

NOTICE OF INTENT TO RENEW A CORRECTIVE ACTION PERMIT AND INCORPORATE A FINAL REMEDY FOR PERMA-FIX OF MEMPHIS

The Tennessee Department of Environment and Conservation (TDEC) Division of Solid Waste Management (DSWM) proposes to renew a hazardous waste corrective action permit for Perma-Fix of Memphis, Inc., which will include incorporation of a final remedy. The facility (EPA ID TND991279480) is located in Shelby County at 901 East Bodley Avenue, Memphis, Tennessee 38106. DSWM has drafted the renewal permit, which includes incorporating the final remedies for the facility's solid waste management units (SWMUs) and areas of concern (AOCs). DSWM has also prepared a statement of basis which provides justification for the selected remedies. **TDEC invites the public to submit comments on this proposal during a 45-day comment period ending on June 22, 2020.**

Permit TNHW-142 required Perma-Fix to reapply for renewal prior to the current permit's expiration date. Because the facility submitted their renewal application before the current permit was set to expire (September 24, 2019), Tennessee Hazardous Waste Management Regulations allow the facility to continue to operate under the current permit until another permit is issued or denied. As part of the permitting process, Perma-Fix held a pre-application public meeting on May 28, 2019, as announced in the April 25, 2019 edition of *The Commercial Appeal*. Four members of the public attended, but no comments were received.

The facility has been inactive since 2008 and no longer retains an operating permit. The current permit only addresses corrective action of SWMUs and AOCs. All releases to the environment have been thoroughly investigated and all remedial actions are completed, except for groundwater remediation. If the renewal permit and the final remedy are approved, Perma-Fix will continue to perform groundwater remediation and monitoring along with maintenance of engineered and institutional controls. The proposed permit includes provisions for site security and inspections, restrictions on digging and drilling, groundwater sampling and analysis, groundwater recovery, treatment and reinjection, notification of any newly discovered release to the environment, and maintenance of financial assurance with the DSWM in an amount that meets the cost of providing that long-term care.

Based on the review of the renewal application and as authorized pursuant to Tennessee Rule 0400-12-01-.07(7), DSWM determined the application to be complete and has drafted a renewal permit. DSWM proposes to reissue 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 requires a 45-day comment period, beginning on the date of this publication and the opportunity to request a public hearing. A fact sheet and statement of basis have been prepared to provide additional information about the remedy selection and the proposed permit. Pending consideration of any contrary information received, it is the present intent of DSWM to reissue this permit. If reissued, the permit would be effective for ten years.

DSWM invites the public to review and submit comments on the draft permit and the statement of basis during the 45-day comment period ending on June 22. Electronic copies of the draft permit and fact sheet are available online at tn.gov/environment/notices/perma-fix and at the DSWM Central Office on the 14th Floor of the Tennessee Tower, 312 Rosa L. Parks Avenue, Nashville, TN 37243 (615-532-0780). Paper copies of the permit are available for public inspection at the South Branch Library, 1929 South Third Street, Memphis, TN (901-946-8518) and at the TDEC Memphis Environmental Field Office, 8383 Wolf Lake Drive, Bartlett, TN 38133 (901-371-3000).

To comment on the statement of basis or the proposed permit renewal, or to request a public hearing, contact Clayton Bullington 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 (615-532-0859), email Clayton.Bullington@tn.gov or fax 615-532-0938. **Comments must be received by 4:30 p.m. CDT, Monday, June 22, 2020 to assure consideration.**

A request for a public hearing requires a significant degree of public interest. The request shall be made in writing, including the contact information of the requestor, and shall state the nature of the issues to be raised at the hearing.

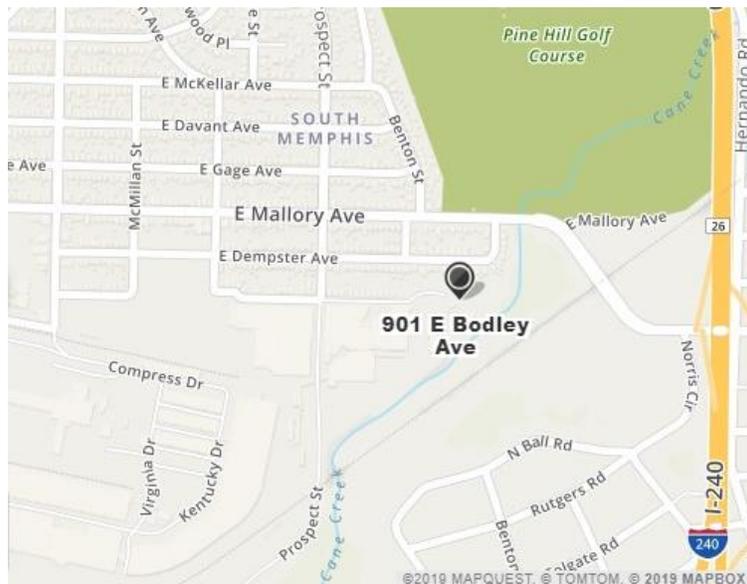
After considering all comments, DSWM will make a final decision to either issue or deny the permit. Notice will be given to the applicant and each person who has submitted written comments or requested notice of the final decision. At the time a final decision is issued, a Response to Comments document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

TDEC is an Equal Employment Opportunity/Affirmative Action (EEO/AA) employer. TDEC does not unlawfully discriminate on any basis prohibited by applicable law in any of its programs, services or activities.

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 615-532-0960.



NOTICE ISSUED: May 8, 2020