

PUBLIC NOTICE
Muskingum County
OHIO EPA ISSUES NOTICE OF TENTATIVE DECISION TO ISSUE A VARIANCE
FROM CLASSIFICATION AS A WASTE

On June 9, 2020 pursuant to Ohio Administrative Code (OAC) Rule 3745-50-26, the Director of Ohio Environmental Protection Agency (Ohio EPA) issued a draft notice tentatively granting a variance to AMG Vanadium (AMG) LLC, located at 3400 East Pointe Drive, Zanesville, Ohio 43701. This variance is for a new facility AMG is constructing in Muskingum County. If issued as a final variance, certain materials that AMG uses as process raw materials would not be classified as wastes or hazardous wastes under Ohio's hazardous waste laws. Ohio EPA is proposing to issue this variance because AMG recycles metal-bearing residual materials, and uses and manages these materials like raw materials and not wastes.

Why is AMG asking Ohio EPA to grant a Variance?

AMG is constructing a metals recycling facility. The primary metals of interest to AMG are nickel, molybdenum, and vanadium. AMG accepts spent catalyst that contains these wanted metals from the petroleum refining industry. AMG uses a pyrometallurgical process to reclaim the metals from the catalyst to produce four products. The products are sold to the steelmaking and metals reclamation industries for use as raw materials.

Without this variance, some of AMG's activities would be regulated as hazardous waste management activities and AMG would need a hazardous waste facility installation and operation permit (Permit). When issued, this variance will allow AMG to store the catalyst before recycling without obtaining a Permit. The draft variance contains the conditions under which AMG must operate if the variance receives final approval. To issue this draft variance, Ohio EPA evaluated AMG's application considering the factors in OAC Rule 3745-50-24(C).

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

A virtual public meeting will be held on July 15, 2020 at 6:00PM. The meeting will be held exclusively online and can be accessed at: <http://epa.ohio.gov/virtual>

You can submit written comments until July 24, 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 brad.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 the facility's RCRA ID number (Secondary ID) which is OHR 000 212 902.

Ohio EPA, Southeast District Office, Division of Environmental Revitalization and Response*, 2195 Front Street, Logan, Ohio 43138 (740) 385-8501.

Ohio EPA, Division of Environmental Revitalization and Response*, 50 W. Town Street, Columbus, Ohio 43215, (614) 644-2924.

John McIntire Library*, 220 North Fifth Street, Zanesville, OH 43701 (740) 453-0391.

*Please note: As a precautionary response to COVID-19, public libraries in the state of Ohio have been shut down and Ohio EPA have been operating with most staff working remotely, these documents will be made available for public review upon reopening.

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.