U.S. Navy Keyport:
Permit Renewal Fact Sheet

Washington State Department of Ecology (Ecology) is proposing to issue a dangerous waste treatment, storage, and disposal (TSD) permit to the Naval Undersea Warfare Center, Division Keyport (NUWC Keyport).[1, 2] The draft permit replaces an operating permit issued in 2007. After public comments are considered and the permit is finalized, the permit will be valid for 10 years, expiring in 2034.

NUWC Keyport is in Kitsap County at 610 Dowell Street in Keyport, Washington. The NUWC Keyport dangerous waste management facility (facility) is on the U.S. Navy base in Keyport. The facility is a specifically designed and constructed single building, known as building 1051 or the treatment, storage, and disposal (TSD) facility. The building is about 68,500 square feet. Permit operating requirements apply only to that facility.

The entire base occupies 343 acres, and that whole area is subject to corrective action. **Corrective action** is cleaning up any environmental contamination that has occurred. There is existing contamination on the base. In 1989, the U.S. Environmental Protection Agency (EPA) designated the U.S. Navy's Keyport base as a superfund site. The EPA, under the federal Superfund Program, and Ecology, under the Washington State Model Toxics Control Act (MTCA), have worked with the Navy since 1989 to clean up the base. Ecology is not including that work in the draft permit because other regulatory agreements control those actions.

The existing TSD permit for the Keyport facility was issued in 2007. This new draft permit replaces that permit and covers the same facility, wastes, and waste operations. The permit allows the Navy to continue storing and treating dangerous waste in building 1051. The new permit increases the outdoor storage capacity by 17,255 gallons in containers. The total amount of storage in containers will be 85,180 gallons. It does not include different wastes or use different waste management processes. NUWC Keyport will keep using existing structures and waste management processes.

The new permit is more specific about how they must meet regulatory requirements.

Issuing a final permit means that dangerous waste management will continue at NUWC Keyport. If the Navy ever proposes to increase or change its waste management operations, that proposal will require a permit modification that is subject to public review.

A final decision about issuing this permit will be made after public comments are considered.

[1] WAC 173-303-840(2)(f)(iv), https://app.leg.wa.gov/wac/default.aspx?cite=173-303-840
[2] EPA ID: WA1170023419

Contents

A. Overview

NUWC Keyport is on a U.S. naval base that tests, evaluates, and refurbishes undersea warfare systems and their components. The base generates dangerous waste from those activities. Within 90 days, the Navy must move the dangerous waste to a permitted dangerous waste storage facility. We refer to the permitted facility as "building 1051" or the "facility." Some waste treatment also occurs in the permitted facility. By following all permit requirements, the Navy can store wastes in the facility for up to one year.

If permit conditions are followed, the facility can also accept waste from other military bases. The Navy stores dangerous wastes in the permitted building until the waste is sent for treatment, recycling, or disposal. The Navy can only perform permitted dangerous waste management activities in this building. The facility does not incinerate or dispose of any dangerous wastes on the base.

Previously, the Navy had a different permitted waste storage facility at NUWC Division Keyport. In 1990, we determined that location was not suitable because it was built on an old landfill that needed to be cleaned up. In 1994, the Navy built a new facility for dangerous waste management. In 2007, Ecology permitted the new facility to operate as a dangerous waste TSD facility. This new permit allows the Navy to continue to operate their TSD facility in building 1051 and increases the storage capacity by 17,035 gallons in containers. The Navy will continue to accept and store the same types of wastes. On-site waste storage allows enough containers to be collected to make waste shipment to a treatment, recycling, or disposal facility more economical.

B. Procedures for Reaching Final Decisions

The draft permit is subject to public review and comment. Ecology considers all public comments before making a final decision on the draft permit. Requirements for public review are described in Washington Administrative Code (WAC) 173-303-840(3)–(9).[3]

C. Required Public Comment Period

At least 45 days of public comment is required for a TSD permit. The public comment period for the NUWC Keyport permit is from April 8, 2024, to June 14, 2024. After the comment period ends, we review and consider all comments received. The final documents may change based on your comments. All comments are considered before the documents become final.

If a final permit is issued to NUWC Keyport, it is valid for ten years. However, the Navy or Ecology can modify the permit during that time. WAC 173-303-830[4] outlines permit

[3] https://app.leg.wa.gov/wac/default.aspx?cite=173-303-840
[4] https://app.leg.wa.gov/wac/default.aspx?cite=173-303-830

modification procedures and explains what permit changes require public review and comment. We inform the facility and everyone who comments about the final permit decision.

At this time, there are no public meetings or public hearings scheduled for this comment period. To request a public meeting, please contact Janelle Anderson at 425-301-6454, or janelle.anderson@ecy.wa.gov.

Send comments by mail or email to:
Erika Lindsey, Permit Engineer
Department of Ecology
Northwest Region Office
P.O. Box 330316
Shoreline, WA 98133
Email: Erika.lindsey@ecy.wa.gov
Phone: 564-999-3224

D. Decision-Making Process

After considering the comments from the public comment period, Ecology makes a final permit decision or a new tentative decision. Any final permit for NUWC Keyport is valid for ten years from the effective date. However, the permit can be modified during that period. Permit modifications are subject to public review and comment. Procedures for modifying a permit and the types of permit changes that are subject to public review and comment are provided in WAC 173-303-830.[5] Ecology's current tentative decision is to approve the draft permit.

The final decision becomes effective 30 days after Ecology announces its final decision to the permittee and those who commented. If there are no comments on the draft permit, Ecology may specify an earlier effective date. If Ecology makes a different tentative decision after considering public comment, there will be a new comment period.

E. Environmental Review

Ecology is the State Environmental Policy Act (SEPA) lead agency for permit issuance to NUWC Keyport. SEPA is the process used to find and evaluate the likely negative environmental impacts of a project so they can be mitigated. The permit expired in 2018, but it remains in effect until a new permit is issued. We concluded that issuing this permit is not likely to have large negative impacts to the environment. Therefore, the proposed permit does not require an environmental impact statement (EIS) under SEPA.

[5] https://app.leg.wa.gov/wac/default.aspx?cite=173-303-830

F. Appealing the Final Permit Decision

Anyone who comments on a permit, participates in a public hearing, or believes they are adversely affected by our decision concerning this permit may appeal our final decision within 30 days of when the decision is issued. People can challenge a permit decision or a permit condition by appealing to the Washington State Pollution Control Hearings Board. Appeal procedures are in WAC 173-303-845[6] and Chapter 43.21B Revised Code of Washington (RCW).[7]

G. State and Federal Authority for Permits and Corrective Action

Ecology regulates the management of dangerous waste in Washington through the Washington State Hazardous Waste Management Act, Chapter 70A.300 RCW,[8] and the Dangerous Waste Regulations, Chapter 173-303 WAC.[9] WAC 173-303-800[10] specifies facilities that must obtain a permit.

EPA has requirements for facilities that manage hazardous waste or conduct corrective action. Nationwide, management of hazardous waste is regulated by the federal Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) and the Hazardous and Solid Waste Amendments of 1984 (HSWA), and the regulations set by HSWA in Title 40 of the Code of Federal Regulations.

On January 31, 1986, Ecology's dangerous waste program received final authorization from EPA for their hazardous waste program. The State's program also received approval for subsequent federal revisions. Ecology adopted additional federal standards that took effect June 10, 2000.

EPA authorized the State's corrective action program on November 4, 1994. Under this federally authorized program, Ecology can incorporate corrective action MTCA cleanup requirements into an existing TSD permit. If Ecology issues a corrective action MTCA order or other administrative mechanism, it simultaneously issues a new permit that incorporates by reference the corrective action requirements.

Ecology can issue orders or administrative mechanisms that contain requirements that go beyond the scope of the authorized program and therefore are not enforceable by EPA. Permits issued under the authorized program will be enforceable by both Ecology and EPA.

[6] https://app.leg.wa.gov/wac/default.aspx?cite=173-303-845
[7] https://app.leg.wa.gov/RCW/default.aspx?cite=43.21B
[8] https://app.leg.wa.gov/rCW/dispo.aspx?cite=70A.300
[9] https://app.leg.wa.gov/WAC/default.aspx?cite=173-303
[10] https://app.leg.wa.gov/wac/default.aspx?cite=173-303-800

H. Facility Description

The NUWC Keyport dangerous waste facility is on property owned by the U.S. Navy. The facility is in a single building (building 1051). The area of the building is about 68,500 square feet. The permit allows the Navy to store 130,180 gallons of waste. Storage includes 85,180 gallons in containers and 30,000 gallons in six tanks. Three more tanks are on site but cannot hold hazardous waste under the current permit. Permit requirements only apply to the permitted facility.

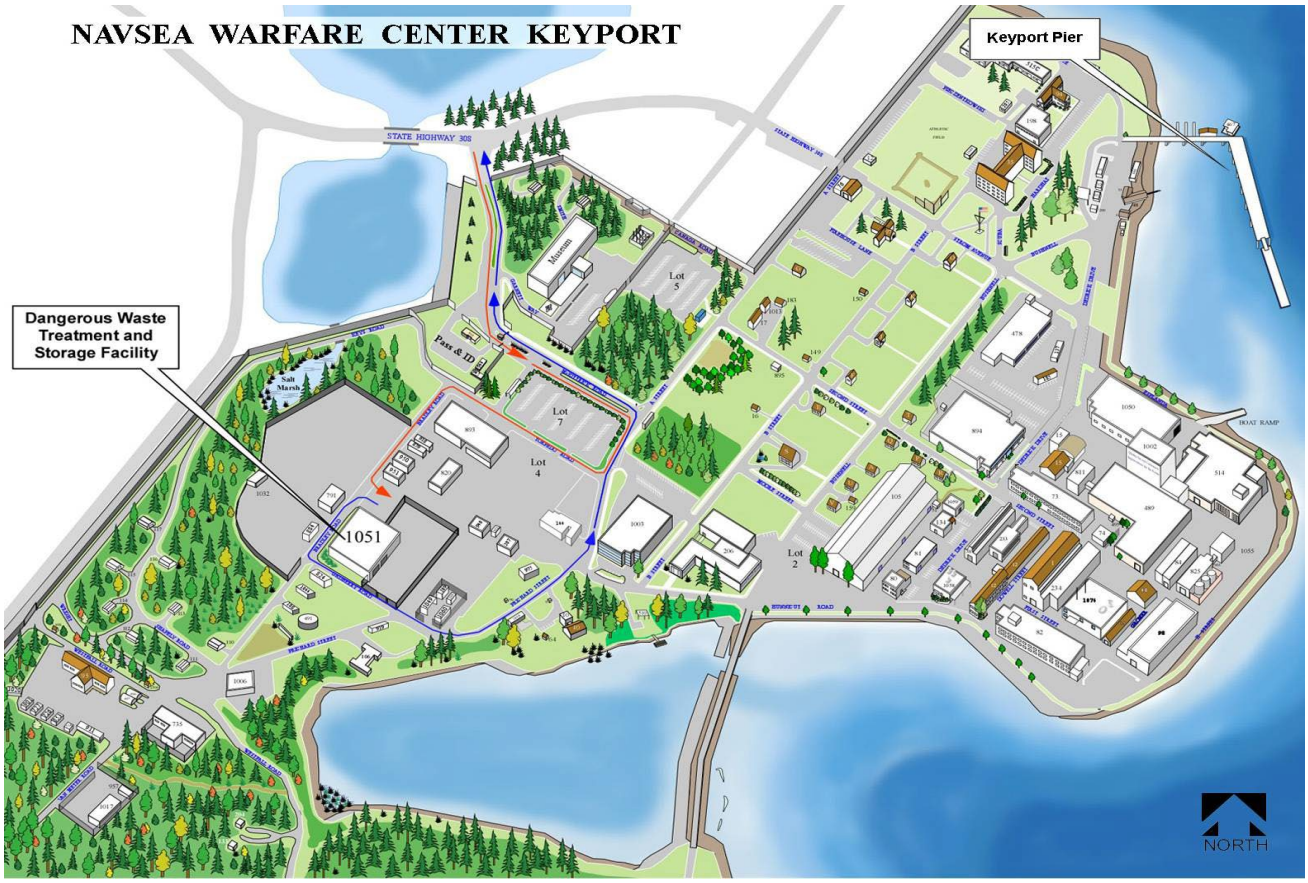

Figure 1: Map of the U.S. naval base in Keyport, Washington, including the location of the dangerous waste facility (building 1051).

The permitted facility accepts and manages a wide range of wastes including:

- Flammable and combustible wastes (fuel wastes).
- Corrosive wastes (acids or bases; non-neutral pH).
- Reactive wastes (physical shock, or water, or air exposure can explode reactive wastes).
- Toxic wastes (poisonous).
- Oily wastes.
- PCB wastes (polychlorinated biphenyls, may cause cancer).

- Industrial wastewaters.
- Solids and sludges.
- Contaminated debris/universal waste (alkaline batteries, fluorescent lamps for recycling).

The base occupies 343 acres, and that whole area is subject to dangerous waste corrective action. Corrective action is cleaning up any contamination that has occurred. There is existing environmental contamination on the base. In 1989, EPA named the U.S. Navy's Keyport base a Superfund site. Since then, EPA and Ecology have worked with the Navy to clean up the base. That cleanup work is not included in the permit because other agreements control those actions.

I. Permit and Permit Conditions

General waste management and requirements

NUWC Keyport must operate and maintain all waste management systems in compliance with the state's dangerous waste regulations and specific permit conditions. The Navy must ensure adequate funding, staffing, personnel training, and process controls to stay in compliance. The Navy must tell Ecology if they are out of compliance with any permit requirement.

The permit specifies how the Navy maintains compliance. If waste management equipment or procedures must change, the Navy must notify Ecology of the need to modify their permit. Regulations require that the public be notified of proposed permit modifications and have a chance to comment on them.

Waste analysis requirements

Requirements for waste analysis are complex and critical for safe facility operation.

WAC 173-303-300[11] requires facilities to have comprehensive and accurate information about the composition of all dangerous wastes they manage. NUWC Keyport has detailed procedures for waste analysis in their permit. These include characterizing wastes before shipment to the facility, and verifying the identity of wastes when they enter the facility.

The variety of wastes the facility manages is limited. Most are generated by the Navy's Keyport operations. The permit application provides specific information on wastes the facility routinely manages.

The facility is authorized to accept waste from other military bases. Key waste analysis requirements are the same whether the waste is from the Keyport base or another base.

[11] https://app.leg.wa.gov/wac/default.aspx?cite=173-303-300

However, some procedures differ slightly when the waste entering the facility is from another base. These differences are discussed in the Waste verification section below.

Waste characterization

The permit requires reliable information on the composition of every waste stream the facility plans to accept. NUWC Keyport must analyze wastes they manage to ensure:

- Safe and effective operation of waste storage and treatment.
- Compliance with the dangerous waste permit.
- Compliance with land disposal restrictions.

The permit allows using both acceptable generator knowledge and laboratory analyses to characterize a waste stream. NUWC Keyport must have a current waste profile on each waste stream they manage. The profile gives the waste stream's physical and chemical properties. It also outlines regulatory information, such as its waste designation code and the land disposal restrictions that apply to the waste stream.

NUWC Keyport must review each waste profile for accuracy at least every other year, as well as:

- Before a new waste stream is accepted.
- If the process generating a waste stream has changed.
- When there is a discrepancy between the waste profile and the waste verification.

Each waste stream that NUWC Keyport manages is tracked by a unique number called the Waste Identification Tracking number. This helps ensure information is always readily available for any waste in any container or tank at the facility.

In an emergency, the facility may receive an unknown or unidentified waste. In that case, NUWC Keyport must isolate the waste from other wastes until it's fully characterized and an acceptable waste profile is developed. This is rare for any Washington State TSD facility.

Our permit emphasizes that NUWC Keyport is responsible for obtaining accurate and complete information for every waste stream it manages. Deficient or defective information from a waste generator is not an acceptable defense for mismanaging the waste at the facility.

Waste verification

The permit has procedures and analyses the facility must do to verify each waste stream in every waste shipment. These mandatory analyses are in the permit for two main reasons:

1. To verify that the waste received matches the description on the shipping papers and waste profile.
2. To verify information needed to safely manage the waste in compliance with the permit.

The facility's procedures for verifying the identity of each waste stream in every waste shipment coming from an **on-base** generator are summarized below:

1. Check the Waste Identification Tracking number to identify the waste stream and ensure reliable tracking records.
2. Check that the profile has been reviewed for accuracy within the last two years.
3. Check that the mandatory set of verification analyses (examples, pH, flash point, etc.) has been completed within the last two years.
4. Using a standard method (that is, Physical Description/ASTM D4979), visibly examine every waste stream in every waste shipment, either when it arrives at the facility or right before it leaves the generator site. Note: if a waste stream in a shipment is in more than one container, then at least 10% of the containers are subject to this procedure.
5. If the waste will be put in a tank, ensure it is compatible with waste already in the tank.

Verification procedures for waste received from other military bases are the same, except the mandatory set of verification analyses are completed **every time** a waste shipment arrives.

Procedures for waste discrepancies

The permit requires specific procedures whenever NUWC Keyport finds a waste verification issue with waste analysis information or shipping documentation.

1. The facility contacts the generator.
2. If the facility establishes an accurate identity of the waste, labels and records are corrected.
3. The facility documents the problem and solution in the operating record.
4. The facility informs Ecology, by letter, if the correct identity of the waste cannot be established within 15 days.
5. The facility must reject wastes they cannot properly and legally manage.
    a. In such cases, the facility notifies the generator and sends the waste back to them or to a facility that can properly manage that waste.

The permit also includes procedures for damaged waste shipments that threaten human health or the environment. There are steps to make the shipment secure, clean up any released materials, and notify Ecology and other agencies of the problem.

Waste analysis methods

The permit specifies methods for sampling and analyzing waste, including detailed quality assurance and quality control measures.

Security

The facility is secured by two fences. First, a perimeter fence surrounds the entire base. The Navy does a comprehensive security check on everyone entering the base. Second, an inner fence surrounds the waste facility itself. All gates must be locked when the facility is unoccupied.

Inspections

NUWC Keyport will conduct periodic inspections of the facility. These inspections are designed to detect and prevent malfunctions, deterioration, operator error, or spills or discharges that could harm human health or the environment. Inspections include the following:

- Daily inspections of secondary containment areas and sumps for leaks and spills. Immediate action is required if leaks or spills are detected.
- Weekly inspections of secondary containment for cracks or other deterioration.
- Monthly inspections to ensure fire extinguishers are fully charged.
- Annual inspections of areas where ignitable and reactive wastes are stored by a professional familiar with the International Fire Code.
- At least every five years, a comprehensive tank integrity assessment by an independent qualified professional engineer.

Inspections listed above are only a few examples of inspections required by NUWC Keyport under the permit. The facility must document all inspection findings and the actions taken to correct problems. Ecology inspects the facility yearly to ensure specifications in the permit are met.

Emergency planning

The permit includes a formal contingency plan used for emergency response in the waste management building. The plan has specific response procedures for emergencies, such as explosions, fires, spills, or releases. The permit has clear criteria about what incidents must be reported to Ecology immediately. It also outlines what incidents must use the contingency plan procedures. These criteria are in the permit's contingency plan. When the facility implements their contingency plan, they must send a written report to Ecology within 15 days that describes the incident, explains its causes, discusses the emergency response, assesses environmental damage, and describes steps taken to prevent a recurrence.

The permit names a trained emergency coordinator to lead emergency responses. They are authorized to use Navy funds for emergency response and must meet qualifications and be trained as outlined in the permit. The permit also specifies an alternate emergency coordinator in case the primary person is not available.

NUWC Keyport contracts with Navy Region Northwest for necessary emergency assistance. Navy Region Northwest includes the Puget Sound Federal Fire and Emergency Services. They can respond to emergencies, such as spills of hazardous substances and fires. Navy Region Northwest also has assistance agreements with Kitsap County Fire and Rescue, which includes the Kitsap County Fire Protection Districts and the City of Bremerton. NUWC Keyport must give Navy Region Northwest a current copy of the contingency plan.

The Navy must respond to explosions, fires, spills, or releases of hazardous substances that occur on the base. However, they only use the permit's contingency plan for emergencies that threaten the dangerous waste management operations at the facility. The Navy has separate emergency plans for the rest of the base.

Training

The permit requires NUWC Keyport to provide comprehensive training for employees involved with dangerous waste management. Training includes the following general topics:

- Health and safety.
- Facility operations.
- Permit and other regulatory requirements.
- Emergency procedures.
- Job-specific training.

Two examples of job-specific training are:

1. Waste sampling and analysis methods.
2. Tank operations.

Other specific training is required for different duties.

The training program includes general training and job-specific training for new employees and employees doing new jobs. NUWC Keyport must ensure an experienced, fully trained person supervises new employees until they complete initial training. Initial training must be completed within the first six months of employment or their transfer to new duties.

Experienced employees must complete refresher training. Most courses must be taken every year. The training must be directed by a person knowledgeable in dangerous waste management procedures. At NUWC Keyport, the Training Program Director is the Dangerous Waste Program Manager. That person is responsible for ensuring all dangerous waste management personnel have the required training.

Corrective action and closure

Corrective action

We require environmental cleanup at dangerous waste management facilities for all releases of dangerous wastes to environmental media, such as soil, groundwater, or surface water. This is called corrective action. It is addressed in a dangerous waste permit or an Ecology corrective action.

Corrective action follows similar administrative procedures and has the same objectives as other Ecology and EPA cleanup programs. Ecology uses the state cleanup law, the Model Toxics Control Act (MTCA), to conduct all environmental cleanups, including corrective action. EPA conducts environmental cleanup under the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly called Superfund.

The Navy performed significant environmental cleanup on the base under the Superfund and MTCA programs. The construction needed to address environmental contamination found by CERCLA Record of Decision (ROD) under those cleanup programs is complete. Post-cleanup work currently includes operation, maintenance, and monitoring. Additional remediation is required if new information indicates it is needed.

Environmental cleanup at the Navy's Keyport base is managed by EPA and Ecology's Toxics Cleanup Program. Corrective action requirements in this permit reference that ongoing effort. This approach avoids duplication of efforts by state and federal programs with the same objectives. The next subsection describes past cleanup actions at the Keyport base in more detail.

Cleanup Activities Conducted Under CERCLA and MTCA

In September 1984, the Navy did an Initial Assessment Study to find areas of possible environmental contamination from past practices. They identified several areas of the base for additional study. In 1988, the Navy began investigating these areas. In October 1989, EPA placed U.S. Navy Keyport on the federal National Priorities List for environmental cleanup under the federal Superfund program. Under Superfund, the Navy completed a Remedial Investigation in October 1993 and a Feasibility Study in November 1993.

In September 1994, EPA and Ecology issued a Record of Decision to document their decision on actions to address environmental contamination at U.S. Navy Keyport. They separated the areas into two operable units. These are:

1. Operable Unit 1 Area 1: The Keyport landfill.

2. Operable Unit 2: All the remaining areas of concern (that is, Area 2, 3, 5, 8, and 9).

The agencies made this split because of public concerns that the Keyport landfill required additional evaluation before an acceptable remedy could be selected.

In September 1998, EPA and Ecology issued a second ROD to document their decision on actions to address environmental contamination at Operable Unit 1 (Keyport landfill). The actions consist of phytoremediation,[12] contaminated sediment removal, upgrades to equipment to prevent stormwater entering the landfill, repair and maintenance of the landfill cover, monitoring, and institutional controls.[13]

The Keyport landfill is no longer used for waste disposal. It was closed in 1973. Landfill activity is limited to maintenance of the phytoremediation system and parking.

In June 2000, the Navy conducted a "Five-Year Review" of remedial actions at U.S. Navy Keyport. A Five-Year Review is a formal process to ensure the remedial actions selected by the preceding RODs remain protective of human health and the environment and are operating as designed. Ecology and EPA found no areas of noncompliance during this Five-Year Review. The agencies concurred with several recommendations made by the Navy. Primarily, these were for continued (and in some cases enhanced) monitoring and maintenance to help ensure the ongoing effectiveness of the remedies.

In May 2005, the Navy conducted their second Five-Year Review. The report focused on areas where contaminants were still above cleanup levels. Ecology and EPA agreed with the review findings. EPA stressed the importance of collecting adequate data to assess remaining contamination and need for more cleanup. The Navy will continue to monitor and evaluate exposure in areas under institutional controls. They expect contaminant levels will decrease over time due to natural attenuation, and from phytoremediation. The Navy will monitor and assess contamination until they achieve final cleanup levels. We will also use current toxicology information to ensure that human health and the environment are protected.

This draft dangerous waste management permit has conditions for ongoing site remediation overseen by Ecology's Toxics Cleanup Program and EPA Superfund Programs. These include:

1. Stating that Ecology's Hazardous Waste and Toxics Reduction staff will do Five-Year Reviews to ensure remedial actions comply with the dangerous waste regulations.

2. Requiring the facility to notify Ecology about any newly identified contamination or releases.

[12] Phytoremediation involved planting poplar trees to remove contaminants from the groundwater within their root zone.
[13] Institutional control are measures taken to limit or prohibit activities that could interfere with the integrity of past cleanup action or result in exposure to contamination still at the site.

3. Stating that a permit modification requires additional corrective action if Ecology determines it is necessary to meet requirements in the dangerous waste regulations.

In November 2020, the Navy published its evaluation of the fifth Five-Year Review. Ecology sent a non-concurrence letter to the Navy on the Navy's Short Term Protective determination for Operable Unit 1. The non-concurrence letter was included in the final report.

Closure

The Navy must close the dangerous waste facility when they stop using it for waste management. Closure involves removing all dangerous waste and then decontaminating or removing any equipment, structures, and environmental media (for example, soil) that contacted wastes. If clean closure cannot be accomplished, the area will be subject to corrective action.

The permit has detailed step-by-step procedures that NUWC Keyport must follow for closure. First, the facility will remove all waste from tank and container storage areas. Then they will use high-pressure steam and water spray to remove wastes from the tank and equipment surfaces. They will continue cleaning until they achieve a "clean debris surface."[14] If they cannot achieve a clean debris surface for any tank or equipment, then they must send it to another permitted facility for disposal as dangerous waste. A clean debris surface is free of all visible contamination from soil and hazardous waste when viewed without magnification.

The facility will use mechanical and pressure spraying to clean concrete secondary containment surfaces. They will analyze concrete chip samples to confirm successful closure. Wastewater from cleaning will be analyzed, treated, and disposed of according to regulatory requirements.

The Navy will take soil samples from under the facility to check for contamination. The permit outlines general sampling and analytical procedures, the minimum number of samples, criteria for selecting additional sampling locations, and the minimum laboratory analyses. Resulting soil data will be compared to the levels set in MTCA for unrestricted site use. If soil contamination is under the cleanup standard, the facility can "clean close." If contamination is above the cleanup standards, the Navy must take corrective action to clean up the soil.

NUWC Keyport must submit an updated sampling and analysis plan at least 60 days before closure. Certain information needed for the sampling and analysis plan, including current analytical procedures and recent facility history, will not be available until that time.

[14] Clean debris surface means the surface, when viewed without magnification, shall be free of all visible contaminated soil and hazardous waste except that residual staining from soil and waste consisting of light shadows, slight streaks, or minor discolorations, and soil and waste in cracks, crevices, and pits may be present provided that such staining and waste and soil in cracks, crevices, and pits shall be limited to no more than 5% of each square inch of surface area.

An independent, qualified professional engineer will observe certain closure activities to certify that the Navy follows permit conditions. Since NUWC Keyport proposes to fully close the dangerous waste storage unit, the permit does not include a plan for post-closure care.

Financial assurance

Because the U.S. Navy is a federal agency, it does not need to provide assurance that it has the resources to pay for complete closure of the facility. NUWC Keyport is also exempt from having liability insurance specified in WAC Chapter 173-303.[15] Therefore, the permit does not contain financial assurance mechanisms for closure or liability coverage.

Recordkeeping

The facility must keep detailed operating records that document compliance within conditions of the permit and the dangerous waste rules. The facility must also maintain records of spills, releases, incidents of noncompliance, and emergency situations. These records must be kept for at least three years, and some must be kept until facility closure is complete. The permit lists specific recordkeeping requirements.

Reporting

NUWC Keyport must report certain information to Ecology, for example:

- Waste shipments received that do not match the accompanying manifest or shipping paper if the discrepancy cannot be resolved within 15 days.
- Incidents that caused the facility to implement its contingency plan.
- Annual facility operation reports, including information on waste minimization efforts.
- Any instances of noncompliance with the permit. If human health or the environment is threatened, Ecology must be notified immediately. Other noncompliance is reported in their next monitoring report and no later than six months after the incident.

This list does not include all reports that NUWC Keyport must submit to Ecology.

J. Implementation Schedule

NUWC Keyport will implement the permit within 30 days of Ecology's issuance of the final permit. The final permit is not issued until after all public comment is considered.

[15] https://app.leg.wa.gov/wac/default.aspx?cite=173-303

K. Permit Renewal at Expiration

The current permit was issued in 2007. The proposed draft permit replaces the operating permit that was issued in 2007. After public comments are considered and the permit finalized, it will be valid for 10 years, expiring in 2034.

L. RCRA Changes from Hazardous and Solid Waste Amendments

New or amended requirements in the Hazardous and Solid Waste Amendments of 1984 and related regulations will automatically apply to the NUWC Keyport activities as applicable. The exception is for any new requirements that are less stringent than those in effect when the agency issues the permit. The final permit issuance is expected in June 2024.

M. Conclusion

In its permit application, NUWC Keyport has demonstrated it is capable of safely operating its dangerous waste management facility under the conditions required for a final permit. Therefore, Ecology has made a tentative decision to approve issuance of a final status permit to the NUWC Keyport facility.

ADA Accessibility

The Department of Ecology is committed to providing people with disabilities access to information and services by meeting or exceeding the requirements of the Americans with Disabilities Act (ADA), Sections 504 and 508 of the Rehabilitation Act, and Washington State Policy #188.

To request an ADA accommodation, contact Ecology by phone at 360-407-6700 or email at hwtrpubs@ecy.wa.gov, or visit ecology.wa.gov/accessibility. For Relay Service or TTY call 711 or 877-833-6341.