

HEARING TO BE HELD AUGUST 20 ON A PROPOSED HAZARDOUS WASTE TREATMENT PERMIT FOR KILGORE FLARES COMPANY, LLC

The Tennessee Department of Environment and Conservation (TDEC) Division of Solid Waste Management (DSWM) will conduct a public hearing August 20, 2019 to receive comments on its proposal to issue a hazardous waste treatment permit to Kilgore Flares Company, LLC. The Kilgore facility (EPA ID TND981026594) is located in Hardeman County on Keller Road in Toone, Tennessee, 38381.

Kilgore is comprised of the main production plant and the approximately 240-acre Test and Treatment Facility (TTF) that includes a 5-acre Hazardous Waste Open Burn Area (HWOBA). Kilgore has manufactured pyrotechnic devices (e.g., distress signal flares, location markers, and illuminating rounds) for the U.S. Department of Defense (DoD) and commercial users at its main production plant since 1962. Hazardous waste generated from the production of the pyrotechnic devices in the main production plant is transported 1 mile to the HWOBA on Keller Road for treatment by burning. Hazardous waste has been treated in the same manner at the 5-acre HWOBA since approximately 1989, under Interim Status.

Based on review of the application and as authorized pursuant to Tennessee Rule 0400-12-01-07(7), DSWM determined the application complete and has drafted a permit. DSWM proposes to issue the permit under the authority of the Tennessee Hazardous Waste Management Act of 1977, as amended, Tennessee Code Annotated, Section 68-212-101 et seq., and Rule Chapter 0400-12-01, Hazardous Waste Management. In accordance with Rule 0400-12-01-.07(7)(e), this notice provides a 45-day comment period, beginning on the date of this publication. A fact sheet has been prepared that provides additional information about the site and the proposed permit.

The proposed HWOBA permit will allow Kilgore to replace its twenty-one (21) 1,500-pound capacity open burn pans with ten (10) redesigned 3,300-pound capacity open burn pans. Each of the redesigned carbon steel burn pans will be situated aboveground over curbed concrete pads and on elevated stands. The removal and the construction of the burn pans will be done in two phases so that treatment of waste will not be interrupted. The construction will be finished within a year of the permit issuance.

Per the proposed permit, the daily treatment capacity may not exceed 3,300 pounds of waste pyrotechnics per day. Open burning will occur only between the hours of 9 a.m. and 2 p.m., not to exceed 5 days a week.

Corrective action conditions for the Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs) are also included as part of the draft permit. Kilgore shall be required to investigate any releases of hazardous waste or hazardous constituents pursuant to this permit at the facility regardless of the time at which waste was placed in a unit and to take appropriate corrective action for any such releases. The draft permit also requires Kilgore to comply with all land disposal restrictions and air emission standards applicable to this facility and to certify annually that on-site generation of hazardous waste is minimized to the extent practicable.

The draft permit identifies 12 SWMUs and 2-AOCs. SWMUs 2, 6, 7, 8, 9, 10, 11, 12, and AOC-1 were approved for No Further Action. The draft permit proposes final remedies for SWMU 1, 3, 4, and 5 and AOC-2, requiring institutional controls consisting of warning signs, a no digging policy, site security, inspections, and financial assurance. Legacy groundwater contamination at SWMU 1 is being addressed as part of AOC-2. Once Kilgore closes or discontinues operation of SWMU 1, all

investigations and final remedies will be addressed under the corrective action program. For AOC-2, the proposed permit requires the monitoring of 10 wells across the site for volatile organic compounds. DSWM has written Statements of Basis summarizing the remedies.

The facility is in operation and will continue operating under Interim Status until a final permit decision is made. If the permit is issued, it will allow the facility to continue to treat hazardous waste in the open burn units for up to ten years. Pending consideration of any contrary information received, it is the present intent of DSWM to issue this permit.

A public hearing will be held at 6 pm on Tuesday, August 20, 2019 at the Toone Elementary School, 160 Neely Street,, Toone, TN 38381, with a public informational session starting at 5:30 pm. This informational session will have a question and answer format where the public can inspect and discuss the draft permit, the fact sheet and other materials one-on-one with DSWM staff and representatives of the applicant. There will be an opportunity for public comments to be recorded or written and submitted during this time. The formal public hearing will begin at 6:00 pm CDT and the question and answer format will end. Public comments will be collected for the hearing record without response from DSWM during the hearing. DSWM will explain its tentative decision to issue the permit, after which the applicant will describe the facility. DSWM will then receive oral comments on the draft permit from the public.

DSWM invites the public to review and submit comments on the draft permit at the hearing or anytime during the 45-day comment period ending on September 3, 2019. Electronic copies of the application, draft permit, fact sheet, and Statement of Basis are available to review online at tn.gov/environment/notices/kilgore and at the DSWM Central Office in the Tennessee Tower, 312 Rosa L. Parks Avenue, 14th Floor, Nashville, TN 37243 (615-532-0780). Paper copies are available for review at the Bolivar-Hardeman County Library, 213 North Washington Street, Bolivar, TN 38008 (731-658-3436) and at the TDEC Jackson Environmental Field Office, 1625 Hollywood Drive, Jackson, TN 38305 (731-512-1300).

To comment on the proposed permit, contact Al Frakes in the Hazardous Waste Permitting Section of DSWM's Central Office at the TN Tower, 312 Rosa L. Parks Avenue, 14th Floor, Nashville, TN 37243 (615-532-0855), email Albert.Frakes@tn.gov or fax 615-532-0938. **Comments must be received by 4:30 p.m. CDT, Tuesday, September 3, 2019 to assure consideration.**

After considering all comments, DSWM will make a final decision to either issue or deny the permit. Notice will be given to the applicant and each person who has submitted written comments or requested notice of the final decision. At the time of a final decision, a Response to Comments addressing all significant input received on the draft will be made available to the public. The final decision shall become effective upon signing by the Director of DSWM.

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EEO/AA/ADAAA inquiries or complaints may be directed to the ADAAA Coordinator, TDEC HR Division, at 615-532-0200. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).

If it is hard for you to read, speak, or understand English, TDEC may be able to provide translation or interpretation services free of charge. Please contact Mary Evans at 615-532-0798 for more information.

If you would like to receive notices like this directly, contact the Public Participation Officer in DSWM's Central Office for a Mailing List Request form. Email Solid.Waste@tn.gov or call 615-532-0780.

NOTICE ISSUED: July 18, 2019

