Mr. Frank J. Crescenzo  
Site Manager  
Department of Energy  
Brookhaven Site Office  
P.O. Box 5000  
Upton, NY 11973

Re: Permit # 1-4722-00032/00102  
Brookhaven Laboratory, Town of Upton  
EPA ID NY7890008975

Dear Mr. Crescenzo:

The New York State Department of Environmental Conservation (DEC) has made a decision to issue a renewal of the 6NYCRR Part 373 (Hazardous Waste Management) permit to the Department of Energy's Brookhaven National Laboratory (hereafter referred to as "DOE/BNL").

The DEC did not identify any substantive and significant issues specifically related to the DOE/BNL permit renewal application or draft permit. Therefore, DEC determined in accordance with NYS Uniform Procedures Regulations in 6NYCRR Part 621 that an adjudicatory hearing is not warranted, and has decided to issue a renewal of DOE/BNL's Part 373 Hazardous Waste Management permit.

The renewed Part 373 permit which is being issued to DOE/BNL is a revised version of the draft Part 373 permit. A change was made in Module III, page III-2 (first paragraph) where the name of the New York State Fire Code was corrected. Also included are updated cover pages for the binder and each section, changing only the word "Draft" to "Final". In addition, the cover page of the permit (page 1 of 5) has been revised to include the signature of DEC Regional Permit Administrator as well as the effective and expiration dates of the renewed permit.

This permit is effective as of September 7, 2017.
If you have any questions concerning procedural matters relating to this Permit, please contact me at (631) 444-0374. Technical questions relating to requirements of this Permit should be directed to Mr. Thomas Killeen at (518) 402-9813.

Sincerely,

[Signature]

Mark Carrara
Deputy Regional Permit Administrator

cc: Ms. Tatiana Klappas, Region 1
    Ms. Karen Gomez, Region 1
    Mr. Tom Killeen, DER Albany
    Mr. Mike Rich, DER Albany
    Mr. Brian Jankauskas, DER Albany
    Mr. Michael Cruden, DER Albany
    Mr. Adolph Everett, EPA, Region II
PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:  
Brookhaven Science Associates LLC  
40 Brookhaven Ave  
Upton, NY 11973-5000

Facility:  
BROOKHAVEN NATIONAL LABORATORY  
53 BELL AVE/SCTM 200-505-1-1.002  
UPTON, NY 11973

US DEPT OF ENERGY  
1000 INDEPENDENCE AVE SW  
WASHINGTON, DC 20585

Facility Location: in BROOKHAVEN in SUFFOLK COUNTY  
Facility Principal Reference Point: NYTM-E: 678.039772274775  
4526.226987656  
NYTM-N: Latitude: 40°52'04.0" Longitude: 72°53'14.4"

Authorized Activity: Continued operation of a hazardous waste storage facility for the storage of hazardous wastes and mixed wastes generated onsite as described in Module I, Schedule 1 and Attachment I and III of this permit. Authorized activities include: Storage of up to 16,550 gallons of hazardous waste in a container storage area as described in Module III, Attachment VIII and Exhibit C, Schedule 1 of Module I of this permit.

Permit Authorizations

Resource Conservation and Recovery Act - Under Article 27, Title 9  
Permit ID 1-4722-00032/00102  
Renewal  
Effective Date: 9/7/2017  
Expiration Date: 9/6/2022

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: MARK CARRARA, Deputy Regional Permit Administrator  
Address: NYSDEC Region 1 Headquarters  
SUNY @ Stony Brook|50 Circle Rd  
Stony Brook, NY 11790-3409

Authorized Signature:  
Date / /
Permit Components

RESOURCE CONSERVATION AND RECOVERY ACT PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITEE OBLIGATIONS

RESOURCE CONSERVATION AND RECOVERY ACT PERMIT CONDITIONS

1. Permittee Shall Comply with Permit The permittee must comply with all terms and conditions of this permit. This permit consists of the conditions contained herein (including those in any attachments and incorporated documents) and the applicable regulations contained in 6NYCRR Part 370 through 374, 376, 621 and 624.

2. Permit Assumes that Permit Renewal Application is Complete and Accurate The permit is based on the information submitted in the application by U.S. Department of Energy and Brookhaven Sciences Associates LLC in April 2016 and all subsequent revisions. The permit is based on the assumption that the information submitted by U.S. Department of Energy and Brookhaven Sciences Associates LLC in the application documents is complete and accurate and the facility will be operated as specified in the application. Any inaccuracies or incompleteness found in the information may be grounds for the termination or modification of this permit and potential enforcement action.

3. Potential Conflicts with Permit In the event of a discrepancy between this permit and any regulation, order on consent, or other permit, the more stringent requirement applies.

4. Notify the Department of Any Deviations The permittee shall immediately notify the Department of any deviation from or changes in the information contained in the application which would affect the permittee's ability to comply with the regulations or permit conditions.

5. Modules, Attachments and Incorporated Documents The Permittee shall operate the facility in strict accordance with the modules, attachments and incorporated documents to this permit as specified below:

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<td>Module I</td>
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<td>Use and Management of Containers</td>
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ATTACHMENTS
Attachment I Part A Application
Attachment II Corrective Action, Interagency Agreement (dated May 26, 1992)
Attachment III Waste Analysis Plan
6. Quality Assurance-Quality Control The Permittee is responsible for verifying that the Quality Assurance/Quality Control Program (QA/QC) followed by laboratories used by the Permittee to carry out analysis of the waste streams, conform to the QA/QC procedures approved in the permit and thus ensure the validity of the analytical data provided by the laboratories.

7. Laboratories Shall Be ELAP Certified As required by ECL 03-0119, any laboratory (Permittee or contract), used by the Permittee to perform analysis pursuant to this Permit shall be certified by the New York State Department of Health Environmental Laboratory Approval Program (ELAP) in the appropriate categories of analysis, if ELAP issues certifications in such categories. If the Permittee uses an ELAP approved contract laboratory to perform the analysis required by this Permit, then the Permittee shall inform the laboratory in writing that it must operate under the waste analysis and quality assurance provisions of this Permit.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department’s representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements
3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC Region 1 Headquarters
SUNY @ Stony Brook|50 Circle Rd
Stony Brook, NY 11790 -3409

4. Submission of Renewal Application The permittee must submit a renewal application at least 180 days before permit expiration for the following permit authorizations: Resource Conservation and Recovery Act.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

a. materially false or inaccurate statements in the permit application or supporting papers;

b. failure by the permittee to comply with any terms or conditions of the permit;

c. exceeding the scope of the project as described in the permit application;

d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;

e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. Permit Transfer Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification
The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does
not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit
The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits
The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights
This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.
BROOKHAVEN NATIONAL LABORATORY

UPTON, NEW YORK 11973-5000

EPA ID NO: NYD890008975
DEC PERMIT NO: 1-4722-00032/00102

6 NYCRR PART 373
FINAL PERMIT

2017
# BROOKHAVEN NATIONAL LABORATORY

## FINAL PERMIT

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UPTON, NEW YORK 11973-5000

EPA ID NO: NYD890008975
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FINAL PERMIT
&
SPECIAL CONDITIONS

2017
BROOKHAVEN NATIONAL LABORATORY

UPTON, NEW YORK 11973-5000

EPA ID NO: NYD890008975

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6 NYCRR PART 373

FINAL PERMIT

SCHEDULE 1

of MODULE I

2017
PART 373 PERMIT

SCHEDULE 1 OF MODULE I
FACILITY-SPECIFIC CONDITIONS

Facility Name: Brookhaven National Laboratory
DEC Permit No.: 1-4722-000-32/00102
EPA RCRA ID No.: NY7890008975

Facility Address: 53 Bell Ave
Upton, New York 11973
Suffolk County
Hereinafter referred to as “Facility” or “Site”

A. PERMITTED ACTIVITIES

The following hazardous waste management units, activities and types and quantities of hazardous waste to be managed are authorized by this Permit:

<table>
<thead>
<tr>
<th>Unit</th>
<th>Activity Type</th>
<th>Waste Type and Waste Codes</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>RCRA Waste Building</td>
<td>1 - Storage of hazardous wastes in bays.</td>
<td>PCBs, toxics, corrosive acids and caustics, ignitables, hazardous oils waste, laboratory waste, laboratory chemicals, radioactive waste, non-hazardous waste</td>
<td>16,550 Gallons</td>
</tr>
<tr>
<td></td>
<td>2 - Lab pack and chemical storage in rooms and cells.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

B. PERMIT DOCUMENTS

The following Modules, Attachments and documents incorporated by reference are considered part of this Permit:

Modules:

I General Conditions
II Schedule 1 of Module I
II Corrective Action Requirements
III Storage in Containers
IV RESERVED

S1-1
PART 373 PERMIT

MODULE III – USE AND MANAGEMENT OF CONTAINERS

A. AUTHORIZED STORAGE AREA, WASTE TYPES AND STORAGE VOLUME

1. The Permittee is authorized to manage and/or store hazardous wastes subject to the terms of this Permit as described in Schedule 1 of Module I. Schedule 1 of Module I provides information regarding the number, location, configuration and type of hazardous wastes in containers that may be stored in each permitted container storage area. The Permittee must not manage and/or store any hazardous wastes in excess of the maximum capacities for each individual area identified in Schedule 1 of Module I of this Permit. This Permit is applicable to containerized hazardous wastes in accordance with 6 NYCRR 373-2.9(a), with exceptions noted in, and in compliance with, 6 NYCRR 371.1(h), 371.4 (d)(3), 373-1.1(d)(1)(iii), 373-1.1(d)(1)(xiv) and 373-2.1(a).

B. CONDITION OF CONTAINERS [6 NYCRR 373-2.9(b)]

1. The Permittee must manage and maintain any and all containers holding hazardous wastes authorized by this Permit in accordance with the requirements of 6 NYCRR 373-2.9(b) and this Permit.

C. COMPATIBILITY OF WASTE WITH CONTAINERS [6 NYCRR 373-2.9(c)]

1. The Permittee must use a container made of, or lined with, materials which will not react with, and is otherwise compatible with, the hazardous wastes authorized by this Permit to be stored, so that the ability of the container to contain the waste is not impaired in accordance with 6 NYCRR 373-2.9(c) and this Permit.

D. MANAGEMENT OF CONTAINERS [6 NYCRR 373-2.9(d)]

1. The Permittee must manage containers holding hazardous waste authorized by this Permit in accordance with 6 NYCRR 373-2.9(d) and this Permit including Schedule 1 of Module I.

2. Any containers with nonhazardous wastes and other materials stored in an area designated for hazardous waste containers will be subject to all the terms and conditions of this Permit and by 6 NYCRR 360-1.1(b). Any other materials stored in these designated areas must be compatible with the waste in accordance with Condition H of this Module.

3. The Permittee must maintain aisle space in accordance with 6 NYCRR 373-2.3(f) and this Permit including Schedule 1 of Module I. Drums must be stored in rows no greater than 2 drums wide. The aisle space between the rows must be a minimum of 2 feet wide or wider as required by Schedule 1 of Module I of this Permit. Drums must not be stacked greater than 2 high or as required by Schedule 1 of Module I of
this Permit. For aisle space and stacking requirements for other container types, refer to Schedule 1 of Module I of this Permit. All container storage areas must comply with the applicable sections of the New York State Uniform Fire Prevention and Building Code and the National Fire Protection Association (NFPA) 30 - "Flammable and Combustible Liquids Code." The Permittee must demonstrate compliance with the applicable portions of the New York State Uniform Fire Prevention and Building Code and the NFPA 30 to the satisfaction of the Department.

E. INSPECTIONS [6 NYCRR 373-2.9(e)] AND REPAIR/REMEDIAL ACTION [6 NYCRR 373-2.2(g)(3)]

1. The Permittee must inspect areas where containers are stored as authorized by this Permit in accordance with 6 NYCRR 373-2.2(g), 373-2.9(e) and this Permit including the Department-approved Security and Facility Inspection Plan incorporated by reference into this Permit.

2. Loading and unloading areas must be inspected daily when in use in accordance with 6 NYCRR 373-2.2(g)(2)(iv) and this Permit.

3. For each occurrence where hazardous wastes are stored in a container that is not in good condition or that is leaking, or if defects are identified in the secondary containment for containers, the Permittee must record the occurrence in the inspection log and maintain the log as part of the operating record required by 6 NYCRR 373-2.5(c). The Permittee must indicate in the facility’s operating record the date the defect was identified, the date repairs were completed and a brief description of said repairs.

4. If any leaking container threatens human health or the environment the Permittee must immediately report the situation as specified in Condition C.2 of Module I (i.e., Oral Reports) and as necessary implement the Department-approved Contingency Plan provided as incorporated by reference into this Permit as necessary.

5. For any container of hazardous wastes that is found to be not in good condition (e.g., severe rust, apparent structural deformity, etc.) or leaking, the Permittee must take immediate action to stop or prevent the leak, take steps in accordance with 6 NYCRR 373-2.9(b) and clean up any leaked or spilled material as required by 6 NYCRR 373-2.9(f)(1)(v) in accordance with the procedures contained in the Department-approved Contingency Plan provided as incorporated by reference into this Permit.

6. The Permittee must repair all defects or other deficiencies identified with the secondary containment system for containers during the Permittee’s regular inspections or as a result of independent assessments in accordance with 6 NYCRR 373-2.2(g)(3) and Condition E.8 of this Module. The Permittee must maintain the secondary containment system for containers free of cracks or gaps and sufficiently impervious to contain leaks, spills and accumulated precipitation.

7. If the secondary containment system for containers is found to be breached or in such a deteriorated condition that it is obviously incapable of containing a release, the
Permittee must: a) take immediate action to stop or prevent any release from the area; b) take steps in accordance with 6 NYCRR 373-2.9(f)(1)(v) and the Department-approved Contingency Plan provided as incorporated by reference into this Permit to clean up any leaked or spilled material; and, c) immediately cease operation of the area and relocate any containers located therein until the defect is repaired to the satisfaction of the Department.

8. For any identified deterioration or malfunction of equipment or structures associated with a hazardous waste management unit which does not result in a release or create the potential for a release of hazardous wastes from the unit’s primary containment (i.e., defects other than those described in Condition E.5 of this Module), except for specific defects where other Permit conditions or the regulations require repairs within other specified time periods, the Permittee must either:

a. Schedule and complete repairs to the defect within thirty (30) days from the date the defect was first identified;

b. Submit a proposed schedule for Department approval within seven (7) days from the date the defect was first identified, if it is anticipated that it will take longer than 30 days to complete repairs. The proposed schedule must include the date for completing the repairs which must be within six (6) months from the date when the defect was identified; or

c. The Permittee may request, and the Department may approve, extensions to the schedule provided the Permittee has adequately demonstrated that the extension is needed due to unforeseen circumstances or circumstances beyond the Permittee’s control and that the delay will not lead to an environmental or human health hazard.

F. CONTAINMENT [6 NYCRR 373-2.9(f)]

1. Container storage areas authorized by this Permit for the storage of containerized liquids must have a containment system that is designed and operated in accordance with 6 NYCRR 373-2.9(f)(1) and this Permit including Schedule 1 of Module I. Container storage areas authorized by this Permit for the storage of containerized solids with no free liquids must, at a minimum, meet the requirements of 6 NYCRR 373-2.9(f)(2) and this Permit including Schedule 1 of Module I.

G. SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE [6 NYCRR 373-2.9(g)]

1. The Permittee must manage all ignitable or reactive waste placed in containers and authorized by this Permit in accordance with 6 NYCRR 373-2.9(g) and this Permit.

H. SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTE [6 NYCRR 373-2.9(h)]

1. The Permittee must adhere to the special requirements for the management of incompatible wastes in containers authorized by this Permit in accordance with 6 NYCRR 373-2.9(h) and this Permit.

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BROOKHAVEN NATIONAL LABORATORY

UPTON, NEW YORK 11973-5000

EPA ID NO: NYD890008975
DEC PERMIT NO: 1-4722-00032/00102

6 NYCRR PART 373
FINAL PERMIT

ATTACHMENT I
PART A APPLICATION

2017
BROOKHAVEN NATIONAL LABORATORY
UPTON, NEW YORK  11973-5000

EPA ID NO:   NYD890008975
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FINAL PERMIT

ATTACHMENT II
CORRECTIVE ACTION

2017
BROOKHAVEN NATIONAL LABORATORY

UPTON, NEW YORK 11973-5000

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ATTACHMENT III
WASTE ANALYSIS PLAN

2017
BROOKHAVEN NATIONAL LABORATORY
UPTON, NEW YORK 11973-5000

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ATTACHMENT IV
PERSONNEL TRAINING

2017
BROOKHAVEN NATIONAL LABORATORY

UPTON, NEW YORK 11973-5000

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ATTACHMENT V

INSPECTION PLAN, SECURITY ARRANGEMENTS & PROCEDURES TO PREVENT HAZARDS

2017
BROOKHAVEN NATIONAL LABORATORY

UPTON, NEW YORK 11973-5000

EPA ID NO: NYD890008975
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ATTACHMENT VI
CONTINGENCY PLAN

2017
BROOKHAVEN NATIONAL LABORATORY

UPTON, NEW YORK 11973-5000

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ATTACHMENT VII
CLOSURE PLAN

2017
BROOKHAVEN NATIONAL LABORATORY
UPTON, NEW YORK 11973-5000

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ATTACHMENT VIII
CONTAINER MANAGEMENT

2017
BROOKHAVEN NATIONAL LABORATORY

UPTON, NEW YORK 11973-5000

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ATTACHMENT IX
AIR EMISSION STANDARDS

2017
BROOKHAVEN NATIONAL LABORATORY

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EPA ID NO: NYD890008975
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ATTACHMENT M
PERMIT MODIFICATIONS LOG

2017