

May 2008

**Draft Hazardous Waste Permit Renewal and
Draft Hazardous Waste Permit Modification****Public Participation
Procedures and
Comment Period
Ohio Administrative
Code (OAC) Rule
3745-50-22
(B)(5)(a)&(b)**

A public meeting will be held on June 10, 2008 at 6:30 p.m. at the Jefferson Township Trustee Building, One Business Park Drive, Dayton, Ohio 45427 to receive public comments. Oral comments will be received during the public meeting. All persons, including the applicant, may submit written comments relating to these draft actions. Written comments may be submitted before the end of the comment period to the address in the box on the right.

The comment period begins on May 1, 2008, and ends on June 20, 2008. A copy of the permit application and the draft permit is available for review by the public at the following locations:

Dayton Metro Library
Trotwood Branch
651 East Main Street
Dayton, Ohio 45426
(937) 496-8958

Ohio EPA
Southwest District Office
401 E. 5th Street

Facility Name: Perma-Fix of Dayton, Inc.

U.S. EPA I.D.: OHD 004 274 031

Location: 300 Cherokee Drive
Dayton, Ohio 45427

Facility Owner: Perma-Fix Environmental Services, Inc.
8302 Dunwoody Place, Suite 250
Atlanta, Georgia 30350

Facility Operator: Perma-Fix of Dayton, Inc.
300 Cherokee Drive
Dayton, Ohio 45427

**Activity Described in
Permit Application:** Storage and treatment containers; Corrective
Action

**Activity Described in
Modification Application:**
Change in owner and operator

Comment Period: May 1, 2008 – June 20, 2008

Submit Comments to:

Ohio EPA
Division of Hazardous Waste Management
Regulatory and Information Services Section
P.O. Box 1049
Columbus, Ohio 43216-1049
(614) 644-2917
dhwmcomments@epa.state.oh.us

U. S. EPA, Region 5
Mr. Jae Lee
RCRA Branch
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
1-800-621-8431 Ext. 6-3781
Lee.Jae@epa.gov

Dayton, Ohio 45402
(937) 285-6357

Ohio EPA, Central Office
Division of Hazardous Waste
Management

Lazarus Government Center
50 West Town St., Suite 700
Columbus, Ohio 43215
(614) 644-2917



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The State of Ohio is authorized by United States Environmental Protection Agency (U.S. EPA) to administer its hazardous waste management program in lieu of the federal hazardous waste management program, except for portions of the federal standards for organic air emissions (40 CFR Part 264, Subparts BB and CC) from hazardous waste storage units. As an authorized program, Ohio has the responsibility for issuing the RCRA permit for hazardous waste treatment, storage, and disposal facilities. U.S. EPA has drafted a federal RCRA permit to address organic air emissions from hazardous waste storage units for which Ohio is not yet authorized.

The Ohio Draft permit is available for review by the public online at:

<http://www.epa.state.oh.us/dhwm/permitpubliccomment.html>

The federal draft permit is available for review by the public online at:

<http://www.epa.gov/reg5rcra/wptdi/permits/index.html>

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, a modified

renewal permit will be issued with terms and conditions as are necessary to ensure compliance with hazardous waste rules.

Description of Facility OAC Rule 3745-50-22 (B)(1)

Permafex of Dayton, Inc. is located in Dayton, Ohio. The facility is permitted to store and conduct limited treatment activities, (i.e., fuels blending) of containerized hazardous waste. These waste management activities are conducted inside Building E at the facility. Non-hazardous waste management operations on-site consist of waste solidification, used oil management, and industrial waste water treatment.

In terms of hazardous waste operations, the facility receives predominately waste solvents having fuel value. These waste materials are analyzed, (tested) stored at the facility for an interval, and then shipped to other fuels blending facilities or incineration facilities. No hazardous waste disposal occurs at the facility. The maximum amount of hazardous waste that can be stored at the facility at any time is 13,750 gallons. This is equivalent to 250 (55-gallon) drums.

Description of Requested Permit Renewal OAC Rule 3745-50-22 (B)(2)

Perma-Fix of Dayton, Inc. is requesting a permit renewal to continue to store and conduct recognized treatment of hazardous waste in containers in Building E at the facility.

Corrective Action Summary

Perma-Fix of Dayton, Inc. was issued a U.S. EPA Hazardous Waste Permit on February 24, 1996. As a condition to that permit, U.S. EPA required the facility to initiate Corrective Action activities involving the identification of any past releases of hazardous waste and hazardous waste constituents from waste management units identified in the permit application. A Preliminary Review/Visual Site Inspection (PR/VSI) was conducted at the facility in July 1989. The facility completed its RCRA Facility Investigation, (RFI) and has submitted an RFI Work Plan, dated March 13, 1997, and a Quality Assurance Project Plan, (QAPP) for the RFI, dated March 20, 1997, to U.S. EPA. These two documents were revised based upon U.S. EPA review and comment, and approved by U.S. EPA on July 22,



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1999. Based upon RFI Work Plan activity conducted, the facility submitted a Report of Findings (Draft), dated November 2000, to U.S. EPA.

Perma-Fix of Dayton, Inc. will be required to submit a copy of the Report of Findings (Draft) to Ohio EPA within 60 days of the issuance of the approved State permit. The transition of authority for Corrective Action activity from U.S. EPA to Ohio EPA will occur on the effective date of this renewal permit. Ohio EPA will then assume the oversight role for RCRA Corrective Action activities performed at this facility.

Description of Requested Permit Modification OAC Rule 3745-50-22 (B)(2)

Perma-Fix of Dayton, Inc. is requesting a Class 3 permit modification to transfer ownership and operation of the permitted facility to OGM, Ltd., dba Clean Water, Ltd. pursuant to OAC Rule 3745-50-52. The transfer of ownership occurred on March 14, 2008.

Regulatory Basis to Support the Decision to Renew and Modify the Permit Application

OAC Rule 3745-50-22 (B)(3)

The director has determined that Perma-Fix of Dayton, Inc. has submitted an application for renewal one hundred eighty (180) days prior to the expiration date of its present permit which was issued by Ohio EPA on December 29, 1995. The director has considered the application, inspection reports, a report regarding the facility's compliance with the present permit, and the rules adopted under Chapter 3734.05 of the ORC. 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, orders entered into, which demonstrates reliability, expertise, and competency to subsequently operate the facility under this chapter, the rules, and the permit.

When applying for a Class 3 permit modification, an applicant (Perma-Fix of Dayton, Inc.) is required by OAC Rule 3745-50-51(D) to submit the relevant informational requirements of OAC Rule 3745-50-43 (Part A application contents) and OAC Rule 3745-50-44 (Part B application contents). Perma-Fix of Dayton, Inc. submitted the Class 3 modification application with

the relevant information on November 30, 2007. Ohio EPA has reviewed the application and has determined that the proposal complies with Ohio EPA rules.

Additionally, the director has determined that pursuant to Section 3734.42 of the ORC that OGM, Ltd., dba Clean Water, Ltd. has filed the appropriate disclosure information with the director of Ohio EPA and the Attorney General's Office. As a result, the director has concluded that the facility meets the requirements and conditions to subsequently operate the facility under ORC Chapter 3734, and the rules adopted under the terms stated there.

U.S. EPA has reviewed Perma-Fix of Dayton, Inc.'s federal permit application and determined that it complies with U.S. EPA regulations.

Contact Person OAC Rule 3745-50-22 (B)(6)

For additional information, please contact Harold O'Connell of Ohio EPA's Southwest District Office at (937) 285-6078, or Jae Lee of the U.S. EPA Regional office in Chicago, Illinois at (312) 886-3781.

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