REGION 5
CHICAGO, IL 60604

James Harrison
Veolia ES Technical Solutions, L.L.C.
4301 Infirmary Road
West Carrollton, OH 45449

Dear Mr. Harrison:

Enclosed is a copy of a revised draft of the federal portion of the Resource Conservation and Recovery Act Hazardous Waste Permit ("draft Federal RCRA permit") to be issued by U.S. Environmental Protection Agency, Region 5, for Veolia ES Technical Solutions, L.L.C., West Carrollton, Ohio (EPA ID OHD093945293)

The draft federal RCRA permit will be publicly noticed in the "Canton Repository" newspaper and announced on a local radio station on or about April 4, 2025. A copy of the revised draft federal RCRA permit is available for review at the Dayton Metro Library – West Carrollton Branch. The public comment period extends from April 4, 2025, to June 6, 2025.

During the public comment period, you or any interested party may submit comments to the U.S. Environmental Protection Agency on the draft Federal RCRA permit set forth above. At the close of the comment period, EPA will prepare a response to all significant comments. Comments on the draft Federal RCRA permit may be submitted (or email) to:

Land and Chemicals Branch, LL-17J
Land, Chemicals, and Redevelopment Division
77 West Jackson Boulevard
Chicago, Illinois, 60604

Attention: Norberto Gonzalez (gonzalez.norberto@epa.gov)

Following review of any comments received on the revised draft Federal RCRA permit, EPA will issue a final permit decision in accordance with the requirements of 40 Code of Federal Regulations (C.F.R.) § 124.15. The procedures of permit appeals are found in 40 C.F.R. § 124.19.

If you have any questions, please contact Norberto Gonzalez of my staff at (312) 353-1612.

Sincerely,

MARY SETNICAR

Digitally signed by MARY SETNICAR
Date: 2025.04.03 12:13:11 -05'00'

For D. Scott Ireland
Deputy Director
Land, Chemicals and Remediation Division

cc: Bradley Mitchell, Ohio EPA

Draft

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

RESOURCE CONSERVATION AND RECOVERY ACT PERMIT

Facility Name and Location:	**Veolia ES Technical Solutions, L.L.C.** **4301 Infirmary Road** **West Carrollton, Ohio 45449**
Owner:	**Veolia ES Technical Solutions, L.L.C.** **700 East Butterfield Road, Suite 201** **Lombard, Illinois 60148**
Operator:	**Veolia ES Technical Solutions, L.L.C.** **700 East Butterfield Road, Suite 201** **Lombard, Illinois 60148**

U.S. EPA Identification Number: **OHD 093 945 293**

Effective Date: **30 Days from Issuance Date of the Final Permit**

Expiration Date: **10 Years from the Effective Date**

Authorized Activities:

The United States Environmental Protection Agency hereby issues a Resource Conservation and Recovery Act permit (hereinafter referred to as "this permit") to Veolia ES Technical Solutions, L.L.C. (Owner and Operator hereinafter referred to as the "Permittee" or addressed in the second person as "you") in connection with the hazardous waste management operations at Veolia ES Technical Solutions, L.L.C., in West Carrollton, Ohio (the "facility").

This permit is issued under the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, and the Hazardous and Solid Waste Amendments (HSWA) of 1984, and further amendments. (42 USC § 6901 *et seq*.) (collectively referred to as "RCRA") and EPA's regulations promulgated thereunder (codified, and to be codified, in Title 40 of the Code of Federal Regulations (40 CFR)).

Specifically, this permit addresses: air emission standards for process vents (40 CFR Part 264, Subpart AA); equipment leaks (40 CFR Part 264 Subpart BB); and tanks, containers, and miscellaneous units (40 CFR Part 264 Subpart CC).

This permit contains the applicable federal RCRA permit conditions for the facility. The Permittee also has a State RCRA permit which contains conditions issued by the State of Ohio's RCRA program authorized under 40 CFR Part 271. Any hazardous waste activity which requires a RCRA permit and is not included in either this permit or the state RCRA permit is prohibited.

Permit Approval:

On June 30, 1989, the state of Ohio received final authorization according to Section 3006 of RCRA, 42 USC § 6926, and 40 CFR Part 271, to administer the pre-HSWA RCRA hazardous waste program. The state of Ohio also received final authorization to administer certain additional RCRA requirements on several occasions since then.

However, because EPA has not yet authorized the state of Ohio to administer certain HSWA regulations, including the air emission standards for process vents, equipment leaks and containers, EPA is issuing the RCRA permit requirements for operations at the Permittee's facility which fall under these regulations.

You must comply with all terms and conditions contained in this permit. This permit consists of all conditions contained herein; the documents attached hereto; all documents cross-referenced in these documents; approved submittals (including plans, schedules and other documents); applicable regulations in 40 CFR Parts 124, 260, 261, 262, 264, 268 and 270; and applicable provisions of RCRA.

This permit is based on the assumption that the information submitted: (1) in the Permittee's RCRA Part B Permit Application dated July 3, 2023, and all other modifications to that application (hereinafter referred to as the "Part B Permit Application") is accurate; and (2) that the facility is configured, operated and maintained as specified in the permit and as described in the Part B Permit Application and other relevant documents.

Any inaccuracies in the submitted information may be grounds for EPA to terminate, revoke and reissue, or modify this permit in accordance with 40 CFR §§ 270.41, 270.42 and 270.43; and for enforcement action. You must inform EPA of any deviation from, or changes in, the information in the Part B Permit Application and other pertinent documents that might affect your ability to comply with the applicable regulations or conditions of this permit.

Opportunity to Appeal:

Petitions for review must be submitted within 30 days after EPA serves notice of the final permit decision. Any person who filed comments on the draft permit or participated in the public hearing may petition the Environmental Appeals Board to review any condition of the permit decision. Any person who failed to file comments or failed to participate in the public hearing on the draft permit may file a petition for review only to the extent of the changes from the draft to the final permit decision. The procedures for permit appeals are found in 40 CFR § 124.19.

Effective Date:

This permit is effective as of **30 Days from Issuance Date of the Final Permit** and will remain in effect until **10 Years from the Effective Date of the final permit,** unless revoked and reissued under 40 CFR § 270.41, terminated under 40 CFR § 270.43, or continued in accordance with 40 CFR § 270.51(a).

By: _____ Date: _____

Ed Nam
Division Director
Land and Chemicals Division

OHD 093 945 293
Veolia ES Technical Solutions, L.L.C.

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SECTION I—STANDARD PERMIT CONDITIONS

I.A EFFECT OF PERMIT

This permit contains the applicable federal RCRA permit conditions for the facility. The Permittee also has a state RCRA permit. You are hereby allowed to manage hazardous waste at the facility in accordance with this permit. Under this permit, the storage and treatment of RCRA hazardous waste must comply with all terms and conditions in this permit. Other aspects of the storage and treatment of RCRA hazardous wastes are subject to the conditions in the state-issued RCRA permit. Any hazardous waste activity which requires a RCRA permit and is not included either in this permit or the state RCRA permit is prohibited.

Subject to 40 CFR § 270.4, compliance with the RCRA permit during its term generally constitutes compliance, for purposes of enforcement, with Subtitle C of RCRA, except for those requirements not included in the permit which: (1) become effective by statute; (2) are promulgated under 40 CFR Part 268 restricting the placement of hazardous waste in or on the land; (3) are promulgated under 40 CFR Part 264 regarding leak detection systems; or (4) are promulgated under 40 CFR Part 264 Subpart AA, BB or CC limiting air emissions. (40 CFR § 270.4)

This permit does not: (1) convey any property rights or any exclusive privilege; (2) authorize any injury to persons or property, or invasion of other private rights; or (3) authorize any infringement of state or local law or regulations. Compliance with the terms of this permit does not constitute a defense to any order issued, or any action brought, under: (1) Sections 3008(a), 3008(h), 3013, or 7003 of RCRA; (2) Sections 104, 106(a), or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 USC §§ 9601 *et seq.* (commonly known as CERCLA); or (3) any other law protecting public health or the environment from any imminent and substantial endangerment to human health, welfare, or the environment.
(40 CFR §§ 270.4 and 270.30(g))

I.B PERMIT ACTIONS

I.B.1 Permit Review, Modification, Revocation and Reissuance, and Termination

EPA may review, modify, or revoke and reissue this permit, or terminate it for cause, as specified in 40 C.F.R. §§ 270.41, 270.42, and 270.43. EPA may also review and modify this permit, consistent with 40 C.F.R. § 270.41, to include any terms and conditions it determines are necessary to protect human health and the environment under Section 3005(c)(3) of RCRA. The filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance on your part will not stay the applicability or enforceability of any permit condition. (40 CFR § 270.30(f))

You may request a modification of this permit under the procedures specified in 40 C.F.R. § 270.42. A Class 1 modification is generally allowed without prior approval by EPA except under certain conditions as described in 40 C.F.R. § 270.42(a)(2).

A Class 2 modification requires prior approval by EPA as described in 40 C.F.R. § 270.42(b). You may perform construction associated with a Class 2 permit modification request beginning 60 days after submission of the request, unless the Director establishes a later date. (40 CFR § 270.42(b)(8)) (Pursuant to Chapter 8-6 of the Region 5 Delegation Manual, the authority assigned to the Regional Administrator as Director under 40 C.F.R. § 270.42(b)(8) has been delegated to the Director of the Land and Chemicals Division of the EPA, Region 5. Thus, for the purposes of this permit, the term Director must refer to the Division Director of EPA Region 5's Land and Chemicals Division.)

Procedures for a class 3 modification are specified in 40 C.F.R. § 270.42(c). You must not perform any construction associated with a Class 3 permit modification request until such modification request is granted and the modification becomes effective.

I.B.2 Permit Renewal

This permit may be renewed as specified in 40 CFR § 270.30(b) and Section I.E.2 of this permit. In reviewing any application for a permit renewal, EPA will consider improvements in the state of control and measurement technology, and changes in applicable regulations. (40 CFR § 270.30(b) and RCRA Section 3005(c)(3))

I.C SEVERABILITY

This permit's provisions are severable. If any permit provision, or the application of any permit provision to any circumstance, is held invalid, such provision's application to other circumstances and the remainder of this permit will not be affected. Invalidation of any statutory or regulatory provision on which any condition of this permit is based does not affect the validity of any other statutory or regulatory basis for that condition. (40 CFR § 124.16(a))

I.D DEFINITIONS

The terms used in this permit will have the same meaning as in 40 CFR Parts 124, 260 through 266, 268 and 270, unless this permit specifically provides otherwise. Where neither the regulations nor the permit define a term, the term's definition will be the standard dictionary definition or its generally accepted scientific or industrial meaning.

I.E DUTIES AND REQUIREMENTS

1.E.1 Duty to Comply

You must comply with all conditions of this permit, except to the extent and for the duration for which an emergency permit authorizes such noncompliance (40 CFR § 270.61). Any permit noncompliance, except under the terms of an emergency permit, constitutes a violation of RCRA and will be grounds for: enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. (40 CFR § 270.30(a))

I.E.2 Duty to Reapply

If you wish to continue an activity this permit regulates after its expiration date, you must apply for and obtain a new permit. You must submit a complete application for a new permit at least 180 days before the permit expires, unless the Director grants permission for a later date. The Director will not grant permission to submit the complete application for a new permit later than the permit's expiration date. (40 CFR §§ 270.10(h) and 270.30(b))

I.E.3 Permit Expiration

Unless revoked or terminated, this permit and all conditions herein will be effective for approximately 10 years from this permit's effective date. This permit and all conditions herein will remain in effect beyond the permit's expiration date if you have submitted a timely, complete application (40 CFR § 270.10 and §§ 270.13 through 270.29), and, through no fault of your own, the Director has not made a final determination regarding permit reissuance. (40 CFR §§ 270.50 and 270.51)

I.E.4 Need to Halt or Reduce Activity Not a Defense

In an enforcement action, you are not entitled to a defense that it would have been necessary to halt or reduce the permitted activity to maintain compliance with this permit. (40 CFR § 270.30(c))

I.E.5 Duty to Mitigate

In the event of noncompliance with this permit, you must take all reasonable steps to minimize releases to the environment resulting from the noncompliance and must implement all reasonable measures to prevent significant adverse impacts on human health or the environment. (40 CFR § 270.30(d))

I.E.6 Proper Operation and Maintenance

You must always properly operate and maintain all facilities and treatment and control systems (and related appurtenances) that you install or use to comply with this permit.

Proper operation and maintenance include effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance/quality control procedures. This provision requires you to operate back-up or auxiliary facilities or similar systems only when necessary to comply with this permit. (40 CFR § 270.30(e))

I.E.7 Duty to Provide Information

You must provide the Director, within a reasonable time, any relevant information that the Director requests to determine whether there is cause to modify, revoke and reissue, or terminate this permit, or to determine permit compliance. You must also provide the Director, upon request, with copies of any records this permit requires. The information you must maintain under this permit is not subject to the Paperwork Reduction Act of 1995, 44 USC §§ 3501 *et seq.* (40 CFR §§ 264.74(a) and 270.30(h))

I.E.8 Inspection and Entry

Upon the presentation of credentials and other legally required documents, you must allow the Director or an authorized representative to:

I.E.8.a Enter at reasonable times upon your premises where a regulated activity is located or conducted, or where records must be kept under the conditions of this permit;

I.E.8.b Have access to and copy, at reasonable times, any records that you must keep under the conditions of this permit;

I.E.8.c Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

I.E.8.d Sample or monitor any substances at any location at reasonable times, to assure permit compliance or as RCRA otherwise authorizes.

Notwithstanding any provision of this permit, EPA retains the inspection and access authority which it has under RCRA and other applicable laws. (40 CFR § 270.30(i))

I.E.9 Monitoring and Records

I.E.9.a Samples and measurements taken for monitoring purposes must be representative of the monitored activity. The methods used to obtain a representative sample of the feed streams, treatment residues, or other hazardous wastes to be analyzed must be the appropriate methods from Appendix I of 40 CFR Part 261, or the methods specified in the Waste Analysis Plan which is Section C of the Part B Permit Application, or an equivalent method approved by the Director. Laboratory methods must be those specified in *Test*

Methods for Evaluating Solid Waste: Physical/Chemical Methods (SW-846, latest edition), *Methods for Chemical Analysis of Water and Wastes* (EPA 600/4-79-020), or an equivalent method, as specified in the referenced Waste Characteristics. (40 CFR § 270.30(j)(1))

I.E.9.b You must retain, at the facility, records of all monitoring information as specified in 40 CFR § 264.74.

I.E.9.c You must retain all reports, records, or other documents, required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the reports, records, or other documents, unless a different period is specified in this permit. These periods may be extended by request of the Director at any time and are automatically extended during the course of any unresolved enforcement action regarding this facility. (40 CFR §§ 270.30(j) and 270.31)

I.E.10 Reporting Planned Changes

You must notify the Director as soon as possible of any planned physical alterations or additions to the permitted facility. (40 CFR § 270.30(l)(1))

I.E.11 Reporting Anticipated Noncompliance

You must notify the Director, in advance, of any planned changes in the permitted facility or activity that may result in permit noncompliance. Advance notice will not constitute a defense for any noncompliance. (40 CFR § 270.30(l)(2))

I.E.12 Certification of Construction

You must not operate any RCRA air emission control devices completed after the effective date of this permit until you have submitted to the Director, by certified mail or hand-delivery, a letter signed both by your authorized representative and by a registered professional engineer. That letter must state that the portions of the facility covered by this permit have been constructed in compliance with the applicable conditions of this permit. In addition, you must not operate the permitted control devices until either:

I.E.12.a The Director or his/her representative has inspected those portions of the facility and finds them in compliance with the conditions of the permit (40 CFR § 270.30(l)(2)(ii)(A)); or

I.E.12.b Within 15 days of the date of submission of the letter in I.E.12, the Permittee has not received notice from the Director of his or her intent to inspect, prior inspection is waived and the Permittee may commence, treatment, storage, or disposal of hazardous waste (40 CFR § 270.30(l)(2)(ii)(B)).

I.E.13 Transfer of Permits

This permit is not transferable to any person, except after notice to the Director. You must inform the Director and obtain prior approval from the Director before transferring ownership or operational control of the facility (40 CFR § 270.42, Appendix I). Under 40 CFR § 270.40, the Director may require permit modification, or revocation and reissuance to change your name and incorporate other RCRA requirements. Before transferring ownership or operation of the facility during its operating life, you must notify the Director and obtain prior approval and notify the new owner or operator in writing of the requirements of 40 CFR Parts 264, 266, 268, and 270, and must provide a copy of the RCRA permit to the new owner or operator. (40 CFR §§ 264.12(c), 270.30(l)(3), and 270.40(a))

I.E.14 Twenty-Four Hour Reporting

I.E.14.a You must report to the Director any noncompliance with this permit that may endanger human health or the environment. Any such information must be promptly reported orally, but no later than 24 hours after you become aware of the circumstances.

I.E.14.b The report must include the following (40 CFR § 270.30(l)(6)): (1) information concerning release of any hazardous waste that may endanger public drinking water supplies; (2) Any information of a release or discharge of hazardous waste; or of a fire or explosion from the hazardous waste management facility, that could threaten the environment or human health outside the facility. You must include the following information:

(1) Name, title and telephone number of the person making the report.

(2) Name, address and telephone number of the facility owner or operator.

(3) Facility name, address and telephone number.

(4) Date, time and type of incident.

(5) Location and cause of incident.

(6) Identification and quantity of material(s) involved.

(7) Extent of injuries, if any.

(8) Assessment of actual or potential hazards to the environment and human health outside the facility, where applicable.

(9) Description of any emergency action taken to minimize the threat to human health and the environment; and

(10) Estimated quantity and disposition of recovered material that resulted from the incident.

I.E.14.c In addition to the oral notification required under Sections I.E.14.a and I.E.14.b of this permit, a written report must also be provided within 5 calendar days after you become aware of the circumstances. The written report must include, but is not limited to, the following:

(1) Name, address and telephone number of the person reporting.

(2) Incident description (noncompliance and/or release or discharge of hazardous waste), including cause, location, extent of injuries, if any, and an assessment of actual or potential hazards to the environment and human health outside the facility, where applicable.

(3) Period(s) in which the incident (noncompliance and/or release or discharge of hazardous waste) occurred, including exact dates and times.

(4) Whether the incident's results continue to threaten human health and the environment, which will depend on whether the noncompliance has been corrected and/or the release or discharge of hazardous waste has been adequately cleaned up; and

(5) If the noncompliance has not been corrected, the anticipated period for which it is expected to continue and the steps taken or planned to reduce, eliminate, and prevent the recurrence of the noncompliance.

The Director may waive the requirement that written notice be provided within 5 calendar days; however, you will then be required to submit a written report within 15 calendar days of the day on which you must provide oral notice, in accordance with Sections I.E.14.a and I.E.14.b of this permit. (40 CFR §§ 270.30(1)(6) and 270.30(h))

I.E.15 Other Noncompliance

You must report all instances of noncompliance not reported under Section I.E.14 of this permit, at the time monitoring reports are submitted. The reports must contain the information listed in Section I.E.14 of this permit. (40 CFR § 270.30(l)(10))

I.E.16 Other Information

I.E.16.a Whenever you become aware that you failed to submit or otherwise omitted any relevant facts in the Application or other submittal, or submitted incorrect information in the Application or other submittal, you must promptly notify the Director of any incorrect information or previously omitted information, submit the correct facts or information, and explain in writing the circumstances of the incomplete or inaccurate submittal. (40 CFR §§ 270.30(l)(11) and 270.30(h))

I.E.16.b All other requirements contained in 40 CFR § 270.30 not specifically described in this permit are incorporated into this permit and you must comply with all those requirements.

I.F SIGNATORY REQUIREMENT

You must sign and certify all applications, reports, or information this permit requires, or which are otherwise submitted to the Director, in accordance with 40 CFR § 270.11. (40 CFR § 270.30(k))

I.G REPORTS, NOTIFICATIONS AND SUBMITTALS TO THE DIRECTOR

Except as otherwise specified in this permit, all reports, notifications, or other submittals that this permit requires to be sent or given to the Director should be sent by certified mail or express mail, or hand-delivered to the U.S. Environmental Protection Agency Region 5, RCRA Branch, at the following address:

Land and Chemicals Branch, LL-17J
Land, Chemicals and Redevelopment Division
U.S. EPA Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

I.H CONFIDENTIAL INFORMATION

In accordance with 40 CFR Part 2, Subpart B, you may claim any information this permit requires, or otherwise submitted to the Director, as confidential. You must assert any such claim at the time of submittal in the manner prescribed on the application form or instructions or, in the case of other submittals, by stamping the words "Confidential Business Information" on each page containing such information. If you made no claim at the time of submittal, the Director may make the information available to the public without further notice. If you assert a claim, the information will be treated in accordance with the procedures in 40 CFR Part 2. (40 CFR § 270.12) You have the burden of substantiating that the claimed information is confidential, and EPA may request further information from you regarding such claim and may reasonably determine which such information to treat as confidential.

I.I DOCUMENTS TO BE MAINTAINED AT THE FACILITY

You must maintain at the facility, until closure is completed and certified by an independent registered professional engineer, the following documents and all amendments, revisions, and modifications to them.

I.I.1 Operating Record

You must maintain in the facility's operating record the documents required by this permit, and by the applicable portions of 40 CFR §§ 266.102, 264.13, 264.73, 264.1035, 264.1064, 264.1084, 264.1088, 264.1089.

I.I.2 Notifications

You must maintain notifications from generators that are required to accompany an incoming shipment of wastes subject to 40 CFR Part 268 Subpart C, which specify treatment standards, as required by 40 CFR §§ 264.73, 268.7, and this permit.

I.I.3 Copy of Permit

You must keep a copy of this permit on site, including all the documents listed in any attachments, and you must update it as necessary to incorporate any official permit modifications.

I.J ATTACHMENTS AND DOCUMENTS INCORPORATED BY REFERENCE

I.J.1 All attachments and documents that this permit requires to be submitted, if any, including all plans and schedules are, upon the Director's approval, incorporated into this permit by reference and become an enforceable part of this permit. Since required items are essential elements of this permit, failure to submit any of the required items or submission of inadequate or insufficient information may subject you to enforcement action under Section 3008 of RCRA. This may include fines, permit suspension, or revocation.

I.J.2 This permit also includes the documents attached hereto, all documents cross-referenced in these documents, and the applicable regulations contained in 40 CFR Parts 124, 260, 261, 262, 264, 266, 268, and 270, and applicable provisions of RCRA, all of which are incorporated herein by reference.

I.J.3 Any inconsistency or deviation from the approved designs, plans and schedules is a permit noncompliance. The Director may grant written requests for extensions of due dates for submittals required in this permit.

I.J.4 If the Director determines that actions beyond those provided for, or changes to what is stated herein, are warranted, the Director may modify this permit according to procedures in Section I.B of this permit.

I.J.5 If any documents attached to this permit are found to conflict with any of the conditions in this permit, the condition will take precedence.

I.K COORDINATION WITH THE CLEAN AIR ACT

You must comply fully with the requirements contained in this permit. This permit does not include the requirements imposed by the Clean Air Act.

SECTION II -- AIR EMISSION STANDARDS FOR PROCESS VENTS (40 CFR PART 264 SUBPART AA)

II.A PROCESS VENTS

You must comply with all applicable requirements of 40 CFR Part 264 Subpart AA (Subpart AA), regarding air emission standards for process vents. You operate a pot still with a distillation column (Unit 1) and a wiped film evaporator with a distillation column (Unit 2). According to 40 CFR § 264.1030(b), all process vents associated with the operations from these two (2) units are subject to Subpart AA.

The Permittee must process a permit modification and have it approved by the Director prior to the installation and operation of any additional equipment subject to Subpart AA.

II.A.1 Emission Controls

You must control the organic emissions from Unit 1 and Unit 2 using a closed vent vapor recovery system. The emissions from all process vents associated with these units must be routed using a closed vent system to the Cryogenic Solvent Recovery System (CSRS) to control emissions of total organic compounds. A CSRS is a high-efficiency condensation system that operates at sub-zero temperatures to achieve high levels of emission reductions from a process gas stream. You must operate the CSRS to reduce the total organic emissions from all affected process vents at the facility by 95 weight percent. The closed vent system and control device must meet the requirements of 40 CFR § 264.1033. As a control device involving vapor recover, the CSRS must be designed and operated to recover the organic vapors vented to it with an efficiency of 95 weight percent or greater unless the total organic emission limits of § 264.1032(a)(1) for all affected process vents can be attained at an efficiency less than 95 weight percent. (40 CFR § 264.1032(a) and (b); 40 CFR § 264.1033(b))

II.A.2 CSRS Specifications and Requirements

II.A.2.a The CSRS operates by using ethanol as the condenser coolant that is chilled to an operating set-point as low as -130 degrees Fahrenheit (ºF) using liquid nitrogen. Process gases are pre-cooled in a gas recuperator before entering the primary low-temperature condenser. The low-temperature condenser is designed to achieve an outlet gas temperature of approximately -120 ºF equilibrium with the ethanol coolant outlet.

II.A.2.b The CSRS must be designed to operate at a pressure below atmospheric pressure, with no detectable emissions.

II.A.2.c Unit 1 and Unit 2 must not be operated unless the CSRS is in operation.

II.A.2.d A design evaluation of the CSRS concluded that the CSRS would meet a 95 percent removal efficiency if the Low Temperature Condenser outlet temperature is maintained at a temperature of -45 ºF. Therefore, you must maintain the outlet temperature of the Low Temperature Condenser in production of the CSRS at -45 ºF. If the outlet temperature of the Low Temperature Condenser, monitored in accordance with Section **II.A.3**, is recorded above -45 ºF on a three-hour rolling average basis, you must suspend the operations of Unit 1 and Unit 2. You must investigate the cause of the temperature increase and the units must not be restarted unless the cause of such increase is fully remediated.

II.A.3 Monitoring Procedures for CSRS

You must monitor and inspect the CSRS to ensure proper operation and maintenance by implementing the following requirements (40 C.F.R. § 264.1033(f)):

II.A.3.a Install, calibrate, maintain, and operate according to the manufacturer's specifications a flow indicator that provides a record of vent stream flow from each affected process vent to the CSRS at least once every hour. The flow indicator sensor must be installed in the vent stream at the nearest feasible point to the CSRS inlet but before the point at which the vent streams are combined. (40 CFR § 264.1033(f)(1))

II.A.3.b Install, calibrate, maintain, and operate according to the manufacturer's specifications a device to continuously monitor CSRS operation by using a temperature monitoring device with a continuous recorder, measuring inlet refrigerant temperature and the CSRS' Low Temperature Condenser outlet exhaust temperature with an accuracy of ±0.5 degrees Celsius (ºC) (±32.9 ºF). The temperature sensor must be installed at a location in the exhaust vent stream from the CSRS' Low Temperature Condenser exit (i.e., product side). (40 CFR § 264.1033(f)(2)(vi)(B))

II.A.3.c Inspect the readings from each monitoring device required by Section II.A.3 at least once each operating day to check control device operation and, if necessary, immediately implement the corrective measures necessary to ensure the control device operates in compliance with the requirements of Section II.A.3. (40 CFR § 264.1033(f)(3))

II. A.3.d You must maintain a record of inspection and monitoring in accordance with 40 CFR § 264.1035.

II.A.4 Design Requirements for Closed-Vent System

You must maintain a record of the monitoring in accordance with 40 CFR § 264.1035.

A closed-vent system must meet either of the following design requirements:

II.A.4.a The closed-vent system must be designed to operate with no detectable emissions, as indicated by an instrument reading of less than 500 parts per million by volume (ppmv) above background as determined by the procedure in 40 CFR § 264.1034(b) and by visual inspections (40 CFR § 264.1033(k)(1)); or

II.A.4.b The closed-vent system must be designed to operate at a pressure below atmospheric pressure. The closed-vent system must be equipped with at least one pressure gauge or other pressure measurement device that can be read from a readily accessible location to verify that negative pressure is being maintained in the closed-vent system when the CSRS is operating. (40 CFR § 264.1033(k)(2))

During regenerations of the molecular sieve, pressure of the closed-vent system may be above atmospheric due to nitrogen purging of the molecular sieve. When the closed-vent system operates above atmospheric pressure, you must comply with permit condition II.A.4.a. and demonstrate that the closed-vent system is operating with no detectable emissions, as indicated by an instrument reading of less than 500 ppmv above background as determined by the procedure in 40 CFR § 264.1034(b) and by visual inspections. (40 CFR § 264.1033(k)(2))

You must monitor and inspect each closed-vent system to ensure proper operation and maintenance by implementing the following requirements II.A.5.a through d (40 CFR § 264.1033(l)(1)):

II.A.5 Monitoring and Inspection Requirements for Closed-Vent System

For the closed-vent system that is used to comply with the requirements specified in Section II.A.4.a, you must inspect each closed-vent system to ensure proper operation and maintain it by implementing the following requirements:

II.A.5.a. The Permittee must conduct an initial leak detection monitoring of the closed-vent system on or before the date the system becomes subject to this

section. The Permittee must monitor the closed-vent system components and connections using the procedures specified in 40 CFR § 264.1034(b) to demonstrate that the closed-vent system operates with no detectable emissions, as indicated by an instrument reading of less than 500 ppmv above background. (40 CFR § 264.1033(l)(1)(i))

II.A.5.b. After initial leak detection monitoring required by permit condition II.A.5.a. (40 C.F.R. § 264.1033(l)(i)), the permittee must inspect and monitor the closed-vent system as follows:

i. Closed-vent system joints, seams, or other connections that are permanently or semi-permanently sealed (e.g., a welded joint between two sections of hard piping or a bolted and gasketed ducting flange) must be visually inspected at least once per year to check for defects that could result in air pollutant emissions. You must monitor a component or connection using the procedures specified in 40 CFR § 264.1034(b) to demonstrate that it operates with no detectable emissions following any time the component is repaired or replaced (e.g., a section of damaged hard piping is replaced with new hard piping) or the connection is unsealed (e.g., a flange is unbolted). (40 CFR § 264.1033(l)(1)(ii)(A))

ii.Closed-vent system components or connections other than those specified in condition II.A.5.a.ii.(A) above must be monitored annually and at other times as requested by the Regional Administrator, except as provided for in 40 CFR § 264.1033(o), using the procedures specified in § 264.1034(b) to demonstrate that the components or connections operate with no detectable emissions(40 CFR § 264.1033(l)(1)(ii)(B))

II.A.5.c. In the event that a defect or leak is detected, you must repair the defect or leak in accordance with the requirements of Section II.A.6. (40 CFR § 264.1033(l)(iii))

II.A.5.d. You must maintain a record of the inspection and monitoring in accordance with the requirements specified in 40 CFR § 264.1035. (40 CFR § 264.1033(l)(1)(iv))

II.A.5.e. For the closed-vent system that is used to comply with the requirements specified in Section II.A.4.b, you must inspect and monitor the closed-vent system in accordance with requirements specified in 40 CFR § 264.1033(l)(2):

i. The closed-vent system must be visually inspected by the Permittee to check for defects that could result in air pollutant emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in ductwork or piping or loose connections.

ii. You must perform an initial inspection of the closed-vent system on or before the date that the system becomes subject to this section. Thereafter, you must perform the inspections at least once every year.

iii. In the event that a defect or leak is detected, you must repair the defect or leak in accordance with the requirements of Section II.A.6.

iv. You must maintain a record of the inspection and monitoring in accordance with 40 C.F.R. § 264.1035.

II.A.6 Repair Requirements for Closed-Vent System and CSRS

You must repair all detected defects in the closed-vent system and CSRS by implementing the following requirements.

II.A.6.a. Detectable emissions, as indicated by visual inspection, or by an instrument reading greater than 500 ppmv above background, must be controlled as soon as practicable, but not later than 15 calendar days after the emission is detected, except as provided for in Section II.A.6.c. (40 CFR § 264.1033(l)(3)(i))

II.A.6.b. A first attempt at repair must be made no later than 5 calendar days after the emission is detected. (40 CFR § 264.1033(l)(3)(ii))

II.A.6.c. Delay of repair of the closed-vent system for which leaks have been detected is allowed if the repair is technically infeasible without a process unit shutdown, or if the owner or operator determines that emissions resulting from immediate repair would be greater than the fugitive emissions likely to result from delay of repair. Repair of such equipment must be completed by the end of the next process unit shutdown. (40 CFR § 264.1033(l)(3)(iii))

II.A.6.d. You must maintain a record of the repairs in accordance with 40 CFR § 264.1035.

II.A.7. The closed-vent systems and control devices mut be operated at all times when emissions may be vented to them. (40 CFR § 264.1033(m))

II.A.8. You must comply with the test methods and procedures requirements provided in 40 CFR § 264.1034 and the record keeping requirements of 40 CFR § 264.1035.

II.B RECORDKEEPING REQUIREMENTS

In accordance with 40 CFR § 264.1035, you must maintain up-to-date documentation of compliance with the process vent standards in 40 CFR §§ 264.1032 and 264.1033, including:

II.B.1 Information and data identifying all affected process vents, annual throughput and operating hours of each affected unit, estimated emission rates for each affected vent and for the overall facility (i.e., the total emissions for all affected vents at the facility), and the approximate location within the facility of each affected unit (e.g., identify the hazardous waste management units on a facility plot plan). (40 CFR § 264.1035(b)(2)(i))

II.B.2 Information and data supporting determinations of vent emissions and emission reductions achieved by add-on control devices based on engineering calculations or source tests. For the purpose of determining compliance, determinations of vent emissions and emission reductions must be made using operating parameter values (e.g., temperatures, flow rates, or vent stream organic compounds and concentrations) that represent the conditions that result in maximum organic emissions, such as when Unit 1 and Unit 2 are operating at the highest load or capacity level reasonably expected to occur. If you take any action (e.g., managing a waste of different composition or increasing operating hours of affected waste management units) that would result in an increase in total organic emissions from affected process vents at the facility, then a new determination is required. (40 CFR § 264.1035(b)(2)(ii))

II.B.3 You must maintain up-to-date design documentation and monitoring, operating, and inspection information recorded for each closed-vent system and the CSRS, including all of the information required by 40 CFR § 264.1035(c). You must maintain this information for the time period set forth in 40 C.F.R.
§ 264.1035(d).

II.B.4 If you use test data to determine the organic removal efficiency or total organic compound concentration achieved by the control device, you must maintain a performance test plan. (40 C.F.R. § 264.1035(b)(3)) The test plan must include:

(i) A description of how it is determined that the planned test is going to be conducted when the hazardous waste management unit is operating at the highest load or capacity level reasonably expected to occur. This must include the estimated or design flow rate and organic content of each vent stream and define the acceptable operating ranges of key process and control device parameters during the test program.

(ii) A detailed engineering description of the closed-vent system and control device including:

(A) Manufacturer's name and model number of control device.

(B) Type of control device.

(C) Dimensions of the control device.

(D) Capacity.

(E) Construction materials.

(iii) A detailed description of sampling and monitoring procedures, including sampling and monitoring locations in the system, the equipment to be used, sampling and monitoring frequency, and planned analytical procedures for sample analysis.

II.B.5 Documentation of compliance with 40 C.F.R. § 264.1033 must include the following information:

(i) A list of all information references and sources used in preparing the documentation.

(ii) Records, including the dates, of each compliance test required by 40 C.F.R. § 264.1033(k).

(iii) If engineering calculations are used, a design analysis, specifications, drawings, schematics, and piping and instrumentation diagrams based on the appropriate sections of "APTI Course 415: Control of Gaseous Emissions" (incorporated by reference as specified in 40 C.F.R. § 260.11) or other engineering texts acceptable to the Regional Administrator that present basic control device design information. Documentation provided by the control device manufacturer or vendor that describes the control device design in accordance with paragraphs (b)(4)(iii)(A) through (b)(4)(iii)(G) of this section may be used to comply with this requirement. The design analysis must address the vent stream characteristics and control device operation parameters as specified below:

For a condenser, the design analysis must consider the vent stream composition, constituent concentrations, flow rate, relative humidity, and temperature. The design analysis must also establish the design outlet organic compound concentration level, design average temperature of the condenser exhaust vent stream, and design average temperatures of the coolant fluid at the condenser inlet and outlet.

(iv) A statement signed and dated by the owner or operator certifying that the operating parameters used in the design analysis reasonably represent the conditions that exist when the hazardous waste management unit is or would be operating at the highest load or capacity level reasonably expected to occur.

(v) A statement signed and dated by the owner or operator certifying that the control device is designed to operate at an efficiency of 95 percent or greater unless the total organic concentration limit of 40 C.F.R. § 264.1032(a) is achieved at an efficiency less than 95 weight percent or the total organic emission limits of 40 C.F.R. § 264.1032(a) for affected process vents at the facility can be attained by a control device involving vapor recovery at an efficiency less than 95 weight

percent. A statement provided by the control device manufacturer or vendor certifying that the control equipment meets the design specifications may be used to comply with this requirement.

(vi) If performance tests are used to demonstrate compliance, all test results.

II.B.6 Design documentation and monitoring, operating, and inspection information for each closed-vent system and control device required to comply with the provisions of this part must be recorded and kept up-to-date in the facility operating record. The information must include:

(1) Description and date of each modification that is made to the closed-vent system or control device design.

(2) Identification of operating parameter, description of monitoring device, and diagram of monitoring sensor location or locations used to comply with 40 C.F.R. § 264.1033 (f)(1) and (f)(2).

(3) Monitoring, operating, and inspection information required by paragraphs (f) through (k) of 40 C.F.R. § 264.1033.

(4) Date, time, and duration of each period that occurs while the control device is operating when any monitored parameter exceeds the value established in the control device design analysis as specified below:

(i) For a condenser that complies with 40 C.F.R. § 264.1033(f)(2)(vi)(A), period when the organic compound concentration level or readings of organic compounds in the exhaust vent stream from the condenser are more than 20 percent greater than the design outlet organic compound concentration level established as a requirement of paragraph (b)(4)(iii)(E) of this section.

(ii) For a condenser that complies with 40 C.F.R. § 264.1033(f)(2)(vi)(B), the period when:

(A) Temperature of the exhaust vent stream from the condenser is more than 6 °C above the design average exhaust vent stream temperature established as a requirement of paragraph (b)(4)(iii)(E) of this section; or

(B) Temperature of the coolant fluid exiting the condenser is more than 6 °C above the design average coolant fluid temperature at the condenser outlet established as a requirement of paragraph (b)(4)(iii)(E) of this section.

(5) Explanation for each period recorded under paragraph (4) of the cause for control device operating parameter exceeding the design value and the measures implemented to correct the control device operation.

(6) Date of each control device startup and shutdown.

(7) If you designate any components of the closed-vent system as unsafe to monitor pursuant to 40 C.F.R. § 264.1033(o), record in a log that is kept in the facility operating record the identification of the closed-vent system components that are designated as unsafe to monitor in accordance with the requirements of 40 C.F.R. § 264.1033(o), an explanation for each closed-vent system component stating why the closed-vent system component is unsafe to monitor, and the plan for monitoring each closed-vent system component.

(8) When each leak is detected as specified in 40 C.F.R. § 264.1033(l), you must record the following information:

(i) The instrument identification number, the closed-vent system component identification number, and the operator name, initials, or identification number.

(ii) The date the leak was detected and the date of first attempt to repair the leak.

(iii) The date of successful repair of the leak.

(iv) The maximum instrument reading measured by Method 21 of 40 CFR part 60, appendix A after it is successfully repaired or determined to be nonrepairable.

(v) "Repair delayed" and the reason for the delay if a leak is not repaired within 15 calendar days after discovery of the leak.

(A) The owner or operator may develop a written procedure that identifies the conditions that justify a delay of repair. In such cases, reasons for delay of repair may be documented by citing the relevant sections of the written procedure.

(B) If delay of repair was caused by depletion of stocked parts, there must be documentation that the spare parts were sufficiently stocked on-site before depletion and the reason for depletion.

(9) You must maintain Records of the monitoring, operating, and inspection information required by 40 C.F.R. 264.1035(c)(3) through (c)(10) and conditions II.B.6(3)-(8) above for at least 3 years following the date of each occurrence, measurement, maintenance, corrective action, or record.

(10) Up-to-date information and data used to determine whether or not a process vent is subject to the requirements in 40 C.F.R. § 264.1032 including supporting documentation as required by 40 C.F.R. § 264.1034(d)(2) when application of the knowledge of the nature of the hazardous waste stream or the process by which it was produced is used, must be recorded in a log that is kept in the facility operating record.

II.C REPORTING REQUIREMENTS

You must comply with the reporting requirements of 40 CFR § 264.1036.

SECTION III -- AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS (40 CFR PART 264 SUBPART BB)

III.A EQUIPMENT LEAKS

III.A.1 Applicable Equipment

You must comply with all applicable requirements of 40 CFR Part 264 Subpart BB (Subpart BB), regarding air emission standards for equipment leaks. Subpart BB applies to equipment that contains or contacts hazardous waste with organic concentrations of at least 10 percent by weight that are managed in certain units as provided in 40 CFR § 264.1050(b). You must clearly mark each piece of equipment to which Subpart BB applies in such a manner that it can be distinguished readily from other pieces of equipment. (40 CFR § 264.1050(d))

The equipment subject to Subpart BB at your facility includes, but is not limited to: (1) pumps; (2) valves; (3) pressure relief devices; (4) flanges and other connectors; (5) sampling connection systems; (6) open-ended valves or lines; and (7) closed-vent systems and control devices.

III.A.2 Pumps in Light Liquid Service (40 CFR § 264.1052)

II.A.2.a Each pump in light liquid service must be monitored monthly to detect leaks by the methods specified in 40 CFR § 264.1063(b), except: any pump that is (1) equipped with dual mechanical seal system and for which the requirements of 40 CFR § 264.1052(d) are satisfied; (2) designated, as described in 40 CFR § 264.1064(g)(2), for no detectable emissions, as indicated by an instrument reading of less than 500 parts per million (ppm) above background, and for which the requirements of 40 CFR § 264.1052(e) are satisfied; or (3) equipped with a closed vent system complying with the requirements of 40 CFR § 264.1052(f). (40 CFR § 264.1052(a)(1))

III.A.2.b Each pump in light liquid service must be checked by visual inspection each calendar week for seal leaks.

III.A.2.c A leak is detected if: (1) an instrument reading of 10,000 ppm or greater is measured; or (2) there is an indication of liquid dripping from the pump seal. (40 CFR § 264.1052(b))

III.A.2.d When a leak is detected, it must be repaired as soon as practicable, but

not later than 15 calendar days after it is detected, except as provided in 40 CFR § 264.1059 – Standards; Delay of Repair. The first attempt at repair must be made no later than 5 calendar days after each leak is detected. (40 CFR § 264.1052(c))

III.A.3 Pressure Relief Devices in Gas/Vapor Service (40 CFR § 264.1054)

III.A.3.a Each pressure relief device in gas/vapor service must be operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as measured by the method specified in 40 CFR § 264.1063(c), except during pressure releases. (40 CFR § 264.1054(a))

III.A.3.b After each pressure release, the pressure release device must be returned to a condition of no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as soon as practicable, but no later than 5 calendar days after each pressure release, except as provided in 40 CFR § 264.1059 – Standards: Delay of repair. (40 CFR § 264.1054(b)(1))

III.A.3.c No later than 5 calendar days after each pressure release, the pressure relief device must be monitored to confirm the condition of no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as measured by the method specified in 40 CFR § 264.1063(c). 40 CFR § 264.1054(b)(2))

III.A.4 Sampling Connection Systems (40 CFR § 264.1055)

Each sampling connection system, except *in-situ* sampling systems and sampling systems without purges, must collect the sample purge for return to the process or for routing them to the appropriate treatment system, and must be equipped with a closed-purge, closed-loop, or closed-vent system which must meet one of the following requirements:

III.A.4.a Return the purged process fluid directly to the process line;

III.A.4.b Collect and recycle the purged process fluid; or

III.A.4.c Be designed and operated to capture and transport all the purged process fluid to a waste management unit that complies with applicable sections of 40 CFR § 264.1084 through 40 C.F.R. § 264.1086 or a control device that complies with 40 CFR § 264.1060.

III.A.5 Open-Ended Valves or Lines (40 CFR § 264.1056)

III.A.5.a Each open-ended valve or line must be equipped with a: (1) cap, (2) blind flange, (3) plug, or (4) second valve; and those must seal the open end at all times except during operations requiring hazardous waste stream flow through the open-ended valve or line.

III.A.5.b Each open-ended valve or line equipped with a second valve must be operated in a manner such that the valve on the hazardous waste stream end is closed before the second valve is closed.

III.A.5.c When a double block and bleed system is being used, the bleed valve or line may remain open during operations that require venting the line between the block valves but must seal the open end at all other times.

III.A.6 Valves in Gas/Vapor Service or in Light Liquid Service (40 CFR § 264.1057)

III.A.6.a Each valve in gas/vapor or light liquid service must be monitored monthly to detect leaks in accordance with 40 CFR § 264.1063(b) and must comply with 264.1057(b) through (e), except as provided in 40 CFR § 264.1057(f), (g), and (h), and 40 CFR §§ 264.1061 and 264.1062.

III.A.6.b If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

III.A.6.c When a leak is detected, it must be repaired as soon as practicable, but no later than 15 calendar days after the leak is detected, except as provided in 40 CFR § 264.1059 – Standards; Delay of Repair. When a leak is detected, it must be repaired as specified in 40 CFR § 264.1057(d) and (e). First attempts at repair must be made no later than 5 calendar days after each leak is detected, and must include but are not limited to the best practices specified in 40 CFR § 264.1057(e) where practicable.

III.A.7 Pumps and Valves in Heavy Liquid Service, Pressure Relief Devices in Light Liquid or Heavy Liquid Service, and Flanges and Other Connectors (40 CFR § 264.1058)

III.A.7.a Pumps and valves in heavy liquid service, pressure relief devices in light liquid or heavy liquid service, and flanges and other connectors must be monitored within five days by the method specified in 40 CFR § 264.1063(b) if evidence of a potential leak is found by visual, audible, olfactory, or any other detection method. If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

III.A.7.b When a leak is detected, you must repair the leak as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in 40 CFR § 264.1059. The first attempt at repair must be made no later than 5 calendar days after each leak is detected.

III.A.7.c First attempts at repair must include, but are not limited to, the best practices described under 40 CFR § 264.1057(e).

III.A.8 Delay of Repair (40 CFR § 264.1059)

III.A.8.a Delay of repair of equipment for which leaks have been detected will be allowed if:

(1) the repair is technically infeasible without a hazardous waste management unit shutdown, in which case repair of this equipment must occur before the end of the next hazardous waste management unit shutdown; or

(2) the equipment is isolated from the hazardous waste management unit and does not continue to contain or contact hazardous waste with organic concentrations at least 10 percent by weight.

III.A.8.b Delay of repair for valves will be allowed if:

(1) the Permittee determines emissions of purged material resulting from immediate repair are greater than the emissions likely to result from delay of repair; and

(2) when repair procedures are effected, the purged material is collected and destroyed or recovered in a control device complying with 40 CFR § 264.1060.

III.A.8.c Delay of repair for pumps will be allowed if:

(1) repair requires the use of a dual mechanical seal system that includes a barrier fluid system; or

2) repair is completed as soon as practicable, but not later than six months after the leak was detected.

III.A.8.d Delay of repair beyond a hazardous waste management unit shutdown will be allowed for a valve only if the provisions of 40 CFR § 264.1059(e) are met.

III.A.9 Closed-Vent Systems and Control Devices (40 CFR § 264.1060)

Closed-vent systems and control devices must comply with the provisions of 40 CFR §§ 264.1033 and 264.1060.

III.A.10 Alternative Standards for Valves in Gas/Vapor Service or in Light Liquid Service: Percentage of Valves Allowed to Leak (40 CFR § 264.1061)

You may elect to have all valves subject to 40 CFR § 264.1057 and Section III.A.6 within a hazardous waste management unit comply with an alternative standard that allows no greater than 2 percent of the valves to leak. If you elect to comply with this alternative standard, you must comply with the provisions of 40 CFR § 264.1061(b) and (c). If you decide to discontinue the election of the alternative standards, you must comply with the work practice standards in 40 CFR § 264.1057 and Section III.A.6, and you must notify the Director in writing that you will comply with the standards described in 40 CFR §§ 264.1057(a) through (e).

III.A.11 Alternative Standards for Valves in Gas/Vapor Service or in Light Liquid Service: Skip Period Leak Detection and Repair (40 CFR § 264.1062)

You may elect for all valves subject to the requirements of 40 CFR § 264.1057 and Section III.A.6 of this permit within a hazardous waste management unit to comply with one of the alternative work practices specified below. Except as described below, you must comply with the requirements for valves set for at 40 CFR § 264.1057.

III.A.11.a After two (2) consecutive quarterly leak detection periods with the percentage of valves leaking equal to or less than 2 percent, you may begin to skip one of the quarterly leak detection periods (i.e., monitor for leaks once every six months) for the valves subject to 40 C.F.R. § 264.1057.

III.A.11.b After five (5) consecutive quarterly leak detection periods with the percentage of valves leaking equal to or less than two (2) percent, you may begin to skip three (3) of the quarterly leak detection periods (i.e., monitor for leaks once every year) for the valves subject to 40 C.F.R. § 264.1057.

You must monitor valve leaks monthly in compliance with the requirements of 40 CFR § 264.1057 if the percentage of valves leaking is greater than two (2) percent, but you may again elect to use the alternative standards as set forth in III.A.11 after meeting the requirements of 40 CFR § 264.1057(c)(1).

III.B TEST METHODS AND PROCEDURES (40 CFR § 264.1063)

You must comply with the test methods and procedures of 40 CFR § 264.1063.

III.C RECORDKEEPING AND REPORTING REQUIREMENTS (40 CFR §§ 264.1064 and 264.1065)

You must comply with the recordkeeping and reporting requirements of 40 CFR §§ 264.1064 and 264.1065.

SECTION IV – AIR EMISSION STANDARDS FOR TANKS, AND CONTAINERS AND MISCELLANEOUS UNITS (40 CFR PART 264 SUBPART CC))

You must comply with all applicable requirements of 40 CFR Part 264 Subpart CC (Subpart CC), regarding air emission standards for tanks and containers. All containers and tanks not exempt from 40 CFR Part 264 Subpart CC must be managed using the applicable standards at 40 CFR § 264.1084 and 40 CFR § 264.1086. The tanks and containers subject to your state RCRA permit, described below, include Level 1 and 2 containers and Level 1 tanks, and therefore must comply with the standards at 40 CFR § 264.1086(c), Container Level 1 standards; 40 CFR § 264.1086(d), Container Level 2 standards; and 40 CFR § 264.1084(c), Tank Level 1 standards.

Consistent with the State permit, this permit authorizes storing hazardous waste in Level 1 containers having a design capacity greater than 0.1 m3 and less than or equal to 0.46 m3, in Level 1 containers having a design capacity greater than 0.46 m3 that are not in light material service, in Level 2 containers having a design capacity greater than 0.46 m3 that are in light material service, and in Level 1 tanks for which this permit imposes conditions below.

The State RCRA permit allows you to store hazardous wastes in forty (40) tanks (East Tank Farm: TK-1001-1023; West Tank Farm: TK-2001 – 2008 and 2011 – 2016; Solvent Distillation Process Area: D-4214 and D-4217; and Drum Dispersion Unit Area: TK-6002). The total capacity of the hazardous waste tanks is 462,000 gallons. You also store hazardous waste in containers in two permitted storage areas. These areas include Decant Building and Drum Storage Building (inclusive of the Drum Receiving Building). The maximum capacity of the container storage areas is 158,400 gallons (or the equivalent of approximately 2,880 55-gallon drums of hazardous waste).

You must not conduct a waste stabilization process, as defined at 40 CFR § 265.1081, in containers and tanks which contain hazardous waste.

IV.A LEVEL 1 CONTAINER REQUIREMENTS

You must manage the containers with a design capacity greater than 0.1 m^3 (26.4 gallons) and less than or equal to 0.46 m^3 (121 gallons), and the containers with a design capacity greater than 0.46 m^3 (121 gallons) that are not in light material service, as defined in 40 CFR § 265.1081, with Container Level 1 standards as described at 40 CFR § 264.1086(c). When storing hazardous waste in Level 1 containers you must comply with the following requirements:

IV.A.1 A Level 1 container must satisfy one of the following requirements (40 CFR § 264.1086(c)(1)):

(a) meet the applicable Department of Transportation (DOT) regulations as specified in 40 CFR § 264.1086(f),

(b) be equipped with a cover and closure devices with an acceptable tightness and

construction materials that meets the requirements of 40 CFR § 264.1086(c)(1)(ii), or

(c) be an open-top container with organic vapor suppressing barrier to prevent hazardous waste from being exposed to the atmosphere that meets the requirements of 40 CFR § 264.1086(c)(1)(iii).

Containers which do not meet DOT regulations specified in 40 CFR § 264.1086(f) must be equipped with covers and closure devices, as applicable to the container, that are composed of suitable materials to minimize exposure of the hazardous waste to the atmosphere and to maintain the equipment integrity, for as long as the container is in service. Factors to be considered in selecting the materials of construction and designing the cover and closure devices must include: organic vapor permeability, the effects of any contact with the hazardous waste or its vapor managed in the container; the effects of outdoor exposure of the closure device or cover material to wind, moisture, and sunlight; and the operating practices for which the container is intended to be used.
(40 CFR § 264.1086(c)(2))

IV.A.2 You must install all covers and closure devices for the container and secure and maintain each closure device in the closed position as required by 40 CFR § 264.1086(c)(3), except for when a purpose or circumstance set forth in 40 CFR § 264.1086(c)(3)(i)-(v) applies and you meet all requirements in the respective provision for the applicable purpose or circumstance.

IV.A.3 You must inspect the containers and their covers and closure devices in accordance with 40 CFR § 264.1086(c)(4)(i) and (ii), and address defects in accordance with 40 CFR § 264.1086(c)(4)(iii).

For the containers with a capacity of 0.46 m^3 or greater, which do not meet applicable DOT regulations as specified in 264.1086(f), you must as set forth in 40 CFR § 264.1086(c)(5) maintain at the facility a copy of the procedure used to determine those containers are not managing hazardous waste in light material service.

IV.B LEVEL 2 CONTAINER REQUIREMENTS

A Level 2 container must satisfy one of the following requirements (40 CFR § 264.1086(d)(1)):

(i) A container that meets the applicable U.S. Department of Transportation (DOT) regulations on packaging hazardous materials for transportation as specified in paragraph (f) of this section.

(ii) A container that operates with no detectable organic emissions as defined in 40 CFR § 265.1081 and determined in accordance with the procedure specified in paragraph 40 C.F.R. §§ 264.1086(g) and 264.1083(d).

(iii) A container that has been demonstrated within the preceding 12 months to be vapor-tight by using 40 CFR part 60, appendix A, Method 27, in accordance with the procedure specified in paragraph 264.1086(h).

You are authorized to use level 2 containers with a design capacity greater than 0.46 m3 (121 gallons) in light material service. You must manage the containers with a design capacity greater than 0.46 m3 (121 gallons) that are in light material service, as defined in 40 CFR § 265.1081, with Container Level 2 standards as described at 40 CFR § 264.1086(d).

When storing hazardous waste in Level 2 containers you must comply with the following requirements:

IV.B.1 You must receive and handle a container that meets one of the following requirements in accordance with Level 2 standards (40 CFR § 264.1086(d)(1)):

IV.B.1.a A container that meets the applicable U.S. Department of Transportation regulations on packaging hazardous materials for transportation as specified in 40 CFR § 264.1086(f).

IV.B.1.b A container that operates with no detectable organic emissions as defined in 40 CFR § 265.1081 and determined in accordance with the procedure specified in 40 CFR § 264.1086(g); or

IV.B.1.c A container that has been demonstrated within the preceding 12 months to be vapor-tight by using 40 CFR Part 60, appendix A, Method 27, in accordance with the procedure specified in 40 CFR § 264.1086(h).

IV.B.2 You must transfer hazardous waste into or out of a Level 2 container in such a manner as to minimize exposure of the hazardous waste to the atmosphere, to the extent practical, considering the physical properties of the hazardous waste and good engineering and safety practices for handling flammable, ignitable, explosive, reactive, or other hazardous materials, as specified in 40 CFR § 264.1086(d)(2). For the transfer of solid hazardous waste from containers to the roll-off box (inclusive of an end dump trailer), you will minimize the exposure of the hazardous waste to the atmosphere as described in Section IV.E.

IV.B.3 You must install all covers and closure devices for the container and secure and maintain each closure device in the closed position as required by 40 CFR § 264.1086(d)(3), except for when a purposes or circumstance set forth in 40 CFR § 264.1086(d)(3)(i)-(v) applies and you meet all requirements in the respective provision for the applicable purpose or circumstance.

IV.B.4 You must inspect the containers and their covers and closure devices in accordance with 40 CFR § 264.1086(d)(4)(i) and (ii). When a defect is detected for the

container, cover, or closure devices, you must repair the defect in accordance with 40 CFR § 264.1086(d)(4)(iii).

IV.C LEVEL 1 TANK REQUIREMENTS

All hazardous waste tanks specified above must comply with the Level 1 tank standards of 40 CFR§ 264.1084(c) and the following requirements:

IV.C.1 The maximum vapor pressure, as determined by 40 CFR § 264.1083(c)(2), must be less than 27.6 kilo-Pascal (kPa) for tanks TK-1020, TK-1021, TK-22, and TK-1023, which have a tank design capacity equal to or greater than 75 m^3 but less than 151 m^3. The maximum vapor pressure, as determined by 40 CFR § 264.1083(c)(2), must be less than 76.6 kPa for other thirty-six (36) tanks, which have a tank design capacity less than 75m^3.

IV.C.2 You must determine the maximum organic vapor pressure for each hazardous waste placed in a tank in accordance with standards specified in Section IV.C.1. You must determine the maximum organic vapor pressure for a hazardous waste before the first time the hazardous waste is placed in the tank. The maximum organic vapor pressure must be determined using the procedures specified in 40 C.F.R. § 264.1083(c). Thereafter, you must perform a new determination whenever changes to the hazardous waste managed in the tank could potentially cause the maximum organic vapor pressure to increase to a level that is equal or greater than the maximum organic vapor pressure limit for the tank design capacity specified in 40 C.F.R. § 264.1083(b)(1)(i), as applicable to the tank, You must perform the new determination of the maximum organic vapor pressure in the tank in accordance with 40 C.F.R. § 264.1083(c)(2).

As required by 40 C.F.R. 264.1084(b)(1)(ii), You must not heat the hazardous waste to a temperature that is greater than the temperature at which the maximum organic vapor pressure of the hazardous waste is determined for the purpose of complying with 264.1084(b)(1)(i) and condition IV.C.1 and 2 above.

You must control the air emissions from the tanks located in East and West Tank Farms and Solvent Distillation Process Area by venting the tanks through closed vent systems to CSRS in accordance with 40 CFR § 264.1084(c)(2)(iii)(B). The CSSRS, which is a control device, must be designed and operated to minimize emissions with an efficiency of 95 percent or greater by weight.

You must control the air emissions from TK-6002 (located in Drum Dispersion Unit Area) by venting the tank through closed vent systems to the carbon canister adsorption system in accordance with 40 CFR § 264.1084(c)(2)(iii)(B). The carbon canister adsorption system, which is a control device, must be designed and operated to minimize emissions with an efficiency of 95 percent or greater by weight.

IV.C.3 Each tank must be equipped with a fixed roof design complying with the following specifications:

(a) The fixed roof and its closure devices must be designed and constructed to form a continuous barrier over the entire surface area of the hazardous waste in the tank. Gaskets used for closure devices or piping systems must be of suitable materials compatible with the hazardous wastes and must be in accordance with good engineering practices.

(b) The fixed roof must be installed in a manner such that there are no visible cracks, holes, gaps, or other open spaces between roof section joints or between the interface of the roof edge and the tank wall.

(c) (1) The control devices for the tanks located in the East and Wet Tank Farms and the Solvent Distillation Process Area and for TK-6002 must remove or destroy organics in the vent stream, and must be operating whenever hazardous waste is managed in the tank, except as provided for in paragraphs 40 CFR § 264.1084(c)(2)(iii)(B) (1) and (2):

(A) During periods when it is necessary to provide access to the tank for performing the activities of paragraph (c)(2)(iii)(B)(2) of this section, venting of the vapor headspace underneath the fixed roof to the control device is not required, opening of closure devices is allowed, and removal of the fixed roof is allowed. Following completion of the activity, the owner or operator must promptly secure the closure device in the closed position or reinstall the cover, as applicable, and resume operation of the control device.
(B) During periods of routine inspection, maintenance, or other activities needed for normal operations, and for removal of accumulated sludge or other residues from the bottom of the tank. If the CSRS is offline due to a power outage or maintenance, emissions must be routed through the closed-vent system to the carbon canister adsorption system.

(2) For other tanks at the Facility, each opening in the fixed roof and any manifold system associated with the fixed roof must be equipped with a closure device designed to operate such that when the closure device is secured in the closed position there are no visible cracks, holes, gaps, or other open spaces in the closure device or between the perimeter of the opening and the closure device.

(d) The fixed roof and its closure devices of all tanks must be made of suitable materials that will minimize exposure of the hazardous waste to the atmosphere, to the extent practical, and will maintain the integrity of the fixed roof and closure devices throughout their intended service life. Factors to be considered when selecting the materials for and designing the fixed roof and closure devices must include: Organic vapor permeability, the effects of any contact with the hazardous waste or its vapors managed in the tank; the effects

of outdoor exposure to wind, moisture, and sunlight; and the operating practices used for the tank on which the fixed roof is installed.

IV.C.4 Whenever a hazardous waste is in the tank, the fixed roof must be installed with each closure device secured and in the closed position as required by 40 C.F.R. § 264.1084(c)(3), except that opening of closure devices or removal of the fixed roof is allowed at the times when the purposes or circumstances specified at 264.1084(c)(3)(i)-(iii) apply and you meet all requirements in the respective provision for the applicable purpose or circumstance.

IV.C.5 You must inspect the tanks at least once per year, or retest the tanks to ascertain that the air emissions from the tank systems comply with the design and with the requirements specified in 40 CFR § 264.1084(c)(4). You must inspect the air emission control equipment, address defects and maintain a record of inspections in accordance with the requirements in 40 CFR § 264.1084(c)(4)(i)-(iv).

You must transfer hazardous waste to a tank subject to this permit in accordance with the requirements set forth in 40 CFR § 264.1084(j).

You must repair each defect detected during an inspection in accordance with the requirements set forth at 40 CFR § 264.1084(k).

You must meet the requirements set forth in 40 CFR § 264.1084(g)(1) through (g)(3) for tanks that control air pollutant emissions by venting to a control device: TK-6002, the tanks located in the East and Wet Tank Farms, and the Solvent Distillation Process Area.

If you control air pollutant emissions from a tank using a fixed roof with an internal floating roof, you must meet the requirements set forth at 40 CFR § 264.1084 (e)(1) through (e)(3).

If you control air pollutant emissions from a tank using an external floating roof you must meet the requirements set forth in 40 CFR § 264.1084(f)(1) through (f)(3).

If you control air pollutant emissions by using a pressure tank you must meet the requirements set forth in 40 CFR § 264.1084(h).

If you control air pollutant emissions by using an enclosure vented through a closed-vent system to an enclosed combustion control device you must meet the requirements set forth in 40 CFR § 264.1084(i)(1) through (i)(4).

IV.C.6 You must comply with the specification, monitoring, inspection, and repair requirement of the carbon canister adsorption system specified in Section IV.C.2.

IV.C.7 You must comply with monitoring, inspection, and repair requirements for closed-vent system specified in Sections II.A and IV.C.2.

IV.D MISCELLANEOUS UNIT (40 CFR PART 264 SUBPART X)

The Drum Dispersion Unit (DDU) within the Decant Building has the ability to crush 55-gallon and 85-gallon containers. You must control emissions from the DDU, which includes air lock and crushing chambers, container staging stations, drum movement conveyer, hydropulper tank, a chute, collection hopper, and other ancillary units. DDU is designated as a miscellaneous unit regulated under 40 CFR Part 264, Subpart X, and is therefore subject to the requirements of 40 CFR Part 264, Subpart CC.

The Part B Permit Application indicates that the crushing activity is operated in a completely enclosed system. All emissions generated from the crushing process are directly routed through the closed-vent system to the carbon canister for treatment.

You must control air pollutant emissions from the DDU to comply with 40 CFR § 264.601. The emission controls must consist of: (1) air lock and crushing chambers; (2) a closed vent system, including an induced draft fan with a capacity to maintain a negative pressure inside the ductwork connecting the chambers to a control device; (3) a carbon canister adsorption system functioning as the control device; and (4) a chute that pushes crushed empty drums into a collection hopper."

IV.D.1 The design and operation of the DDU must comply with the following requirements:

IV.D.1 a DDU must be designed, operated and maintained in accordance with the operational specifications described in the Part B Permit Application, Section D, Process Description and Section L, Subpart AA, BB, and CC Controls. The gases, vapors, and fumes emitted from hazardous waste in the DDU must be vented by the closed vent system to the carbon canister adsorption system for treatment.

IV.D.2 The closed vent system and carbon canister adsorption system must comply with the following requirements:

IV.D.2.a The closed vent system must route the gases, vapors, and fumes emitted from hazardous waste in the DDU to the carbon canister adsorption system.

IV.D.2.b The closed vent system and carbon canister adsorption system (used as a control device) must comply with the requirements specified in 40 CFR § 264.1087. The closed vent system must meet the requirements of 40 CFR § 264.1033(k)(2).

IV.D.2.c The closed vent system and carbon canister adsorption system must be operated when hazardous waste is present in the chambers, when chambers are being loaded, when crushed drum is being ejected from the chamber, or when vapor from hazardous waste is present in the chambers. Negative pressure must

be maintained within the chambers and closed-vent system at all times when crushing activity is in operation, except when the chambers are undergoing the nitrogen purging process. You must continue to operate the induced draft fan and closed vent system after waste is no longer present in the chambers and after crushing activity has been turned off until all of vapors in the chambers, including back-flow, from the air lock and crushing chambers have been vented into the vent duct and to the control device. You must determine the necessary waiting time based on the induced draft fan capacity, volume of the chambers including vent duct for back-flow, and other pertinent data of the vapor. Such determination and end results of any calculation must be documented in writing and retained at the facility.

IV.D.2.d The carbon canister adsorption system must have a minimum removal efficiency of 95% in accordance with 40 CFR § 264.1087(c)(1)(i). You must demonstrate that the carbon canister adsorption system achieves this performance standard as specified in 40 CFR §§ 264.1087(c)(5) and (c)(6).

IV.D.2.e The concentration level of the organic compounds in the exhaust vent stream from the carbon canister adsorption system must be accurately monitored with one of the following frequencies: (a) daily, or (b) an interval that is no greater than 20 percent of the time required to consume the total carbon working capacity established as a requirement of 40 CFR § 264.1035(b)(4)(iii)(G), whichever is longer. The carbon canister adsorption system must be monitored by a photoionization detector or other suitable instrument that can detect carbon breakthrough. You must calibrate, inspect and maintain the monitoring device as necessary to assure proper function and in accordance with the manufacturer's specifications. You must replace the existing carbon in the control device with fresh carbon immediately when carbon breakthrough is indicated. (40 CFR §§ 264.1087(c)(3)(i) and 264.1033(h)(1)) You must maintain a carbon canister adsorption maintenance log at the site. Such maintenance log must include, but must not be limited to, (i) a description of the method of monitoring the concentration level of organic compounds in the exhaust vent stream; (ii) a description of the method of determining carbon breakthrough; (iii) results of the daily monitoring activities; (iv) description of the monitoring device and procedures, along with the manufacturers specifications; (v) results of calibration, inspection, and maintenance of the monitoring detector; (vi) written documentation of each determination that carbon breakthrough had been achieved and the data on which such determination relied; (vii) the date of each carbon bed replacement, the amount of carbon removed and the amount of carbon added; (viii) for each time carbon is removed from the carbon canister adsorption system, an adequate description of the method of disposal and/or regeneration of the spent carbons; and (ix) any other inspection and maintenance records. The log must be maintained as part of the facility operating record.

IV.D.2.f All carbon that is removed from the carbon canister adsorption system after use must be managed in accordance with the requirements of

40 CFR §§ 264.1087(c)(3)(ii) and 264.1033(n). You must prepare and maintain records sufficient to demonstrate that the requirements of this provision are satisfied as part of the facility operating record.

IV.D.2.g The closed vent system must not include any bypass devices that could be used to divert the gas or vapor stream to the atmosphere before entering the control device, unless equipped with either a flow indicator or a seal or locking device specified in 40 CFR § 264.1087(b)(3).

IV.D.2.h The vent system must have an exhaust fan with a sufficient capacity to maintain a negative pressure in the closed-vent system. You must determine an appropriate minimum fan capacity determined from a written design analysis or from a performance test. You must maintain such a minimum fan capacity while the crushing activity is in operation. In addition, you must maintain as part of the facility operating records either the written design analysis, or a written performance test plan and all test results.

IV.D.2.i You must inspect, monitor, and maintain the closed vent system in accordance with 40 CFR §§ 264.1033(l) and 264.1087(b)(4) and (c)(7). You must inspect, monitor, and maintain the carbon canister adsorption system in accordance with the requirements in 40 CFR §§ 264.1084(b)(4) and 264.1087(c)(7).

You must develop and implement a written plan and schedule to perform the inspections and monitoring required by this paragraph. You must incorporate this plan and schedule into any inspection plan required by the State RCRA permit. (40 CFR § 264.1088)

IV.D.3 You must repair each defect detected during an inspection performed in accordance with Section IV.D.2.i, according to requirements specified in 40 CFR § 264.1084(k) and 40 CFR § 264.1087(c)(7).

IV.E Roll-off Box

IV.E.1 To minimize organic emissions from the handling and storage of hazardous waste in the roll-off boxes, You must:

(1) Have the cover/tarp tightly secured on all sides when not opened to add waste, perform routine activities or transfer hazardous waste;

(2) Use a cover/tarp made of a vapor-impermeable material designed to operate with no detectable organic emissions when it is secured in the closed position.

(3) Maintain the cover/tarp in the closed position at all times when solid hazardous waste is present in the roll-off box except the cover/tarp may

be opened to add waste or when access inside the roll-off box is needed to perform routine activities other than transfer of hazardous waste. Within 15 minutes of completing the waste transfer procedure or completion of the activities that required access to the roll-off box interior, the cover/tarp must be returned and secured to the closed position.

(4) At no time allow the cover/tarp to be left open if hazardous waste is not being transferred to and from the roll-off boxes or other routine activities are not being performed.

IV.E.2. You must perform the following routine inspections of the roll-off box and cover/tarp:

(1) A daily visual inspection of the cover/tarp to ensure it is properly secured overall solid hazardous waste in the roll-off box. The visual inspection(s) must closely examine the cover/tarp for visible cracks, tears, holes, gaps, or other open spaces into the interior of the roll-off box when the cover is secured in the closed position.

(2) A weekly monitoring of the roll-off-box for any sources of detectable organic emissions. The weekly monitoring test must be done using a portable Photoionization Detector (PID) as the detection instrument.

1. The PID must be calibrated prior to each weekly monitoring event.

2. The background organic concentration level must be determined by taking an instrument reading outside of the Decant Building.

3. Each potential leak interface must then be monitored by traversing the instrument probe around the entire perimeter of the cover/tarp edge and any other all potential leak interfaces as close to the interface as possible.

4. The arithmetic difference between the maximum organic concentration indicated by the instrument and the background level must be compared with the value of 500 ppmv. If the difference is less than 500 ppmv, then the interface is determined to operate with no detectable organic emissions.

(3) If either the visual inspection or instrument monitoring detects unacceptable conditions, the cover/tarp must be repaired and monitored to determine if it meets the requirement for no detectable organic emissions. The Permittee must make a first effort to repair the cover/tarp

within 24 hours after detection. Repair and monitoring must be completed within 5 calendar days after detection.

IV.E.3 For each roll-off box, the Permittee may:

(1) Replace the cover/tarp.

(2) Apply a suitable organic vapor-suppressing foam around the entire perimeter of the edge of the cover/tarp.

IV.E.4 If repairs to a damaged roll-off cover/tarp cannot be completed within 5 calendar days, you must remove all solid hazardous waste from the roll-off box. Damaged roll-off boxes cannot manage hazardous waste until repairs are completed and monitoring shows no detectable emissions.

IV.F RECORDKEEPING AND REPORTING REQUIREMENTS

IV.F.1 For container storage areas, miscellaneous unit (40 CFR PART 264 SUBPART X) and tanks, you must comply with all applicable recordkeeping and reporting requirements described in 40 CFR §§ 264.1089 and 264.1090.

IV.F.2 You must prepare and maintain records for DDU in the same manner as required for tanks under 40 CFR § 264.1089, including but not limited to 40 CFR § 264.1089(a), (b)(1) and (2)(iv). You must prepare and maintain records for the chamber, the closed vent system, and the carbon canister adsorption system described in Section IV in the manner described in 40 CFR § 264.1089, including 40 CFR § 264.1089(a), (b)(2)(iv), and (e).

IV.F.3 You must comply with all reporting requirements for the carbon canister adsorption system under 40 CFR § 264.1090(c) and (d). Such reports must be sent to EPA (at the address specified in Section I.G). You must also report to EPA (at the address specified in Section I.G) each occurrence when hazardous waste is managed in DDU or in the chamber in noncompliance with the conditions specified in Section IV.D of this permit, in the manner specified in 40 CFR § 264.1090(b).

Environmental Protection Agency

REGION 5
CHICAGO, IL 60604

Draft Hazardous Waste Permit Renewal and Comment Period

April 2025

Facility Name: **Veolia ES Technical Solutions, L.L.C.**
U.S. EPA I.D.: OHD093945293

Location
4302 Infirmary Road
West Carrollton, Ohio 45459

Facility Owner
Veolia ES Technical Solutions, L.L.C.
4301 Infirmary Road
West Carrollton, Ohio 45459

Facility Operator
Veolia ES Technical Solutions, L.L.C.
4301 Infirmary Road
West Carrollton, Ohio 45459

Comment Period
April 4, 2025 – June 6, 2025

Submit Comments to
Ohio EPA
Stella Perdue
Division of Environmental Response and Revitalization
P.O. Box 1049
Columbus, Ohio 43216-1049
614-644-2924
PUBLICCOMMENT@epa.ohio.gov

U.S. EPA, Region 5
Norberto Gonzalez, PhD
RCRA/TSCA Programs Section, LL-17J
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
gonzalez.norberto@epa.gov

Activity
Permit renewal for storage of hazardous waste in containers and tanks, treatment of hazardous waste in tanks and one (1) miscellaneous unit, and corrective action.

Information Repository/Document Review
Ohio EPA, Southwest District Office
401 E. Fifth Street
Dayton, Ohio 45402
(937) 285-6357

Dayton Metro Library – West Carrollton Branch
300 E Central Ave,
West Carrollton, OH 45449
(937) 463-2665

Ohio EPA, Central Office
Division of Environmental Response and Revitalization
Lazarus Government Center
50 West Town St., Suite 700
Columbus, Ohio 43215
614-644-2924

U.S. EPA, Region 5
RCRA Branch, L-17J
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
312-886-3781

The entire record for this draft action is available for review at ***http://edocpub.epa.ohio.gov/publicportal/edochome.aspx***.

The federal draft permit is available for review at ***https://www.epa.gov/aboutepa/epa-region-5***

Public Meeting Information

All persons, including the applicant, may submit written comments relating to this draft action. Written comments or requests for a public meeting may be submitted before the end of the comment period to the address in the box on the front of the page. Ohio EPA will hold a public meeting if there is a significant degree of public interest. The agency may modify the proposed permit or take other action based on new information or public comments, so your opinion is important.

What does the facility do?

Veolia operates a facility specialized in solvent recycling, the distribution of new solvents, and the production of fuel substitutes from blending used solvents. The facility has a hazardous waste permit for storage of hazardous waste in containers and tanks, treatment of hazardous waste in tanks, treatment in one (1) miscellaneous unit for drum dispersion, and for ongoing corrective action obligations.

What would this hazardous waste permit allow the facility to do?

This permit allows Veolia ES Technical Solutions, L.L.C. to continue to store hazardous wastes in containers and tanks, treat hazardous waste in tanks and one (1) miscellaneous unit, and conduct corrective action activities.

What is the regulatory basis to support this permit renewal?

The Director has determined that Veolia ES Technical Solutions, L.L.C. has submitted an application for renewal one hundred eighty (180) days prior to the expiration date of its present permit which was issued by Ohio EPA on December 31, 2013. The Director has considered the application, inspection reports, a report regarding the facility's compliance with the present permit, and the rules adopted under ORC Section 3734. The Director has found that the Part B permit application meets the Director's performance standards, and that the facility has a history of compliance with this chapter, rules adopted under it, the existing permit, and orders entered into, which demonstrates reliability, expertise, and competency to subsequently operate the facility under this chapter, the rules, and the permit.

How can I become more involved?

The comment period begins on April 4, 2025, and ends on June 6, 2025, Copies of the permit application and the draft permit are available for review by the public at the locations listed at the start of this document and electronically through the methods below.

All persons, including the applicant, may submit written comments relating to this draft action. Written comments or requests for a public meeting may be submitted before the end of the comment period to the address in the box on the front of the page. Ohio EPA and U.S. EPA will hold a public meeting if there is a significant degree of public interest. The agencies may modify the proposed permit or take other action based on new information or public comments, so your opinion is important.

U.S. EPA's permit decision making procedures are governed by the regulations at 40 C.F.R. Part 124, which among other things, provide for administrative records at §§ 124.9 and 124.18, public notice and comment at § 124.10, submission of written public comments and requests for hearing by interested persons at § 124.11, public hearings, including the criteria, at § 124.12, obligations to raise issues and providing information during the comment period at § 124.13, reopening comment periods at § 124.14, issuance of permits at § 124.15, response to comments at § 124.17, and appeals at § 124.19.

The Ohio draft permit is available for review by the public online on the Announcements page under the "MARCH 2025" tab at: ***epa.ohio.gov/divisions-and-offices/environmental-response-revitalization/announcements***. The entire record for this draft action is available via Ohio EPA's eDocument portal: ***http://edocpub.epa.ohio.gov/publicportal/edochome.aspx***.

Using the search function, search under the document type of Permit and then refine the search using the facility's RCRA ID number (Secondary ID) which is OHD093945293 and Permit Purpose which is Renewal. Select from the list of documents, the document dated 05/10/2024.

The federal draft permit is available for review by the public online at: ***https://www.epa.gov/aboutepa/epa-region-5*** Within 60 days of the close of the public comment period, Ohio EPA will, without prior hearing, issue the permit (or deny the request) in accordance with Chapter 3734 of the Ohio Revised Code (ORC). If Ohio EPA approves the application, taking into account public comments, a renewal permit will be issued with terms and conditions as are necessary to ensure compliance with hazardous waste rules.

Draft Hazardous Waste Permit Renewal

After the close of the public comment period, U.S. EPA will review all comments received and decide whether to issue the permit. The final decision will include notification to those who submitted written comments during the official comment period. U.S. EPA will also prepare and send to all responders a document answering significant comments. Within thirty (30) days of a final decision, any person who submitted written comments or made a statement at the hearing if one is held may petition U.S. EPA's Environmental Appeals Board to review the decision.

What is the history of the hazardous waste program?

The Resource Conservation and Recovery Act (RCRA), an amendment to the Solid Waste Disposal Act, was passed in 1976. The main reason for the amendment was to address the growing volume of municipal and industrial solid waste generated across the United States. A few goals established by RCRA include: to protect human health and the environment from potential hazards of waste disposal, to reduce the amount of waste generated, and to ensure that waste produced are managed in an environmentally sound manner.

When RCRA was written, U.S. Congress' intent was for the states to assume primary responsibility for implementing the hazardous waste regulations with oversight from the United States Environmental Protection Agency (U.S. EPA). U.S. EPA must approve each state as an authorized state. To become an authorized state, each must demonstrate that the state program is at least equivalent to and consistent with federal laws, provides adequate enforcement authority and provides availability of information similar to the federal program. Since 1989, the State of Ohio has been an authorized state by U.S. EPA for the majority of their hazardous waste program.

Currently, the State of Ohio is not authorized by U.S. EPA to issue a permit for organic air emissions (40 CFR Part 264, Subparts AA, BB, and CC) from hazardous waste storage units. U.S. EPA has drafted a RCRA permit to address organic air emissions from hazardous waste storage units. U.S. EPA's draft permit and the State of Ohio's draft permit have been issued concurrently and both share the same comment period.

Who can I contact for more information?

For additional information, please contact Cathy Altman at (937) 285-6093 or Norberto Gonzalez of the U.S. EPA Regional Office in Chicago, Illinois at 312-353-1612. To obtain notices in a different language, please contact Stella Perdue at 614-728-5332 or stella.perdue@epa.ohio.gov.

Ohio EPA is committed to providing access and inclusion and reasonable accommodation in its services, activities, programs, and employment opportunities in accordance with the Americans with Disabilities Act (ADA) and other applicable laws. To request a reasonable accommodation due to a disability please contact Naquetta V. Porter, ADA Coordinator, 440-975-6801 (call or text) or ***Naquetta.porter@epa.ohio.gov***, no later than 14 days before the event.