

PUBLIC NOTICE
Stark County

**OHIO EPA ISSUES NOTICE OF TENTATIVE DECISION TO ISSUE A VARIANCE
FROM CLASSIFICATION AS A WASTE**

On June 2, 2020 pursuant to Ohio Administrative Code rule 3745-50-26, the director of Ohio Environmental Protection Agency (Ohio EPA) issued a draft notice tentatively granting a Variance to Envirite of Ohio, Inc. (Envirite), located at 2050 Central Ave SE, Canton, Ohio 44707, and EQ Metals Recovery, LLC (EQ Metals), located at 1533 Allen Ave SE, Canton, Ohio 44707. This is a renewal of Envirite and EQ Metals' current Variance. If issued as a final Variance, certain materials that Envirite and EQ Metals use as process raw materials would not be classified as wastes or hazardous wastes under Ohio's hazardous waste laws. The Agency is proposing to issue this Variance because Envirite and EQ Metals are recycling the metal-bearing residual materials, and using and managing these materials like raw materials and not wastes.

Why is Envirite and EQ Metals asking Ohio EPA to grant a Variance?

Envirite operates and maintains a hazardous waste storage, treatment, and recycling facility. Envirite accepts metal-bearing hazardous waste and using physical and/or chemical separation and digestion technologies, concentrates the content of the metals of economic interest. EQ Metals then further reclaims and processes these liquid and solid concentrates using noncontact convection driers, producing a Liquid or Solid Concentrate which is a raw material substitute for the metal smelting and chemical manufacturing industries.

Without this variance, some of these recycling activities would be regulated as hazardous waste management activities and EQ Metals would need a hazardous waste facility installation and operation permit (Permit), and Envirite would have to significantly modify the current Permit they have to include these activities. When issued, this variance will allow Envirite and EQ Metals to store the metal-bearing hazardous material before recycling without obtaining a Permit. The draft variance contains the conditions under which the facility must operate if the variance receives final approval. To issue this draft variance, Ohio EPA evaluated Envirite and EQ Metals' application considering the factors in rule 3745-50-24(C) of the Ohio Administrative Code.

How can I tell Ohio EPA what I think about this Variance?

You can submit written comments until August 3, 2020. Send your comments to Ohio EPA, Lazarus Government Center, Division of Environmental Revitalization and Response, Attn: Permitting, P.O. Box 1049, Columbus, Ohio 43216-1049, or email to: publiccomment@epa.ohio.gov. If you have questions about the variance, please contact Brad Mitchell (614) 728-5361 or Bradley.Mitchell@epa.ohio.gov.

Where can I review the Variance Application and draft Variance?

You can review these at one of the following locations*:

Online, through Ohio EPA's eDocument portal: <http://edocpub.epa.ohio.gov/publicportal/edochome.aspx>

Using the search function, search under the document type of "Non-permit Related Variance" and then refine the search using one of the facilities' RCRA ID number (Secondary ID): OHD 980 568 992 (Envirite of Ohio, Inc.) and OHD 986 982 155 (EQ Metals Recovery, LLC).

***Ohio EPA, Northeast District Office, DERR**, 2110 East Aurora Road, Twinsburg, Ohio 44087, (330) 963-1200.

***Ohio EPA, DERR**, 50 W. Town Street, Columbus, Ohio 43215, (614) 644-2924.

***Stark County Public Library – DeHoff Memorial Branch**, 216 Hartford Ave SE, Canton, OH 44707, (330) 452-9014.

* Please Note: As a precautionary response to COVID-19, Ohio EPA's offices and all Public Libraries in the State of Ohio are, at the time of draft issuance, have been closed. These documents will be made available for public review upon reopening and these documents can be viewed anytime on Ohio EPA's website (see below), for additional accommodations or more information, please call Halee Smith with Ohio EPA (614) 441-0261

What will Ohio EPA do with the comments?

After carefully considering public comments, Ohio EPA will reconsider the draft variance, making any necessary changes, and issue or deny the final variance. Ohio EPA will issue a "response to public comments," specifying any changes made to the draft variance. If you commented on the draft variance, Ohio EPA will send you copies of the "response to public comments" and the director's final action on the variance.