

**NOTICE OF FINAL DECISION
TO REISSUE A HAZARDOUS WASTE MANAGEMENT PERMIT TO
EXCEL TSD OF TENNESSEE, L.L.C.**

The Tennessee Department of Environment and Conservation's (TDEC) Division of Solid Waste Management (DSWM) has made a final decision to reissue a hazardous waste management permit to Excel TSD of Tennessee, L.L.C. (EPA ID Number: TND 98 084 7024), located at 552 Rivergate Rd., Memphis, Shelby County, TN 38109. The permit (TNHW-138) reissued is for the storage of hazardous waste in three container storage areas: Container Storage Building A with a maximum storage volume of 16,720 gallons; Container Storage Building B with a maximum storage volume of 11,000 gallons; and the Outside Hazardous Waste Container Management Area with a maximum storage volume of 30,060 gallons. The maximum quantity of hazardous waste stored in Tanks F1 and F2 is 6,000 gallons each. The maximum quantity of hazardous waste to be treated in containers by Fuel Blending is 3,000 gallons per hour, neutralization and stabilization is 500 gallons per hour, separation/consolidation of wastes is 3,000 gallons per hour, and emptying of pressurized containers is 500 gallons per hour.

This permit valid for 10 years, was issued on September 30, 2008, and shall remain in effect until, September 30, 2018, unless continued, revoked and reissued, or terminated under applicable regulations. This action follows a 45-day public comment period, which ended on September 22, 2008. There were oral and written comments received from the public at the public hearing held on September 11, 2008, during the established 45-day comment period and written comments from Excel TSD of Tennessee, L.L.C. (ETSD) and DSWM. These comments are addressed in the [Response to Comments](#).

Also included as part of this permit are the corrective action conditions for the solid waste management units (SWMUs) and areas of concern (AOCs). ETSD 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. Currently, the SWMUs and AOCs do not require any further action. These conditions also require notification of imminent hazards, and when applicable, compliance with the requirements developed under land disposal restrictions and organic air emission standards.

This permit is reissued under the authority of the Tennessee Hazardous Waste Management Act of 1977, as amended, Tennessee Code Annotated, Section 68-212-101 et seq., and Tennessee Rule Chapter 1200-1-11, Hazardous Waste Management.

Copies of the permit, including the [Response to Comments](#), are available for public inspection at: TDEC's Memphis Field Office, Public Access Area, Perimeter Park, 2510 Mt. Moriah, suite E645, Memphis, TN 38115 (901-368-7939); South Branch Library, 1929 South Third Street, Memphis, TN 38109 (901 946-8518) and Central Library, Science and Business Department, 3030 Poplar Ave., Memphis, TN (901-415-2700)

For further information, contact: Ms. Dilraj Mokha; Treatment, Storage and Disposal Section; Division of Solid Waste Management; Tennessee Department of Environment and Conservation; 5th Floor, L & C Tower; 401 Church Street; Nashville, TN 37243-1535; telephone 615-532-0821, fax 615-532-0886 or e-mail Dilraj.Mokha@state.tn.us.

Persons who wish to be on DSWM's mailing list should request a [Mailing List Request](#) form by calling or writing: Public Participation Officer; Division of Solid Waste Management; TDEC; 5th

Floor, L & C Tower; 401 Church Street; Nashville, TN 37243-1535; telephone 615-532-0798 or e-mail Solid.Waste@state.tn.us.

TDEC is committed to principals of equal opportunity, equal access, and affirmative action. Contact the EEO/AA Coordinator at 1-888-867-7455 or the ADA Coordinator at 1-866-253-5827 for further information. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).

RIGHTS OF APPEAL

The administrative and judicial review of this final permit is pursuant under the Tennessee Uniform Administrative Procedures Act, T.C.A. Sections 4-5-317 and 4-5-222, the Hazardous Waste Management Act, T.C.A. 68-212-113, and Tennessee Rule 1200-1-11-.07(7)(k).

NOTICE ISSUED: October 28, 2008