions. In addition, Nexeo Solutions' drivers will NOT move drums in excess of 700 lbs. using a hand truck or drum dolly?			
10.	Have you verified the outside of all containers are clean and dry?			
11.	Have you verified all old product markings have been removed or covered on the container?			
12.	Have you verified that the containers are closed? NOTE: If you are observing customers tightening the bungs at the time of pickup, please ask if they are doing so now, due to pressure previously building in the container.			
13.	Have you verified the manifest tracking number is properly referenced on each container marking label?			
14.	Have you verified all preprinted and handwritten information on every page of the manifest is complete and legible and that all waste codes are entered for handwritten lines?			
15.	Have you verified the Nexeo Solutions profile number is on the top of any non-bulk container, and on the side (within the marking label) of each container?			
16.	If the material is shipped in a salvage drum, or any drum with a "S" in the UN Specs., have you verified with the customer there are no free liquids touching the inside of that salvage container?			
17.	If the material is shipped in a salvage drum, have you verified with the customer, that the original container is not over-pressurized?			
18.	If this material is being shipped in a Portable Tank/IBC, have you verified all the information on E-5926-NEX is accurate? [Complete form and attach.]			

***Answers to all the above questions must be "YES (N/A, where applicable)" before Nexeo Solutions can properly transport these containers.**

Driver must contact the appropriate plant personnel before picking up additional waste streams not listed on the manifest. Plant personnel must communicate this information to ES Customer Service.

Generator or Nexeo Solutions Driver Comments:

Generator Company_____Manifest Tracking #_____

Driver's Signature _____Date_____

Time In _____Time Out_____ **Questions? Please call ES Customer Service @ 1-800-637-7922**

ATTACHMENT C-4

OPERATING LOG

Document overview				Selection w/ot acct asst data								
Selection date				###								
	Document	DCat	Stat.		Waste	S	DslPrcPlnt	Stor.loc	Quantity	Unit	Disp. Doc.	Disp. Doc.
	275314	200125	I8900		782335		125	BULK	28	GAL	004158773FLE	004158773FLE
	273463	200125	I8900		774649		125	BULK	70	LB	004158629FLE	004158891FLE
	281915	200125	I8900		775657		125	BULK	486	GAL	004161788FLE	
	281916	200125	I8900		774310		125	BULK	108	GAL	004161788FLE	004161906FLE
	281936	200125	I8900		782800		125	BULK	54	GAL	004161788FLE	004161941FLE
	273465	200125	I8900		781522		125	BULK	111	LB	004158630FLE	004161604FLE
	273486	200125	I8900		781523		125	BULK	106	LB	004158630FLE	004161604FLE
	276918	200125	I8900		194932		125	BULK	405	LB	004158662FLE	004161509FLE
	276919	200125	I8900		194933		125	BULK	472	LB	004158662FLE	004161509FLE
	276920	200125	I8900		200433		125	BULK	126	LB	004158663FLE	004161582FLE
	276931	200125	I8900		200425		125	BULK	385	LB	004158663FLE	004161610FLE
	276932	200125	I8900		769597		125	BULK	225	LB	004158663FLE	004161610FLE

WstDsc	WstDsc	Outg. qty	Unit	D/C	Cntrs	Cntnr unit	Generator	Doc. date	Batch	Generation	Max. stor.	Created on
		28	GAL	C	1	DR	7315	2/15/2011		122481	10	2/16/2011
		70	LB	C	1	DR	6987	2/3/2011		119354	365	2/7/2011
				D	9	DR	6987	3/17/2011		119688	365	3/18/2011
		108	GAL	C	2	DR	6987	3/17/2011		119199	365	3/18/2011
		54	GAL	C	1	DR	6987	3/17/2011		122806	365	3/18/2011
		111	LB	C	2	DR	7232	2/3/2011		122053	365	2/7/2011
		106	LB	C	1	DR	7232	2/3/2011		122055	365	2/7/2011
		405	LB	C	2	DR	G2994	2/22/2011		69677	365	2/23/2011
		472	LB	C	4	DR	G2994	2/22/2011		73425	365	2/23/2011
		126	LB	C	2	DR	G2994	2/22/2011		58452	0	2/23/2011
		385	LB	C	1	DR	G2994	2/22/2011		34481	365	2/23/2011
		225	LB	C	1	BX	G2994	2/22/2011		117361	365	2/23/2011

Created by	Generator Name	Generator ID	Date Shipped	Disposer Name
C891254	CURBELL INC		2/16/2011	AES ENVIRONMENTAL LLC (AES-CALVERTY CIT
C891254	AXSYS TECHNOLOGIES	NHD50001286	2/18/2011	VEOLIA ES TECHNICAL SOLUTIONS, LLC
C891254	AXSYS TECHNOLOGIES	NHD50001286		ENVIRONMENTAL RECOVERY CORPORATION
C891254	AXSYS TECHNOLOGIES	NHD50001286	3/30/2011	FIELDING CHEMICAL TECHNOLOGIES INC.
C891254	AXSYS TECHNOLOGIES	NHD50001286	3/24/2011	AES ENVIRONMENTAL LLC (AES-CALVERTY CIT
C891254	AXSYS TECHNOLOGIES	NHD51019894	3/3/2011	VEOLIA ES TECHNICAL SOLUTIONS, LLC
C891254	AXSYS TECHNOLOGIES	NHD51019894	3/3/2011	VEOLIA ES TECHNICAL SOLUTIONS, LLC
A138629	HENKEL (ROCKY HILL 1001)	CTCESQG00003	2/26/2011	RINECO CHEMICAL INDUSTRIES INC.
A138629	HENKEL (ROCKY HILL 1001)	CTCESQG00003	2/26/2011	RINECO CHEMICAL INDUSTRIES INC.
A138629	HENKEL (ROCKY HILL 1001)	CTCESQG00003	3/2/2011	TRADEBE TREATMENT AND RECYCLING LLC
A138629	HENKEL (ROCKY HILL 1001)	CTCESQG00003	3/3/2011	VEOLIA ES TECHNICAL SOLUTIONS, LLC
A138629	HENKEL (ROCKY HILL 1001)	CTCESQG00003	3/3/2011	VEOLIA ES TECHNICAL SOLUTIONS, LLC

Disposer ID	Waste text	Proper Shipping Name	All Waste C	Hazardous waste
KYD985073196	30-0079 WASTE INK	Hazardous waste, liquid, n.o.s.	D005	
NJD002454544	109-8308 SOLVENT	WASTE SOLIDS CONTAINING FLAMMABLE LIQUID, N.O	F003,NHX1	
PAD987266749	109-8320 K-40 COO		NONE,NHX1	
A220143	109-8307 MIXED SO	WASTE FLAMMABLE LIQUID, N.O.S.	F003,F005,NHX1	
KYD985073196	109-8341 OMS WAST	WASTE FLAMMABLE LIQUID, N.O.S.	D001,NHX1	
NJD002454544	109-8301 SOLVENT	WASTE FLAMMABLE SOLID, ORGANIC, N.O.S.	D001	
NJD002454544	109-8295 MINERAL	WASTE FLAMMABLE LIQUID, N.O.S.	D001	
ARD981057870	60-0176 FLAMMABLE	Waste Flammable liquids, toxic, n.o.s.	D001,D035	
ARD981057870	60-0176 FLAMMABLE	Waste Flammable liquids, toxic, n.o.s.	D001,D035	
IND000646943	109-4426 AEROSOLS	WASTE Aerosols	D001	
NJD002454544	109-4422 FLAMMABL	WASTE CORROSIVE LIQUID, FLAMMABLE, N.O.S.	D001,D002	
NJD002454544	60-0157 METHYL ME	WASTE ADHESIVES	D001	

Shipping Information

Packaging: N/A N/A
N/A N/A
N/A N/A

If shipping Pails, are they shipping on a Pallet?
Yes ☐ No ☐

Waste Profile Number:

Notes: ___ Anticipated Volume: ___ Per Quarter Shipping Frequency: ___ Per Month

Sampling & Other Information

Is a sample required? Yes ☐ No ☐ (Chain of custody required for all samples.)

Analytical data attached? Yes ☐ No ☐ MSDS attached? Yes ☐ No ☐

UHC: Yes☐ No☐ If yes, attach UHC Listing Benzene Containing Waste: Yes☐ No ☐ If yes, attach NESHAP certification.

Is this material: ☐ Polymerizable? ☐ Explosive? ☐ Fuming? ☐ Reactive? If yes, attach verification form.

Composition

Please list ALL constituents with CAS# present in any concentration and forward available analysis and/or /MSDS

Constituents	CAS#	Range	UOM	Constituents	CAS#	Range	UOM

TOTAL COMPOSITION MUST EQUAL OR EXCEED 100% Additional Pages Attached ☐

Generator's Certification

I hereby certify that all information submitted in this form and all attached documents contain true and accurate descriptions of this waste. Any sample submitted is representative as defined in 40 CFR 261 – Appendix I or by using an equivalent method. All relevant information regarding known or suspected hazards in the possession of the generator has been disclosed. I authorize the disposer to obtain a sample from any waste shipment for purposes of recertification. If the waste stream or process generating the waste changes, I will notify Nexeo Solutions, LLC prior to shipment of the waste.

Signature | Printed (or typed) name and title | Date

TSDF CERTIFICATION STATEMENT

FOR WASTE STREAMS WHICH WILL BE MANIFESTED TO NEXEO SOLUTIONS FACILITIES: AS REQUIRED BY THE FEDERAL REGULATIONS SET FORTH IN 40 CFR264.12(b), WE ARE HEREBY NOTIFYING YOU THAT OUR FACILITY HAS THE APPROPRIATE HAZARDOUS WASTE MANAGEMENT PERMITS AND CAN ACCEPT THE ABOVE WASTE STREAM GENERATED BY YOUR COMPANY.

OFFICE USE ONLY ☐ **Check here if this is a recertification**

Profile reviewed by WMS & all codes have been verified with Nexeo Solutions Transfer Facility Permit Date:

WMS has submitted vendor approval to the Nexeo Solutions Part B facility Initials: Date:

FIGURE I-1

FINAL CLOSURE SCHEDULE

Final Closure Schedule
Binghamton, New York

Closure Activity	Days																					
		30		60		90		120		150		180		210		240		270		300		330
Decision to close facility	*																					
Notification of closure submitted to NYSDEC																						
Management of hazardous waste ceases																						
Removal of final volume of hazardous waste																						
Final closure activites																						
Certification of closure submitted to NYSDEC																						

Table I-1

CLOSURE COST ESTIMATE

Item	Quantity	Unit	Unit Cost	Total
Hazardous Waste Container Storage Area Removal and Disposal of Waste Inventory and Decontamination				
1. Load, Transport, and Dispose Containerized Waste	780	drum	$330[a]	$257,400
2. Storage Area Decontamination: Concrete Pad (Subcontractor cost)	5,000	square feet	$1.50[b]	$7,500
3. Project Coordination, Planning and Sample Collection (labor and travel expenses)	1	each	$5,000	$5,000
4. Sample Analysis: 12 samples, 2 for each storage bay (includes QA/QC: trip blank, method blank, equipment blank)	12	each	$1,791[c]	$21,492
5. Collection and Disposal of Decontamination Generated Wastes:				
Rinsate[b,d]	30	drum	$195	$5,850
Solids[b,e]	30	drum	$415	$12,450
SUBTOTAL				**$ 309,692**

Table I-1
CLOSURE COST ESTIMATE

Item	Quantity	Unit	Unit Cost	Total
Other Costs: Mobilization, Bonds, & Insurance 2.5% of Direct Costs				$7,742
Health and Safety[f]				$1,000
Supervision 5% of Direct Costs				$15,485
Certification				$1,500
SUBTOTAL (Other Costs)				$25,727
TOTAL COSTS (Direct and Other)				$335,419
Contingency at 10%				$33,542
Contingency for Soil Sampling at 15%[g]				$50,313
TOTAL ESTIMATED CAPITAL COSTS (Rounded to nearest $100) at 2012 COST				**$ 419,274**

[a] Average Unit Cost: disposal, transportation, and material.
[b] Estimated based on costs for closure of a hazardous waste storage facility in Jackson, Mississippi
[c] Estimated based on 6/6/2012 quote for sampling for closure of a hazardous waste storage facility in Moraine, Ohio
[d] Liquid wastes will be transported off-site for incineration if possible.
[e] Solid wastes will be transported off-site for land disposal.
[f] Health and safety costs in addition to labor (supervision), includes equipment rental and personal protective equipment.
[g] No soil contamination is anticipated as a result of container storage and handling. Nevertheless, a 15% contingency has been added for the sampling, analysis, removal, and disposal of contaminated soil.

ATTACHMENT I-1

TRUST AGREEMENT AND CERTIFICATE OF LIABILITY INSURANCE

TRUST AGREEMENT

TRUST AGREEMENT, the "Agreement," entered into as of September 21, 2011 by and between Nexeo Solutions, LLC, a Delaware limited liability company, the "Settlor," and U.S. Bank National Association, a national bank, the "Trustee."

WHEREAS, the New York State Department of Environmental Conservation (hereinafter referred to as "NYSDEC") has established certain regulations applicable to the Settlor, requiring that an owner or operator of a hazardous waste management facility shall provide financial assurance that funds will be available when needed for facility closure, and post-closure facility monitoring and maintenance, (hereinafter referred to as "Closure and Post Closure") and

WHEREAS, the Settlor has elected to establish a trust to provide all or part of such financial assurance for the facilities identified herein, and

WHEREAS, the Settlor, acting through its duly authorized officers, has selected the Trustee to be the trustee under this agreement, and the Trustee is willing to act as trustee,

NOW, THEREFORE, the Settlor and the Trustee agree as follows:

Section 1. Definitions. As used in this Agreement:

(a) The term "Settlor" means the owner or operator who enters into this Agreement and any successors or assigns of the Settlor.

(b) The term "Trustee" means the Trustee who enters into this Agreement and any successor Trustee.

(c) The term "Commissioner" means the Commissioner of the New York State Department of Environmental Conservation, or the Commissioner's duly appointed designee.

Section 2. Identification of Facilities and Cost Estimates. This Agreement pertains to the facilities and cost estimates identified on attached Schedule A.

Section 3. Establishment of Fund. The Settlor and the Trustee hereby establish a trust fund (hereinafter referred to as the "Fund") for the benefit of NYSDEC. The Settlor and the Trustee intend that no third party have access to the Fund except as herein provided. The Fund is established initially as consisting of the property, which is acceptable to the Trustee, described in Schedule B annexed hereto. Such property and any other property subsequently transferred to the Trustee is referred to as the Fund, together with all earnings and profits thereon, less any payments or distributions made by the Trustee pursuant to this Agreement. The Fund shall be held by the Trustee, IN TRUST, as hereinafter provided. The Trustee shall not be

responsible, nor shall it undertake any responsibility for the amount or adequacy of, nor any duty to collect from the Settlor, any payments necessary to discharge any liabilities of the Settlor established by NYSDEC.

Section 4. Payment for Closure, Post-closure. The Trustee shall make payment from the Fund as the Commissioner shall direct, in writing, to provide for the payment of the costs of Closure, and Post-closure of the facilities covered by this Agreement. The Trustee shall reimburse the Settlor or other persons as specified by the Commissioner from the Fund for the expenditures of such covered activities in such amounts as the Commissioner shall direct in writing. In addition, the Trustee shall refund to the Settlor such amounts as the Commissioner specifies in writing. Upon refund, such funds shall no longer constitute part of the Fund as defined herein.

Section 5. Payments Comprising the Fund. Payments made to the Trustee for the Fund shall consist of cash or securities acceptable to the Trustee.

Section 6. Trustee Management. The Trustee shall invest and reinvest the principal and income of the Fund and keep the Fund invested as a single fund, without distinction between principal and income, in accordance with general investment policies and guidelines which the Settlor may communicate in writing to the Trustee from time to time, subject, however, to the provisions of this section. In investing, reinvesting, exchanging, selling, and managing the Fund, the Trustee shall discharge his or her duties with respect to the trust fund solely in the interest of the beneficiary and with the care, skill, prudence, and diligence under the circumstances then prevailing which persons of prudence, acting in a like capacity and familiar with such matters, would use in the conduct of an enterprise of a like character and with like aims; except that:

(a) Securities or other obligations of the Settlor, or any other owner or operator of the facilities, or any of their affiliates as defined in the Investment Company Act of 1940, 15 USCA 80a-2.(a) (see section 370.1(e)), shall not be acquired or held, unless they are securities or other obligations of the Federal or State government;

(b) The Trustee is authorized to invest the Fund in time or demand deposits of the Trustee, to the extent insured by an agency of the Federal or State government; and

(c) The Trustee is authorized to hold cash awaiting investment or distribution uninvested for a reasonable time and without liability for the payment of interest thereon.

Section 7. Commingling and Investment. The Trustee is expressly authorized in its discretion:

(a) To transfer from time to time any or all of the assets of the Fund to any common, commingled, or collective trust fund created by the Trustee in which the Fund is eligible to participate, subject to all of the provisions thereof, to be commingled with the assets of other trusts participating therein; and

(b) To purchase shares in any investment company registered under the Investment Company Act of 1940, 15 USCA 80a-1 et seq. (see 6 NYCRR 370.1(e)), including one which may be created, managed, underwritten, or to which investment advice is rendered or the shares of which are sold by the Trustee. The Trustee may vote such shares in its discretion.

Section 8. Express Powers of Trustee. Without in any way limiting the powers and discretions conferred upon the Trustee by the other provisions of this Agreement or by law, the Trustee is expressly authorized and empowered:

(a) To sell, exchange, convey, transfer, or otherwise dispose of any property held by it, by public or private sale. No person dealing with the Trustee may be bound to see to the application of the purchase money or to inquire into the validity or expediency of any such sale or other disposition;

(b) To make, execute, acknowledge, and deliver any and all documents of transfer and conveyance and any and all other instruments that may be necessary or appropriate to carry out the powers herein granted;

(c) To register any securities held in the Fund in its own name or in the name of a nominee and to hold any security in bearer form or in book entry, or to combine certificates representing the securities with certificates of the same issue held by the Trustee in other fiduciary capacities, or to deposit or arrange for the deposit of such securities in a qualified central depository even though, when so deposited, such securities may be merged and held in bulk in the name of the nominee of such depository with other securities deposited therein by another person, or to deposit or arrange for the deposit of any securities issued by the United States Government, or any agency or instrumentality thereof, with a Federal Reserve bank, but the books and records of the Trustee shall at all times show that all such securities are part of the Fund;

(d) To deposit any cash in the Fund in interest-bearing accounts maintained or savings certificates issued by the Trustee, in its separate corporate capacity, or in any other banking institution affiliated with the Trustee, to the extent insured by an agency of the Federal or State government; and

(e) To accept additions to the Fund from sources other than the Settlor of the Trust.

(f) To contest, compromise, or otherwise settle any claim in favor of the Fund or Trustee, or in favor of third persons and against the Fund or Trustee.

Section 9. Taxes and Expenses. All taxes of any kind that may be assessed or levied against or in respect of the Fund and all brokerage commissions incurred by the Trustee in connection with the administration of this Trust, including fees for legal services rendered to the Trustee, the compensation of the Trustee to the extent not paid directly by the Settlor, and all of the proper charges and disbursements of the Trustee shall be paid from the Fund.

Section 10. Annual Valuation. The Trustee shall annually, at least 30 days prior to the anniversary date of establishment of the Fund, furnish to the Settlor and to the Commissioner a statement confirming the value of the Trust. Any securities in the fund shall be valued at market value as of no more than 60 days prior to the anniversary date of the establishment of the Fund. The failure of the Settlor to object in writing to the Trustee within 90 days after the statement has been furnished to the Settlor and the Commissioner shall constitute a conclusively binding assent by the Settlor, barring the Settlor from asserting any claim or liability against the Trustee with respect to matters disclosed in the statement.

Section 11. Advice of Counsel. The Trustee may from time to time consult with counsel, who may be counsel to the Settlor, with respect to any question arising as to the construction of this Agreement or any action to be taken hereunder. The Trustee shall be fully protected, to the extent permitted by law, in acting upon the advice of counsel.

Section 12. Trustee Compensation. The Trustee shall be entitled to reasonable compensation for its services as agreed upon in writing from time to time with the Settlor.

Section 13. Successor Trustee. The trustee may resign or the Settlor may replace the Trustee, but such resignation or replacement shall not be effective until the Settlor has appointed a successor Trustee and this successor accepts the appointment. The successor trustee shall have the same powers and duties as those conferred upon the Trustee hereunder. Upon the successor trustee's acceptance of the appointment, the Trustee shall assign, transfer, and pay over to the successor trustee the funds and properties then constituting the Fund. If for any reason the Settlor cannot or does not act in the event of the resignation of the Trustee, the Trustee may apply to a court of competent jurisdiction for the appointment of a successor trustee or for instruction. The successor trustee shall specify the date on which it assumes administration of the trust in a writing sent to the Settlor, the Commissioner and the present Trustee by certified mail, return receipt requested, 10 days before such change becomes effective. Any expenses incurred by the

Trustee as a result of any of the acts contemplated by this section shall be paid as provided in section 9.

Section 14. Instructions to the Trustee. All orders, requests, and instructions by the Settlor to the Trustee shall be in writing, signed by such persons as are designated in the attached Exhibit A or such other designees as the Settlor may designate by amendment to Exhibit A. The Trustee shall be fully protected in acting without inquiry in accordance with the Settlor's orders, requests, and instructions. All orders, requests, and instructions by the Commissioner to the Trustee shall be in writing, signed by the Commissioner, and the Trustee shall act and shall be fully protected in acting in accordance with such orders, requests, and instructions. The Trustee shall have the right to assume, in the absence of written notice to the contrary, that no event constituting a change or a termination of the authority of any person to act on behalf of the Settlor or NYSDEC hereunder has occurred. The Trustee shall have no duty to act in the absence of such orders, requests, and instructions from the Settlor and/or NYSDEC, except as provided for herein.

Section 15. Notice of Nonpayment. The Trustee shall notify the Settlor and the Commissioner by certified mail, return receipt requested, within 10 days following the expiration of the 30 day period after the anniversary of the establishment of the Trust, if no payment is received from the Settlor during that period. After the pay-in period is completed, the Trustee shall not be required to send a notice of nonpayment.

Section 16. Amendment of Agreement. This Agreement may be amended by an instrument in writing executed by the Settlor, the Trustee, and the Commissioner or by the Trustee and the Commissioner, if the Settlor ceases to exist.

Section 17. Irrevocability and Termination. Subject to the right of the parties to amend this Agreement as provided in Section 16, this Trust shall be irrevocable and shall continue until terminated at the written agreement of the Settlor, the Trustee, and the Commissioner, or by the Trustee and the Commissioner, if the Settlor ceases to exist. Upon termination of the Trust, all remaining trust property, less final trust administration expenses, shall be delivered to the Settlor.

Section 18. Immunity and Indemnification. The Trustee shall not incur personal liability of any nature in connection with any act or omission, made in good faith, in the administration of this Trust, or in carrying out any directions by the Settlor or the Commissioner issued in accordance with this Agreement. The Trustee shall be indemnified and saved harmless by the Settlor or from the Trust Fund, or both, from and against any personal liability to which the Trustee may be subjected by reason of any act or conduct in its official capacity, including all expenses

reasonably incurred in its defense in the event the Settlor fails to provide such defense.

Section 19. Choice of Law. This Agreement shall be administered, construed, and enforced according to the laws of the State of New York.

Section 20. Interpretation. As used in this Agreement, words in the singular include the plural and words in the plural include the singular. The descriptive headings for each section of this Agreement shall not affect the interpretation or the legal efficacy of this Agreement.

IN WITNESS WHEREOF the parties have caused this Agreement to be executed by their respective officers duly authorized and their corporate seals to be hereunto affixed and attested as of the date first above written. The parties below certify that the wording of this Agreement is identical to the wording specified in 6 NYCRR 373-2.8(j)(1) as such regulations were constituted on the date first above written.

Signature of Settlor

Executive Vice President and Chief Financial Officer, Nexeo Solutions, LLC

Title

Signature of Trustee

(Seal)

ACKNOWLEDGEMENT BY TRUSTEE

STATE OF : Ohio

: SS.: COUNTY OF: Hamilton

On this 21st day of September, 2011, before me personally came to me known who, by me duly sworn, did depose and say that he resides in 1303 Sunset DR. Lawrenceburg, IN 47025; that he is the AVP of US Bank, the banking institution described in and which executed the within Trust Fund Agreement; and that he signed his name thereto by authority of such banking institution.

Bridget A. Henderson Notary Public

BRIDGET A. HENDERSON
Notary Public, State of Ohio
My Commission Expires 11-27-2012

ACKNOWLEDGEMENT BY SETTLOR/OWNER OPERATOR

STATE OF: Texas

SS.: COUNTY OF: Harris

On this 21st day of September, 2011, before me personally came to me known and known to me to be the person described in and who executed the within Trust Fund Agreement; and acknowledged that he executed the same.

Calletana R Barrera Notary Public

CALLETANA R. BARRERA
Notary Public, State of Texas
My Commission Expires
October 31, 2014

Schedule A

August 26, 2011

Trust Agreement dated September 21, 2011 by and between Nexeo Solutions, LLC (Grantor) and U.S. Bank National Association (Trustee)., Account No. 154419006

EPA ID No.:	NYD049253719
NYSDEC Permit No.:	7-0302-00068/00011
Name of Owner/Operator Under Permit:	Nexeo Solutions, LLC
Physical and Mailing Address:	3 Broad Street Binghamton, NY 13902
Current Cost Estimate (Closure):	$476,254
(Post Closure)	$0
Total Cost Estimates:	**$476,254**

Schedule B

Trust Property:

This Fund is a fully funded bank account consisting of cash deposits.

Account Information:

Account Number: 154419006

Initial Deposit Amount: $ 477,000

Bank/Branch location of the Trustee for this Trust Agreement.

Bank/ Branch Name: U.S. Bank National Association

Location Address: 425 Walnut Street, 6th Floor

City & State: Cincinnati, Ohio 45202

Contact Person at Bank who will be responsible for information/questions regarding this standby trust agreement:

Name: Daniel Boyers

Title: Assistant Vice President Corporate Trust

Phone Number: (513) 632-2077

Exhibit A

Signatories for orders, requests and instructions to the trustee.

Ross Crane
Name

Executive Vice President and Chief Financial Officer, Nexeo Solutions, LLC
Title

Michael B. Farnell, Jr.
Name

Executive Vice President and Chief Legal Officer, Nexeo Solutions, LLC
Title

HAZARDOUS WASTE FACILITY CERTIFICATE OF LIABILITY INSURANCE

1. CHARTIS SPECIALTY INSURANCE COMPANY, (the "Insurer"), of 175 Water Street, New York, NY 10038 hereby certifies that it has issued a policy of liability insurance (the "Policy") covering bodily injury and property damage to Nexeo Solutions, LLC, (the "Insured"), of 9303 New Trails, Suite 400, The Woodlands, TX 77381 in connection with the Insured's obligation to demonstrate financial responsibility under 6 NYCRR Part 370 et seq. The coverage applies at EPA ID No. NYD049253719, Nexeo Solutions, LLC, 3 Broad Street, Binghamton, NY 13902 for sudden accidental occurrences. The limits of liability are $1,000,000 each occurrence and $2,000,000 annual aggregate, exclusive of legal defense costs. The coverage is provided under policy number PLS 16862001, issued on March 31, 2012.

2. The Insurer further certifies the following with respect to the insurance described in paragraph 1:

   (a) Bankruptcy or insolvency of the Insured shall not relieve the Insurer of its obligations under the Policy.

   (b) The Insurer is liable for the payment of amounts within any deductible applicable to the Policy, with the right of reimbursement from the Insured for any payment made by the Insurer. This provision does not apply with respect to the amount of any deductible for which coverage is demonstrated by virtue of the Insured's satisfying the financial test for liability coverage as established by the New York State Department of Environmental Conservation (hereinafter "NYSDEC") or by the Commissioner of NYSDEC (hereinafter referred to as the "Commissioner,") and as specified in 6 NYCRR Part 370 et seq.

   (c) Whenever requested by the Commissioner, the Insurer agrees to furnish to the Commissioner a signed duplicate original of the Policy and all endorsements.

   (d) Cancellation of the insurance, whether by the Insurer, the Insured, a parent corporation providing insurance coverage for its subsidiary, or by a firm having an insurable interest in and obtaining liability insurance on behalf of the owner or operator of the hazardous waste management facility, will be effective only upon written notice certified mail, return receipt requested, and only after the expiration of 60 days after a copy of such written notice is received by the Commissioner.

   (e) Any other termination of this insurance will be effective only upon written notice, certified mail, return receipt requested, and only after the expiration of thirty (30) days after a copy of such written notice is received by the Commissioner.

I hereby certify that the wording of this instrument is identical to the wording specified in 6 NYCRR 373-2.8(j)(8) as such regulation was constituted on the date first above written, and that the Insurer is authorized by the Superintendent of the New York State Department of Insurance to conduct the business of an Insurer or is eligible to provide insurance as an excess or surplus lines insurer in the State of New York.

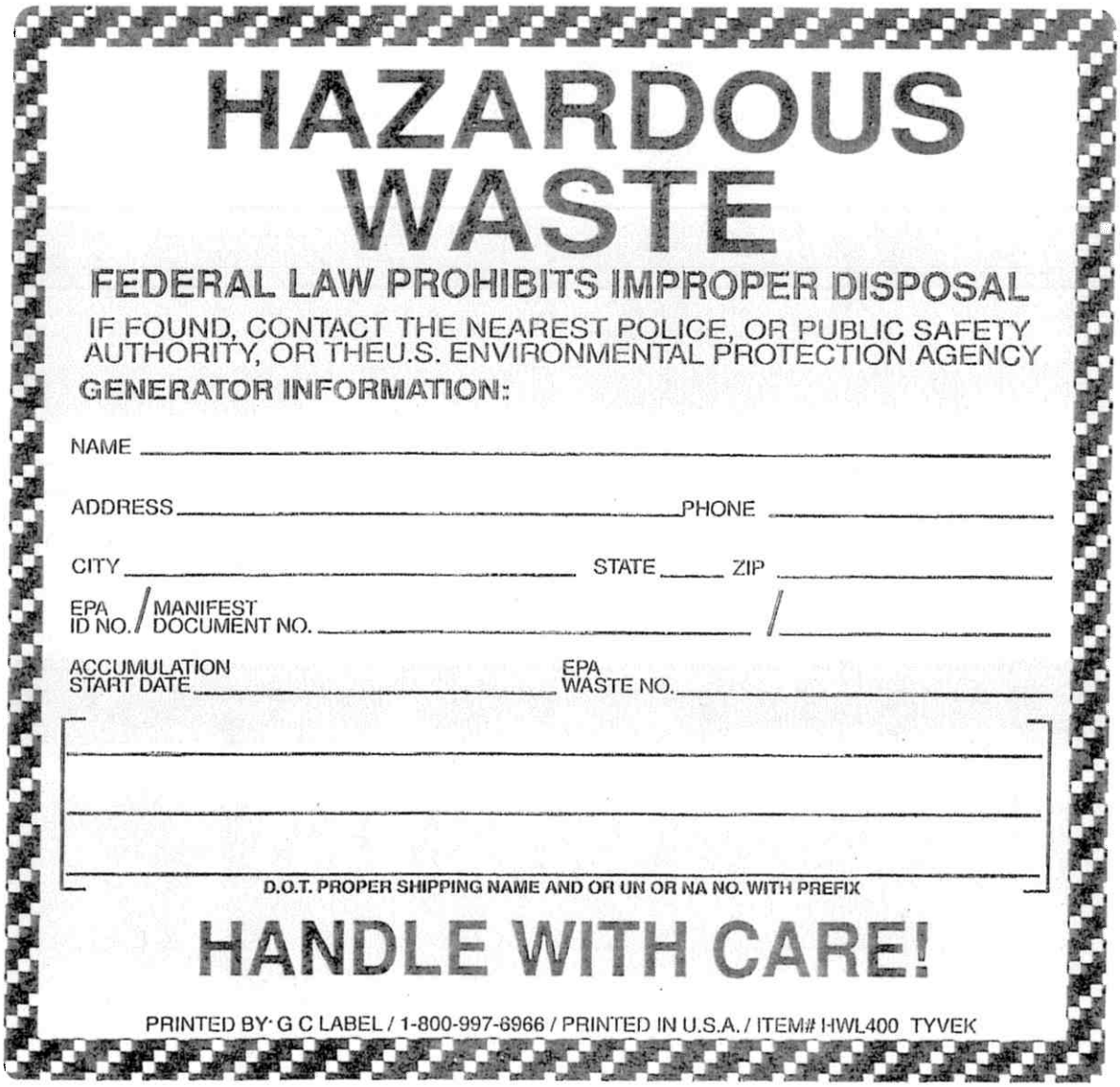
S. Smith

(Signature of Authorized Representative of Insurer)
Scott Smith
Vice President
Authorized Representative of Chartis Specialty Insurance Company
One Liberty Place, 1650 Market Street, Suite 3700, Philadelphia, PA 19103

Date: March 31, 2012

APPENDIX B

CONTAINER MARKINGS



CONTAINER MARKING

PROPER D.O.T. SHIPPING NAME _____

_____

HAZARD CLASS _____

_____ UN/NA # _____

NON-REGULATED WASTE

THIS WASTE NOT REGULATED BY THE
U.S. ENVIRONMENTAL PROTECTION AGENCY 40CFR(RCRA)

GENERATOR INFORMATION

NAME		
ADDRESS		
CITY	STATE	ZIP
EPA ID NO.		
APPROVAL CODE NO.		
MANIFEST DOCUMENT NO.		
DESCRIPTION		

CONTAINS NON-REGULATED WASTE

Printed By: Mesa Label Express, 8525 Arjons, Ste. T, San Diego, CA 92126 (619) 693-4988 NRW-P2

CONTAINER MARKING

APPENDIX C

COATING INFORMATION

Coatings

‹agard® Cure/Hard

ous-type curing and hardening
ound for concrete

IPTION: Sikagard Cure/Hard is a clear, water-white, n-based, solvent solution. Sikagard Cure/Hard conorms to ASTM C-309, Type 1.

TO USE: Applied as a curing compound to freshly ed concrete, Sikagard Cure/Hard aids in the sealing of oisture in the concrete. Applied to hardened concrete, agard Cure/Hard makes it easier to clean and maintain rs, and to prevent concrete dusting.

NTAGES: Sikagard Cure/Hard seals in moisture to aid ng of freshly placed concrete. On hardened concrete, impregnation increases hardness and makes it easy to n and maintain floors. It reduces efflorescence. Dry ing is resistant to oil, alkalis, grease, and staining. It will r concrete or mortar. It prevents concrete interior slabs. It does not interfere with the on of paint, tile, or other flooring materials.

AGE: For proper curing of freshly placed concrete, use gard Cure/Hard at the rate of 200 sq ft per gal. On dry ened concrete, apply at the rate of 300 to 400 sq ft per l per coat. Two coats are recommended for best results.

ING: 55-gal drums; 5-gal pails.

LIFE: Unlimited in original unopened drums; 2 years in inal, unopened pails.

E CONDITIONS: Store at 40-85F.

Sealants

Sikaflex®-1a

Elastomeric sealant/adhesive

DESCRIPTION: Sikaflex-1a is a premium-grade, high-performance, moisture-cured, 1-component, polyurethane-base, non-sag elastomeric sealant. Meets Federal specification TT-S-00230C, Type II, Class A. Meets ASTM C-920, Type S, Grade NS, Class 25; Canadian Standard 19-GP-16A, Type II.

WHERE TO USE: Designed for all types of joints where maximum depth of sealant will not exceed 1/2-in. Excellent for small joints and fillets...windows, door frames, reglets, flashing, and many construction adhesive applications. Suitable for vertical and horizontal joints; readily placeable at 40F. Has many applications as an elastic adhesive between materials with dissimilar coefficients of expansion.

ADVANTAGES: Easy, low-cost, ready to use. Eliminates time, effort, and equipment for mixing, filling cartridges, preheating or thawing, and cleaning of equipment. High elasticity - cures to a tough, durable, flexible consistency with exceptional cut- and tear-resistance. Excellent adhesion - bonds to most construction materials...without primer in most cases. Long life. Excellent resistance to aging, weathering. Proven in tough climates around the world. USDA-approved: chemically acceptable to the U.S. Department of Agriculture for use in meat and poultry processing area. Odorless, non-staining. Paintable with water-, oil- and rubber-base paints. Jet fuel resistant. NSF- and EPA-approved for potable-water contact. Urethane-based; suggested by EPA for radon reduction.

COVERAGE: 10.3-fl-oz cartridge seals 12.4 lineal ft of 1/2- x 1/4-in. joint. 20-fl-oz uni-pac sausage seals 24 lineal ft of 1/2- x 1/4-in. joint.

PACKAGING: Disposable 10.3-fl-oz, moisture-proof composite cartridges, 24/case; and uni-pac sausages, 20-fl-oz, 20/carton. Available on special order: 4.5-gal pails, 50-gal drums.

SHELF LIFE: 10.3-fl-oz cartridges - 12 months, 20-fl-oz uni-pac sausages - 12 months, 4.5-gal pails - 4 months, 50-gal drums - 4 months.

STORAGE CONDITIONS: Store at 40-95F. Condition material to 65-85F before using.

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Sikadur® 31, Hi-Mod Gel

High-modulus, high-strength, structural, epoxy paste adhesive

DESCRIPTION: Sikadur 31, Hi-Mod Gel, is a 2-component, solvent-free, moisture-insensitive, high-modulus, high-strength, structural epoxy paste adhesive. It conforms to ASTM C881-90, Types I, II, IV, & V, Grade 3, epoxy resin adhesive.

WHERE TO USE: Structural bonding of concrete, masonry, metals, wood, etc. to a maximum glue line of 1/8 in. Grout bolts, dowels, pins, vertical and overhead, etc. Seals cracks and around injection ports prior to pressure-injection grouting. Interior, vertical, and overhead repair of concrete as an epoxy mortar binder. As a pick-proof sealant around windows, doors, lock-ups etc. inside correctional facilities.

ITAGES: Insensitive to moisture before, during, and after cure. High-modulus, high-strength, structural paste adhesive. Excellent adhesion to concrete, masonry, metals, wood, and most structural materials. Paste consistency ideal for vertical and overhead applications. Fast-setting and strength-producing adhesive. Easy mix A:B = 2:1 ratio by volume. Potable-water approved. USDA-approved for use in food plants.

OVERAGE: 1 gal yields 231 cu in. of epoxy paste adhesive and grout. 1 gal mixed with 1 gal by loose volume of oven-dried aggregate yields 346 cu in. of epoxy mortar.

ACKAGING: 3-gal units; 12-11-oz units, 12/case.

HELF LIFE: 2 years in original, unopened containers.

TORAGE CONDITIONS: Store dry at 40-95F. Condition material to 65-85F before using.

Epoxy Resins

Sikadur® 22, Lo-Mod

New, Improved, low-modulus, medium-viscosity, epoxy resin binder

DESCRIPTION: Sikadur 22, Lo-Mod, is a 2-component, solvent-free, moisture-insensitive, epoxy resin binder. It meets ASTM C-881 Type III epoxy adhesive binder.

WHERE TO USE: Use neat as the binder resin for a skid-resistant broadcast overlay. Use also as the binder resin for epoxy mortar and concrete for patching and overlays.

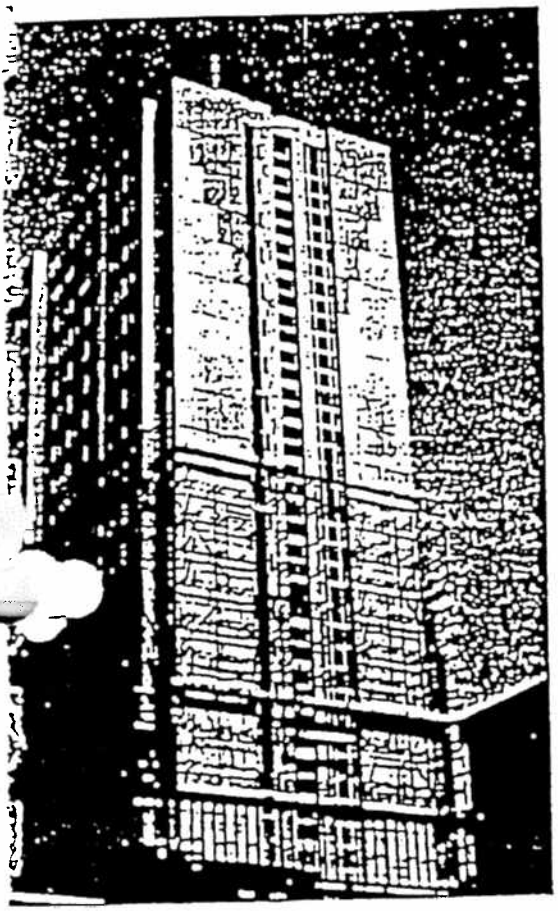
ADVANTAGES: Insensitive to moisture both before and after cure. Easy mix A:B = 1:1 volume ratio. Excellent strength development. Leveling viscosity for easy, efficient application of a broadcast overlay. Material is USDA-approved.

COVERAGE: Prime coat - 300-500 sq ft/gal.
Broadcast Binder Coat - 32 sq ft/gal.
Mortar Binder - 1 gal of mixed Sikadur 22, with the addition of 5 gal by loose volume of an oven-dried sand will yield 808 cu in. of epoxy mortar.

PACKAGING: 4-gal units; 1-qt units, 12/case.

SHELF LIFE: 2 years in original, unopened containers.

STORAGE CONDITIONS: Store dry at 40-95F. Condition material to 65-85F before using.



Coatings

Sikagard® 62

High-build protective coating

DESCRIPTION: Sikagard 62 is a 2-component, solvent-free, high-solids, moisture-insensitive, epoxy resin protective coating. It produces a high-build, protective, dampproofing, and waterproofing vapor-barrier system. Sikagard 62 conforms to ASTM C-881, Type I and IV, Grade 2, epoxy resin.

WHERE TO USE: Use as a high-build, corrosion-resistant, protective coating, or as a seamless flooring system on dry and can't-dry substrates.

ADVANTAGES: Protects dry and can't-dry substrates. Exceptional tensile strength. Good chemical resistance for long-term protection. Convenient A:B = 1:1 mixing ratio by volume. Easy, paint-like viscosity. Durable, smooth finish permits wipe-off graffiti-removal. Available in 3 standard colors; gray, red, and tan. Special color matches available upon request. Excellent bonding to all common structural substrates. Super abrasion resistance for long-term wear. Sikagard 62, Gray, after cure, is approved for contact with potable water. All colors are USDA-approved for use in food plants.

COVERAGE: First coat - 200-225 sq ft/gal (4-7 mils). Second coat - 250-300 sq ft/gal. Coverage is dependant upon substrate texture and porosity

PACKAGING: 4-gal units; 1-qt units, 12/case.

SHELF LIFE: 2 years in original, unopened containers.

STORAGE CONDITIONS: Store dry at 40-95F. Condition material to 65-85F before using.

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Corrosion Coatings Inc.

665 West McMicken
Cincinnati, Ohio 45214
Phone (513) 651-1183

July 27, 1984

Mr. Al Gantert
Ashland Chemical
P.O. Box 2219
Columbus, OH 43216

REF: Concrete Overlay (Curbing) Memphis, Tennessee

Dear Al,

Deco-Rez SBA 3576 is an excellent epoxy bonding adhesive for new concrete to old. The existing surface must be clean and dry, and if the surface is roughened up the bond will be even better. The SBA 3576 should be applied 20-30 mils thick and the new concrete poured while the epoxy bonding is 'tacky.' Your cost of the SBA 3576 is $33.60 per gal. in 1.5 gallon kits, F.O.B. Cincinnati, Ohio.

Deco-Rez has a very good solvent-resistant flooring system you may want to consider, enclosed is a 11-2-III flooring system sheet. Also, I have requested a small dry sample of the 11-2-III system to be sent to you.

If you decide to use any of these products please advise your purchasing department to call me at my office. Thanks, Al.

Yours truly,

Tom Insko

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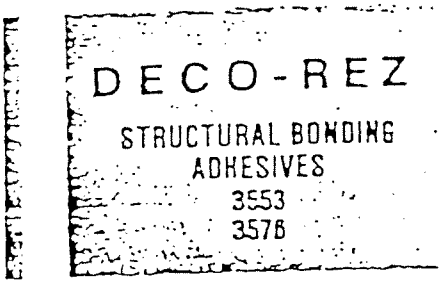
Enclosures

DECO-REZ

SPECIFICATION DATA

Structural Bonding Adhesives

SBA 3553
SBA 3576



PRODUCT DESCRIPTION & USE

Deco-Rez Structural Adhesives are epoxy bonding agents for bonding new concrete to old, hardened concrete, steel or other structural material. These materials are 100% solids epoxy resin systems.

SBA 3553 (Grades I & II) are specially formulated 100% solids epoxy polysulfide bonding adhesives for adhering new, fresh concrete to old or existing concrete and as a binder in epoxy resin concrete and mortar for repairing spalls and other defects in Portland cement concrete.

SBA 3553 is formulated to meet the following specifications :

AASHTO M-235-75, Classes I & II
Federal Specification MMM-G-650b
NJDOT Specification for Bonding Compounds

SBA 3576 is a 100% solids, polysulfide - free, epoxy bonding adhesive for fresh concrete to old, existing concrete and as a binder for epoxy concrete and mortar for overlays, repair of spalls and other defects in concrete pavements and structures.

SBA 3576 meets AASHTO M-235-75, Class III Specification.

TECHNICAL DATA

Properties @ 75° F.	SBA 3553	SBA 3576
Color, (A & B Mixed)	Dark (Brownish)	Neutral (Amber)
Viscosity, (A & B Mixed)	Heavy Oil	Lightweight Oil
Mixing Ratio (Part A & Part B) by vol.	2 : 1	2 : 1
Pot Life, min.	25 - 35	30 - 40
Thin Film, open time, min., hrs.	2 - 3	2 - 3
Initial Cure, hrs.	24	24
Concrete Bond Str., psi, min.	400 (concrete failure)	400 (concrete failure)
Compressive Str., ASTM-D-695, psi	-	14,000
Water Absorption, %, 24 hrs.	0.2 max.	0.2 max.
Tensile Str., ASTM-D-638, psi	4,000 min.	4,000 min,
Elongation, ASTM-D-638, %	2 - 4	2 - 4

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COVERAGE

50 to 100 square feet per gallon (average coverage will vary with surface temperature and condition).

INSTALLATION

Surface Preparation:

Surface preparation should be done before mixing the SBA resin. An epoxy resin bond can only be good if the two surfaces being bonded together are sound. For this reason, the surfaces to be bonded must be clean, dry, and free of oil, dirt, paint, or other foreign matter. Any "unsound" area of the surface must be removed by sanding, grinding, chipping, or other method. (See General Polymers Corporation "Deco-Rez Floor Systems - Instructions for Surface Preparation"). Form G-1

Mixing: - (General Instructions)

Before mixing, stir parts A & B until consistency is uniform. Pour 2 parts A and 1 part B into a clean container, mix thoroughly.

Measure out only enough material for the particular job. NOTE: (More material can always be mixed if necessary, but once mixed, the mixture must be used before hardening -- or discarded.

Do not mix more adhesive than can be used in thirty to forty-five (30 - 45) minutes.

Tools used should be cleaned at least once every forty minutes with Deco-Rez Clean-Up Solvent, xylene, ketone, or other suitable solvent.

GUARANTEE

General Polymers Corporation guarantees SBA 3553 and 3576 Structural Bonding Adhesives to be free of manufacturing defects and that these adhesives will comply with all properties stated above. General Polymers Corporation will replace any material that does not conform to our standard specifications or will refund the purchase price if discovery of non-compliance with specifications is made within one year of delivery of materials.

No representative of General Polymers Corporation has authority to change or modify our data or our standard warranty in any way, or alter any other provisions of our standard terms and conditions of sale.

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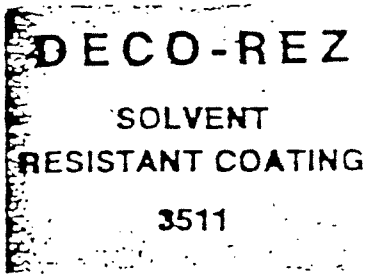
IMPORTANT NOTICE

THESE PRODUCTS ARE SOLD SUBJECT ONLY TO THE EXPRESS WARRANTIES CONTAINED HEREIN, ADDITIONAL WARRANTIES, EXPRESS OR IMPLIED, AND ANY WARRANTY OF MERCHANTABILITY IS HEREBY EXCLUDED. BUYER AGREES THAT SELLER ASSUMES NO LIABILITY FOR CONSEQUENTIAL DAMAGES OF ANY KIND WHICH RESULT FROM THE USE OR MISUSE OF THE MERCHANDISE SOLD HEREUNDER. IN THE EVENT THAT THE BUYER PROVES THAT ANY GOODS RECEIVED DO NOT CONFORM TO THE SPECIFICATIONS AGREED TO BETWEEN THE PARTIES OR IF THE BUYER PROVES THAT SUCH GOODS WERE DEFECTIVELY MANUFACTURED, THE BUYER'S REMEDIES SHALL BE LIMITED TO EITHER THE RETURN OF THE GOODS AND REPAYMENT OF THE PURCHASE PRICE OR REPLACEMENT OF THE NON-CONFORMING GOODS BY THE SELLER SUCH REMEDY BEING EXCLUSIVE OF ALL OTHERS AND THE SOLE

DECO-REZ
SPECIFICATION DATA
SOLVENT RESISTANT COATING
3511



PRODUCT DESCRIPTION & USE

Deco-Rez 3511 is a two component epoxy coating system specifically developed for areas exposed to frequent splash and spillage of strong solvents such as ketones and chlorinated solvents. New epoxy resins capable of high density cross linking have made it possible to provide room temperature curing systems far superior in solvent resistance to conventional amine cured epoxies. Hot spray or elevated temperature curing further enhances the performance characteristics of Deco-Rez 3511.

Deco-Rez 3511 is recommended for use over properly prepared concrete or steel substrates or as a solvent resistant coating over previously coated surfaces.

Concrete surfaces must be clean, dry and free of any sealer, oil, grease, laitance or other contamination that might prevent proper bonding.

Steel surfaces should be cleaned and sandblasted per SSPC-CP-6 (Commercial blast cleaning) to provide an adequate profile for bonding.

Previously coated surfaces or toppings that require the solvent protection of 3511 must be clean, dry and well sanded or brush blasted for proper adhesion. A test area should be coated to ensure compatitliby and adhesion to substrate.

Deco-Rez 3511 has a convenient equal volume mixing ratio. Mix equal volumes of Part A and Part B thoroughly to ensure complete blending of materials. Scrape sides and bottom of container making sure all material is mixed. Useable pot life of Deco-Rez 3511 is approximately 40 - 45 minutes at 75° F. Higher temperatures will shorten the working life and cooler temperatures will lengthen the working life. Do not use when air or surface temperature is below 55° F.

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The degree of solvent resistance will depend on the thickness of material and type or length of cure. Recommended thickness is 20 mils minimum for steel (two coats at 10 mils/coat or 150 - 160 sq. ft./gallon per coat). Vertical surfaces may require three coats for adequate film build. Recommended thickness is 25 - 30 mils for concrete and/or other toppings, etc., (two coats at 12 - 15 mils/coat or 100 - 125 sq. ft./gallon per coat). Rough concrete or other irregular surfaces may require a leveling or patching prior to the application of Deco-Rez 3511, otherwise excessive use of 3511 would be necessary. Leveling or patching can be achieved by using the appropriate Deco-Rez Epoxy depending on the requirements.

Minimum cure for Deco-Rez 3511 is 7-10 days at 75° F. Hot spray application or heat cure will improve and/or shorten the cure time.

NOTE: Any surface irregularities or fine particles which become entrapped in the material during installation or the curing process will be highlighted by the extremely high gloss finish of the 3511. While these particles and irregularities will not effect the solvent resistance of the coating they may be apparent in the finished appearance. The 3511 coating is designed for its functional chemical resistance and not specifically for an aesthetic quality.

Colors - Clear, Steel Gray, Tile Red

TECHNICAL DATA

Mixing Ratio	1 to 1 by volume
Pot Life, 75° F., one quart	40 - 45 minutes
Recoat Time at 75° F.	16 - 24 hours
Cure Time, min. @ 75° F.	7 - 10 days
Viscosity, mixed, KU	70 - 80
Volume Solids, %	94 ± 2
Recommended Coverage:	
Steel -	20 mils min. (75 sq. ft. per gallon)
Concrete -	25 - 30 mils min. (50 - 60 sq. ft. per gallon)
Hardness Shore D	80

CHEMICAL RESISTANCE (ASTM-C-1608)

Sandblasted steel, 20 mils; cured 10 days at 75° F.
24 hour spot test, saturated cotton.

REAGENT	DECO-REZ 3511
Ammonium Hydroxide (30%)	No Effect
Cell-O-Solve	No Effect
Acetone	No Effect
Methyl Ethyl Ketone	No Effect
Butyl Acetate	No Effect
Methylene Chloride, 8 hours	No Effect
24 hours	Slight blistering, slight discoloration.
Trichlorethylene	No Effect
Trichlorethene	No Effect
Ethanol (95%)	No Effect

APPLICATION

Recommended application is by brush, roller, or spray. Elimination or minimizing of entrapped air or pinholes is critical. An excellent application technique on horizontal surfaces is to spread the material by trowel or squeegee over the recommended coverage and back roll with a carpet roller. This will provide a uniform coating and minimize air entrappment.

GUARANTEE

General Polymers Corporation guarantees Deco-Rez Solvent Resistant Coating 3511 to be free of manufacturing defects and that this coating complies with all properties stated above. General Polymers Corporation will replace any material that does not conform to our standard specifications or will refund the purchase price if discovery of non-compliance with specifications is made within one year of delivery of materials.

No representative of General Polymers Corporation has authority to change or modify our data or our standard warranty in any way or any other provisions of our standard terms and conditions of sale.

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IMPORTANT NOTICE

THESE PRODUCTS ARE SOLD SUBJECT ONLY TO THE EXPRESS WARRANTIES CONTAINED HEREIN. ADDITIONAL WARRANTIES, EXPRESS OR IMPLIED AND ANY WARRANTY OF MERCHANTABILITY IS HEREBY EXCLUDED. BUYER AGREES THAT SELLER ASSUMES NO LIABILITY FOR CONSEQUENTIAL DAMAGES OF ANY KIND WHICH RESULT FROM THE USE OR MISUSE OF THE MERCHANDISE SOLD HEREUNDER. IN THE EVENT THAT THE BUYER PROVES THAT ANY GOODS RECEIVED DO NOT CONFORM TO THE SPECIFICATIONS AGREED TO BETWEEN THE PARTIES OR IF THE BUYER PROVES THAT SUCH GOODS WERE DEFECTIVELY MANUFACTURED, THE BUYER'S REMEDIES SHALL BE LIMITED TO EITHER THE RETURN OF THE GOODS AND REPAYMENT OF THE PURCHASE PRICE OR REPLACEMENT OF THE NON-CONFORMING GOODS AT THE OPTION OF THE SELLER, SUCH REMEDY BEING EXCLUSIVE OF ALL OTHERS AND THE SOLE REMEDY AVAILABLE TO THE BUYER. BUYER HEREBY EXPRESSLY WAIVES ANY CLAIM TO ADDITIONAL DAMAGES.

DECO-REZ
SPECIFICATION DATA
Epoxy Chemical Resistant Systems
3510 EPOXY CHEMICAL RESISTANT SEALER
EPOXY TRAFFICOTE #10
TPM #10

DECO-REZ
EPOXY CHEMICAL
RESISTANT
SYSTEMS
3510

PRODUCT DESCRIPTION & USE

Deco-Rez Epoxy Chemical Resistant Systems incorporate 3510, a 100% solids two-component epoxy formulation in a variety of chemical and corrosion resistant applications. These systems provide unsurpassed acid and alkali resistance in a wide range of applications including tank linings, coatings for trenches and floors, slurries for troweled or sprayed applications on pits, pipes and vertical surfaces and in self-leveling (Epoxy Trafficote #10) or trowel-applied (TPM #10) flooring systems. Epoxy Chemical Resistant Sealer is also available in a wall grade (3510W).

3510 will cure at ambient temperatures as low as 40°F. and has only a very slight odor during application. It is odorless and tasteless when cured and offers excellent resistance to fruit and food acids.

A variety of methods providing highly chemical resistant service are available using 3510:

1. As a 100% solids coating for acid and corrosion resistance including tank linings, coatings for concrete floors, trenches, pits and protection on steel or wood.

2. As a binder for self leveling slurry systems and troweled mortars for surfacing floors in chemical process plants, metal finishing plants, steel mills, pulp and paper mills, sewage and waste treatment plants, food processing plants, pharmaceutical plants, textile mills and other plant areas in a wide variety of industries and service conditions.

3. As a binder with specially blended filler for trowel applications on vertical and over-head areas in trenches, pits, concrete pipe and tunnels. May also be sprayed through special spray equipment such as the Quick Spray Carrousel Pump System.

4. As a sealer or glaze coat on a standard epoxy floor system or in combination with silica sand or colored ceramic quartz granules for a relatively low cost skid-proof topping.

Advantages:

- Room temperature curing system as low as 40°F.
- Can be used in various application methods to achieve an acid and corrosion resistant surface.

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Limitations:

- Must be applied to clean, properly prepared surfaces.
- Substrates must be structurally sound, clean, and dry. Subfloor must be above 50°F., free from hydrostatic pressure, free from paint, curing membranes and

- The finished appearance of troweled applications may reflect minor troweling irregularities.
- Change in color (discoloration) can be expected. ONLY DARK COLORS (Tile Red, and Black) are recommended.

Composition and Materials:
Clear (amber), Tile Red, and Black. When exposed to ultraviolet or oxidizing materials some colors will change, but the discoloration will not effect other performance characteristics.

TECHNICAL DATA

Pot Life @ 75° F., hours	1 - 3 depening on application method.
Initial Set Time (for light traffic)	18 - 24 hours
Curing Temperature Limits	over 50°F.
Ultimate Cure @ 75° F.	5 days
@ 50° F.	14 days
Mixing Ratio, by volume	2 parts resin (Part A) 1 part hardener (Part B)
Application	Depending on method: Spray, Trowel, Roll
Coverage - (Resin Coating)	1600 mil ft. per gallon (100% solids)
(Mortars)	Will depend on amount of aggregate and troweled thickness.

PERFORMANCE PROPERTIES (CURED BINDER)

REQUIREMENTS	TEST METHODS	PERFORMANCE
Fungus and Bacteria Resistance	MIL-F-52505 Sec. 4.4.2.11	Will not support growth of fungus or bacteria when subjected to mildew and bacteria tests specified in TT-P-34.
Impact Resistance	MIL-D-3134F-Sec. 4.7.3	Withstands 16 ft./lbs. no cracking, delamination or chipping.
Indentation	MIL-D-3134-Sec. 4.7.4	Withstands 2,000 lbs./ sq. in. for 30 min. without indentation.
Resistance to Elevated Temperatures	MIL-D-3134F-Sec. 4.7.5	No slip or flow at required temperatures of 158° F.
Taber Abrasion Resistance	CS17 Wheels with 1000 gram load on each arm for 10,000 cycles.	.030 grams loss per 1,000 cycles.
Water Absorption	ASTM-D-570-63 (24 hrs. immersion)	.10% maximum

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Bond Strength to Concrete	After 7 days water immersion. ACI Committee 403, Bulletin 59 - 43.	335 p.s.i. failure in concrete.
Flammability	ASTM-D-635-63 This is determined on a sample with a backing similar to concrete.	Self-Extinguishing by this test.
Ultimate Tensile Strength (p.s.i.)	ASTM-D-638	9,120
Tensile Elongation (%)	ASTM-D-638	2.4
Ultimate Flexural Strength (p.s.i.)	ASTM-D-790	15,290
Initial Flexural Modulus (p.s.i. x $.10^{-6}$)	ASTM-D-790	0.50
Ultimate Compressive Strength (p.s.i.) (1)	ASTM-D-695	15,600 (2)
Izod Impact (ft. lbs./in. notch)	ASTM-D-256	0.51
Hardness (Shore D)	ASTM-D-2240	85

(1) Test Specimen dimensions - 1/2 inch diameter cylinder, 1 inch height.
(2) Ultimated load occurred at yield.

CHEMICAL RESISTANCE

3510 is a Chemical Resistant 100% Solids Epoxy flooring resin system which is unsurpassed in acid and alkali resistance. Percent flexural strength retention after one month immersion at 77° F. and 140° F. show the following.

	% Retention		% Retention
5% Acetic Acid		15% Sodium Hydroxide	
77° F.	101	77° F.	90
140° F.	95	140° F.	85
25% Acetic Acid		50% Sodium Hydroxide	
77° F.	105	77° F.	108
140° F.	95	140° F.	95
15% Hydrochloric Acid		Water	
77° F.	110	77° F.	97
140° F.	97	140° F.	88

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Original Flexural Strength of the tested castings was 16,260 p.s.i.

· sulfuric acid is not listed on the test results, 3510 resistance to mineral as is excellent. The high concentration of acids such as 98% are normally not as harmful as the hydrolyzed form (15-50%).

CHEMICAL RESISTANCE GUIDE

The following chart is a general guide to the resistance of 3510 epoxy resin systems. While this information is reliable, there are many variables which must be considered in selecting the proper protective system.

Maximum service temperature of 150° F. unless otherwise noted.

When exposed to ultraviolet light and/or oxidizing agents, the gray, red, green and brown will discolor. This is a surface condition and will not change other performance properties.

Because many factors such as design, application, exposure, etc. are beyond the control of General Polymers Corporation, no warranty concerning use of these resins can be made. Whenever possible, a sample should be tested under actual or simulated use conditions before a final decision on the suitability or choice of a given system is made.

KEY:
- NR - Not Recommended.
- R - Recommended for continuous contact.
- I - Recommended for intermittent immersion.
- S - Recommended for splash and spillage.
- * - May discolor during service.

Acetic Acid, 25%	R*	Calcium Chloride, 50%	R*
Acetic Acid, glacial	S*	Calcium Hydroxide, (Sat.)	R
Acetone	NR	Calcium Nitrate, 50%	R
Alum (Sat.)	R*	Calcium Sulfate, (Sat.)	R*
Aluminum Chloride, 50%	R*	Carbon Tetrachloride to 75° F.	R
Aluminum Nitrate, 50%	R*	Chloride Water, (Sat.) to 75° F.	R
Aluminum Sulfate, 50%	R*	Chlorobenzene to 75° F.	R
Ammonium Hydroxide, 50%	R	Chloroform	NR
Ammonium Nitrate, 50%	R*	Chromic Acid, 15%	S*
Ammonium Sulfate (Sat.)	R	Citric Acid, 50%	R*
Aniline to 75° F.	I	Cola Syrup to 75° F.	R
Barium Hydroxide (Sat.)	R	Copper Sulfates, 50%	R*
Barium Sulfide (Sat.)	R	Dichloroethylene	NR
Beer	R	Ethyl Acetate	NR
enzene to 75° F.	R	Ethyl Alcohol to 75° F.	R
Benzoic Acid, (Sat.) 3%	I	Ethylene Chloride	NR
yl Chloride to 75° F.	R*	Ethylene Glycol	R*
oric Acid, (Sat.), 30%	R*	Formaldehyde, 40%	R
Butyric Acid	R*	Formic Acid	NR

Glycolic Acid to 75° F.	R*	Potassium Hydroxide, 50%	R
Hydrobromic Acid, 47% to 75° F.	I*	Potassium Nitrate, 50%	R
Hydrochloric Acid, 18%	R*	Pyridine	NR
Hydrochloric Acid, Conc. to 75° F.	R*	Salicylic Acid, 3% to 75° F.	I
Hydrogen Peroxide, 30% to 75° F.	I*	Sodium Bicarbonate, 3%	R
Isopropyl Alcohol to 75° F.	R	Sodium Bichromate, 50%	R*
Isopropyl Ether to 75° F.	R	Sodium Bisulfite, 30%	R
Jet Fuel Oil to 75° F.	R	Sodium Carbonate, 30%	R
Lactic Acid, 20%	R*	Sodium Chloride, 40%	R*
Lactic Acid, 85%	I*	Sodium Chromate, 50%	R*
Lead Chloride, (Sat.)	R*	Sodium Hydroxide, 50%	R
Magnesium Chloride, 50%	R*	Sodium Nitrate, 50%	R*
Magnesium Hydroxide, (Sat.)	R*	Sodium Sulfate, 50%	R*
Magnesium Sulfate, 50%	R*	Sodium Thiosulfate, 50%	R*
Maleic Acid, 40% to 75° F.	I*	Stannous Chloride, 25%	R*
Metanol to 75° F.	S*	Stearic Acid, (Sat.)	R*
Methyl Ethyl Ketone	NR	Sugar Solution	R
Methyl Isobutyl Ketone to 75° F.	R	Sulfuric Acid, 25%	S*
Milk to 85° F.	R	Sulfuric Acid, 30%	S*
Nickel Nitrate, 50%	R*	Sulfuric Acid, 50%	S*
Nickel Sulfate, 50%	R*	Sulfuric Acid, 80% to 80° F.	S*
Nitric Acid, 30% to 75° F.	I*	Sulfurous Acid	R*
Oleic Acid	R	Tannic Acid, 50%	R
Oxalic Acid, 3%	R	Tetrachloroethane	R
Phenol, 5% to 80° F.	S	Toluene to 75° F.	R
Phosphoric Acid, 85%	R*	Trichloroethylene to 75° F.	S*
Phosphorous Acid, 30%	R*	Urea, 50%	R
Potassium Chloride, (Sat.)	R*	Xylene to 75° F.	R
Potassium Chlorate, 30%	R*	Zinc Chloride, (Sat.)	R*

GENERAL INFORMATION

INSTALLATION

Work should be performed only by experienced applicators or qualified shop maintenance personnel. Installation to be performed according to manufacturer's instructions.

Inspection and preparation of substrate is critical to the application of Deco-Rez Epoxy Chemical Resistant Systems. Prepare surfaces for application as instructed in "Instructions for Surface Preparation Form G-1". For surfaces not listed, contact our technical department.

Prior to application of Epoxy Trafficote #10, unevenness and surface defects should be patched and leveled. Flooring systems shall be finished to specified thickness and free of surface holes and depressions.

AVAILABILITY and COST

Availability: Normally marketed throughout the United States.

Cost: Depends on job conditions and geographic areas. Available on request.

TECHNICAL SERVICE

Skilled representatives of the General Polymers Corporation are available throughout the United States. Write or telephone direct to General Polymers Corporation for assistance. Literature and installation information available on request.

GUARANTEE

General Polymers Corporation guarantees 3510 Epoxy Resin to be free of manufacturing defects and that 3510 complies with all properties stated above. General Polymers Corporation will replace any material that does not conform to our standard specifications or will refund the purchase price if discovery of non-compliance with specifications is made within one year of delivery of materials.

No representative of General Polymers Corporation has authority to change or modify our data or our standard warranty in any way or any other provisions of our standard terms and conditions of sale.

HD-53
Rev 4

Material Safety Data Sheet for this product available on request.

277

D & H CORPORATION, N/F

BK 1786 PG 817
2.362 +/- ACRES

LOT 6
LOT 5
LOT 4
LOT 3
LOT 2
LOT 1

EX. 5/8" I. PIN W/ CAP

SET 5/8" REBAR W/ CAP

BROAD STREET

BINGHAMTON, NEW YORK

EDGE OF PAVEMENT

O/H ELECT & TEL

O/H ELECT

UNDRGRD ELECT

METAL BLDG

CONC. BLOCK/ BRICK BLDG

CONC RAMP W/ METAL ROOF

CONC DOCK

CONC STAIRS

WOOD STAIRS

CONC VAULT

CONC RAMP/ PAD

METAL STAIRS

GRAVEL

GRASS

TARVIA

CB

WV MH

SPRINKLER HYD

GAS METER

ELECTRIC METER

NYSEG GAS MARKER

CB W/VALVE

GUY

GATE

6' CLF

INTERIOR PARCEL BOUNDARIES (TYP)

Truck Loading/Unloading Area

Truck Staging Area

MW-1

MW-2

MW-3

MW-4

MW-5

N10°12'22"W 364.82'

(N10°12'22"W 359.86' DEED)

S01°10'03"E 327.67'

(S01°07'22"E 322.58' DEED)

206.59'

174.03'

144.69'

100.01'

50.00'

SCALE, FEET
0 15 30 60

Figure 2

ENVIRONMENTAL STRATEGIES CORPORATION

Drawn By: RP 102698

ATTACHMENT B-1

LEGAL DESCRIPTION

THIS INDENTURE, made the 31st day of March, 2011

BETWEEN

ASHLAND INC. (successor in interest to Ashland Chemical, Inc.), a Kentucky corporation, with a mailing address of 3499 Blazer Parkway, Lexington, Kentucky 40512
party of the first part, and

NEXEO SOLUTIONS, LLC, a Delaware limited liability company, with a mailing address of 5200 Blazer Parkway, Dublin, Ohio 43017
party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars ($10.00) paid by the party of the second part, does hereby grant and release unto the party of the second part, the successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Binghamton, Broome County, New York, and being more particularly described as follows:

SEE EXHIBIT A attached hereto and made a part hereof.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" when ever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

ASHLAND INC.

Michael S. Roe

Michael S. Roe
Its: Assistant General Counsel and
Authorized Officer

State of New York, County of New York ss:

On the 30th day of March in the year 2011, before me, the undersigned, personally appeared **Michael S. Roe**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

IVIE BAKER
Notary Public, State of New York
No. 01BA6225284
Qualified in New York County
Commission Expires July 19, 2014

My commission expires: 7/19/2014

DF # 031-007-0135, 0143 & 0192 (L)

EXHIBIT A

Legal Description

PARCEL I:

ALL of that certain tract or parcel of land located in the City of Binghamton, Broome County, New York, and being more particularly described as follows:

BEGINNING at an iron pin set in the ground on the northerly side of Bevier Street, a distance of 110.36 feet from its intersection with the westerly line of Broad Street, said point being the southwesterly corner of land of John and Edna Simmons as recorded in the Broome County Clerk's Office in Liber 319 of Deeds, Page 393 and being also the southwesterly corner of Lot 1 as shown on a Map of Burhans & Dunns Location filed in said Clerk's Office in Map Book 1, Page 197;

THENCE North 85 degrees 24 minutes West along said northerly line of Bevier Street, a distance of 59.33 feet to an iron pin set in the ground at the southeasterly corner of land of Collier Chemicals, Inc. as recorded in said Clerk's Office in Liber 821 of Deeds, Page 271;

THENCE North 08 degrees 44 minutes East along the easterly line of said land of Collier Chemicals, Inc., a distance of 178.00 feet to an iron pin set in the ground;

THENCE South 85 degrees 24 minutes East, a distance of 59.33 feet to an iron pin set in the ground;

THENCE South 08 degrees 44 minutes West, being in part along the westerly line of said land of Simmons, a distance of 178.00 feet to the point of BEGINNING.

PARCEL II:

Parcel A

ALL that tract or parcel of land, situate in the City of Binghamton, County of Broome and State of New York, on the north side of Bevier Street and known and distinguished as Lot No. 1 on Map of Burbans and Dunn Location recorded in Broome County Clerk's Office, May 29, 1889, in Book No. 1 of Maps at Page 197. Said lot is bounded on the south by Bevier Street, on the east by Lot No. 2, on the north by Lot No. 3 and is 55 feet front on Bevier Street and 162 feet deep on the west line and 158 feet deep on the east line.

Parcel B

ALL that piece, parcel or lot of land, situate in the City of Binghamton, in the County of Broome and State of New York, known and distinguished as Lot No. 2 on a Map of Burhans & Dunn Location, recorded in Broome County Clerk's Office May 29th, 1889, in Liber No. 1 of Maps at Page 197. Said lot is on the north side of Bevier Street and is bounded on the east by Broad Street and is 55 feet on Bevier Street and 153 feet deep on Broad Street.

EXCEPTING THEREFROM so much of the above described premises that was acquired by The People of the State of New York by appropriation proceeding for project entitled "City of Binghamton, Bevier Street, Broome County, City of Binghamton" and shown as Parcel No. 30 on Map No. 28, for which a Notice of Appropriation dated July 24, 1996 was recorded on July 24, 1996 in Liber 1867 of Deeds, Page 1328.

PARCEL III:

ALL that parcel of land situate in the City of Binghamton, County of Broome and State of New York, bounded as follows:

BEGINNING at an iron stake set in the westerly boundary of property conveyed to George W. Dunn and Peter K. Burhans by deeds, the one by Honnora O'Loughlin, as Executrix, etc., recorded March 26, 1888 in Book 135 of Deeds at Page 305, and the other by Honnora O'Loughlin, et al., recorded March 26, 1888 in Book 134 of Deeds at Page 73, as shown on Map of Burhan's and Dunn's Location filed in the Broome County Clerk's Office in Book of Maps 1 at Page 197, at the southeasterly corner of lands conveyed to Systems International, Inc. by H. C. Collier & Sons, Inc. by deed dated December 22, 1952 and recorded in the Broome County Clerk's Office;

THENCE southerly along the westerly boundary line of said Burhan's and Dunn's Location and along the westerly boundary of Lot 5, conveyed to Charles H. Avery by Peter K. Burhans and wife by deed recorded April 2, 1894 in Book 157 of Deeds at Page 66, to the southwesterly corner thereof;

THENCE easterly on the division line between said Lot 5 and Lot 4, shown on said map, 110 feet to the westerly line of Broad Street;

THENCE southerly along the westerly line of Broad Street, 100 feet;

THENCE westerly on the division line between Lot 3 and Lots 2 and I, likewise shown on said map, 110 feet to the southwesterly corner of said Lot 3;

THENCE northerly and along the westerly boundary of said Lot 3, 16 feet to an iron stake;

THENCE westerly at an interior angle of 274 degrees 08 minutes, 59.33 feet along the northerly boundary line of premises conveyed to Fay E. Johnson and wife by John C. Reynolds, et al., by deed recorded March 13, 1923 in Book 321 of Deeds at Page 552 (subsequently said to have been owned by Paul J. Barina and wife) to an iron stake;

THENCE southerly at an interior angle of 265 degrees 52 minutes, 203 feet, more or less, along the westerly boundary line of property so conveyed to Johnson to the center line of Bevier Street;

THENCE westerly along said center line, 30.83 feet;

THENCE northerly at an interior angle of 85 degrees 52 minutes and along the easterly line of premises conveyed to Minnie Ardell Cole by John C. Reynolds, et al., by deed recorded January 19, 1922 in Book 314 of Deeds at Page 105, 150 feet, more or less, to the northeasterly corner of the premises so conveyed to Cole;

THENCE westerly at an interior angle of 274 degrees 8 minutes and along the northerly line of said Cole property, 79.93 feet to the easterly line of the right of way of lands of the Delaware and Hudson Railroad Company;

THENCE northerly at an interior angle of 94 degrees 57 minutes and along said easterly line of said railroad property, 198.26 feet to an iron stake;

THENCE easterly at an interior angle of 80 degrees 51 minutes 200.95 feet to the point or place of BEGINNING.

EXCEPTING THEREFROM so much of the above described premises that lies within the bed of Bevier Street

PARCEL IV:

ALL that tract or parcel of land situate in the City of Binghamton, County of Broome and State of New York being the southerly 36 feet of land conveyed to Systems International, Inc., from H. C. Collier & Sons, Inc. by deed recorded January 8, 1953 in the Broome County Clerk's Office, Book 820 of Deeds, Page 219, as the same abuts on the northerly line of premises conveyed to Collier Chemicals, Inc. from H. C. Collier & Sons, Inc., by deed recorded January 26, 1953 in the Broome County Clerk's Office, Book 821 of Deeds at Page 271. The premises granted herein are bounded on the south by the northerly line of the premises now or formerly of Systems International, Inc. which line is 200.95 feet in length, on the west by the easterly line of the Delaware & Hudson Railroad, on the north by a line running parallel with the southerly line of the premises granted herein, and on the east by the westerly line of Burhans & Dunn Location as shown on a map recorded in the Broome County Clerk's Office, Book 1 of Maps, Page 197.

PARCEL V:

ALL that tract or parcel of land, situate in the City of Binghamton, County of Broome and State of New York, being Lot No. 5 in Burhans & Dunn's Location, north of Broad Avenue, according to a map thereof recorded in Book of Maps No. 1 at Page 197 in the Broome County Clerk's Office to which reference is had. Said lot is on the west side of Broad Street, and is 50 feet wide, front and rear by 110 feet deep.

PARCEL VI:

ALL that tract or parcel of land, situate in the City of Binghamton. County of Broome and State of New York known as Lot No. 6 on a Map of Burhans & Dunn Location recorded in the Broome County Clerk's Office in Book of Maps No. 1 at Page 197. Said Lot No. 6 is located on the west side of North Broad Street and is 50 feet wide front and rear 110 feet deep as shown on said map.

PARCEL VII:

ALL that tract or parcel of land, situate on the north side of Bevier Street, in the City of Binghamton, County of Broome and State of New York, being a parcel 63 feet wide in front and 79.93 feet wide in rear, and 125 feet deep taken out of the southwest corner of the premises conveyed to John C. Reynolds, et

al., by deed from Job McKeeby and wife and Newton McKeeby and wife dated July 3, 1919 and recorded in the Broome County Clerk's Office the same day in Book 258 of Deeds at Page 501.

TOGETHER WITH all right, title and interest of, in and to any streets and road abutting the above described premises, to the center line thereof.

Being the same property conveyed to Ashland Chemical, Inc. by deed effective as of October 1, 1989, recorded in Liber 1768 of Deeds, Page 817. Ashland Chemical, Inc. merged into Ashland Oil, Inc. on September 30, 1993. Ashland Oil, Inc changed its name to Ashland Inc. on June 27, 1995. Ashland Inc. merged into EXM LLC, EXM LLC merged into New EXM Inc. and New EXM Inc. changed its name to Ashland Inc. on June 30, 2005.

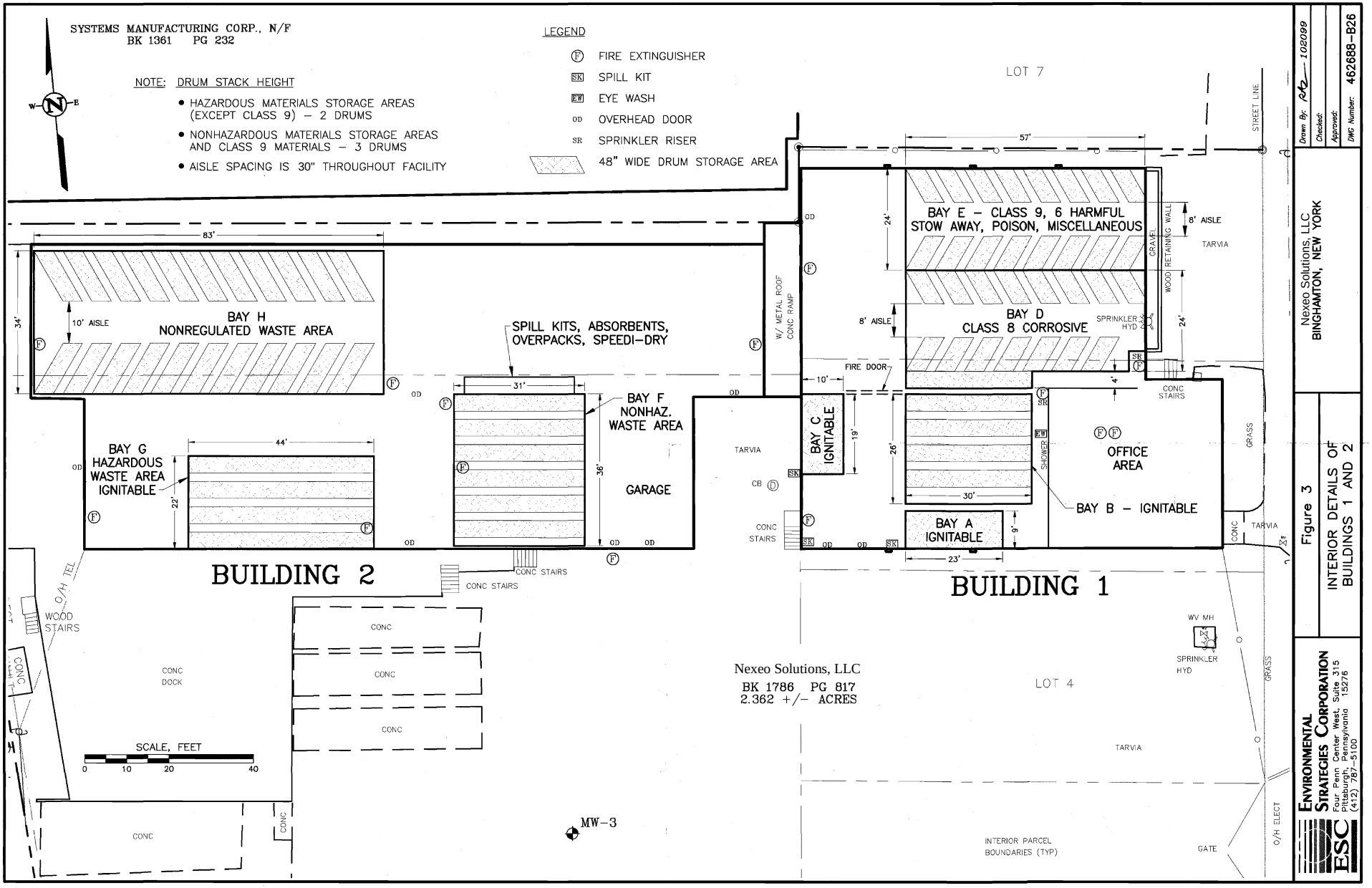
SECTION	145.37
BLOCK	1
LOT	3
COUNTY	Broome County
ADDRESS	107 Bevier Street a/k/a 3 Broad Street, Binghamton, NY

AFTER RECORDING RETURN TO:

Susan Regis Gibson
Fidelity National Title Insurance Company
4111 Executive Parkway, Suite 304
Westerville, Ohio 43081

ATTACHMENT B-2

ENVIRONMENTAL PLAN



Rick Z – Z:\DWG\460\462688\B26.dwg :December 17, 1999 2:18 pm

Nexeo Solutions, LLC
BINGHAMTON, NEW YORK

Figure 3

INTERIOR DETAILS OF BUILDINGS 1 AND 2

Drawn By: RAZ 102099
Checked:
Approved:
DWG Number: 462688-B26

ENVIRONMENTAL STRATEGIES CORPORATION
Four Penn Center West, Suite 315
Pittsburgh, Pennsylvania 15276
(412) 787-5100

ATTACHMENT B-3

FLOOD INSURANCE MAP

THIS MAP IS FOR INSURANCE PURPOSES ONLY AND DOES NOT SHOW ALL PLANIMETRIC INFORMATION OUTSIDE OF SPECIAL FLOOD HAZARD AREAS.

ELEVATION REFERENCE MARKS

REFERENCE MARK	ELEVATION IN FT. (MSL)	DESCRIPTION OF LOCATION
RM 1	864.523	1.9 miles north along CONRAIL from the station at Binghamton, 26 feet southeast of the crossing of State Highway 7 at the bridge crossing Brandywine Creek.
RM 2	866.511	1 mile west along CONRAIL from the station, 29.1 feet southwest of the tracks.
RM 3	863.860	One-half mile west along CONRAIL from the station at the northwest corner of the bridge 214.48.

FLOOD HAZARD BOUNDARY MAP H-01-02
FLOOD INSURANCE RATE MAP I-01-02

CITY OF BINGHAMTON, NEW YORK

BROOME COUNTY

PANEL H&I-02

PAGE 1 OF 1 PRINTED

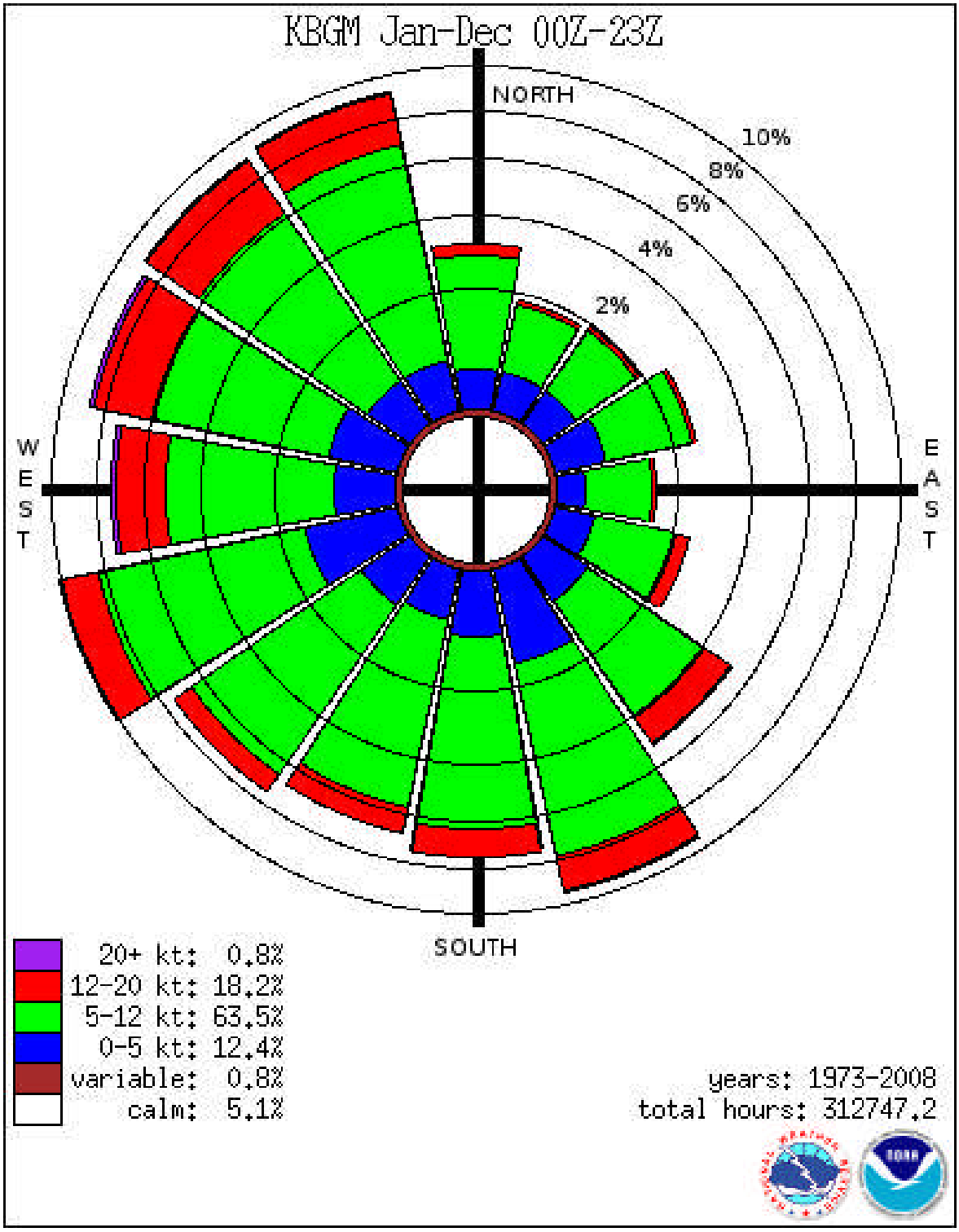
EFFECTIVE DATE:
JUNE 1, 1977

COMMUNITY NUMBER:
360038C

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
FEDERAL INSURANCE ADMINISTRATION

ATTACHMENT B-4

WIND ROSE



Attachment B-4

Wind Rose-Greater Binghamton Airport, Binghamton New York
Source: National Weather Service. http://www.erh.noaa.gov/bgm/aviation/windroses/windrose.shtml