



Ohio Hazardous Waste Facility Installation and Operation Permit Renewal

Division of Environmental Response and Revitalization

Permittee: United Initiators, Inc. U.S. EPA ID: OHD046202602

Facility Name: United Initiators, Inc.

Mailing Address: 555 Garden Street

City: Elyria State: OH Zip: 44035

Facility Street Address: 555 Garden Street

City: Elyria State: OH Zip: 44035

Operator Name: United Initiators, Inc.

Mailing Address: 555 Garden Street

City: Elyria State: OH Zip: 44035

Owner Name: United Initiators, Inc.

Mailing Address: 555 Garden Street

City: Elyria State: OH Zip: 44035

Authorized Activities

In reference to the application of United Initiators, Inc. for an Ohio Hazardous Waste Facility Installation and Operation Renewal Permit under Ohio Revised Code (ORC) Chapter 3734 and the record in this matter, you are authorized to conduct at the above-named facility the following hazardous waste management activities:

- Treatment of Hazardous Waste in a Boiler

Permit Approval

Entered into the Journal of the Director on:

Date:

Craig W. Butler, Director
Ohio Environmental Protection Agency

MODULE A - GENERAL PERMIT CONDITIONS

A. GENERAL PERMIT CONDITIONS

A.1 Effect of Permit

ORC Sections 3734.02 (E) and (F) and 3734.05
OAC Rule 3745-50-58(G)

(a) The Permittee is authorized to treat hazardous waste in a boiler in accordance with the terms and conditions of this Ohio hazardous waste permit (hereinafter "permit"), ORC Chapter 3734, all applicable Ohio hazardous waste rules, all applicable regulations promulgated under the Resource Conservation and Recovery Act (RCRA), as amended, and the approved hazardous waste facility installation and operation permit renewal application, as such application has been revised and supplemented and as such application may be modified pursuant to the hazardous waste rules. The permit application, as submitted to Ohio EPA on September 2, 2016 and any subsequent amendment thereto and last updated on December 11, 2018, is hereby incorporated into this permit. In the instance of inconsistent language or discrepancies between the above, the language of the more stringent provision shall govern.

(b) Any management of hazardous waste not authorized by this permit is prohibited, unless otherwise expressly authorized or specifically exempted by law. Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, or invasion of other private rights. Compliance with the terms and conditions of this permit does not obviate Permittee's obligation to comply with other applicable provisions of law governing protection of public health or the environment including but not limited to the Community Right-to-Know law under ORC Chapter 3750.

A.2 Permit Actions

OAC Rule 3745-50-58(F)

This permit may be modified or revoked as specified by Ohio law. The filing of a request by the Permittee for a permit modification, or the notification of planned changes or anticipated noncompliance on the part of the Permittee, does not stay any permit term or condition.

A.3 Permit Effective/Expiration Date

OAC Rule 3745-50-54

The effective date of this permit is the date the permit is entered into the Director's Journal. The permit expiration date is ten (10) years after the effective date.

A.4 Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

A.5 Duty to Comply
OAC Rule 3745-50-58(A)

The Permittee must comply with all applicable provisions of ORC Chapter 3734, all applicable Ohio hazardous waste rules, and all terms and conditions of this permit, except to the extent and for the duration such noncompliance is authorized by the laws of the State of Ohio. Any permit noncompliance, other than noncompliance authorized by the laws of the State of Ohio, constitutes a violation of ORC Chapter 3734 and is grounds for enforcement action, revocation, modification, denial of a permit renewal application or other appropriate action.

A.6 Duty to Reapply and Permit Expiration
OAC Rules 3745-50-40(D), 3745-50-58(B), 3745-50-56 and ORC Section 3734.05(H)

- (a) If the Permittee wishes to continue an activity allowed by this permit after the expiration date of this permit, the Permittee must submit a completed permit application for a hazardous waste facility installation and operation permit renewal and any necessary accompanying general plans, detailed plans, specifications, and such information as the Director may require, to the Director no later than one hundred eighty (180) days prior to the expiration date of this permit, unless a later submittal date has been authorized by the Director upon a showing of good cause.
- (b) The Permittee may continue to operate in accordance with the terms and conditions of the expired permit until a renewal permit is issued or denied if:
 - (i) The Permittee has submitted a timely and complete permit application for a renewal permit under OAC Rule 3745-50-40; and
 - (ii) Through no fault of the Permittee, a new permit has not been issued pursuant to OAC Rule 3745-50-40 on or before the expiration date of this permit.
- (c) The Corrective Action obligations contained in this permit will continue regardless of whether the facility continues to operate or ceases operation and closes. The Permittee is obligated to complete facility-wide Corrective Action under the conditions of this permit regardless of the operational status of the

facility. The Permittee must submit an application for permit renewal at least one hundred eighty (180) days before the expiration date of this permit pursuant to OAC Rule 3745-50-40(D) unless: a) the permit has been modified to terminate the Corrective Action schedule of compliance and the Permittee has been released from the requirements for financial assurance for Corrective Action; or b) a later submittal date has been authorized by the Director.

A.7 Need to Halt or Reduce Activity Not a Defense
OAC Rule 3745-50-58(C)

It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce a permitted activity in order to maintain compliance with the conditions of this permit.

A.8 Duty to Mitigate
OAC Rule 3745-50-58(D)

The Permittee must take all reasonable steps to minimize releases to the environment and must carry out such measures as are reasonable to prevent significant adverse impact on human health or the environment resulting from noncompliance with this permit.

A.9 Proper Operation and Maintenance
OAC Rule 3745-50-58(E)

The Permittee must at all times properly operate and maintain the facility (and related appurtenances) to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes effective management practices, adequate funding, adequate operator staffing and training, and where appropriate, adequate laboratory and process controls, including appropriate quality assurance/quality control procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the terms and conditions of this permit.

A.10 Duty to Provide Information
OAC Rule 3745-50-58(H)

The Permittee must furnish to the Director, within a reasonable time, any relevant information which the Director may request to determine whether cause exists for modifying or revoking, or to determine compliance with, this permit. The Permittee must also furnish to the Director, upon request, copies of records required to be kept by this permit.

A.11 Inspection and Entry

OAC Rules 3745-50-58(I), 3745-49-03 and 3745-50-30, and ORC Section 3734.07

- (a) The Permittee must allow the Director, or an authorized representative, upon stating the purpose and necessity of the inspection and upon proper identification, to:
 - (i) Enter at reasonable times upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the terms and conditions of this permit;
 - (ii) Have access to and copy, at reasonable times, any records required to be kept under the terms and conditions of this permit;
 - (iii) Inspect and photograph at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under the terms and conditions of this permit; and
 - (iv) Sample, document, or monitor, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by ORC Chapter 3734 and the rules adopted thereunder, any substances or parameter at any location.
- (b) Any record, report or other information obtained under the hazardous waste rules or Chapter 3734 of the Revised Code shall not be available to the public upon the Permittee's timely submittal of a trade secret claim and satisfactory showing to Ohio EPA that all or part of the information would divulge methods or processes entitled to protection as trade secrets pursuant to Ohio Trade Secret Law and OAC Rules 3745-49-03 and 3745-50-30.

A.12 Monitoring and Records

OAC Rule 3745-50-58(J)

- (a) Any sample and measurement taken for the purpose of monitoring must be representative of the monitored activity. Further, a sample must be a representative sample, as such term is defined and used in the Ohio hazardous waste rules. The method used to obtain a representative sample of the waste to be analyzed must be the appropriate method from the appendix of OAC Rule 3745-51-20, Representative Sampling Methods, or an equivalent method approved by Ohio EPA. Laboratory methods must be those specified in Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods, EPA Publication SW-846, Third Edition (November 1986), as amended by Updates I (dated July 1992), II (dated September 1994), IIA (dated August 1993), IIB (dated January 1995), III (dated December 1996) and IIIA (dated April 1998),

and additional supplements or editions thereof; Standard Methods for the Examination of Water and Wastewater: Twentieth Edition, 1999; or an equivalent method as specified in the approved waste analysis plan, or as this term is defined and used in the Ohio hazardous waste rules.

(b) Records of monitoring information must specify the:

- (i) Date(s), exact place(s), and time(s) of sampling or measurements;
- (ii) Individual(s) who performed the sampling or measurements;
- (iii) Date(s) analyses were performed;
- (iv) Individual(s) who performed the analyses;
- (v) Analytical technique(s) or method(s) used; and
- (vi) Results of such analyses.

A.13 Signatory Requirement and Certification of Records
OAC Rules 3745-50-58(K) and 3745-50-42

All applications, reports or information must be properly signed and certified in accordance with OAC Rule 3745-50-58(K).

A.14 Retention of Records and Information Repository
OAC Rules 3745-50-40(G), 3745-50-58(J), 3745-50-58(M) and 3745-50-58(N)

- (a) The Permittee must retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports and records required by this permit, the certification required by OAC Rule 3745-54-73(B)(9), and records of all data used to complete the application for this permit, for a period of at least three (3) years from the date of the sample, measurement, report, certification, or application.
- (b) The record retention period may be extended by request of the Director at any time and is automatically extended during the course of any unresolved enforcement action regarding the facility.
- (c) The Permittee must maintain, in accordance with the Ohio hazardous waste rules, records of all data used to complete the permit application and any amendments, supplements or modifications of such application. The Permittee must retain a complete copy of the current application for the effective life of the permit as indicated in Permit Condition A.3.

(d) The Permittee must maintain records from all ground water monitoring wells and associated ground water surface elevations for the active life of the facility, and for disposal facilities for the post-closure care period as well.

(e) Reserved.

(f) Corrective Action records must be maintained at least three (3) years after all Corrective Action activities have been completed.

A.15 Planned Changes

OAC Rules 3745-50-51 and 3745-50-58(L)(1)

The Permittee must give notice to the Director as soon as possible of any planned physical alterations or additions to the facility. All such changes must be made in accordance with OAC Rule 3745-50-51.

A.16 Waste Shipments

OAC Rules 3745-52-12 and 3745-53-11, ORC Section 3734.15(C)

The Permittee must only use properly registered transporters of hazardous waste to remove hazardous waste from the facility, in accordance with all applicable laws and rules.

A.17 Anticipated Noncompliance

OAC Rule 3745-50-58(L)(2)

The Permittee must give advance notice to the Director of any planned changes in the permitted facility or operations which may result in noncompliance with the terms and conditions of this permit. Such notification does not waive the Permittee's duty to comply with this permit pursuant to Permit Condition A.5.

A.18 Transfer of Permits

OAC Rules 3745-50-52, 3745-50-58(L)(3) and 3745-54-12

(a) The permit may be transferred to a new owner or operator only if such transfer is conducted in accordance with ORC Chapter 3734 and the rules adopted thereunder. This permit may be transferred by the Permittee to a new owner or operator only if the permit has been modified under OAC Rule 3745-50-51. Before transferring ownership or operation of the facility, the Permittee must notify the new owner or operator in writing of the requirements of ORC Chapter 3734 and the rules adopted thereunder (including all applicable Corrective Action requirements).

- (b) The Permittee's failure to notify the new owner or operator of the requirements of the applicable Ohio law or hazardous waste rules does not relieve the new owner or operator of its obligation to comply with all applicable requirements.

A.19 Compliance Reports

OAC Rules 3745-50-58(L)(5) and 3745-50-50

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule (developed in accordance with OAC Rule 3745-50-50) of this permit must be submitted to the Director no later than fourteen (14) days following each scheduled date.

A.20 Immediate Reporting of Noncompliance

OAC Rule 3745-50-58(L)(6)

- (a) The Permittee must report orally to Ohio EPA's Division of Environmental Response and Investigation & Enforcement within twenty-four (24) hours from the time the Permittee becomes aware of any noncompliance with this permit, ORC Chapter 3734 or the rules adopted thereunder, which may endanger human health or the environment, including:

- (i) Information concerning the release of any hazardous waste that may cause an endangerment to public drinking water supplies; and
- (ii) Any information of a release or discharge of hazardous waste or a fire or explosion from the hazardous waste facility, which could threaten the environment or human health outside the facility.

- (b) The report must consist of the following information (if such information is available at the time of the oral report):

- (i) Name, address, and telephone number of the owner or operator;
- (ii) Name, address, and telephone number of the facility;
- (iii) Date, time, and type of incident;
- (iv) Name and quantity of material(s) involved;
- (v) The extent of injuries, if any;
- (vi) An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable; and

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

(viii)

A.21 Follow-Up Written Report of Noncompliance
OAC Rule 3745-50-58(L)(6)(c)

(a) A written report must also be provided to Ohio EPA's Division of Environmental Response and Revitalization – Hazardous Waste, NEDO within five (5) days of the time the Permittee becomes aware of the circumstances reported in Permit Condition A.20.

(b) The written report must address the items in Permit Condition A.20 and must contain a description of such noncompliance and its cause; the period(s) of noncompliance (including exact dates and times); whether the noncompliance has been corrected; and, if not, the anticipated time it is expected to continue; and steps taken or planned to minimize the impact on human health and the environment and to reduce, eliminate, and prevent recurrence of the noncompliance.

(c) The Permittee need not comply with the five (5) day written report requirement if the Director, upon good cause shown by the Permittee, waives that requirement and the Permittee submits a written report within fifteen (15) days of the time the Permittee becomes aware of the circumstances.

A.22 Other Noncompliance
OAC Rules 3745-50-58(L)(10) and 3745-50-58(L)(4)

The Permittee must report to the Director all other instances of noncompliance not provided for in Permit Conditions A.19 and A.20. These reports must be submitted within thirty (30) days of the time at which the Permittee is aware of such noncompliance. Such reports must contain all information set forth within Permit Condition A.20.

A.23 Reserved

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 Rules 3745-49-03 and 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.

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

- (a) Unless specified otherwise, Permittee must submit the documents listed below to:

Ohio EPA, Director
c/o DERR-HW
P.O. Box 1049
Columbus, Ohio 43216-1049

Ohio EPA
DERR-HW
Northeast District Office
2110 East Aurora Road
Twinsburg, Ohio 44087

- (b) The Permittee must submit to the Ohio EPA within sixty (60) days after permit journalization, in accordance with Ohio's hazardous waste rules, the following information to be incorporated in the permit application:

(i) Updated Closure/Post-Closure Cost Estimate
OAC Rules 3745-55-42 and 3745-55-44

Section I of the permit application containing the financial assurance mechanism for closure must be updated to include a copy of the current closure cost estimate as set forth in OAC Rules 3745-55-42 and 3745-55-44.

(ii) Updated Financial Assurance Mechanism for Closure
OAC Rules 3745-55-43

Section I of the permit application containing the financial assurance mechanism for closure must be updated to include a copy of the current financial assurance mechanism, as set forth in OAC Rules 3745-55-43, and as specified by the wording requirements of OAC Rule 3745-55-51. The value of the financial assurance mechanism must reflect at least the current amount of the closure cost estimate.

During the life of the permit the facility may change the financial assurance mechanism as stated in OAC Rules 3745-55-43. The facility must submit the financial assurance mechanism documentation to the Director of Ohio EPA in accordance with the parameters set forth in OAC Rules 3745-55-43.

(iii) Updated Liability Requirements
OAC Rule 3745-55-47

Section I of the permit application containing the mechanism used to demonstrate third party liability coverage must be updated to include a copy of the current liability mechanism as set forth in OAC Rule 3745-55-47 and as specified by the wording requirements of OAC Rule 3745-55-51.

During the life of the permit the facility may change the mechanism used to demonstrate liability coverage as stated in OAC Rule 3745-55-47. The facility must submit the liability mechanism documentation to the Director of Ohio EPA in accordance with the parameters set forth in OAC Rule 3745-55-47.

This information must be submitted in accordance with OAC Rule 3745-50-51.

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 a qualified professional engineer, pursuant to OAC Rule 3745-55-15, and until the Director releases the Permittee from financial assurance requirements pursuant to OAC Rule 3745-55-43, the following documents (including amendments, revisions and modifications):
- (i) Waste analysis plan, developed and maintained in accordance with OAC Rule 3745-54-13 and the terms and conditions of this permit;
 - (ii) Contingency plan, developed and maintained in accordance with OAC Rule 3745-54-53 and the terms and conditions of this permit;
 - (iii) Closure plan, developed and maintained in accordance with OAC Rule 3745-55-12 and the terms and conditions of this permit;
 - (iv) Cost estimate for facility closure, developed and maintained in accordance with OAC Rule 3745-55-42 and the terms and conditions of this permit;
 - (v) Personnel training plan and the training records, developed and maintained in accordance with OAC Rule 3745-54-16 and the terms and conditions of this permit;
 - (vi) Operating record, required by OAC Rule 3745-54-73 and the terms and conditions of this permit; and
 - (vii) Inspection schedules, developed in accordance with OAC Rules 3745-54-15, 3745-55-74 and 3745-55-95 and the terms and conditions of this permit.
 - (viii) Post-closure plan, as required by OAC Rule 3745-55-18(A) and the terms and conditions of this permit.
 - (ix) Annually-adjusted cost estimate for facility closure as required by OAC Rules 3745-55-42 and 3745-55-44 and the terms and conditions of this permit.
 - (x) All other documents required by this permit.

- (b) The Permittee must maintain copies of all inspection logs at the facility for a period not less than three (3) years from the date of inspection.

A.29 Waste Minimization Report
OAC Rules 3745-54-73 and 3745-54-75

- (a) The Permittee must submit a Waste Minimization Report describing the waste minimization program required by OAC Rules 3745-54-75(H), (I), and (J); 3745-54-73(B)(9); and 3745-52-20(A) at least once every five (5) years. The provisions of OAC Rules 3745-54-75(H), (I) and (J) must be satisfied biennially. The provisions of OAC Rule 3745-54-73(B)(9) must be satisfied no less often than annually.
- (b) The Permittee must submit the Waste Minimization Report to Ohio EPA's Office of Compliance Assistance and Pollution Prevention within one hundred eighty (180) days of the effective date of this permit and must submit updates to this report once every five years thereafter.

MODULE B - GENERAL FACILITY CONDITIONS

B. GENERAL FACILITY CONDITIONS

B.1 Design and Operation of Facility OAC Rule 3745-54-31

(a) The Permittee must design, construct, maintain and operate the facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, ground water or surface waters which could threaten human health or the environment.

(b) Reserved.

B.2 Required Notices OAC Rule 3745-54-12

The Permittee shall not receive hazardous waste from off-site sources.

B.3 General Waste Analysis Plan OAC Rule 3745-54-13

(a) Before the Permittee treats, stores, or disposes of any hazardous wastes, or nonhazardous wastes if applicable under OAC Rule 3745-55-13(D), the Permittee must obtain a detailed chemical and physical analysis of a representative sample of the wastes. At a minimum, this analysis must contain all the information which must be known to treat, store, or dispose of the waste in accordance with the requirements of OAC Chapters 3745-54 to 3745-57, 3745-205, and 3745-270.

(b) The Permittee must follow the procedures described in the waste analysis plan found in Section C of the permit application and the terms and conditions of this permit.

(c) Reserved.

B.4 Security OAC Rule 3745-54-14

The Permittee must comply with the security provisions of OAC Rule 3745-54-14(B)(1) or (2), and (C) and Section F of the permit application.

B.5 General Inspection Requirements
OAC Rules 3745-54-15 and 3745-54-73

The Permittee must inspect the facility in accordance with OAC Rule 3745-54-15 and the inspection schedule set forth in Section F of the permit application. The Permittee must remedy any deterioration or malfunction discovered by an inspection, as required by OAC Rule 3745-54-15(C). Records of inspection must be kept for a minimum of three (3) years from the date of inspection. These records must be a part of the facility's operating record as required by OAC Rule 3745-54-73.

B.6 Personnel Training
OAC Rule 3745-54-16

The Permittee must conduct personnel training, as required by OAC Rule 3745-54-16. This training program must contain at least the elements set forth in Section H of the permit application. The Permittee must maintain training documents and records as required by OAC Rule 3745-54-16(D) and (E).

B.7 General Requirements for Ignitable, Reactive, or Incompatible Wastes
OAC Rule 3745-54-17

- (a) The Permittee must comply with the requirements of OAC Rule 3745-54-17 and must follow the procedures for handling ignitable, reactive, and incompatible wastes set forth in Section F of the permit application.
- (b) The Permittee must provide electrical grounding for all containers and tanks, and transport vehicles during all operations involving the handling of ignitable or reactive wastes.
- (c) The Permittee must provide, and require the use of, spark proof tools during all operations involving the handling of all ignitable or reactive wastes.
- (d) The Permittee must prohibit smoking and open flames in each area where ignitable, reactive or incompatible hazardous wastes are managed and must post appropriate signs.
- (e) All wiring and electrical equipment at any newly constructed portions of the facility must meet the National Fire Protection Association's standards for hazardous locations (See National Fire Protection Association, "National Electric Code" National Fire Codes, 1985 Edition, Vol. 3, Chapter 5, Special Occupancies, Articles 500-503, pp.176 through 189).

B.8 Reserved

B.9 Required Equipment
OAC Rule 3745-54-32

At a minimum, the Permittee must maintain at the facility all the equipment required by OAC Rule 3745-54-32 and the equipment set forth in the contingency plan contained in Section G of the permit application.

B.10 Testing and Maintenance of Equipment
OAC Rule 3745-54-33

The Permittee must inspect, test and maintain the equipment required by Permit Condition B.9 as necessary to assure its proper operation in time of emergency, as specified in OAC Rule 3745-54-33, Section F of the permit application and the terms and conditions of this permit.

B.11 Access to Communications or Alarm System
OAC Rule 3745-54-34

The Permittee must maintain access to the communications and alarm systems, as required by OAC Rule 3745-54-34, Section G of the permit application and the terms and conditions of this permit.

B.12 Required Aisle Space
OAC Rule 3745-54-35

At a minimum, the Permittee must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, as required by OAC Rule 3745-54-35.

B.13 Arrangements with Local Authorities
OAC Rule 3745-54-37

(a) The Permittee must comply with the requirements of OAC Rule 3745-54-37(A) by making a diligent effort to:

- (i) Make arrangements and familiarize all emergency response agencies which are likely to respond in an emergency with the location and layout of the facility, properties of hazardous waste managed at the facility and associated hazards, places where facility personnel will normally be working, entrances to and roads inside the facility, and possible evacuation routes as depicted and explained in Section G of the permit application;

- (ii) Make arrangements with Ohio EPA emergency response teams, emergency response contractors, and equipment suppliers;
 - (iii) Make arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility and types of injuries or illnesses which could result from fires, explosions, or releases at the facility; and
 - (iv) Make agreements designating primary emergency authority to a specific police and a specific fire department and make agreements with any others to provide support to the primary emergency authority, where more than one police and fire department may respond to an emergency.
- (b) Where authorities decline to enter into such agreements or arrangements set forth in OAC Rule 3745-54-37(A), the Permittee must document the refusal in the operating record as required by OAC Rule 3745-54-37(B).

B.14 Implementation of Contingency Plan
OAC Rules 3745-54-51 and 3745-54-56

The Permittee must immediately carry out the provisions of the contingency plan and follow the emergency procedures described in OAC Rule 3745-54-56, whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which threatens or could threaten human health or the environment.

In regard to spills and related toxic gas releases, the plan must describe the criteria to be used by the emergency coordinator to determine when the plan will be implemented. At a minimum, the plan must be implemented in the following situations:

- (a) An emergency involving hazardous waste which could threaten human health and the environment; or
- (b) A fire or explosion that requires outside assistance, or threatens a release of hazardous waste constituents off-site.
- (c) A spill or release that has the potential to cause off-site soil and/or surface water contamination or that requires outside assistance to contain and clean up; or
- (d) A natural disaster where the facility is in a projected tornado path or an earthquake has occurred and damaged the property; or
- (e) Civil unrest where the site security system has been breached by an individual's intent on causing harm or damage.

B.15 Content of the Contingency Plan
OAC Rule 3745-54-52

The Permittee must comply with OAC Rule 3745-54-52 and the contingency plan, as set forth in Section G of the permit application.

B.16 Contingency Plan - Released Material and Emergency Response Material and By-products
OAC Rule 3745-54-56(G)

- (a) Immediately after an emergency, the emergency coordinator must provide for treating, storing, or disposing of recovered waste, contaminated soil or surface water, or any other material that results from a release, fire, or explosion at the facility.
- (b) All liquid or solid material resulting from fire, explosion, released material or emergency response material and by-products that the Permittee is required to evaluate to determine whether such material is hazardous waste in accordance with OAC Rule 3745-52-11, must be collected and managed as a hazardous waste unless the Permittee can demonstrate that such waste is not hazardous in accordance with OAC Rule 3745-51-03(C) and (D).

B.17 Amendments to Plan
OAC Rule 3745-54-54

The Permittee must review the contingency plan at least annually and upon the occurrence of any event listed in OAC Rule 3745-54-54. If necessary or appropriate, the Permittee must amend the contingency plan as required by OAC Rule 3745-54-54 in accordance with OAC Rule 3745-50-51.

B.18 Copies of Plan
OAC Rule 3745-54-53

- (a) The Permittee must comply with the requirements set forth in OAC Rule 3745-54-53 regarding contingency plan distribution. The Permittee must maintain at the facility a copy of the contingency plan and all revisions to the plan.
- (b) The Permittee must, in accordance with OAC Rule 3745-54-53, submit a copy of the contingency plan to all local police departments, fire departments, hospitals and local emergency response teams that may be called upon to provide emergency services. The Permittee must notify such agencies and the local authorities, in writing, within ten (10) days of the effective date of any amendments of, revisions to, or modifications to the contingency plan.

(c) If the contingency plan is revised, that constitutes a permit modification pursuant to OAC Rule 3745-50-51.

B.19 Emergency Coordinator
OAC Rule 3745-54-55

The Permittee must comply with the requirements set forth in OAC Rule 3745-54-55 regarding the emergency coordinator.

B.20 Emergency Procedures
OAC Rule 3745-54-56

The Permittee must comply with the requirements regarding emergency procedures set forth in OAC Rule 3745-54-56, Sections F and G of the permit application and the terms and conditions of this permit.

B.21 Availability, Retention and Disposition of Records
OAC Rule 3745-54-74

All records shall be furnished by the Permittee upon request to, and made available at all reasonable times for inspection by, Ohio EPA, in accordance with OAC Rule 3745-54-74.

B.22 Operating Record
OAC Rule 3745-54-73

The Permittee must comply with the requirements set forth in OAC Rule 3745-54-73 regarding an operating record, including information to be recorded and the maintenance thereof.

B.23 Contingency Plan Records
OAC Rule 3745-54-56(I)

The Permittee must note in the operating record the time, date, and details of any incident that requires the implementation of the contingency plan. Within fifteen (15) days after any such incident the Permittee must submit to the Director a written report of the incident containing the elements set forth in OAC Rule 3745-54-56(J).

B.24 Manifest System
OAC Rules 3745-54-70, 3745-54-71, 3745-54-72 and 3745-54-76

(a) In managing waste at the facility, the Permittee must comply with OAC Chapter 3745-52 and OAC Rules 3745-54-71, 3745-54-72 and 3745-54-76 with regard to the manifest system.

(b) Reserved.

(c) Reserved.

B.25 Biennial Report and Additional Reports
OAC Rules 3745-54-75 and 3745-54-77

The Permittee must comply with the report requirements set forth in OAC Rule 3745-54-75 and the additional report requirements set forth in OAC Rule 3745-54-77.

B.26 Closure Performance Standard
OAC Rule 3745-55-11

During facility closure, the Permittee must implement the provisions of the closure plan found in Section I of the permit application in such a manner as to achieve compliance with OAC Rule 3745-55-11.

B.27 Closure Plan
OAC Rules 3745-55-10, 3745-55-11 and 3745-55-13

The Permittee must implement those procedures detailed within Section I of the permit application, in accordance with OAC Rules 3745-55-10 through 3745-55-20.

B.28 Amendment of Closure Plan
OAC Rules 3745-55-12 and 3745-50-51

Should a change in the facility closure plan become necessary, the Permittee must amend the closure plan in accordance with OAC Rules 3745-55-12(C) and 3745-50-51.

B.29 Content of Closure Plan
OAC Rule 3745-55-12

The Permittee must maintain the closure plan at the facility which contains the elements set forth in OAC Rule 3745-55-12 and all elements required by the terms and conditions of this permit.

B.30 Notification of Closure
OAC Rule 3745-55-12

The Permittee must notify the Director in writing at least forty five (45) days prior to the date on which the Permittee expects to begin final closure of a facility, as required by OAC Rule 3745-55-12(D).

B.31 Time Allowed For Closure
OAC Rule 3745-55-13

Within ninety (90) days after receiving the final volume of hazardous waste, the Permittee must remove from the facility, or treat or dispose of on-site, all hazardous waste in accordance with the closure plan. The Director may approve a longer closure period if the Permittee complies with all applicable requirements for requesting a modification to the permit as set forth in OAC Rule 3745-55-13(A). The Permittee must complete all closure activities within one hundred eighty (180) days after receiving the final volume of hazardous waste in accordance with OAC Rule 3745-55-13. The Director may approve a longer closure period if the Permittee complies with all applicable requirements for requesting a modification to the permit as set forth in OAC Rule 3745-55-13 (B).

B.32 Disposal or Decontamination of Equipment, Structures, and Soils
OAC Rule 3745-55-14

- (a) The Permittee must decontaminate or dispose of all contaminated facility equipment, structures, and soils, as required by OAC Rule 3745-55-14, the closure plan and the terms and conditions of this permit.
- (b) The Permittee must notify the Ohio EPA Northeast District Office within five (5) working days prior to all rinseate and soil sampling.

B.33 Certification of Closure
OAC Rule 3745-55-15

The Permittee and a qualified professional engineer must certify that each hazardous waste management unit or the facility has been closed in accordance with the specifications in the closure plan and the terms and conditions of this permit, as required by OAC Rule 3745-55-15. The Permittee must furnish to the Director, upon request, documentation supporting the certification.

B.34 Reserved

B.35 Reserved

B.36 Cost Estimate for Facility Closure
OAC Rule 3745-55-42

- (a) The Permittee's most recent closure cost estimate, prepared in accordance with OAC Rule 3745-55-42 is specified in Section I of the permit application.
- (b) The Permittee must adjust the closure cost estimate for inflation within sixty (60)

days prior to the anniversary date of the establishment of the financial instrument(s) used to comply with OAC Rule 3745-55-43. In case the Permittee is using the financial test or corporate guarantee, the Permittee must adjust the closure cost estimate for inflation within thirty (30) days after the close of the Permittee's fiscal year and before submission of updated information to the Director, as specified in OAC Rule 3745-55-42(B).

(c) The Permittee must revise the closure cost estimate whenever there is a change in the facility's closure plan that increases the cost of closure, as required by OAC Rule 3745-55-42(C).

(d) The Permittee must submit to the Ohio EPA and keep at the facility the latest closure cost estimate as required by OAC Rule 3745-55-42(D) and (E).

B.37 Financial Assurance for Facility Closure
OAC Rule 3745-55-43

The Permittee must maintain continuous compliance with OAC Rule 3745-55-43, 55-45, or 55-46 and provide documentation of financial assurance, which meets the requirements of OAC Rule 3745-55-51, in at least the amount of the cost estimates required by Permit Condition B.36.

B.38 Liability Requirements
OAC 3745-55-47

The Permittee must maintain continuous compliance with the requirements of OAC Rule 3745-55-47 and the documentation of liability by providing liability coverage which meets the requirements of OAC Rule 3745-55-51 for sudden accidental occurrences in the amount of at least \$1 million per occurrence, with an annual aggregate of at least \$2 million, exclusive of legal defense costs.

B.39 Incapacity of Owners or Operators, Guarantors, or Financial Institutions
OAC Rule 3745-55-48

The Permittee must comply with requirements set forth in OAC Rule 3745-55-48 regarding the incapacity of owners, operators, guarantors or financial institutions.

B.40 General Requirements for Land Disposal Restrictions
OAC Chapter 3745-270

The Permittee must comply with all applicable regulations regarding land disposal prohibitions and restrictions as required by OAC Chapter 3745-270.

MODULE C - RESERVED

DRAFT

MODULE D - RESERVED

DRAFT

MODULE E – CORRECTIVE ACTION REQUIREMENTS

E. CORRECTIVE ACTION REQUIREMENTS

The Permittee has achieved Corrective Action Performance Standards Attained – Controls Required (CA900CR). Remedies selected for the protection of human health and the environment have been fully implemented and associated performance standards have been attained at the specific areas within the Facility where contamination of environmental media was identified.

In August 1986, the United States Environmental Protection Agency (U.S. EPA) requested a Ground Water Quality investigation be conducted as a condition of the RCRA permit. As a result, a RCRA Facility Investigation (RFI) was initiated in 1988 under U.S. EPA authority. In 1992, prior to completion of the RFI, a Voluntary Corrective Measures project that removed sources of contamination was completed under U.S. EPA authority. Activities included excavation and off-site disposal of contaminated soils and waste from seven waste management units (WMUs). 12 WMUs were investigated, including Areas 1 through 7, Eastern Parcel Area of Concern (AOC), Former Lagoon Area, Western Parcel AOC, Container Storage Area, and the Incinerator. U.S. EPA determined that soils remaining in the 12 WMUs do not pose a threat to human health and the environment as long as the Facility is limited to industrial use.

The RFI report was conditionally approved in September 1995. Following approval of the RFI, a Corrective Measures Study (CMS) was initiated to address contaminated ground water at the Facility. The preferred remedy included:

- Collect contaminated ground water after using extraction wells to contain the contaminant plume on site.
- Treat extracted ground water to meet the target cleanup levels of the organic contamination using air stripping and activated carbon units.
- Implement ground water use restrictions to limit use of the ground water during implementation of the remedy and land use restrictions to limit the Facility to only industrial or commercial use.
- Perform ground water monitoring.
- Conduct laboratory analysis on the ground water samples.
- Treat ground water to meet the following cleanup levels: benzene 5 ppb, ethyl benzene 700 ppb, 4-methylphenol 78 ppb, benzoic acid 61,600 ppb, di-n-butylphthalate 1,571 ppb, lead 15 ppb, nickel 100 ppb, zinc 4,665 ppb.

On September 30, 1997, U.S. EPA modified the permit to require implementation of the remedy. On January 25, 2000, U.S. EPA gave final approval of the Final Design Summary and Construction Work Plan, and instructed the Facility to begin remedy implementation in accordance with those plans. On March 1, 2002 a permit renewal was approved by Ohio EPA with Ohio EPA taking over the lead of the Corrective Action activities.

An Environmental Covenant limiting ground water use during implementation of the remedy and land use restrictions to limit the Facility property to only industrial or commercial use was signed on October 4, 2006 and recorded with the Lorain County Recorder and Auditor on November 16, 2006.

The ground water recovery and treatment system operated from September 2000 to July 2009. Ohio EPA approved the shutdown of the ground water recovery and treatment system on June 20, 2009. Verification sampling began in September 2009 and was completed in June 2011. Verification sampling showed that the ground water met the performance standards. The Pump-and-Treat Decommissioning Work Plan for the ground water system was approved on December 18, 2012. The wells were properly abandoned in June 2013 and the Decommissioning Report was submitted in October 2013.

The Permittee previously held a RCRA Part B Permit which provided the authority for Closure and Corrective Action. The permit sections for Closure and Corrective action were removed by permit modifications approved by Ohio EPA on October 22, 2008, and November 4, 2014.

Ohio EPA has concluded that based on current information, additional investigation is not necessary, and all remedies are complete. Corrective Action performance standards have been attained with controls.

The following pertains to any newly discovered releases:

E.1 Corrective Action at the Facility
OAC Rules 3745-50-10 & 3745-54-101

In accordance with OAC Rule 3745-50-10 waste management unit means any discernible unit at which solid waste, hazardous waste, infectious waste (as those terms are defined in Ohio Revised Code (ORC) Chapter 3734), construction and demolition debris (as defined in ORC Chapter 3714) industrial waste, or other waste (as those terms are defined in ORC Chapter 6111), has been placed at any time, irrespective of whether the unit was intended for the management of waste or hazardous waste. Such units include any area at a Facility at which wastes have been routinely and systematically released. For the purpose of Corrective Action, Facility is defined as all contiguous property under the control of the owner or operator seeking a permit under Subtitle C of RCRA. The terms Interim Measure (IM), RCRA Facility Investigation (RFI), Corrective Measures Study (CMS) and Corrective Measure Implementation (CMI) are defined in U.S. EPA's Corrective Action Plan (CAP) (U.S. EPA Office of Solid Waste and Emergency Response Directive 9902.3-2A, May 1994).

The Permittee must institute Corrective Action as necessary to protect human health and the environment for all releases of hazardous wastes or hazardous constituents from any WMUs at the Facility, regardless of the time at which waste was placed in such units.

E.2 Corrective Action Beyond the Facility Boundary
OAC Rule 3745-54-101

The Permittee must implement Corrective Action beyond the Facility property boundary, where necessary to protect human health and the environment, unless the Permittee demonstrates to the satisfaction of Ohio EPA that, despite the Permittee's best efforts, the Permittee was unable to obtain the necessary permission to undertake such actions. The Permittee is not relieved of all responsibility to clean up a release that has migrated beyond the Facility boundary where off-site access is denied. On-site measures to address such releases will be addressed under the RFI, CMS, and CMI phases, as determined to be necessary on a case-by-case basis.

E.3 Identification of WMUs
OAC rules 3745-50-44(D) and 3745-54-101

The following known WMUs and AOCs were investigated under U.S. EPA authority during the RCRA Facility Investigation (RFI) and the voluntary waste removal project:

<u>Unit</u>	<u>Description</u>
1	Area 1
2	Area 2
3	Area 3
4	Area 4
5	Area 5
6	Area 6
7	Area 7
8	Eastern Parcel OAC
9	Former Lagoon Area
10	Western Parcel OAC
11	Incinerator
12	Container storage area
13	Cold container storage area
14	Tank
15	Wastewater Treatment Skim Tanks

E.4 No Corrective Action Required at this Time
OAC Rule 3745-54-101

Based on the available information for the Facility, no known or potential releases of hazardous wastes or hazardous constituents have been associated with identified WMUs. No Corrective Action investigation or implementation is required at this time.

E.5 RCRA Facility Investigation
OAC Rule 3745-54-101

The Permittee must conduct an RFI to thoroughly evaluate the nature and extent of the release of hazardous wastes and hazardous constituents from all applicable WMUs identified in Permit Condition E.10. The major tasks and required submittal dates are shown below. The scope of work for each of the tasks is found in U.S. EPA's CAP.

(a) RFI Workplan

The Permittee must submit a written RFI Workplan to Ohio EPA in case of a newly discovered waste management unit, on a time frame established by Ohio EPA.

- (i) Within ninety (90) days of receipt of any Ohio EPA comments on the RFI Workplan, the Permittee must submit either an amended or new RFI Workplan that incorporates Ohio EPA's comments.
- (ii) Ohio EPA will approve or modify and approve, in writing, the amended or

new RFI Workplan. The RFI Workplan, as approved or as modified and approved, shall be incorporated into this permit and become an enforceable condition of this permit. Subsequent changes to the approved RFI Workplan must be authorized by Ohio EPA.

(b) RFI Implementation

The Permittee must implement the RFI Workplan according to the terms and schedule in the approved RFI Workplan.

(c) RFI Final Report

Within ninety (90) days after the completion of the RFI, the Permittee must submit an RFI Final Report to Ohio EPA. The RFI Final Report must describe the procedures, methods, and results of the RFI. The Final Report must contain adequate information to support further decisions concerning Corrective Action at the Facility.

- (i) Within ninety (90) days of receipt of any Ohio EPA comments on the RFI Final Report, the Permittee must submit either an amended or new RFI Final Report that incorporates Ohio EPA's comments.
- (ii) Ohio EPA will approve or modify and approve, in writing, the amended or new RFI Final Report. The RFI Final Report, as approved or as modified and approved, shall be incorporated into this permit and become an enforceable condition of this permit. Subsequent changes to the approved RFI Final Report must be authorized by Ohio EPA.

E.6 Interim Measure

Based on the RFI Final Report or other information documenting a release of hazardous waste or constituents to the environment, Ohio EPA may require (or the Permittee may propose) the development and implementation of an IM (this may include an IM Workplan) at any time during the life of the permit to mitigate or eliminate a threat to human health or the environment. The Permittee must implement the IM upon a time frame established by Ohio EPA.

E.7 Determination of No Further Action

(a) Permit Modification

Based on the results of the completed RFI and other relevant information, the Permittee may submit an application to Ohio EPA for a permit modification under OAC Rule 3745-50-51 to terminate the Corrective Action tasks of the Schedule of Compliance. Other tasks identified in the Schedule of Compliance

shall remain in effect. This permit modification application must conclusively demonstrate that there are no releases of hazardous waste or constituents from WMUs at the Facility that pose an unacceptable risk to human health and the environment.

If, based upon review of the Permittee's request for a permit modification, the results of the completed RFI, and other information, Ohio EPA determines that releases or suspected releases which were investigated either are nonexistent or do not pose an unacceptable risk to human health and the environment, Ohio EPA will approve the requested modification. Decisions regarding the completion of RCRA Corrective Action and no further action may be made for the entire Facility, for a portion of the Facility, or for a specific unit or release.

(b) Periodic Monitoring

A determination of no further action shall not preclude Ohio EPA from requiring continued or periodic monitoring of air, soil, ground water, or surface water, if necessary to protect human health and the environment, when site-specific circumstances indicate that a potential or an actual release of hazardous waste or constituents exists.

(c) Further Investigations

A determination of no further action shall not preclude Ohio EPA from requiring further investigations, studies, or remediation at a later date, if new information or subsequent analysis indicates that a release or potential release from a WMU at the Facility may pose an unacceptable risk to human health or the environment. In such a case, Ohio EPA shall initiate a modification to the terms of the permit to rescind the determination made in accordance with Permit Condition E.7(a). Additionally, in the event Ohio EPA determines that there is insufficient information on which to base a determination, the Permittee, upon notification, is required to develop a Work Plan and upon Ohio EPA approval of that Work Plan, perform additional investigations as needed.

E.8 Corrective Measures Study

If Ohio EPA determines, based on the results of the RFI and any other relevant information, that corrective measures are necessary, Ohio EPA will notify the Permittee in writing that the Permittee must conduct a CMS either as described below or as described in Ohio EPA's notification to the Permittee. The purpose of the CMS will be to develop and evaluate the corrective action alternative(s) and to outline one or more alternative corrective measure(s) that will satisfy the performance objectives specified in Permit Condition E.9.

(a) CMS Workplan

The Permittee must submit a written CMS Workplan to Ohio EPA within ninety (90) days from the notification by Ohio EPA of the requirement to conduct a CMS.

- (i) Within ninety (90) days of receipt of any Ohio EPA comments, the Permittee must submit either an amended or new CMS Workplan that incorporates Ohio EPA's comments.
- (ii) Ohio EPA will approve or modify and approve, in writing, the amended or new CMS Workplan. The CMS Workplan, as approved or as modified and approved, must be incorporated into this permit and become an enforceable condition of this permit. Subsequent changes to the approved CMS Workplan must be authorized by Ohio EPA.

(b) CMS Workplan Implementation

The Permittee must implement the CMS Workplan according to the terms and schedule in the approved CMS Workplan.

(c) CMS Final Report

Within sixty (60) days after the completion of the CMS, the Permittee must submit a CMS Final Report to Ohio EPA. The CMS Final Report must summarize the results of the investigations for each remedy studied and must include an evaluation of each remedial alternative.

- (i) Within ninety (90) days of receipt of any Ohio EPA comments, the Permittee must submit either an amended or new CMS Final Report that incorporates Ohio EPA's comments.
- (ii) Ohio EPA will approve or modify and approve, in writing, the amended or new CMS Final Report. The CMS Final Report, as approved or as modified and approved, must be incorporated into this permit and become an enforceable condition of this permit. Subsequent changes to the approved CMS Final Report must be authorized by Ohio EPA.

E.9 Corrective Measures Implementation

Based on the results of the CMS, the Permittee must implement one or more of the Corrective Measures authorized by Ohio EPA. Ohio EPA will authorize one or more of the Corrective Measures in the CMS, and will notify the Permittee in writing of the decision. The Corrective Measure selected for implementation must: (1) be

protective of human health and the environment; (2) attain media cleanup standards; (3) control the source(s) of releases so as to reduce or eliminate further releases of hazardous waste(s) (including hazardous constituent[s]); and (4) comply with all applicable standards for management of wastes.

If two or more of the Corrective Measures studied meet the threshold criteria set out above, Ohio EPA will authorize the Corrective Measures Implementation by considering remedy selection factors including: (1) long-term reliability and effectiveness; (2) the degree to which the Corrective Measure will reduce the toxicity, mobility or volume of contamination; (3) the Corrective Measure's short-term effectiveness; (4) the Corrective Measure's implementability; and (5) the relative cost associated with the alternative.

(a) Permit Modification

Ohio EPA will initiate a permit modification, as provided by OAC Rule 3745-50-51 to require implementation of the corrective measure(s) authorized.

The Permittee must not implement the corrective measure until the permit is modified pursuant to OAC Rule 3745-50-51.

(b) Financial Assurance

OAC Rule 3745-54-101

Within forty five (45) days after receiving approval of the CMI, the Permittee must provide financial assurance in the amount necessary to implement the corrective measure(s) as required by OAC Rule 3745-54-101(B) and (C).

E.10 Newly Identified WMUs or Releases

OAC Rule 3745-54-101

(a) General Information

The Permittee must submit to Ohio EPA, within thirty (30) days of discovery, the following information regarding any new WMU identified at the Facility by Ohio EPA or the Permittee:

- (i) The location of the unit on the site topographic map;
- (ii) Designation of the type of unit;
- (iii) General dimensions and structural description (supply any available drawings);
- (iv) When the unit was operated; and

(v) Specification of all waste(s) that have been managed at the unit.

(b) Release Information

The Permittee must submit to Ohio EPA, within forty five (45) days of discovery, all available information pertaining to any release of hazardous waste(s) or hazardous constituent(s) from any new or existing WMU.

E.11 Corrective Action for Newly Identified WMUs and Releases
OAC Rule 3745-54-101

If Ohio EPA determines that a RFI is required for newly identified WMUs, the Permittee must submit a written RFI Workplan to Ohio EPA upon a time frame established in written notification by Ohio EPA in accordance with Permit Condition E.5. This determination will be made based on the information submitted in accordance with Permit Condition E.10.

Further investigations or corrective measures will be established by Ohio EPA.

Permittee must make such submittal in accordance with time frames established by Ohio EPA.

E.12 Completion of Corrective Action
OAC Rule 3745-54-101

After completing Corrective Action as necessary to protect human health and the environment for all releases of hazardous wastes or hazardous constituents from any WMUs at the Facility, the Permittee shall submit a Corrective Measures Completion of Work (CMCW) Report. The CMCW Report shall document that Corrective Action remedy construction is complete, cleanup objectives and standards have been met, and any releases of hazardous waste or constituents no longer pose an unacceptable risk to human health and the environment. The CMCW Report may be submitted for any part of the Facility for which corrective measures are complete, or for the entire Facility. The CMCW Report must be submitted as a request for permit modification pursuant to OAC Rule 3745-50-51.

E.13 Documents Requiring Professional Engineer Stamp
ORC Section 4733.01

Preparation of the following Corrective Action documents constitutes the "practice of engineering" as defined by ORC Section 4733.01:

- Final Interim Measures Report
- Corrective Measures Final Design

- Corrective Measures Construction Completion Report
- Corrective Measures Attainment of Groundwater Performance Standards Report
- Corrective Measures Completion of Work Report

As such, the Permittee must ensure that these documents, as submitted to Ohio EPA, are stamped by a Professional Engineer licensed to practice in the State of Ohio.

MODULE F - RESERVED

DRAFT

MODULE G - RESERVED

DRAFT

MODULE H - RESERVED

DRAFT

MODULE I – BOILER

I. BOILER

The Permittee currently has two boilers on-site. Boiler 1 utilizes only natural gas and is not included in this permit. Boiler 2 is permitted to burn hazardous waste that is generated on-site as fuel for energy recovery. The facility's permit and permit application describe the hazardous wastes that the facility is permitted to utilize as fuel. Wastes are introduced into Boiler 2 via piping from the working tank, as described in Section D of the permit application.

The Permittee has notified Ohio EPA that Boiler 2 will be in compliance with 40 CFR 63, Subpart EEE, the Hazardous Waste Combustor Maximum Achievable Control Technology Standards (HWC MACT Standards). A carbon monoxide (CO) analyzer is positioned within the system to monitor compliance with the HWC MACT standards. Please refer to the permit issued by Ohio EPA, Division of Air Pollution Control, for additional requirements on Boiler 2 to ensure compliance with the HWC MACT Standards. The only sections of RCRA regulations that will continue to apply to the hazardous waste burning boilers are Contingency Planning, Closure, Post-Closure, Standards for Direct Transfer, and Standards for Regulation of Residues.

On November 2, 2017, the Permittee submitted a Description of Operations in lieu of an evaluation of the applicability of the factors outlined in OAC Rule 3745-50-40(I)(1) to (I)(1)(i).

Ohio EPA used the following factors as a basis for evaluation: a description of operations, hazardous waste generation (the peroxide waste stream), hazardous waste characterization including the lack of metals, the process of managing the hazardous waste, information on the treatment method (the boiler), comprehensive performance testing that has been completed or is scheduled, and the regulatory controls in place at the facility.

Based the evaluation of the above factors, it has been concluded that compliance with the standards of 40 CFR Part 63 subpart EEE alone is protective of human health or the environment on factors relevant to the potential risk from a hazardous waste combustion unit.

I.1. General

ORC Section 3734.20 and OAC Chapters 3745-54 and 3745-55

The Permittee must meet the applicable requirements of ORC Section 3734.20 and OAC Chapters 3745-54 and 3745-55, including:

- (a) Closure and Post-Closure. (OAC Rules 3745-55-11 through 15)
- (b) Financial Requirements. (OAC Rules 3745-55-41 through 43, 47 through 51)

I.2. Hazardous Waste as Fuel

The Permittee may burn in Boiler 2 for energy recovery only the hazardous waste as specified in the facility's permit application. The hazardous waste that is burned in Boiler 2 is generated from the manufacturing of organic peroxides at the facility.

The hazardous waste consists of organic peroxides that are captured from the skim tanks that are part of the wastewater treatment system, or are off-specification manufactured materials. The hazardous waste only includes those constituents listed in Table C-1 in Section C, Waste Analysis Plan, of the Part B Permit Application.

The organic peroxides are reactive (D003) wastes as defined in OAC 3745-51-23(A)(6): when heated under confinement they are capable of explosive reaction. The wastes are also ignitable (D001) wastes with a flash point at or below 140 degrees Fahrenheit. The physical characteristics of the hazardous wastes removed from the skim tanks are as follows: they have a specific gravity of <1.0; and they are always liquid.

- (a) The Permittee must not feed any hazardous waste into Boiler 2 whose current Ohio EPA hazardous waste code number does not appear in the Part A application.
- (b) The Permittee must not feed any hazardous waste into Boiler 2 for which burning for energy recovery would be inconsistent with the restrictions and prohibitions described in Section C of the permit application.
- (c) Throughout operation, the Permittee must conduct sufficient analysis in accordance with Section C of the permit application to verify that waste fed to Boiler 2 is within the physical and chemical composition limits specified in this permit.
- (d) The Permittee shall not burn no more than 10 gallons of hazardous waste per hour.

I.3 Boiler 2 System Maintenance Requirements

- (a) The boiler must be cleaned, when necessary, by removing, to the extent practicable, any accumulated ash in the boiler. Any ash removed from the boiler must be characterized and managed appropriately.
- (b) The boiler must meet the requirements of American Society of Mechanical Engineers (ASME) Pressure Vessel Code or equivalent standards.
- (c) The boiler must be maintained to meet the definition of a boiler as specified in OAC Rule 3745-50-10.

I.4 Inspection Requirements

The Permittee must inspect Boiler 2 and associated equipment in accordance with the Inspection Schedule in Section F of the permit application. All inspection data must be recorded and the records must be placed in the operating log. The Permittee must complete the following as part of these inspections:

- (a) The Permittee must thoroughly visually inspect Boiler 2 and associated equipment (including pumps, valves, conveyors, pipes, etc.) for leaks, spills, fugitive emissions, and signs of tampering, as specified in Section F of the permit application.
- (b) The Permittee must conduct all other inspections applicable to Boiler 2 as specified in Section F of the permit application.

I.5 Monitoring Requirements OAC Rule 3745-57-47

The Permittee must maintain, calibrate, and operate monitoring equipment at all times while burning hazardous waste for energy recovery as specified in the facility's permit application and this permit.

- (a) The Permittee must record data, while burning hazardous waste for energy recovery, for all materials fed to Boiler 2. The data must be recorded in the operating log in accordance with OAC Rule 3745-54-73.

I.6 Closure

The Permittee must follow the procedures in the Closure Plan in Section I of the permit application and the terms and conditions of this permit.

I.7 Record Keeping

The Permittee must record and maintain, in the operating record for this facility, all monitoring and inspection data compiled under the requirements of this permit.

DRAFT

MODULE J THROUGH MODULE Z
Reserved

END OF PERMIT CONDITIONS

DRAFT