

DRAFT

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

RESOURCE CONSERVATION AND RECOVERY ACT PERMIT

Facility Name and Location: Ashland Distribution Company
2854 Springboro Pike
Dayton, Ohio 45439

Owner: Ashland, Inc.
5200 Blazer Parkway
Dublin, Ohio 43017

Operator: Ashland Distribution Company
2854 Springboro Pike
Dayton, Ohio 45439

U.S. EPA Identification Number: OHD 074 700 311

Effective Date: 30 Days from Issuance Date of the Final Permit

Expiration Date: December 5, 2012

Authorized Activities:

The United States Environmental Protection Agency (U.S. EPA) hereby issues a Resource Conservation and Recovery Act permit (hereinafter referred to as the "permit") to the Ashland Distribution Company (addressed in the second person as "you") in connection with the hazardous waste management operations at the Ashland Distribution Company, located in Dayton, 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 U.S. EPA's regulations promulgated thereunder (codified, and to be codified, in Title 40 of the Code of Federal Regulations (40 CFR)).

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 December 5, 2002. (The effective and expiration dates of the State RCRA permit are December 5, 2002 and December 5, 2012, 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 the U.S. EPA has not yet authorized the State of Ohio to administer certain regulations, including the air emission standards for containers, the U.S. 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 (1) in your RCRA Part B Permit Application on September 22, 2006, and all other modifications to that application (hereinafter referred to as the "Part B Permit Application") and (2) in the air emission response dated September 22, 2006, 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 the U.S. 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 the U.S. 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 the U.S. 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 **(30 Days from Issuance Date of the Final Permit)** and will remain in effect until **December 5, 2012**, 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: _____ Date: _____

Margaret M. Guerriero, Director
Land and Chemicals Division

**OHD 074 700 311
Ashland Distribution Company**

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