Subject: Hazardous Waste Permit Modification - Class 1A Approval

Dear Mr. Lonneman:

On September 16, 2016, Ohio EPA received a request for a Class 1A (Class 1 requiring prior approval) hazardous waste permit modification from Vickery Environmental, Inc. dated September 12, 2016. The modification requested the following change to the permit:

Modification of the on-site or satellite disposal fee due date from the anniversary date of the permit renewal (March 5) to September 17 of each year, with the exception that the final disposal fee for the last year of the permit renewal (2022) be March 4, 2022.

Pursuant to Ohio Revised Code (ORC) Section 3734.02(G) and Ohio Administrative Code (OAC) Rule 3745-50-31, the Director, by order, may exempt any person generating, storing, treating, disposing of, or transporting hazardous waste, in such quantities or under such circumstances that, in the determination of the Director, are unlikely to adversely affect the public health or safety or the environment from any requirement to obtain a permit or comply with other requirements of ORC Chapter 3734. Such an exemption shall be consistent with and equivalent to rules promulgated under the Resource Conservation and Recovery Act of 1976, 90 Stat. 2806, 42 U.S.C. § 6921 et seq., as amended.

In accordance with ORC Section 3734.02(G) and OAC Rule 3745-50-31, the Permittee is requesting an exemption from the requirement of OAC Rule 3745-50-34(C) as it applies to due date for the submittal of on-site disposal of hazardous waste fees and to modify permit condition A.26 of their Ohio Hazardous Waste Facility Installation and Operation Permit.
Granting the exemption is unlikely to adversely affect the public health or safety or the environment. Therefore, the permittee is hereby granted an exemption, pursuant to ORC Section 3734.02(G), from the requirement of OAC Rule 3745-50-34(C) as it applies to due date for the submittal of on-site disposal of hazardous waste fees. The permittee shall submit the treatment and disposal fee on or before September 17 of each year starting from 2015 to 2022, with the exception that the final disposal fee for 2022 is due on March 4, 2022. The exemption will expire when the current permit expires or is revoked by the Director.

With this letter, Ohio EPA approves the above referenced Class 1A modification submitted pursuant to OAC Rule 3745-50-51, and accordingly has updated the facility’s permit application and/or permit. The updated application/permit can be retrieved from the Agency’s eDocument Search web site: 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 noted in the RE: block above.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission (Commission) pursuant to Ohio Revised Code Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director’s action. The appeal must be accompanied by a filing fee of $70.00 made payable to “Treasurer, State of Ohio.” The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General’s Office, Environmental Enforcement Section. An appeal may be filed with the Commission at the following address:

Environmental Review Appeals Commission
77 South High Street, 17th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Gary Deutschman of Northwest District Office at (419) 373-3056.
(a) the Director has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the permit; or

(b) the Director has either waived the inspection or has not within fifteen (15) days of the date of the submittal of the letter, notified the Permittee of his intent to inspect.

A.24 Other Information
OAC Rule 3745-50-58(L)(11)

If at any time the Permittee becomes aware that it failed to submit any relevant facts, or submitted incorrect information to the Director, the Permittee must promptly submit such facts, information or corrected information to the Director.

A.25 Confidential Information
OAC Rule 3745-50-30

In accordance with ORC Chapter 3734 and the rules adopted thereunder, the Permittee may request confidentiality for any information required to be submitted by the terms and conditions of this permit, or any information obtained by the Director, or an authorized representative, pursuant to the authority provided under Permit Condition A.11.

A.26 Ohio Annual Permit, Disposal, and Treatment Fees
OAC Rules 3745-50-33 through 3745-50-36

The annual permit fee, calculated pursuant to OAC Rule 3745-50-36 and payable to the Treasurer of the State, must be submitted to the Director on or before the anniversary of the date of issuance during the term of the permit. For the purpose of the payment of the Ohio Annual Permit Fee, the date of issuance is the date the permit was entered into the Journal of the Director of Ohio EPA.

The fees for the on-site or satellite disposal of hazardous wastes, calculated pursuant to OAC Rule 3745-50-34 and payable to the Treasurer of the State, must be submitted to the Director on or before September 17th each year starting from 2015 to 2022, with the exception that the final fee for 2022 is due March 4, 2022.

A.27 Compliance Schedule - Documents
OAC Rules 3745-50-50 and 3745-50-51

"Reserved"

A.28 Information to be Maintained at the Facility
OAC Rule 3745-54-74

(a) Unless otherwise specified by the hazardous waste rules, the Permittee must maintain at the facility, until closure is completed and certified by an independent, registered professional engineer, pursuant to OAC Rule 3745-