



**Mike DeWine**, Governor  
**Jon Husted**, Lt. Governor  
**Laurie A. Stevenson**, Director

June 6, 2022

Mr. Jim Childress  
Clean Harbors Recycling Services of Ohio  
2815 Old Greenbrier Pike  
Greenbrier, TN 37073

Re: Final Findings and Orders for air pollution  
violations

Dear Mr. Childress:

Transmitted herewith are the Final Findings and Orders (“Orders”) of the Director of Ohio EPA concerning the above-referenced matter.

Please note that the effective date of the Orders is the date that the Orders were entered into the Ohio EPA Director’s journal, which is the date that is stamped on the first page of the Orders.

Sincerely,

James Kavalec  
Assistant Environmental  
Administrator

ec: Jim Kavalec/ Tan Tran DAPC  
Kimberly Rhoads/Drew Bergman, Legal Office  
Pamela McCoy/Stephanie Habinak/Kelly Toth, CDO-DAPC

By: Vicky A. Mink Date: \_\_\_\_\_

**BEFORE THE**

6/6/2022

**OHIO ENVIRONMENTAL PROTECTION AGENCY**

**In the Matter of:**

<b>Clean Harbors Recycling Services of Ohio</b> <b>581 Milliken Drive, S.E.</b> <b>Hebron, Ohio 43025</b>	: : : :	<u><b>Director's Final Findings</b></u> <u><b>and Orders</b></u>
---	------------------	---

**PREAMBLE**

It is agreed by the parties hereto as follows:

**I. JURISDICTION**

These Director's Final Findings and Orders (Orders) are issued to Clean Harbors Recycling Services of Ohio (Respondent) pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency (Ohio EPA) under Ohio Revised Code (ORC) §§ 3704.03 and 3745.01.

**II. PARTIES BOUND**

These Orders shall apply to and be binding upon Respondent and successors in interest liable under Ohio law. No change in ownership of Respondent or of the facility (as hereinafter defined) shall in any way alter Respondent's obligations under these Orders.

**III. DEFINITIONS**

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC Chapter 3704 and the rules promulgated thereunder.

**IV. FINDINGS**

The Director of Ohio EPA makes the following findings:

1. Respondent receives and processes off-site spent solvent wastes to recover or reclaim usable solvents. Respondent owns and operates a facility (Facility ID#0145020235) located at 581 Milliken Drive, S.E., in Hebron, Ohio (Licking County). At this facility, among other emissions units (EUs), Respondent operates Boilers (EUs B004 and B005), two Organic Solvent Loading Racks (EUs J002 and J003), a Distillation Column (EU P004), four Safety-Therms (EUs P005 through P008), a Filter Grinder (EU P010), a Solvent Dewatering Bed (not yet permitted), a Solvent Drying Bed (EU P017), and twenty-six Storage Tanks (EUs: T095, T112, T189-T191, T203, T204, T208, T209, T212-T214, T225, T226, T230-T232, T235-T237, T240-T242, and T245-T247). The current Title V Operating Permit ("TVPTO") P0083737 for this facility was issued on April 26, 2017 and has the expiration date of May 17, 2022.

2. ORC § 3704.05(A) prohibits any person from causing, permitting, or allowing emission of an air contaminant in violation of any rule.

3. ORC § 3704.05(C) and (J) prohibits any person who is a holder of a permit issued by the Director of Ohio EPA pursuant to ORC § 3704.03 from violating any of its terms and conditions.

4. OAC Rule 3745-31-01(WWW), in part, specifies that the replacement of an entire contaminant source is considered a new source.

5. OAC Rule 3745-31-02(A)(1), in part, specifies that no one shall cause, permit or allow any installation or modification of any new source without first obtaining a permit-to-install from the Director of Ohio EPA.

6. Terms C.3.d)(4), C.4.d)(4), C.5.d)(4), C.6.d)(4), and C.8.d)(4) of TVPTO P0083737 for Respondent's facility requires permittee to record the pressure drop across the scrubber liquid's pH and flow rate on a daily basis.

7. Terms A.25 of TVPTO P0083737 for Respondent's facility requires permittee to retain records of any monitoring data, testing data, and support information required for a period of five years from the date each record was created.

8. Terms B.3, C.4.d)(8), C.5.d)(8), C.9.d)(3), and C.10.d)(3) of TVPTO P0083737 for Respondent's facility and 40 CFR 63.693(f)(3) require permittee to measure and record the daily average temperature of the operation of the vapor incinerator in accordance with the requirements of 40 CFR 63.695(e) using one of the continuous monitoring systems specified in paragraphs (f)(3)(i) through (f)(3)(iv) of 40 CFR 63.693 as applicable to the type of vapor incinerator used at Respondent's facility.

9. Terms B.3, C.4.d)(8), C.5.d)(8), and C.10.d)(3) of TVPTO P0083737 for Respondent's facility and 40 CFR 63.693(e)(3) require permittee to calculate the daily average for each monitored operating parameter for each operating day using the data recorded by the monitoring system.

10. Terms B.4, C.2.d)(2), C.3.d)(7), and C.11.d)(1) of TVPTO P0083737 for Respondent's facility and 40 CFR 63.988(c) require permittee to continuously monitor and record the temperature where an incinerator, boiler, or process heater is used.

11. Terms B.4, C.2.d)(2), C.3.d)(7), and C.11.d)(1) of TVPTO P0083737 for Respondent's facility and 40 CFR 63.998(b)(3)(i) require permittee to calculate the daily average values of each continuously monitored parameter and retain these records for 5 years.

12. Terms B.3 and B.4 of TVPTO P0083737 for Respondent's facility and 40 CFR 63.10(b)(1) require permittee to maintain files for all information for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

13. Terms B.3, C.4.d)(8), C.5.d)(8), C.9.d)(3), and C.10.d)(3) of TVPTO P0083737 for Respondent's facility and 40 CFR 63.693(e)(1) require that a continuous parameter monitoring system must be used to measure the operating parameter or parameters specified for the control device in 40 CFR 63.693(d) through 40 CFR 63.693(g) as applicable to the type and design of the control device.

14. Terms B.4, C.2.d)(2), C.3.d)(7), and C.11.d)(1) of TVPTO P0083737 for Respondent's facility and 40 CFR 63.2374(a) require permittee to monitor and collect data according to 40 CFR Part 63, Subpart SS.

15. Terms B.4, C.2.d)(2), C.3.d)(7), and C.11.d)(1) of TVPTO P0083737 for Respondent's facility and 40 CFR 63.998(b)(1) require permittee to maintain a record of temperature values as specified in 40 CFR 63.998(b)(1)(i) through (iv).

16. Terms B.4, C.2.d)(2), C.3.d)(8), and C.11.d)(1) of TVPTO P0083737 for Respondent's facility and Table 8 of 40 CFR Part 63, Subpart EEEE require permittee to demonstrate continuous compliance by maintaining the operating limits established during the performance test that demonstrated compliance with the emission limit.

17. Terms B.3, C.4.d)(8), C.5.d)(8), and C.10.d)(3) of TVPTO P0083737 for Respondent's facility and 40 CFR 63.695(e)(3) require that for each monitored operating parameter, the permittee must establish a minimum operating parameter value or a maximum operating value, as appropriate, to define the range of conditions at which the control device must be operated to continuously achieve the applicable performance requirements specified in 40 CFR 63.693(b)(2).

18. Terms B.3, B.4, C.2.b)(1)c., C.3.b)(1)d, C.4.b)(1)e., C.5.b)(1)d., C.10.b)(1)c., and C.11.b)(1)c. of TVPTO P0083737 for Respondent's facility and 40 CFR 63.6(e)(1)(i) require that at all times, including periods of startup, shutdown, and malfunction, the permittee must operate and maintain any affected sources, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.

19. Terms B.4, C.2.d)(2), C.3.d)(7), and C.11.d)(1) of TVPTO P0083737 for Respondent's facility and 40 CFR 63.2378(b) require that during startup, shutdown, and malfunction, the permittee must implement, to the extent reasonably available, measures to prevent or minimize excess emissions.

20. Terms C.3.d)(4), C.4.d)(4), and C.5.d)(4) of TVPTO P0083737 for Respondent's facility require permittee to maintain specified records whenever the pressure drop across the scrubber, the scrubber liquid flow rate, or the scrubber liquid pH deviates from the range(s) or minimum limit(s) established in the permit.

21. Terms C.3.e)(1), C.4.e)(1), and C.5.e)(1) of TVPTO P0083737 for Respondent's facility require permittee to submit quarterly deviation (excursion) reports in accordance with the requirements of the Standard Terms and Conditions of this permit.

22. Term A.2.c)(1) of TVPTO P0083737 for Respondent's facility require permittee to submit reports of deviations caused by malfunctions in accordance with miscellaneous requirements as specified in OAC Rules 3745-15-06(B), 3745-17-07(A)(1), and 3745-77-07(A)(3)(c).

23. Term A.2.c)(2) of TVPTO P0083737 for Respondent's facility require permittee to submit reports of deviations of the emission limitations, operational restrictions, and control device operating parameters limitations in accordance with miscellaneous requirements as specified in OAC Rule 3745-77-07(A)(3)(c).

24. Terms C.3.d)(3), C.4.d)(3), and C.5.d)(3) of TVPTO P0083737 for Respondent's facility require that the pH of the scrubber liquor must be maintained within the range of 6.5 to 10.00 based on hourly averages.

25. Terms B.3, C.4.e)(2), C.5.e)(2), and C.10.e)(1) of TVPTO P0083737 for Respondent's facility and 40 CFR 63.697(b)(4) require permittee to submit a summary report as specified in 40 CFR 63.10(e)(3) on a semi-annual basis (i.e., once every 6-month period). The summary report must include a description of all deviations as defined in 40 CFR 63.683(f) and 63.695(e) that have occurred during the 6-month reporting period.

26. Terms B.4, C.2.e)(2), C.3.e)(2), and C.11.e)(2) of TVPTO P0083737 for Respondent's facility and 40 CFR 63.2386 require permittee to submit semi-annual compliance reports that satisfy miscellaneous requirements specified in 40 CFR 63.2386(b)(i) and (ii).

27. Term A.2.c)(3) of TVPTO P0083737 for Respondent's facility require permittee to submit periodic reports that identify any deviations from requirements in section C of the Title V permit, and any monitoring, record keeping, and reporting requirements, which are not reported in accordance with Standard Term and Condition A.2.c)(2), be submitted to Ohio EPA by January 31 and July 31 of each year, and each report shall cover the previous six calendar months.

28. Term A.13.d) of TVPTO P0083737 for Respondent's facility require permittee to submit compliance certifications concerning the terms and conditions in its Title V permit in accordance with paragraph (i) and (ii) of this section, and additional requirements as specified

in sections 114(a)(3) and 504(b) of the Act.

29. On October 6, 2021, Central District Office, Division of Air Pollution Control ("CDO-DAPC") conducted an inspection at Respondent's facility. The goal of this inspection was to evaluate compliance with state and federal air pollution rules and regulations as well as the terms and conditions of the permits-to-install and Title V permit. At this inspection, CDO discovered several violations of OAC Rules, 40 CFR and miscellaneous Terms and Conditions of Respondent's TVPTO P0083737 which are outlined in Findings #6 through #28.

30. Based on the information obtained during the October 6, 2021 inspection, as of October 6, 2021, Respondent had replaced the solvent dewatering beds (EU P011) without applying and obtaining the required permit-to-install prior to installation, in violation of OAC Rules 3745-31-01(WWW) and 3745-31-02(A)(1), and ORC § 3704.05(A) and (G).

31. Based on the information obtained during the compliance inspection at Respondent's facility on October 6, 2021, there were approximately 81 days in 2019 and 2020 that Respondent did not have records of the daily average RFO temperature or pressure drop across the scrubber serving EUs J002, J003, P004-P008, P010, P016, T095, T112, T189-T191, T203, T204, T208, T209, T212-T214, T225, T226, T230-T232, T235-T237, T240-T242, and T245-T247, in violation of Terms A.25, B.3 and B.4, C.2.d)(2), C.3.d)(4), C.3.d)(7) C.4.d)(4), C.5.d)(4), C.6.d)(4), C.8.d)(4), C.4.d)(8), C.5.d)(8), C.10.d)(3), and C.11.d)(1) of TVPTO P0083737, 40 CFR 63.695(e)(2), 40 CFR 63.693(f)(3), 40 CFR 63.10(b)(1), 40 CFR 63.988(c), and 40 CFR 63.998(b)(3)(i) and ORC § 3704.05(C) and (J).

32. Based on the information obtained during the compliance inspection at Respondent's facility on October 6, 2021, there were approximately 50 days in 2018 and 2019 that Respondent did not have records of the daily records of the scrubber pH for the scrubber serving EUs J002, J003, P004-P008, P010, P016, T095, T112, T189-T191, T203, T204, T208, T209, T212-T214, T225, T226, T230-T232, T235-T237, T240-T242, and T245-T247, in violation of Terms A.25, C.3.d)(4), C.4.d)(4), C.5.d)(4), C.6.d)(4), and C.8.d)(4) of TVPTO P0083737, and ORC § 3704.05(C) and (J).

33. Based on the information obtained during the compliance inspection at Respondent's facility on October 6, 2021, there were approximately 97 days in 2018 and 2019 that Respondent did not have records of scrubber flow rate for the scrubber serving EUs J002, J003, P004-P008, P010, P016, T095, T112, T189-T191, T203, T204, T208, T209, T212-T214, T225, T226, T230-T232, T235-T237, T240-T242, and T245-T247, in violation of Terms A.25, C.3.d)(4), C.4.d)(4), C.5.d)(4), C.6.d)(4), and C.8.d)(4) of TVPTO P0083737, and ORC § 3704.05(C) and (J).

34. Based on the information obtained during the compliance inspection at Respondent's facility on October 6, 2021, Respondent's RFO for EUs J002, J003, P004-P008, T095, T112, T189-T191, T203, T204, T208, T209, T212-T214, T225, T226, T230-T232, T235-T237, T240-T242, and T245-T247 was equipped with a continuous temperature monitor but did not have a continuous recorder, in violation of Terms B.3, B.4, C.2.d)(2), C.3.d)(7), C.4.d)(8), C.5.d)(8), C.9.d)(3), C.10.d)(3), and C.11.d)(1) of TVPTO P0083737 for Respondent's facility and 40 CFR 63.2374(a), 40 CFR 63.693(f)(3), 40 CFR 63.695(e)(1), 40 CFR 63.988(c) and 40 CFR 63.998(b)(1), and ORC § 3704.05(C) and (J).

35. Based on the information obtained during the compliance inspection at Respondent's facility on October 6, 2021, the temperature within Respondent's RFO serving EUs J002, J003, P004-P008, T095, T112, T189-T191, T203, T204, T208, T209, T212-T214, T225, T226, T230-T232, T235-T237, T240-T242, and T245-T247 was below 1,618 degree F setpoint from May 4, 2021 through October 5, 2021, in violation of Terms B.3, B.4, C.2.d)(2), C.3.d)(8), C.4.d)(8), C.5.d)(8), C.10.d)(3) and C.11.d)(1) of TVPTO P0083737, 40 CFR 63.695(e)(3) and Table 8 of 40 CFR Part 63, Subpart EEEE, and ORC § 3704.05(C) and (J).

36. Based on the information obtained during the compliance inspection at Respondent's facility on October 6, 2021, it was revealed that during startups on February 16, 2021 from 11:00 a.m. to 3:00 p.m., April 7, 2021 from 3:00 p.m. to 6:00 p.m., April 27, 2021 at 10:00 a.m., and May 3, 2021 beginning at 10:00 a.m. EUs J002, J003, P004-P008, T095, T112, T189-T191, T203, T204, T208, T209, T212-T214, T225, T226, T230-T232, T235-T237, T240-T242, and T245-T247 began venting to the RFO before the temperature reached 1,618 degrees F, in violation of Terms B.3, B.4, C.2.b)(1)(c), C.2.d)(2), C.3.b)(1)(d), C.3.d)(7), C.4.b)(1)(e), C.5.b)(1)d, C.10.b)(1)c, C.11.b)(1)c and C.11.d)(1) of TVPTO P0083737, 40 CFR 63.695(e)(1), 40 CFR 63.2378(b) and 40 CFR 63.6(e)(1)(i), and ORC § 3704.05(C) and (J).

37. Based on the information obtained during the compliance inspection at Respondent's facility on October 6, 2021, CDO identified scrubber water flow rate deviations concerning EUs J003, and P004 through P008 that occurred from 4:00 a.m. on May 28, 2021 until 11:00 p.m. on May 30, 2021. According to CDO, these records did not indicate the date the investigation was conducted, the name(s) of personnel who conducted the investigation, the findings and recommendations, a description of the corrective action, and the name(s) of the personnel who performed the work, in violation of Terms C.3.d)(4), C.4.d)(4), and C.5.d)(4) of TVPTO P0083737, and ORC § 3704.05(C) and (J).

38. Based on the information obtained during the compliance inspection at Respondent's facility on October 6, 2021, CDO identified 165 hours when the scrubber pH concerning EUs J003, and P004 through P008 was above 10.0 between January 1, 2021 and September 23, 2021. According to CDO, these records did not indicate the date the investigation was conducted, the name(s) of personnel who conducted the investigation, the findings and recommendations, a description of the corrective action, and the name(s) of the personnel who performed the work, in violation of Terms C.3.d)(4), C.4.d)(4), and C.5.d)(4) of TVPTO P0083737, and ORC § 3704.05(C) and (J).

39. Based on the information obtained during the compliance inspection at Respondent's facility on October 6, 2021, CDO documented that Respondent had not identified any of the scrubber parametric monitoring deviations concerning EUs J003, and P004 through P008, in accordance with the malfunction reporting requirements and/or quarterly deviation required in the permit, in violation of Terms A.2.c)(1), A.2.c)(2), C.3.e)(1), C.4.e)(1), and C.5.e)(1) of TVPTO P0083737, and ORC § 3704.05(C) and (J).

40. Based on the information obtained during the compliance inspection at Respondent's facility on October 6, 2021, CDO identified an excessive number of pH deviations (total of 165 hours when the scrubber pH was above 10.0 between January 1, 2021 and September 23, 2021) for the scrubber serving EUs J003, and P004 through P008 in Respondent's records, in violation of Terms C.3.d)(3), C.4.d)(3) and C.5.d)(3) of TVPTO P0083737, and ORC § 3704.05(C) and (J).

41. Based on the information obtained during the compliance inspection at Respondent's facility on October 6, 2021, CDO documented that Respondent had not submitted reports identifying the 40 CFR Part 63, Subpart DD and 40 CFR Part 63, Subpart EEEE deviations being outlined in above Findings #34, 37, 38, and 39 concerning EUs J002, J003, P004-P008, T095, T112, T189-T191, T203, T204, T208, T209, T212-T214, T225, T226, T230-T232, T235-T237, T240-T242, and T245-T247, in violation of Terms B.3, B.4, C.2.e)(2), C.3.e)(2), C.4.e)(2), C.5.e)(2), C.10.e)(1), and C.11.e)(2) of TVPTO P0083737, 40 CFR 63.697(b)(4), 40 CFR 63.2386, and ORC § 3704.05(C) and (J).

42. Based on the information obtained during the compliance inspection at Respondent's facility on October 6, 2021, CDO documented that Respondent had not submitted semi-annual deviation reports identifying the Title V permit monitoring, recordkeeping, and/or reporting requirement deviations as being outlined in above Findings #31 through #39 and #41 concerning EUs J002, J003, P004-P008, P010, P016, T095, T112, T189-T191, T203, T204, T208, T209, T212-T214, T225, T226, T230-T232, T235-T237, T240-T242, and T245-T247, in violation of Terms A.2.c)(3), and ORC § 3704.05(C) and (J).

43. Based on the information obtained during the compliance inspection at Respondent's facility on October 6, 2021, CDO documented that Respondent had not identified the Title V permit deviations in accordance with the Title V compliance certification requirements specified in the permit, as being outlined in above Findings #31 through #39, #41, and #42 concerning EUs J002, J003, P004-P008, P010, P016, T095, T112, T189-T191, T203, T204, T208, T209, T212-T214, T225, T226, T230-T232, T235-T237, T240-T242, and T245-T247, in violation of Terms A.13.d) of TVPTO P0083737, and ORC § 3704.05(C) and (J).

44. On November 2, 2021, CDO-DAPC issued Respondent a notice of violation letter for the above violations outlined in Findings #30 through #43.



45. The Director has given consideration to, and based her determination on, evidence relating to the technical feasibility and economic reasonableness of complying with the following Orders and their relation to benefits to the people of the State to be derived from such compliance.

## **V. ORDERS**

The Director hereby issues the following Orders:

1. Within forty-five (45) days from the effective date of these Orders, Respondent shall submit a complete and approvable permit-to-install application to Ohio EPA for the newly installed solvent dewatering beds.

2. Within thirty (30) days from the effective date of these Orders, Respondent shall submit documentation demonstrating that the violations identified in these Orders and the NOV dated November 2, 2021 have been abated.

3. Respondent shall pay the amount of forty five thousand dollars (\$45,000) in settlement of Ohio EPA's claims for civil penalties, which may be assessed pursuant to ORC Chapter 3704. Within thirty (30) days after the effective date of these Orders, payment to Ohio EPA shall be made by an official check made payable to "Treasurer, State of Ohio" forty five thousand dollars (\$45,000). The official check shall be submitted to Carol Butler, or her successor, together with a letter identifying Respondent, to:

Ohio EPA  
Office of Fiscal Administration  
P.O. Box 1049  
Columbus, Ohio 43216-1049

## **VI. TERMINATION**

Respondent's obligations under these Orders shall terminate when Respondent certifies in writing and demonstrates to the satisfaction of Ohio EPA that Respondent has performed all obligations under these Orders, these obligations have been embedded in operation permits, and the Chief of Ohio EPA's Division of Air Pollution Control acknowledges, in writing, the termination of these Orders. If Ohio EPA does not agree that all obligations have been performed, then Ohio EPA will notify Respondent of the obligations that have not been performed, in which case Respondent shall have an opportunity to address any such deficiencies and seek termination as described above.

The certification shall contain the following attestation: "I certify that the information contained in or accompanying this certification is true, accurate and complete."

This certification shall be submitted by Respondent to Ohio EPA and shall be signed by a responsible official of Respondent. For purposes of these Orders, a responsible official is as defined in OAC Rule 3745-77-01(JJ) for a corporation, or a corporate officer who is in charge of a principal business function of Respondent.

#### **VII. OTHER CLAIMS**

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership or corporation, not a party to these Orders, for any liability arising from, or related to, operations by Respondent.

#### **VIII. OTHER APPLICABLE LAWS**

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Respondent.

#### **IX. MODIFICATIONS**

These Orders may be modified by agreement of the parties hereto. Modifications shall be in writing and shall be effective on the date entered in the journal of the Director of Ohio EPA.

#### **X. NOTICE**

All documents required to be submitted by Respondents pursuant to these Orders shall be addressed to:

Ohio EPA – Central District Office  
Division of Air Pollution Control  
P.O. Box 1049  
Columbus, Ohio 43216-1049  
Attention: Kelly Toth

and to:

Ohio EPA  
Division of Air Pollution Control  
P.O. Box 1049  
Columbus, Ohio 43216-1049  
Attn: Jim Kavalec, Assist. Env. Administrator  
Compliance and Enforcement

or to such persons and addresses as may hereafter be otherwise specified in writing by

Ohio EPA.

### **XI. RESERVATION OF RIGHTS**

Ohio EPA and Respondent each reserve all rights, privileges and causes of action, except as specifically waived in Section XII of these Orders.

### **XII. WAIVER**

In order to resolve disputed claims, without admission of fact, violation or liability, and in lieu of further enforcement action by Ohio EPA for only the violations specifically cited in these Orders, Respondent consents to the issuance of these Orders and agrees to comply with these Orders. Compliance with these Orders shall be a full accord and satisfaction for Respondent's liability for the violations specifically cited herein.

Respondent hereby waives the right to appeal the issuance, terms and conditions, and service of these Orders and Respondent hereby waives any and all rights Respondents may have to seek administrative or judicial review of these Orders either in law or equity.

Notwithstanding the preceding, Ohio EPA and Respondent agree that if these Orders are appealed by any other party to the Environmental Review Appeals Commission, or any court, Respondent retains the right to intervene and participate in such appeal. In such an event, Respondent shall continue to comply with these Orders notwithstanding such appeal and intervention unless these Orders are stayed, vacated or modified.

### **XIII. EFFECTIVE DATE**

The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

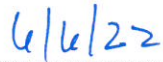
**XIV. SIGNATORY AUTHORITY**

Each undersigned representative of a party to these Orders certifies that he or she is fully authorized to enter into these Orders and to legally bind such party to these Orders.

**ORDERED AND AGREED:**


**Ohio Environmental Protection Agency**

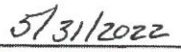
  
\_\_\_\_\_  
Laurie A. Stevenson  
Director

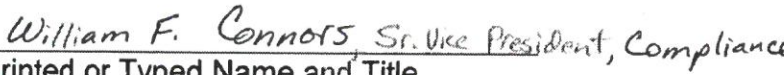
  
\_\_\_\_\_  
Date

**AGREED:**

**Clean Harbors Recycling Services of Ohio**

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Printed or Typed Name and Title