UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

AUG 01 2014

REPLY TO THE ATTENTION OF

Mr. Anthony Dugan
Quality, Environmental, Health, and Safety Manager
Envirite of Ohio, Inc.
2050 Central Avenue Southeast
Canton, Ohio 44707

Re: Final Federal RCRA Permit, Envirite of Ohio, Inc.
Canton, Ohio, OHD 980 568 992

Dear Mr. Dugan:

Enclosed is a copy of the Federal portion of a Resource Conservation and Recovery Act (RCRA) Hazardous Waste permit for the above-referenced facility. The complete RCRA Hazardous Waste permit contains both Federal permit conditions (contained herein) and State permit conditions, which were issued separately by the State of Ohio RCRA program authorized under Title 40 of the Code of Federal Regulations (40 CFR) Part 271. Any hazardous waste activity not included in the Federal portion of the RCRA permit or in the State portion of the RCRA permit is prohibited when such activity requires a RCRA Hazardous Waste permit.

The draft federal RCRA permit was publicly noticed in "The Canton Repository" newspaper on March 31, 2014. A copy of the draft federal RCRA permit was available for review at the Stark County District Library, DeHoff Memorial Branch, 216 Hartford Avenue, SE, Canton, Ohio 44707. The public comment period extended from March 31 to May 19, 2014. A public meeting was held to receive comments on Tuesday, May 6, 2014, at 6:30 p.m. at the Stark County District Library, DeHoff Memorial Branch, 216 Hartford Avenue, SE, Canton, Ohio 44707.

No comments were received by U.S. Environmental Protection Agency on the draft Federal RCRA permit during the public comment period or at the public meeting held on May 6, 2014.

This Federal permit is effective September 15, 2014 and valid until July 17, 2024, unless the Federal permit is revoked and reissued, or terminated pursuant to 40 CFR § 270.41 and § 270.43. Failure to comply with any conditions of the Federal permit may result in civil and/or criminal Penalties.

You may appeal the issuance of this permit by filing a petition for review with the Environmental Appeals Board.

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A petition for review of any condition of a RCRA permit decision must be filed with the Environmental Appeals Board within 30 days after EPA serves notice of the issuance of the final permit decision. 40 CFR § 124.19(a)(3). When EPA serves the notice by mail, service is deemed to be completed when the notice is placed in the mail, not when it is received. However, to compensate for the delay caused by mailing, the 30-day deadline for filing a petition is extended by three days if the final permit decision being appealed was served on the petitioner by mail. 40 CFR § 124.20(d). Petitions are deemed filed when they are received by the Clerk of the Board at the address specified for the appropriate method of delivery. 40 CFR § 124.19(a)(3) and 40 CFR § 124.19(i). Additional information regarding petitions for review may be found in the Environmental Appeals Board Practice Manual (August 2013) and A Citizen's Guide to EPA's Environmental Appeals Board, both of which are available at http://yosemite.epa.gov/oa/EAB_Web_Docket.nsf/General+Information/Environmental+Appeals+Board+Guidance+Documents?OpenDocument.

Eligibility to appeal the Federal permit is discussed further in 40 CFR §124.19. General filing requirements are contained in the Environmental Appeals Board Practice Manual and A Citizens' Guide to EPA's Environmental Appeals Board.

All documents that are sent through the U.S. Postal Service (except by Express Mail) must be addressed as follows:

Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1200 Pennsylvania Avenue, NW
Mail Code 1103M
Washington, DC 20460-0001

Documents that are hand-carried in person, delivered via courier, mailed by Express Mail, or delivered by a non-U.S. Postal Service carrier (e.g., Federal Express or UPS) must be delivered to:

Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1201 Constitution Avenue, NW
U.S. EPA East Building, Room 3334
Washington, DC 20004

A copy of the petition should also be sent to:

RCRA Branch (LR-8J)
U.S. Environmental Protection Agency, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

The procedures for filing an appeal are found in 40 CFR § 124.19. The administrative appeal procedures must be completed prior to any action seeking judicial review.

If you have any questions concerning this permit, please contact Mr. Jae Lee of my staff, at (312) 886-3781.

Sincerely,

Michael D. Harris for M.G.

Margaret M. Guerriero
Director
Land and Chemicals Division

Enclosure

cc: Jeremy Carroll, OEPA

**FINAL**

# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
# REGION 5

## RESOURCE CONSERVATION AND RECOVERY ACT PERMIT

**Facility Name and Location:** **Envirite of Ohio, Inc. (dba EQ Ohio, Inc.)**
**2050 Central Avenue Southeast**
**Canton, Ohio 44707**

**Owner:** **Envirite of Ohio, Inc.**
**2050 Central Avenue Southeast**
**Canton, Ohio 44707**

**Operator:** **Envirite of Ohio, Inc.**
**2050 Central Avenue Southeast**
**Canton, Ohio 44707**

**EPA Identification Number:** **OHD 980 568 992**

**Effective Date:** **September 15, 20214**

**Expiration Date:** **July 17, 2024**

**Authorized Activities:**

The U. S. Environmental Protection Agency hereby issues a Resource Conservation and Recovery Act permit (hereinafter referred to as the "permit") to Envirite of Ohio, Inc. (addressed in the second person as "you") in connection with the hazardous waste management operations at Envirite of Ohio, Inc., located in Canton, Ohio.

This permit is issued under the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, and the Hazardous and Solid Waste Amendments (HSWA) of 1984 (42 USC § 6901 *et seq.*) (collectively referred to as "RCRA") and EPA's regulations promulgated thereunder (codified, and to be codified, in Title 40 of the Code of Federal Regulations (40 CFR)).

Specifically, this permit addresses air emission standards for equipment leaks, tanks, and containers.

The RCRA permit consists of both this permit, which contains the effective Federal RCRA permit conditions, and the effective State RCRA permit conditions issued by the State of Ohio's RCRA program authorized under 40 CFR Part 271 (hereinafter called the "State RCRA permit").

The state RCRA permit was issued on July 17, 2014. (The effective and expiration dates of the State RCRA permit are July 17, 2014 and July 17, 2024, respectively.) Any hazardous waste activity which requires a RCRA permit and is not included in the RCRA permit is prohibited.

**Permit Approval:**

On June 28, 1989, the State of Ohio received final authorization according to Section 3006 of RCRA, 42 USC § 6926, and 40 CFR Part 271, to administer the pre-HSWA RCRA hazardous waste program. The State of Ohio also received final authorization to administer certain additional RCRA requirements on several occasions since then.

However, because EPA has not yet authorized the State of Ohio to administer certain RCRA regulations promulgated under HSWA, including the air emission standards for equipment leaks (40 CFR Part 264, Subpart BB) and the air emission standards for tanks and containers (40 CFR Part 264, Subpart CC), EPA Region 5 is issuing the RCRA permit requirements for operations at your facility which fall under these regulations.

You must comply with all terms and conditions contained in this permit. This permit consists of all the conditions contained herein, the documents attached hereto, all documents cross-referenced in these documents, approved submittals (including plans, schedules and other documents), the applicable regulations in 40 CFR Parts 124, 260, 261, 262, 264, 268, 270, and applicable provisions of RCRA.

This permit is based on the assumption that the information submitted in your RCRA Part B Permit Application on September 10, 2012, and all other modifications to that application (hereinafter referred to as the "Part B Permit Application"), is accurate, and the facility is configured, operated and maintained as specified in the Part B Permit Application and other relevant documents.

Any inaccuracies in the submitted information may be grounds for EPA to terminate, revoke and reissue, or modify this permit in accordance with 40 CFR §§ 270.41, 270.42 and 270.43; and for enforcement action. You must inform EPA of any deviation from, or changes in, the information in the Part B Permit Application and other pertinent documents that might affect your ability to comply with the applicable regulations or conditions of this permit.

**Opportunity to Appeal:**

Petitions for review must be submitted within 30 days after EPA serves notice of the final permit decision. Any person who filed comments on the draft permit or participated in the public hearing may petition the Environmental Appeals Board to review any

condition of the permit decision. Any person who failed to file comments or failed to participate in the public hearing on the draft permit may file a petition for review only to the extent of the changes from the draft to the final permit decision. The procedures for permit appeals are found in 40 CFR § 124.19.

**Effective Date:**

This permit is effective as of **September 15, 2014** and will remain in effect until **July 17, 2024**, unless revoked and reissued under 40 CFR § 270.41, terminated under 40 CFR § 270.43, or continued in accordance with 40 CFR § 270.51(a).

By: Michael D. Varno for M.G. Date: 7/25/14

Margaret M. Guerriero
Director
Land and Chemicals Division

**OHD 980 568 992**
**Envirite of Ohio, Inc.**

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# SECTION I—STANDARD PERMIT CONDITIONS

## I.A EFFECT OF PERMIT

You are hereby allowed to manage hazardous waste at the Envirite of Ohio, Inc. facility ("facility") in accordance with this permit. Under this permit, the operation of units storing RCRA hazardous waste must comply with all terms and conditions in this permit. Other aspects of the storage of RCRA hazardous wastes in containers are subject to the conditions in the State RCRA permit.

Subject to 40 CFR § 270.4, compliance with the RCRA permit during its term generally constitutes compliance, for purposes of enforcement, with Subtitle C of RCRA.

This permit does not: (1) convey any property rights or any exclusive privilege; (2) authorize any injury to persons or property, or invasion of other private rights; or (3) authorize any infringement of state or local law or regulations. Compliance with the terms of this permit does not constitute a defense to any order issued, or any action brought, under: (1) Sections 3008(a), 3008(h), 3013, or 7003 of RCRA; (2) Sections 104, 106(a), or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 USC §§ 9601 *et seq.* (commonly known as CERCLA); or (3) any other law protecting public health or the environment from any imminent and substantial endangerment to human health, welfare, or the environment. (40 CFR §§ 270.4 and 270.30(g))

## I.B PERMIT ACTIONS

### I.B.1 Permit Review, Modification, Revocation and Reissuance, and Termination

EPA may review, modify, or revoke and reissue this permit, or terminate it for cause, as specified in 40 CFR §§ 270.41, 270.42, and 270.43. EPA may also review and modify this permit, consistent with 40 CFR § 270.41, to include any terms and conditions it determines are necessary to protect human health and the environment under Section 3005(c)(3) of RCRA. The filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance on your part will not stay the applicability or enforceability of any permit condition. (40 CFR § 270.30(f))

You may request a modification of this permit under the procedures specified in 40 CFR § 270.42. A class 1 modification is generally allowed without prior approval by EPA except under certain conditions as described in 40 CFR § 270.42(a)(2). A class 2 modification requires prior approval by EPA as described in 40 CFR §270.42(b).

You must not perform any construction associated with a Class 3 permit modification request until such modification request is granted and the modification becomes effective. You may perform construction associated with a Class 2 permit modification request beginning 60 days after submission of the request, unless the Director establishes a later date. (40 CFR § 270.42(b)(8)) (Pursuant to Chapter 8-6 of the Region 5 Delegation Manual, the authority assigned to the Regional Administrator as Director under 40 CFR § 270.42(b)(8) has been delegated to the Director of the Land and Chemicals Division of the EPA, Region 5. Thus, for the purposes of this permit, the term Director shall refer to the Division Director of EPA Region 5's Land and Chemicals Division.) Procedures for a Class 3 modification are specified in 40 CFR § 270.42(c).

### I.B.2 Permit Renewal

This permit may be renewed as specified in 40 CFR § 270.30(b) and Section I.E.2 of this permit. In reviewing any application for a permit renewal, EPA will consider improvements in the state of control and measurement technology, and changes in applicable regulations. (40 CFR § 270.30(b) and RCRA Section 3005(c)(3))

## I.C SEVERABILITY

This permit's provisions are severable; if any permit provision, or the application of any permit provision to any circumstance, is held invalid, such provision's application to other circumstances and the remainder of this permit will not be affected. Invalidation of any statutory or regulatory provision on which any condition of this permit is based does not affect the validity of any other statutory or regulatory basis for that condition. (40 CFR § 124.16(a))

## I.D DEFINITIONS

The terms used in this permit will have the same meaning as in 40 CFR Parts 124, 260 through 266, 268 and 270, unless this permit specifically provides otherwise. Where neither the regulations nor the permit define a term, the term's definition will be the standard dictionary definition or its generally accepted scientific or industrial meaning.

## I.E DUTIES AND REQUIREMENTS

### 1.E.1 Duty to Comply

You must comply with all conditions of this permit, except to the extent and for the duration for which an emergency permit authorizes such noncompliance.

(40 CFR § 270.61) Any permit noncompliance, except under the terms of an emergency permit, constitutes a violation of RCRA and will be grounds for: enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. (40 CFR § 270.30(a))

### I.E.2 Duty to Reapply

If you wish to continue an activity this permit regulates after its expiration date, you must apply for and obtain a new permit. You must submit a complete application for a new permit at least 180 days before the permit expires, unless the Director grants permission for a later date. The Director will not grant permission to submit the complete application for a new permit later than the permit's expiration date. (40 CFR §§ 270.10(h) and 270.30(b))

### I.E.3 Permit Expiration

Unless revoked or terminated, this permit and all conditions herein will be effective for 10 years from this permit's effective date. This permit and all conditions herein will remain in effect beyond the permit's expiration date if you have submitted a timely, complete application (40 CFR § 270.10 and §§ 270.13 through 270.29), and, through no fault of your own, the Director has not made a final determination regarding permit reissuance. (40 CFR §§ 270.50 and 270.51)

### I.E.4 Need to Halt or Reduce Activity Not a Defense

In an enforcement action, you are not entitled to a defense that it would have been necessary to halt or reduce the permitted activity to maintain compliance with this permit. (40 CFR § 270.30(c))

### I.E.5 Duty to Mitigate

In the event of noncompliance with this permit, you must take all reasonable steps to minimize releases to the environment resulting from the noncompliance and must implement all reasonable measures to prevent significant adverse impacts on human health or the environment. (40 CFR § 270.30(d))

### I.E.6 Proper Operation and Maintenance

You must always properly operate and maintain all facilities and treatment and control systems (and related appurtenances) that you install or use to comply with this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls,

including appropriate quality assurance/quality control procedures. This provision requires you to operate back-up or auxiliary facilities or similar systems only when necessary to comply with this permit. (40 CFR § 270.30(e))

### I.E.7 Duty to Provide Information

You must provide the Director, within a reasonable time, any relevant information that the Director requests to determine whether there is cause to modify, revoke and reissue, or terminate this permit, or to determine permit compliance. You must also provide the Director, upon request, with copies of any records this permit requires. The information you must maintain under this permit is not subject to the Paperwork Reduction Act of 1995, 44 USC §§ 3501 *et seq.* (40 CFR §§ 264.74(a) and 270.30(h))

### I.E.8 Inspection and Entry

Upon the presentation of credentials and other legally required documents, you must allow the Director or an authorized representative to:

**I.E.8.a** Enter at reasonable times upon your premises where a regulated activity is located or conducted, or where records must be kept under the conditions of this permit;

**I.E.8.b** Have access to and copy, at reasonable times, any records that you must keep under the conditions of this permit;

**I.E.8.c** Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

**I.E.8.d** Sample or monitor any substances at any location at reasonable times, to assure permit compliance or as RCRA otherwise authorizes.

Notwithstanding any provision of this permit, EPA retains the inspection and access authority which it has under RCRA and other applicable laws. (40 CFR § 270.30(i))

### I.E.9 Monitoring and Records

**I.E.9.a** Samples and measurements taken for monitoring purposes must be representative of the monitored activity. The methods used to obtain a representative sample of the feed streams, treatment residues, or other hazardous wastes to be analyzed must be the appropriate methods from Appendix I of 40 CFR Part 261, or the methods specified in the Waste Characteristics which

is Section C of the Part B Permit Application, or an equivalent method approved by the Director. Laboratory methods must be those specified in *Test Methods for Evaluating Solid Waste: Physical/Chemical Methods* (SW-846, latest edition), *Methods for Chemical Analysis of Water and Wastes* (EPA 600/4-79-020), or an equivalent method, as specified in the referenced Waste Characteristics. (40 CFR § 270.30(j)(1))

**I.E.9.b** You must retain, at the facility, records of all monitoring information as specified in 40 CFR § 264.74.

**I.E.9.c** You must retain all reports, records, or other documents, required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the reports, records, or other documents, unless a different period is specified in this permit. These periods may be extended by request of the Director at any time and is automatically extended during the course of any unresolved enforcement action regarding this facility. (40 CFR §§ 270.30(j) and 270.31)

### I.E.10 Reporting Planned Changes

You must notify the Director as soon as possible of any planned physical alterations or additions to the permitted facility. (40 CFR § 270.30(*l*)(1))

### I.E.11 Reporting Anticipated Noncompliance

You must notify the Director, in advance, of any planned changes in the permitted facility or activity that may result in permit noncompliance. Advance notice will not constitute a defense for any noncompliance. (40 CFR § 270.30(*l*)(2))

### I.E.12 Certification of Construction

Subject to the requirements of 40 CFR §§ 270.32(b)(2) and 270.42 Appendix I, you must not operate any RCRA air emission control devices completed after the effective date of this permit until you have submitted to the Director, by certified mail or hand-delivery, a letter signed both by your authorized representative and by a registered professional engineer. That letter must state that the portions of the facility covered by this permit (including all air emission control devices required by this permit) have been constructed in compliance with the applicable conditions of this permit. In addition, you must not operate the permitted control devices until either:

**I.E.12.a** The Director or his/her representative has inspected those portions of the facility and finds them in compliance with the conditions of the permit; or

**I.E.12.b** The Director waives inspection and you may commence treatment, storage, or disposal of hazardous waste in accordance with 40 CFR § 270.30(*l*)(2)(ii)(B).

### I.E.13 Transfer of Permits

This permit is not transferable to any person, except after notice to the Director. Under 40 CFR § 270.40, the Director may require permit modification, or revocation and reissuance to change your name and incorporate other RCRA requirements. Before transferring ownership or operation of the facility during its operating life, you must notify the new owner or operator in writing of the requirements of 40 CFR Parts 264, 266, 268, and 270, and must provide a copy of the RCRA permit to the new owner or operator. (40 CFR §§ 264.12(c), 270.30(*l*)(3), and 270.40(a))

### I.E.14 Twenty-Four Hour Reporting

**I.E.14.a** You must report to the Director any noncompliance with this permit that may endanger human health or the environment. Any such information must be promptly reported orally, but no later than 24 hours after you become aware of the circumstances.

**I.E.14.b** The report must include the following (40 CFR §§ 270.30(*l*)(6) and 270.33): (1) information concerning release of any hazardous waste that may endanger public drinking water supplies; (2) information of a release or discharge of hazardous waste; or (3) information of a fire or explosion from the hazardous waste management facility, that could threaten the environment or human health outside the facility. You must include the following information:

(1) Name, title and telephone number of the person making the report;

(2) Name, address and telephone number of the facility owner or operator;

(3) Facility name, address and telephone number;

(4) Date, time and type of incident;

(5) Location and cause of incident;

(6) Identification and quantity of material(s) involved;

(7) Extent of injuries, if any;

(8) Assessment of actual or potential hazards to the environment and human health outside the facility, where applicable;

(9) Description of any emergency action taken to minimize the threat to human health and the environment; and

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

**I.E.14.c** In addition to the oral notification required under Sections I.E.14.a and I.E.14.b of this permit, a written report must also be provided within 5 calendar days after you become aware of the circumstances. The written report must include, but is not limited to, the following:

(1) Name, address and telephone number of the person reporting;

(2) Incident description (noncompliance and/or release or discharge of hazardous waste), including cause, location, extent of injuries, if any, and an assessment of actual or potential hazards to the environment and human health outside the facility, where applicable;

(3) Period(s) in which the incident (noncompliance and/or release or discharge of hazardous waste) occurred, including exact dates and times;

(4) Whether the incident's results continue to threaten human health and the environment, which will depend on whether the noncompliance has been corrected and/or the release or discharge of hazardous waste has been adequately cleaned up; and

(5) If the noncompliance has not been corrected, the anticipated period for which it is expected to continue and the steps taken or planned to reduce, eliminate, and prevent the recurrence of the noncompliance.

The Director may waive the requirement that written notice be provided within 5 calendar days; however, you will then be required to submit a written report within 15 calendar days of the day on which you must provide oral notice, in accordance with Sections I.E.14.a and I.E.14.b of

this permit. (40 CFR §§ 270.30(*l*)(6) and 270.30(h))

### I.E.15 Other Noncompliance

You must report all instances of noncompliance not reported under Section I.E.14 of this permit, when any other reports this permit requires are submitted. The reports must contain the information listed in Section I.E.14 of this permit. (40 CFR § 270.30(*l*)(10))

### I.E.16 Other Information

**I.E.16.a** Whenever you become aware that you failed to submit or otherwise omitted any relevant facts in the Part B Permit Application or other submittal, or submitted incorrect information in the Part B Permit Application or other submittal, you must promptly notify the Director of any incorrect information or previously omitted information, submit the correct facts or information, and explain in writing the circumstances of the incomplete or inaccurate submittal. (40 CFR §§ 270.30(*l*)(11) and 270.30(h))

**I.E.16.b** All other requirements contained in 40 CFR § 270.30 not specifically described in this permit are incorporated into this permit and you must comply with all those requirements.

## I.F SIGNATORY REQUIREMENT

You must sign and certify all applications, reports, or information this permit requires, or which are otherwise submitted to the Director, in accordance with 40 CFR § 270.11. (40 CFR § 270.30(k))

## I.G REPORTS, NOTIFICATIONS AND SUBMITTALS TO THE DIRECTOR

Except as otherwise specified in this permit, all reports, notifications, or other submittals that this permit requires to be sent or given to the Director should be sent by certified mail or express mail, or hand-delivered to the Environmental Protection Agency Region 5, RCRA Branch, at the following address:

RCRA Branch, LR-8J
Land and Chemicals Division
EPA Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

## I.H CONFIDENTIAL INFORMATION

In accordance with 40 CFR Part 2, Subpart B, you may claim any information this permit requires, or otherwise submitted to the Director, as confidential. You must assert any such claim at the time of submittal in the manner prescribed on the application form or instructions or, in the case of other submittals, by stamping the words "Confidential Business Information" on each page containing such information. If you made no claim at the time of submittal, the Director may make the information available to the public without further notice. If you assert a claim, the information will be treated in accordance with the procedures in 40 CFR Part 2. (40 CFR § 270.12)

## I.I DOCUMENTS TO BE MAINTAINED AT THE FACILITY

You must maintain at the facility, until closure is completed and certified by a qualified professional engineer, the following documents and all amendments, revisions, and modifications to them.

### I.I.1 Operating Record

You must maintain in the facility's operating record the documents required by this permit, and by the applicable portions of 40 CFR §§ 264.13 and 264.73 (as they apply to the equipment used to comply with this permit).

### I.I.2 Notifications

You must maintain notifications from generators that are required by 40 CFR § 268.7 to accompany an incoming shipment of hazardous wastes subject to 40 CFR Part 268, Subpart C, that specify treatment standards, as required by 40 CFR §§ 264.73 and 268.7, and this permit.

### I.I.3 Copy of Permit

You must keep a copy of this permit on site, and you must update it as necessary to incorporate any official permit modifications.

## I.J ATTACHMENTS AND DOCUMENTS INCORPORATED BY REFERENCE

**I.J.1** All attachments and documents that this permit requires to be submitted, if any, including all plans and schedules, are, upon the Director's approval, incorporated into this permit by reference and become an enforceable part of this permit. Since required items are essential elements of this permit, failure to submit any of the required items or submission of inadequate or insufficient information may subject you to enforcement

action under Section 3008 of RCRA. This may include fines, or permit suspension or revocation.

**I.J.2** This permit also includes the documents attached hereto, all documents cross-referenced in these documents, and the applicable regulations contained in 40 CFR Parts 124, 260, 261, 262, 264, 266, 268, and 270, and applicable provisions of RCRA, all of which are incorporated herein by reference.

**I.J.3** Any inconsistency or deviation from the approved designs, plans and schedules is a permit noncompliance. The Director may grant written requests for extensions of due dates for submittals required in this permit.

**I.J.4** If the Director determines that actions beyond those provided for, or changes to what is stated herein, are warranted, the Director may modify this permit according to procedures in Section I.B of this permit.

**I.J.5** If any documents attached to this permit are found to conflict with any of the conditions in this permit, the condition will take precedence.

## I.K COORDINATION WITH THE CLEAN AIR ACT

You must fully comply with all applicable Clean Air Act (CAA) and RCRA permit limits. Where two or more operating limitations apply, the most stringent operating limitations take precedence.

# SECTION II -- AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS (40 CFR PART 264, SUBPART BB)

## II.A EQUIPMENT LEAKS

You shall not manage hazardous waste with organic concentrations equal to or greater than 10 percent by weight in any equipment defined in 40 CFR § 264.1031. (40 CFR § 264.1050(b))

## II.B TEST METHOD AND PROCEDURES (40 CFR § 264.1063)

You must comply with the test methods and procedures of 40 CFR § 264.1063(d) to be in compliance with Section II.A of this permit.

## II.C RECORDKEEPING AND REPORTING REQUIREMENTS (40 CFR § 264.1064)

You must comply with the recordkeeping and reporting requirements of 40 CFR § 264.1064(k).

# SECTION III – AIR EMISSION STANDARDS FOR TANKS, CONTAINERS, AND MISCELLANEOUS UNITS (40 CFR PART 264, SUBPART CC)

## III.A MAXIMUM VOLATILE ORGANIC CONTENT

You are allowed to manage hazardous waste in containers, tanks, and miscellaneous units in accordance with the state portion of the RCRA permit. All hazardous waste managed in the containers, tanks, and miscellaneous units shall contain an average volatile organic (VO) concentration at the point of waste origination of less than 500 parts per million by weight (ppmw).

## III.B WASTE DETERMINATION PROCEDURE

(1) For each hazardous waste placed in the permitted containers, tanks, and miscellaneous units, you shall review and update, as necessary, at least once every twelve months following the date of the initial determination that the hazardous waste streams entering the unit have less than an average VO concentration at the point of waste origination of less than 500 ppmw using the procedures specified in 40 CFR § 264.1083(a).

(2) You shall perform a new waste determination whenever changes to the source generating the waste stream are reasonably likely to cause the average VO concentration of the hazardous waste managed in the containers, tanks, and miscellaneous units to increase to a level that is equal or greater than 500 ppmw.

## III.C RECORDKEEPING AND REPORTING REQUIREMENTS

You must comply with all applicable recordkeeping and reporting requirements described in 40 CFR § 264.1089 and § 264.1090.

## RESPONSE SUMMARY

**RESPONSE TO COMMENTS ON THE FEDERAL DRAFT PERMIT FOR**
**Envirite of Ohio, Inc.**
**Canton, Ohio OHD 980 568 992**

No comments were received by U.S. Environmental Protection Agency on the draft Federal RCRA permit during the public comment period (from March 31 to May 19, 2014) or at the public meeting held on May 6, 2014.

**Administrative Record Index** ***(Final RCRA PERMIT)***

Envirite of Ohio, Inc.
Canton, Ohio
OHD 980 568 992

| | Title | Date | Prepared by |
|---|---|---|---|
| 1. | Class 1 modification Request | April 9, 2009 | Envirite |
| 2. | Class 1 permit modification | May 8, 2009 | U.S. EPA |
| 3. | Part B Permit Renewal Application | September 10, 2012 | Envirite |
| 4. | EJ Analysis | January 2014 | U.S. EPA |
| 5. | Draft RCRA Permit (State) | March 2014 | OEPA |
| 6. | Draft RCRA permit (Federal) | March 2014 | U.S. EPA |
| 7. | Final RCRA Permit (State) | August 2014 | OEPA |
| 8. | Final RCRA Permit (Federal) | August 2014 | U.S. EPA |

U.S. EPA: United States Environmental Protection Agency
OEPA: Ohio Environmental Protection Agency
RCRA: Resource Conservation Recovery Act
EJ: Environmental Justice
Subpart BB: Air Emission Standards for Equipment Leaks
Subpart CC: Air Emission Standards for Tanks and Containers

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

AUG 01 2014

REPLY TO THE ATTENTION OF

Mr. Jeremy Carroll
Ohio Environmental Protection Agency
Division of Hazardous Waste Management
Post Office Box 1049
Columbus, Ohio 43266-0149

Re: Final Federal RCRA Permit, Envirite of Ohio, Inc.
Canton, Ohio, OHD 980 568 992

Dear Mr. Carroll:

Enclosed please find a copy of the final federal Resource Conservation and Recovery Act permit and cover letter to the above-referenced facility.

If you have any questions, please contact Jae Lee of my staff at (312) 886-3781.

Sincerely,

for

Mary S. Setnicar, Chief
RCRA/TSCA Programs Section
Land and Chemicals Division

Enclosure

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

AUG 01 2014

Reference Desk Librarian
Stark County District Library
DeHoff Memorial Branch
216 Hartford Avenue SE
Canton, OH 44707

REPLY TO THE ATTENTION OF

Re: Final Federal RCRA Permit
Envirite of Ohio, Inc., Canton, Ohio
OHD 980 568 992

Dear Madam or Sir:

The United States Environmental Protection Agency issued a final Hazardous Waste Management permit to Envirite of Ohio, Inc., Canton, Ohio. In accordance with the public involvement procedures in Title 40 Code of Federal Regulations Part 124, the draft federal RCRA permit was publicly noticed in "The Canton Repository" newspaper on March 31, 2014. A copy of the draft federal RCRA permit was available for review at the Stark County District Library, DeHoff Memorial Branch, 216 Hartford Avenue, SE, Canton, Ohio 44707. The public comment period extended from March 31 to May 19, 2014. A public meeting was held to receive comments on Tuesday, May 6, 2014, at 6:30 p.m. at the Stark County District Library, DeHoff Memorial Branch, 216 Hartford Avenue, SE, Canton, Ohio 44707.

No comments were received by U.S. Environmental Protection Agency on the draft Federal RCRA permit during the public comment period or at the public meeting held on May 6, 2014.

Please make available for public examination this letter and the enclosed documents for at least seventy-five (75) days under "Reference Materials – Envirite of Ohio, Inc.". The following items are enclosed.

-- Final Permit
-- Fact Sheet

Thank you for your assistance. If you have any questions, please call me at 312-886-3781.

Sincerely,

Jae B. Lee, Permit Writer
RCRA Branch
Land and Chemicals Division

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March 2014

# Draft Hazardous Waste Permit Renewal

**Facility Name:** Envirite of Ohio, Inc. dba EQ Ohio

**U.S. EPA I.D.:** OHD 980 568 992

**Location:**

2050 Central Avenue, SE
Canton, OH 44707

**Facility Owner:**

Envirite of Ohio, Inc.
2050 Central Avenue, SE
Canton, OH 44707

**Facility Operator:**

Envirite of Ohio, Inc.
2050 Central Avenue, SE
Canton, OH 44707

**Activity:**

Storage in containers and tanks
Treatment in tanks and miscellaneous units
Corrective Action

**Comment Period:**

March 31, 2014 to May 19, 2014

**Submit Comments to:**

Ohio EPA
John Nyers
Division of Materials and Waste Management
P.O. Box 1049
Columbus, Ohio 43216-1049
(614) 644-2621
*john.nyers@epa.ohio.gov*

U.S. EPA, Region 5
Jae Lee
RCRA/TSCA Programs Section, LR-8J
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
*lee.jae@epa.gov*

## What is the history of the hazardous waste program?

The Resource Conservation and Recovery Act (RCRA), an amendment to the Solid Waste Disposal Act, was passed in 1976. The main reason for the amendment was to address the growing volume of municipal and industrial solid waste generated across the United States. A few goals established by RCRA include: to protect human health and the environment from potential hazards of waste disposal, to reduce the amount of waste generated and to ensure that wastes produced are managed in an environmentally sound manner.

When RCRA was written, U.S. Congress' intent was for the states to assume primary responsibility for implementing the hazardous waste regulations with oversight from the United States Environmental Protection Agency (U.S. EPA). U.S. EPA must approve each state as an authorized state. To become an authorized state, each must demonstrate that the state program is at least equivalent to and consistent with federal laws, provides adequate enforcement authority and provides availability of information similar to the federal program. Since 1989, the State of Ohio has been an authorized state by U.S. EPA for the majority of the hazardous waste program.

Currently, the State of Ohio is not authorized by U.S. EPA to issue a permit for organic air emissions (40 CFR Part 264, Subparts BB and CC) from hazardous waste storage units. U.S. EPA has drafted a RCRA permit to address organic air emissions from hazardous waste storage units. U.S. EPA's draft permit and the State of Ohio's draft permit have been issued concurrently and both share the same comment period.

# Draft Hazardous Waste Permit Renewal

### How can I become more involved?

A public meeting will be held to receive comments on Tuesday, May 6, 2014, at 6:30 p.m. at the Stark County District Library, DeHoff Memorial Branch, 216 Hartford Ave. SE, Canton, OH 44707. Oral comments will be received during the public meeting. All persons, including the applicant, may submit written comments relating to this draft action. Written comments may be submitted before the end of the comment period to the address in the box on the front page.

The comment period begins on March 31, 2014, and ends on May 19, 2014. Copies of the permit application and the draft permit are available for review by the public at the following locations:

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

Ohio EPA, Central Office
Division of Materials and Waste Management
Lazarus Government Center
50 West Town St., Suite 700
Columbus, Ohio 43215
(614) 644-2621

A copy of the Ohio draft permit and the federal draft permit is available for review by the public at:

Stark County District Library
DeHoff Memorial Branch
216 Hartford Avenue, SE
Canton, OH 44707
(330) 452-9014

A copy of the draft permit is available for review by the public online at the following locations:

The Ohio draft permit is available for review by the public online under the "Stakeholder Input" tab at: ***epa.ohio.gov/dmwm/***.

The federal draft permit is available for review by the public at: ***epa.gov/region5/waste/permits/actions.htm***.

Within sixty (60) days of the close of the public comment period, Ohio EPA will, without prior hearing, issue the permit (or deny the request) in accordance with Chapter 3734 of the Ohio Revised Code (ORC). If Ohio EPA approves the application, taking into account public comments, a renewal permit will be issued with terms and conditions as are necessary to ensure compliance with hazardous waste rules.

### What does the facility do?

Envirite of Ohio, Inc. is a commercial hazardous waste storage and treatment facility engaged in the business of applying treatment and recovery technologies to the management of industrial wastes. The facility accepts liquid, semi-solid and solid industrial wastes, transported in bulk liquid tank trucks, or in various types of containers for solid and semi-solid waste. The Liquids Processing Unit is regulated under the Clean Water Act. The Solids Processing Unit generates only one end product, a semi-solid process residue. The semi-solid process residue is retained on-site pending analytical verification and transported off-site to approved land disposal facilities. No waste disposal occurs on-site. No waste is accepted for treatment into the facility until a pre-acceptance sample has been fully evaluated by the laboratory.

### What would this hazardous waste permit allow the facility to do?

This permit allows Envirite of Ohio, Inc. to store 284,430 gallons of containerized waste in the permitted container storage areas. Permitted container storage areas include: Solids Processing Unit #1, Liquids Unloading Hazardous Waste Container Storage Pad, Container Management Unit, and Container Storage Pads #2, #9 and #10. The Container Management Unit and Container Storage Pads #9 and #10 are not yet constructed.

Envirite of Ohio, Inc. is permitted to store a total volume of 330,935 gallons of hazardous waste in 32 tanks and treat a total volume of 200,000

gallons of hazardous waste per day in 14 tanks. The tank storage and treatment areas are located in Solids Processing Unit #1 and #2, Dry Solids Handling System, and the Container Management Unit. Only the Solids Processing Unit #1 has been constructed and is in operation.

Envirite of Ohio, Inc. is permitted to install and operate two miscellaneous units -- a Pugmill, to be located in the Dry Solids Handling System and a Vibratory Screen to be located in Solids Processing Unit #1. The Pugmill is permitted to process 60,000 gallons per day of hazardous waste. The Vibratory Screen is permitted to process up to 50,000 gallons per day.

The hazardous wastes stored and treated at Envirite of Ohio, Inc. are predominantly inorganic waste streams originating primarily from a broad range of metal-finishing industries. The wastes are generally absent of oils, solvents, or paints containing organic compounds. The facility's waste analysis plan assures that excessive quantities of such contaminants are not accepted by this facility's inorganic treatment processes

**Description of Corrective Action**

The Preliminary Review (PR)/ Visual Site Inspection (VSI) phase of a RCRA Facility Assessment was prepared by Ohio EPA for the U.S. EPA on September 30, 1991. This report identified nine Waste Management Units including storage areas, process areas, and loading/unloading areas. Based on a review of the information acquired, the PR/VSI report recommended and U.S. EPA determined that no corrective action investigation or implementation is required at this time.

**What is the regulatory basis to support this permit renewal?**

The Director has determined that Envirite of Ohio, Inc. submitted an application for renewal at least one hundred eighty (180) days prior to the expiration date of its present permit which was issued by Ohio EPA on January 15, 2003. The Director has considered the application, inspection reports, a report regarding the facility's compliance with the present permit, and the rules adopted under ORC Section 3734. The Director has found that the Part B permit application meets the Director's performance standards and that the facility has a history of compliance with this chapter, rules adopted under it, the existing permit, and orders entered into, which demonstrates reliability, expertise, and competency to subsequently operate the facility under this chapter, the rules, and the permit.

**Who can I contact for more information?**

For additional information, please contact Paul Dolensky, Ohio EPA, Northeast District Office at (330) 963-1200 or Jae Lee of the U.S. EPA Regional Office in Chicago, Illinois at (800) 621-8431 ext. 63781.