UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

AUG 0 8 2013

REPLY TO THE ATTENTION OF:

CERTIFIED NO.: 7001 0320 0006 0185 5367
RETURN RECEIPT REQUESTED

Michael Kimmel
Senior Vice President
Cleanlites Recycling, Inc.
665 Hull Road
Post Office Box 212
Mason, Michigan 48854

Dear Mr. Kimmel:

The U.S. Environmental Protection Agency has reviewed your request for a permit to operate as a Commercial Storer under 40 CFR § 761.65 dated December 18, 2012. You requested to store PCBs at concentrations of 50 ppm or greater for disposal up to one year. Your request consisted of a cover letter from Cleanlites Recycling, Inc. and Application for Permit to Store PCBs and PCB Containing Items for Disposal.

Under 40 CFR § 761.65, the EPA may approve your application if the operations of the commercial storage facility will not pose an unreasonable risk of injury to health or the environment. The December 18, 2012 application submitted by Cleanlites Recycling, Inc. does not provide sufficient information, or the information provided is in need of clarification, for EPA to make an unreasonable risk determination. In order for EPA to make a risk determination based upon the PCB storage proposed in the application, Cleanlites Recycling, Inc. will need to address the comments provided as an attachment to this letter.

At this time, EPA requires the information stated above to complete the review and process your application. This required information must be provided within 30 days from the date of receipt of this letter. If you are unable to provide the required information within the allotted time, you may request an extension, listing the reasons for your request and indicating when the requested information can be provided. Failure to provide the information by the required date or failure to request and obtain an extension will result in the EPA issuing a denial of your 40 CFR § 761.65 application for commercial storage of PCBs. Submittal of this information does not ensure

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on 100% Recycled Paper (100% Post-Consumer)

approval nor does it preclude us from requiring additional information if continued review indicates it is needed. The information should be submitted to Susan Vescovi, of my staff, at the above address.

If you have any questions regarding this letter or any of the information requested, please contact Susan Vescovi at (312) 886-6713.

Sincerely,

Mary S. Setnicar
Chief,
RCRA/TSCA Programs Section

Enclosure: EPA Comments on the Cleanlites Recycling, Inc Application for Permit to Store PCBs and PCB Containing Items for Disposal

ENCLOSURE

EPA Comments on Cleanlites Recycling, Inc.'s Application for Permit to Store PCBs and PCB Containing Materials (dated December 2012)

The following comments are based on a review of Cleanlites Recycling, Inc.'s (CRI) Application for Permit to Store PCBs and PCB Containing Items for Disposal, dated December 2012 (Approval Application) for the Cleanlites Recycling, Inc. facility located in Mason, Michigan. The review was conducted to determine whether the Approval Application meets the requirements of 40 CFR §§ 761.65, 761.79 and 761.180. These comments describe in detail what is missing or deficient in the Approval Application.

Deficiency 1: General PCB Operations

EPA identified an inconsistency in the CRI approval application in regards to the description of the activities taking place at the CRI facility. The **Introduction** of the application states that CRI intends to store intact lighting ballasts onsite until a truck load is accumulated; however Section 2.10 **Description and List of Services** of the Closure Plan of the approval states that when ballasts are received by the facility "PCB capacitors are removed, separated, packaged, and sent off for destruction or disposal," and that "all metals containing PCBs are sent to a copper smelter, steel mini-mill, or an aluminum mill." Please note that materials removed from PCB-contaminated ballast will be subject to decontamination standards and procedures as provided in 40 CFR § 761.79

Please specify to the extent of the proposed PCB operations of your facility. Please provide an updated version of the approval application as needed.

Deficiency 2: Topographic and Flood Plain Maps

EPA has identified the following deficiencies with **Appendix E Flood Plain Maps and Topographic Map.** Maps included by CRI are illegible and lack identifying information (e.g., legends, clear topographic lines). Additionally, the position of CRI's facility in relation to the 100 year flood-plain and surrounding hydrologic conditions is not easily identified in the copy of the maps provided.

Please provide detailed maps of facility and the surrounding area that include identifying information (e.g., legends, legible markings, clear topographic lines), a more centralized view of the facility, and legends for the Flood Plain Maps. Please provide an updated version of the approval application as needed.

Deficiency 3: Personnel Training and Safety

EPA has identified the following deficiencies relative to personnel training in proper handling of PCB containing items, PCB contamination, and spill cleanup referenced under the **Training** section of the Application. According to this section, personnel will receive training as required by 40 CFR § 264.16. This section does not provide adequate information (e.g., training manuals, course materials) to determine proper personnel training for PCB spill cleanup and decontamination in accordance with 40 CFR § 761.120.

Please provide details regarding personnel training (e.g., training manuals, course material relative to handling of PCB containing items, PCB contamination, and spill cleanups) and an updated version of the approval application as needed.

Deficiency 4: Storage of Leaking PCB Items

EPA has identified the following deficiencies regarding CRI's proposed actions for storing leaking PCB items. According to 40 CFR § 761.65(c)(1)(ii) leaking PCB articles are to be placed in "in a non-leaking PCB Container that contains sufficient sorbent materials to absorb any liquid PCBs remaining in the PCB Items." The approval application does not address the storage of leaking PCB articles.

Please address how the facility will store leaking PCB items in both the storage container and the temporary storage area. Please provide an updated version of the approval application as needed.

Deficiency 5: Storage Design

EPA has identified the following deficiencies in information provided for the unit where PCB containers are to be stored. Storage unit requirements are specified in 40 CFR § 761.65(b)(1) and include design criteria for the roof, wall, floor, drains, curbing, and containment volumes. The specifications sheet provided in the approval application did not provide sufficient detail to address how the requirements for the storage unit design would be met.

Please provide details and any other supporting information (e.g., calculations) regarding how the storage unit operated by CRI will meet the requirements of 40 CFR § 761.65(b)(1). Please provide an updated version of the approval application as needed.

Deficiency 6: Clarification of Onsite Drainage and Surface Water Contamination

EPA has identified the following deficiencies in the discussion of onsite drainage and the potential for surface water contamination. According to 40 CFR § 761.65(b)(1)(iii) the storage areas will contain "no drain valves, floor drains, expansion joints, sewer lines, or other openings that would permit liquids to flow from" the storage area. Possible drainage from both the storage container and the temporary storage area is not addressed. Additionally, in section 6.10

Remediation Goals of the application, potential PCB releases into surface waters are discussed without an explanation of the potential pathways.

Please address drainage in the vicinity of the storage container, how PCBs from the facility may potentially enter surface waters, and how this will be prevented and provide an updated version of the approval application as needed.

Deficiency 7: SPCC Plan

EPA has identified the following deficiencies in regard to CRI's Spill Prevention Control and Countermeasure Plan (SPCC). In the approval application, CRI estimates there will be up to 48 55-gallon drums stored in the storage area and 10 55-gallon drums stored in the temporary storage area for a total of 3,190 gallons. 40 CFR § 112 requires that facilities who store oil of any kind in quantities over 1,320 gallons must prepare an SPCC plan. Please note that this threshold is based on the capacity of the container and not the actual volume on site. The approval application does not contain a copy of the facility's SPCC Plan nor does it refer to the facility SPCC plan.

Please provide information regarding the SPCC Plan and provide an updated approval application as needed.

Deficiency 8: PCB Contaminated Porous and Non-smooth Surfaces

EPA has identified the following deficiencies for the disposal/decontamination of "movable equipment that is used for handling PCBs and PCB items," in the closure plan (e.g., brooms, shovels, pallets). Under 40 CFR § 761.65(c)(4) these items must not be removed from the storage unit area until they have been decontaminated as specified in 40 CFR § 761.79.

Please provide information regarding the disposal/decontamination of "movable equipment that is used for handling PCBs and PCB items," (e.g., brooms, shovels, pallets) and provide an updated version of the approval application as needed.

Deficiency 9: Closure Plan Sampling

EPA identified the following deficiencies in the sampling procedures as part of the **Closure Plan**. In section 6.20 **Container Storage and Loading/Unloading Areas and Shipping Docks**, CRI describes inspections for PCB residues located in storage areas and loading/unloading areas and docks. This portion of the approval application does not thoroughly describe how areas outside and adjacent to the storage container (e.g., loading/unloading areas, portions of the property travelled between the temporary storage area and the storage container) will be chosen for initial sampling or what detailed actions, as required by 40 CFR § 761.65 (e)(1)(iv), will be pursued if PCBs are found outside of non-porous storage areas.

Please provide information regarding how PCB residue sampling will be determined within loading/unloading areas of the site, areas outside and adjacent the storage container, and the temporary storage area. Within the description of the closure sampling, please explain how decisions will be made to determine remediation actions.

Deficiency 10: Temporary Storage Area

EPA identified deficiencies related to the description of the temporary storage area and the proposed plan for monitoring this area for PCB article leaks. The description of the temporary storage area is not sufficient to determine if this area complies with 40 CFR § 761.65(c).

Please provide information regarding the design of the temporary storage area, specifically addressing how it complies with 40 C.F.R. § 761.65(c). Please provide an updated version of the approval application as needed.

Deficiency 11: Closure Decontamination Plan

EPA identified deficiencies related to the CRI decontamination plan for areas outside of the storage container and loading/unloading docks areas. The plan details decontamination standards and procedures for the indoor areas composed of concrete. Under 40 CFR § 761.65 (e)(1)(iv), this plan fails to discuss potential decontamination techniques and decontamination levels if PCBs are found within porous surfaces outside of the contained indoor areas.

Please provide information regarding decontamination activities CRI will implement in the case that PCBs are found outside the indoor storage areas. Please provide an updated version of the approval application as needed.

Deficiency 12: Empty Container Decontamination

EPA identified deficiencies related to the onsite aggregation of empty containers and their decontamination. The application does not address under what circumstances these containers will be emptied (e.g., consolidation of PCB ballasts between drums). The closure plan does not specify how these empty PCB waste containers will be decontaminated. Empty containers must be decontaminated according to 40 CFR § 761.79.

Please provide information regarding the circumstances empty PCB containers may remain at the facility (e.g., consolidation of PCB ballasts between drums), and what decontamination activities under 40 CFR § 761.79 CRI will implemented for empty PCB storage containers if they are not shipped to appropriate off-site facilities for reclamation and/or disposal. Please provide an updated version of the approval application as needed.