

Exhibit D: Determinations regarding clean closure of units, July 31, 2000

On July 31, 2000, Ecology conditionally accepted certification for final clean closure of units permitted at the Facility after reviewing the certification report and supporting documentation in “Final RCRA Closure Report” (submitted by Burlington on November 22, 1999) and “Closure of Interim Status Dangerous Waste Tank System” plan (submitted December 13, 1993, revised September 16, 1994 and July 28, 1995). Based upon the foregoing certifications and reports, Ecology made the following determinations:

| Process Code | Design Capacity | Ecology Determination |
|---------------------|---|--|
| SO1 | Container Storage Capacity - Building 2, Building 3, Central Loading Pad; Building 4, and South Loading Pad (234,960 gallons) | Appropriate closure certifications were included in November 1999 report for Building 2, Building 3, and the Central Loading Pad. Building 4 and South Loading Pad were never constructed. |
| SO2 | Tank Storage Capacity - Constructed Tank Farm and North Loading Pad (205,995 gallons) | Only 23 of the 38 permitted tanks were constructed. Some tanks were decommissioned in 1990 and the majority were decommissioned in 1995. Closure activities are described in “Final Interim Action Report” (September 1998) and “Tank Farm and North Loading Pad Closure Report” (December 1997). The concrete tank containment and north loading pads were removed during closure of the former dangerous waste tank system. Any remaining contamination in the underlying soil or groundwater would be addressed in Part VII (Corrective Action) of the Dangerous Waste Management Permit. |
| TO1 | Tank Treatment Capacity - Constructed Tank Treatment Systems and Proposed Tank Treatment Systems. (Average 33,500, maximum 54,000 gallons per day). | Some treatment tanks were located with the storage tanks in the former dangerous waste tank system; these tanks were removed with the storage tanks in 1995. Other units used for treatment were located throughout the Facility according to Ecology compliance files. The closure of the treatment Maxon mixer area (including a shed) was documented in the November 1999 report and appropriate closure certification was included. Any remaining contamination in the underlying soil or groundwater would be addressed in Part VII (Corrective Action) of the Dangerous Waste Management Permit. |