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

APR 2 3 2014

Mr. James N. Larson
President
Ross Incineration Services, Inc.
36790 Giles Road
Grafton, Ohio 44044

REPLY TO THE ATTENTION OF:

Re: Final Federal RCRA Permit, Ross Incineration Services, Inc.
36790 Giles Road, Grafton, Ohio 44044
OHD 048 415 665

Dear Mr. Larson:

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 for the facility 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 C.F.R.), 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.

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

A petition for review of any condition of a RCRA permit decision must be filed with the EAB within 30 days after the U.S. Environmental Protection Agency serves notice of the issuance of the final permit decision. *See* 40 C.F.R. § 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. *See* 40 C.F.R. § 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. *See* 40 C.F.R. § 124.19(a)(3) and 40 C.F.R. § 124.19(i). Additional information regarding petitions for review may be found in the Environmental Appeals Board Practice Manual (January2013) 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 a federal permit is set forth at 40 C.F.R. § 124.19. General filing requirements are contained in "The Environmental Appeals Board Practice Manual," and "A Citizens' Guide to EPA's Environmental Appeals Board."

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All documents that are sent to the EAB 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 the EAB at:

Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1201 Constitution Avenue, NW
U.S. EPA East Building, Room 3332
Washington, DC 20004

You should also send a copy of the petition to:

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

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

This federal permit is effective May 23, 2014 and is valid until January 29, 2024, unless the fderal permit is revoked and reissued, or terminated pursuant to 40 C.F.R. §§ 270.41 and 270.43. Failure to comply with any conditions of the federal permit may result in civil and/or criminal penalties.

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

Sincerely,

Margaret M. Guerriero
Director
Land and Chemicals Division

cc: Jeremy Carroll, OEPA

FINAL

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

RESOURCE CONSERVATION AND RECOVERY ACT PERMIT

Facility Name and Location: **Ross Incineration Services, Inc.**
36790 Giles Road
Grafton, Ohio 44044

Owner: **Ross Incineration Services, Inc.**
36790 Giles Road
Grafton, Ohio 44044

Operator: **Ross Incineration Services, Inc.**
36790 Giles Road
Grafton, Ohio 44044

U.S. EPA Identification Number: **OHD 048 415 665**

Effective Date: **May 23, 2014**

Expiration Date: **January 29, 2024**

Authorized Activities:

The U. S. Environmental Protection Agency hereby issues a Resource Conservation and Recovery Act permit (hereinafter referred to as "this permit") to Ross Incineration Services Inc. (hereinafter referred to as "you" or "the permittee") in connection with the hazardous waste management operations at Ross Incineration Services, Inc., in Grafton, 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 U.S.C. § 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 C.F.R.")).

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 C.F.R. Part 271 (hereinafter called the "state RCRA permit").

The state RCRA permit was issued on January 29, 2014. The effective and expiration dates of the state RCRA permit are January 29, 2014 and January 29, 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 U.S.C. § 6926, and 40 C.F.R. 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 regulations, including the air emission standards for tanks and containers, EPA 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 conditions contained herein; the documents attached hereto; all documents cross-referenced in these documents; approved submittals (including plans, schedules and other documents); applicable regulations in 40 C.F.R. Parts 124, 260, 261, 262, 264, 265, 268 and 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 April 1, 2013, 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 C.F.R. §§ 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 C.F.R. § 124.19.

Effective Date:

This permit is effective as of **May 23, 2014** and will remain in effect until **January 29, 2024** unless revoked and reissued under 40 C.F.R. § 270.41, terminated under 40 C.F.R. § 270.43, or continued in accordance with 40 C.F.R. § 270.51(a).

By: _____ Date: 4/23/2014

Margaret M. Guerriero, Director
Land and Chemicals Division

OHD 048 415 665
Ross Incineration Services, Inc.

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SECTION I—STANDARD PERMIT CONDITIONS

I.A EFFECT OF PERMIT

The U. S. Environmental Protection Agency hereby issues a Resource Conservation and Recovery Act permit (hereinafter referred to as "this permit") to Ross Incineration Services Inc. (hereinafter referred to as "you" or "the permittee") in connection with the hazardous waste management operations at Ross Incineration Services, Inc.'s facility located at 36790 Giles Road, Grafton, Ohio ("facility'). This permit contains the federal RCRA permit conditions. The permittee also has a state RCRA permit. You are hereby allowed to manage hazardous waste at your facility in accordance with this permit and the effective state RCRA 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 tanks and containers are subject to the conditions in the state RCRA permit. Any hazardous waste activity which requires a RCRA permit and is not included either in this permit or the state RCRA permit, is prohibited.

Subject to 40 C.F.R. § 270.4, compliance with the RCRA permit during its term generally constitutes compliance, for purposes of enforcement, with Subtitle C of RCRA except for those requirements not included in the permit which: (1) become effective by statute; (2) are promulgated under 40 C.F.R. Part 268 restricting the placement of hazardous waste in or on the land; (3) are promulgated under 40 C.F.R. Part 264 regarding leak detection systems; or (4) promulgated under subparts AA, BB, or CC of 40 C.F.R. Part 265 limiting air emissions.

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 U.S.C. §§ 9601 *et seq.* (commonly known as "CERCLA"); or (3) any other law protecting public health or the environment

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 C.F.R. §§ 270.41, 270.42, and 270.43. EPA may also review and modify this permit, consistent with 40 C.F.R. § 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 C.F.R. § 270.30(f))

You may request a modification of this permit under the procedures specified in 40 C.F.R. § 270.42. A class 1 modification is generally allowed without prior approval by EPA except under certain conditions as described in 40 C.F.R. § 270.42(a)(2). A class 2 modification requires prior approval by EPA as described in 40 C.F.R. §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 C.F.R. § 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 C.F.R. § 270.42(b)(8) has been delegated to the Director of the Land and Chemicals Division of 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 C.F.R. § 270.42(c).

I.B.2 Permit Renewal

This permit may be renewed as specified in 40 C.F.R. § 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 C.F.R. § 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 C.F.R. § 124.16(a))

I.D DEFINITIONS

The terms used in this permit will have the same meaning as in 40 C.F.R. 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 C.F.R. § 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 C.F.R. § 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 C.F.R. §§ 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 until January 29, 2024. 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 C.F.R. § 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 C.F.R. §§ 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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 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 U.S.C. §§ 3501 *et seq.* (40 C.F.R. §§ 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 C.F.R. § 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 C.F.R. Part 261, or the methods specified in the Waste Characteristics and Waste Analysis Plan 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 C.F.R. § 270.30(j)(1))

I.E.9.b You must retain, at the facility, records of all monitoring information as specified in 40 C.F.R. § 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 C.F.R. §§ 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 C.F.R. § 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 C.F.R. § 270.30(l)(2))

I.E.12 Certification of Construction

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 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 the inspection and the permittee may commence treatment, storage, or disposal of hazardous waste in accordance with 40 C.F.R. § 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. You must inform the Director in writing and obtain prior written approval of the Director before transferring ownership or operational control of the facility. (40 C.F.R. § 270.42, Appendix I) Under 40 C.F.R. § 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 Director and obtain prior approval, and notify the new owner or operator in writing of the requirements of 40 C.F.R. Parts 264, 266, 268, and 270, and you must provide a copy of the RCRA permit to the new owner or operator. (40 C.F.R. §§ 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 C.F.R. § 270.30(l)(6)): (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 C.F.R. §§ 270.30(1)(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 C.F.R. § 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 C.F.R. §§ 270.30(l)(11) and 270.30(h))

I.E.16.b All other requirements contained in 40 C.F.R. § 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 C.F.R. § 270.11. (40 C.F.R. § 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 U.S. Environmental Protection Agency Region 5, RCRA Branch, at the following address:

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

I.H CONFIDENTIAL INFORMATION

In accordance with 40 C.F.R. Part 2, Subpart B, you may claim as confidential any information this permit requires, or otherwise submitted to the Director. 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 C.F.R. Part 2. (40 C.F.R. § 270.12)

I.I DOCUMENTS TO BE MAINTAINED AT THE FACILITY

You must maintain at the facility, until closure is completed and certified by an independent registered 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 C.F.R. §§ 266.102, 264.13, and 264.73 (as the regulations 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 C.F.R. § 268.7 to accompany an incoming shipment of hazardous wastes subject to 40 C.F.R. Part 268, Subpart C, that specify treatment standards, as required by 40 C.F.R. §§ 264.73, 268.7, and this permit.

I.I.3 Copy of Permit

You must keep a copy of this permit on site, including all of the documents listed in any attachments, 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 C.F.R. 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 C.F.R. PART 264, SUBPART BB)

In accordance with 40 C.F.R. § 264.1064(m), if an equipment is subject to 40 C.F.R. Part 264, Subpart BB, and to regulations at 40 C.F.R. Part 60, 61, or 63, you may elect to determine compliance with 40 C.F.R. Part 264, Subpart BB, either by documentation pursuant to 40 C.F.R. § 264.1064 of this subpart, or by documentation of compliance with regulations at 40 C.F.R. Part 60, 61, or 63.

In your Part B Permit Renewal Application, dated April 1, 2013, you state that the facility will comply with 40 C.F.R. Part 264, Subpart BB, by documentation of compliance with the Off-Site Waste and Recovery Operations (OSWRO) National Emissions Standards for Hazardous Air Pollutants (NESHAPS) under the provisions of 40 C.F.R. Part 63, Subpart DD.

Therefore, pursuant to 40 § C.F.R. 264.1064(m), the compliance of the air emission standard requirements for equipment at the facility specified in 40 C.F.R. Part 264, Subpart BB can be demonstrated by complying with the relevant requirements specified in 40 C.F.R. 63, Subpart DD.

The documentation of compliance with the regulations at 40 C.F.R. Part 63, Subpart DD shall be kept with or made readily available with the facility operating record.

You shall annually update the Certification, which is in the Part B Permit Application, describing your election of compliance at the facility with 40 C.F.R. Part 264, Subpart BB. The certification document shall be retained at the facility and must be provided to the EPA representatives, or its designees, upon request.

For any changes of the documentation procedure or the compliance status of the equipment at the facility with the regulations, you shall inform EPA, RCRA program, in writing, about the changes.

SECTION III – AIR EMISSION STANDARDS FOR CONTAINERS, TANKS, AND SUBPART X UNIT (40 C.F.R. PART 264, SUBPART CC)

The State RCRA permit authorizes you to store hazardous wastes in the following forty-nine (49) tanks:

Tank Farm I:	Tanks No. #23-36, 9,920 gallons each;
Tank Farm II:	Tanks No. #37-50, 9,920 gallons each;
Tank Farm III:	Tanks No. #51-64, 9,920 gallons each;
Process Dock:	Tank No. #70, 10,000 gallons; and
Process Dock:	Tanks No. #73 and 74, 7,500 gallons each.

Tanks No. #67, 68, 75 and 79 also store wastewater with hazardous constituents.

The total capacity of the forty-nine tanks is 1,125,040 gallons. All of these tanks except Tanks No. #67, 68, 75 and 79 store hazardous waste that has an average volatile organic (VO) concentration greater than 500 parts per million by weight (ppmw) at the point of waste origination.

Hazardous waste is also stored in containers in the following four (4) permitted container storage areas:

1) Container Storage Facility (CSF): 613,030 gallons;
2) Bulk Storage Area (BSA No. #1): 64,632 gallons;
3) Bulk Storage Area #2 (BSA No. #2): 80,790 gallons; and
4) Oxidizer Storage Building (OSB): 7,920 gallons.

The maximum capacity of the container storage areas is 610,373 gallons. While the combined design capacity of the above four areas exceeds the permitted hazardous waste containers storage amount, the total storage of hazardous waste containers permitted in these four locations will be limited to a maximum of 610,373 gallons overall.

The Filter Press (FP) unit located in the Filter Press Building treats a maximum of 111,000 gallons per day of hazardous waste. The FP unit is designated as a miscellaneous unit regulated under 40 C.F.R. Part 264, Subpart X. However, this unit processes hazardous waste that has an average volatile organic (VO) concentration less than 500 ppmw at the point of waste origination.

You must comply with all applicable requirements of 40 C.F.R. § 264.1080 through 40 C.F.R. § 264.1090, regarding air emission standards for all containers and tanks handling hazardous waste. All containers and tanks not exempt from 40 C.F.R. Part 264 Subpart CC must be managed using the applicable standards at 40 C.F.R. § 264.1084 and 40 C.F.R. § 264.1086. The tanks and containers permitted in the State RCRA permit, and described above, are Level 2 tanks or Level 1 or 2 containers, and must comply with the Tank Level 2 standards at 40 C.F.R. § 264.1084(d), the Container Level 1 standards at 40 C.F.R. § 264.1086(c), or the Container Level 2 standards at 40 C.F.R. § 264.1086(d), as applicable.

You must not conduct a waste stabilization process, as defined at 40 C.F.R. § 265.1081, in containers and tanks which contain hazardous waste.

Pursuant to 40 C.F.R. § 264.1082(c)(1), a tank, or the FP unit for which all hazardous waste entering the unit has an average VO concentration at the point of waste origination of less than 500 ppmw are exempt from the requirements in 40 C.F.R. §§ 264.1084 through 264.1087. Such tanks or FP unit remain subject, however, to the requirements of 40 C.F.R. §§ 264.1089 and 264.1090.

III.A LEVEL 1 CONTAINER REQUIREMENTS

You must manage the containers with a design capacity greater than 0.1 m^3 (26.4 gallons) and less than or equal to 0.46 m^3 (121 gallons), and the containers with a design capacity greater than 0.46 m^3 (121 gallons) that are not "in light material service," as that term is defined in 40 C.F.R. § 265.1081, with Container Level 1 standards as set forth at 40 C.F.R. § 264.1086(c). When storing hazardous waste in Level 1 containers you must comply with the following requirements:

III.A.1 A Level 1 container must satisfy one of the following requirements (40 C.F.R. § 264.1086(c)(1)):

(a) meet the applicable Department of Transportation (DOT) regulations as specified in 40 C.F.R. § 264.1086(f),

(b) be equipped with a cover and closure devices with an acceptable tightness and construction materials in accordance with 40 C.F.R. § 264.1086(c)(1)(ii), or

(c) be an open-top container with organic vapor suppressing barrier to prevent hazardous waste from being exposed to the atmosphere as specified in 40 C.F.R. § 264.1086(c)(1)(iii).

Containers, which do not meet DOT regulation specified in 40 C.F.R. § 264.1086(f), must be equipped with covers and closure devices, as applicable to the container, that are composed of suitable materials to minimize exposure of the hazardous waste to the atmosphere and to maintain the equipment integrity, for as long as the container is in service. Factors to be considered in selecting the materials of construction and designing the cover and closure devices shall include: Organic vapor permeability, the effects of any contact with the hazardous waste or its vapor managed in the container; the effects of outdoor exposure of the closure device or cover material to wind, moisture, and sunlight; and the operating practices for which the container is intended to be used. (40 C.F.R. § 264.1086(c)(2))

III.A.2 All covers and closure devices must be in closed position whenever hazardous waste is in a container. Opening of a closure device or cover is allowed if it meets the purposes of and the operational requirements as set forth in 40 C.F.R. § 264.1086(c)(3)(i) through (v).

III.A.3 You must inspect the containers and their covers and closure devices in accordance with 40 C.F.R. § 264.1086(c)(4)(i) and (ii), and repair defects in accordance with 40 C.F.R. § 264.1086(c)(4)(iii). For the containers at the facility with a capacity of 0.46 m^3 or greater, which do not meet the applicable DOT regulations specified in 40 C.F.R. § 264.1086(f), you must maintain at the facility a copy of the procedure used to

determine those containers are not managing hazardous waste in light material service, as specified in 40 C.F.R. § 264.1086(c)(5).

III.B LEVEL 2 CONTAINER REQUIREMENTS

You must manage the containers with a design capacity greater than 0.46 m^3 (121 gallons) that are "in light material service," as that term is defined in 40 C.F.R. § 265.1081, with Container Level 2 standards as set forth at 40 C.F.R. § 264.1086(d). When storing hazardous waste in Level 2 containers you must comply with the following requirements:

III.B.1 A Level 2 container must satisfy one of the following requirements specified in 40 C.F.R. § 264.1086(d)(1):

III.B.1.a A container that meets the applicable U.S. Department of Transportation regulations on packaging hazardous materials for transportation as specified in 40 C.F.R. § 264.1086(f);

III.B.1.b A container that operates with no detectable organic emissions as defined in 40 C.F.R. § 265.1081, and determined in accordance with the procedure specified in 40 C.F.R. § 264.1086(g); or

III.B.1.c A container that has been demonstrated within the preceding 12 months to be vapor-tight by using 40 C.F.R. Part 60, appendix A, Method 27 in accordance with the procedure specified in 40 C.F.R. § 264.1086(h).

III.B.2 If you transfer hazardous waste into or out of a container using Level 2 controls, you shall do so in such a manner as to minimize exposure of the hazardous waste to the atmosphere, to the extent practical, as specified in 40 C.F.R. § 264.1086(d)(2). Any transfer of the hazardous waste from Level 2 containers to the tanks at the facility shall be conducted in the Process Dock. While transferring hazardous waste from containers, you shall vent vapors in the Process Dock into the carbon adsorption system through the closed vent system. You shall comply with 40 C.F.R. § 264.1087(c)(2)(i), (ii) and (iii) during periods of planned routine maintenance or system malfunction of the carbon bed. The closed-vent and carbon adsorption system shall be operated to comply with the requirements specified in Section III.C.

III.B.3 You shall install all covers and closure devices for a container using Level 2 controls whenever a hazardous waste is in the container. You shall secure and maintain each closure device in the closed position except during filling and removal operations as specified in 40 C.F.R. § 264.1086(d)(3).

III.B.4 You shall inspect the containers using Level 2 control and their covers and closure devices in accordance with 40 C.F.R. § 264.1086(d)(4)(i) and (ii). When a defect is detected for the container, cover, or closure devices, you shall repair the defect in accordance with 40 C.F.R. § 264.1086(d)(4)(iii).

III.C LEVEL 2 TANK REQUIREMENTS

You shall control the air emissions from each of the tanks in Tank Farms I, II, III, and Process Dock in accordance with Tank Level 2 control requirements at 40 C.F.R. § 264.1084(d), by venting the tanks through closed vent systems to carbon adsorption units designed and operated to recover the organic vapors vented to them with an efficiency of 95 percent or greater by weight. The tanks shall be covered by a fixed roof and vented directly through the closed vent system to a control device in accordance with the following requirements specified in 40 C.F.R. §§ 264.1084(g), (j), (k), and (l):

III.C.1 The fixed roof and its closure devices shall be designed to form a continuous barrier over the entire surface area of the liquid in the tank. (40 C.F.R. § 264.1084(g)(1)(i))

III.C.2 Each opening in the fixed roof not vented to the control device shall be equipped with a closure device. If the pressure in the vapor headspace underneath the fixed roof is less than atmospheric pressure when the control device is operating, the closure devices shall be designed to operate such that when the closure device is secured in the closed position there are no visible cracks, holes, gaps, or other open spaces in the closure device or between the perimeter of the cover opening and the closure device. If the pressure in the vapor headspace underneath the fixed roof is equal to or greater than atmospheric pressure when the control device is operating, the closure device shall be designed to operate with no detectable organic emissions. (40 C.F.R. § 264.1084(g)(1)(ii))

III.C.3 The fixed roof and its closure devices shall be made of suitable materials that will minimize exposure of the hazardous waste to the atmosphere, to the extent practical, and will maintain the integrity of the fixed roof and closure devices throughout their intended service life. Factors to be considered when selecting the materials for and designing the fixed roof and closure devices shall include: organic vapor permeability, the effects of any contact with the liquid and its vapor managed in the tank; the effects of outdoor exposure to wind, moisture, and sunlight; and the operating practices used for the tank on which the fixed roof is installed. (40 C.F.R. § 264.1084(g)(1)(iii))

III.C.4 Whenever a hazardous waste is in the tank, the fixed roof shall be installed with each closure device secured in the closed position and the vapor headspace underneath the fixed roof vented to the control device except as provided in 40 C.F.R. § 264.1084(g)(2)(i) and (ii).

III.C.5 You must inspect and monitor the air emission control equipment in accordance with the requirements specified in 40 C.F.R. §§ 264.1084(g)(3) and 264.1084(l). In the event that a defect is detected, you shall repair the defect in accordance with 40 C.F.R. § 264.1084(k).

III.C.6 You shall transfer hazardous waste to a tank in accordance with 40 C.F.R. § 264.1084(j).

III.C.7 Each closed vent system for a tank shall be designed and operated in accordance with the requirements of 40 C.F.R. § 264.1087(b).

III.C.7.a The closed vent systems shall route the gasses, vapors and fumes emitted from the hazardous waste in the tanks to control devices that meet the requirements specified in 40 C.F.R. §264.1087(c).

III.C.7.b The closed vent systems shall be designed and operated in accordance with the requirements specified in 40 C.F.R. §264.1033(k):

(i) each closed vent system shall be designed to operate with no detectable emissions, as indicated by an instrument reading of less than 500 ppm by volume above background as determined by the procedure in 40 C.F.R. § 264.1034(b) and by visual inspections; or

(ii) each closed vent system shall be designed to operate at a pressure below atmospheric pressure. The system shall be equipped with at least one pressure gauge or other pressure measurement device that can be read from a readily accessible location to verify that negative pressure is being maintained in the closed vent system.

III.C.7.c The closed vent system shall not include any bypass devices that could be used to divert the gas or vapor stream to the atmosphere before entering the control device.

III.C.7.d The closed vent systems shall be inspected and monitored in accordance with 40 C.F.R. §§ 264.1033(l) and 264.1087(c)(7).

III.C.8 The control device shall be designed and operated in accordance with the requirements of 40 C.F.R. § 264.1087(c).

III.C.8.a You must demonstrate compliance with the minimum 95 percent by weight removal efficiency of the total organic content of the inlet vapor stream vented to the carbon adsorption system. (40 C.F.R. § 264.1087(c)(1)(i))

III.C.8.b The planned routine maintenance of the carbon adsorption system, during which the 95 percent removal efficiency cannot be met, shall not exceed 240 hours per year. (40 C.F.R. § 264.1087(c)(2)(i))

III.C.8.c You must comply with 40 C.F.R. § 264.1087(c)(2)(ii) through (c)(2)(vi) concerning the planned routine maintenance, control system device malfunction, record keeping, remedial of the malfunctioned device, and other operating requirements.

III.C.8.d You shall replace the existing carbon in the control device with fresh carbon on a regular basis by using one of the following procedures:

(i) The concentration level of the organic compounds in the exhaust vent stream from the carbon adsorption system shall be monitored on a regular schedule. The monitoring frequency shall be daily or at an interval no greater than 20 percent of the time required to consume the total carbon working capacity established as a requirement of 40 C.F.R. § 264.1035(b)(4)(iii)(G), whichever is longer. You shall replace the existing carbon in the control device with fresh carbon immediately when carbon breakthrough is indicated. (40 C.F.R. §§ 264.1087(c)(3)(i) and 264.1033(h)(1))

(ii) The existing carbon shall be replaced with fresh carbon at a regular, predetermined time interval that is less than the design carbon replacement interval established as a requirement of 40 C.F.R. § 264.1035(b)(4)(iii)(G). (40 C.F.R. §§ 264.1087(c)(3)(i) and 264.1033(h)(2))

III.C.8.e All carbon that is removed from the carbon adsorption system after use shall be managed in accordance with the requirements of 40 C.F.R. §§ 264.1087(c)(3)(ii) and 264.1033(n). You shall prepare and maintain records sufficient to demonstrate that the requirements of this provision are satisfied as part of the facility operating record.

III.C.8.f The control systems shall be inspected and monitored in accordance with 40 C.F.R. §§ 264.1033(f)(2) and 264.1087(c)(7).

III.C.8.g You shall repair each defect detected during an inspection performed in accordance with the requirements specified in 40 C.F.R. § 264.1084(k) and 40 C.F.R. § 264.1087(c)(7).

III.C.8.h You shall not transfer hazardous waste into the tanks when the carbon adsorption system is offline, except during periods of planned routine

maintenance or system malfunction of the carbon bed which are less than 240 hours per year in accordance with 40 C.F.R. § 264.1087(c)(2)(i), (ii) and (iii).

III.D EXEMPTED TANK AND MISCELLANEOUS UNIT REQUIREMENTS

The following provisions apply to Tanks No. #67, 68, 75 and 79 and any FP unit subject to Subpart X.

III.D.1 In order to be exempt from the provisions of 40 C.F.R. §§ 264.1084 and 264.1087, you shall demonstrate by direct measurement or approved method that all hazardous waste stored in the tanks (Tanks No. #67, 68, 75, and 79 and FP unit) has average VO concentration less than 500 ppmw at the point of waste origination in accordance with 40 C.F.R. § 264.1082(c)(1). The average VO concentration shall be determined using the procedures specified in 40 C.F.R. §§ 264.1083(a) and 265.1084(a)(2), (3), and/or (4).

III.D.2 For each exempt tank and FP unit, you must review and update the determination in Section III.D.1 in accordance with 40 C.F.R. § 264.1082(c)(1) at least one every 12 months following the date of the initial determination for the hazardous waste stream entering the unit.

III.D.3 For each exempt tank and FP unit, you must prepare and maintain the records described 40 C.F.R. § 264.1089(f). These records to be maintained at the facility shall include, but are not limited to, the type and origination of the hazardous waste stored in the tank, time and location of VO analysis, method used for the VO analysis, results of VO analysis, and any follow-up decision based on the VO data. If any hazardous waste is rejected due to the VO data, the record shall describe in detail the destination of the rejected hazardous waste. These records must be maintained as part of the operating record at the facility. Each exempt tank is subject to the reporting requirements in 40 C.F.R. § 264.1090(a).

III.D.4 For any hazardous waste with average VO concentration above 500 ppmw, you shall not store such hazardous waste in these exempt tanks and FP unit.

III.E RECORDKEEPING AND REPORTING REQUIREMENTS

III.E.1 For container storage areas and tanks, you must comply with all applicable recordkeeping and reporting requirements described in 40 C.F.R. §§ 264.1089 and 264.1090.

III.E.2 You must prepare and maintain records for the FP unit in the same manner as required for tanks under 40 C.F.R. § 264.1089, including but not limited to 40 C.F.R.

§ 264.1089(a), (b)(1) and (2)(iv). You must prepare and maintain records for the closed vent system and the carbon adsorption system described in Section III.C of this permit in the manner described in 40 C.F.R. § 264.1089, including 40 C.F.R. § 264.1089(a), (b)(2)(iv), and (e).

III.E.3 You must comply with all reporting requirements for the carbon adsorption system under 40 C.F.R. § 264.1090(c) and (d). Such reports shall be sent to EPA (at the address specified in Section I.G). You must also report to EPA (at the address specified in Section I.G) each occurrence when hazardous waste is managed in an FP unit or in the tanks, in noncompliance with the conditions specified in Section III.D of this permit, in the manner specified in 40 C.F.R. § 264.1090(b).

RESPONSE SUMMARY

EPA's RESPONSE TO COMMENTS ON THE FEDERAL DRAFT PERMIT FOR ROSS INCINERATION SERVICES, INC. GRAFTON, OHIO

I. INTRODUCTION

This summary is issued in response to the significant comments raised during the public comment period. The public comment period lasted from September 30 to November 22, 2013. A public hearing was held on November 21, 2013, 6:00 p.m. at the Grafton-Midview Public Library, 983 Main Street, Grafton, Ohio 44044.

II. COMMENTS, RESPONSES, AND CHANGES

The following comments were submitted by Ross Incineration Services, Inc. (Ross) during public comment period. The content noted under **Comment** is a direct quotation from Ross' written comment.

1. **Comment: Section I.E.3, Permit Expiration:** The language of the first sentence within Section I.E.3 currently states: "*Unless revoked or terminated, this permit and all conditions herein will be effective for approximately 10 years from this permit's effective date.*"

   However, 40 C.F.R. § 270.50 - Duration of permits, subpart (a) states: *"RCRA permits shall be effective for a fixed term not to exceed 10 years."*

   Hence, the first sentence of Section I.E.3 is not clearly consistent with 40 C.F.R. § 270.50(a) in that it refers to an 'approximate,' and not precise, duration for the Permit. As such, for purposes of clarity, RIS requests that the first sentence within Section I.E.3 be revised to state:

   "Unless revoked or terminated, this permit and all conditions herein will be effective for 10 years from this permit's effective date."

   Response: The state RCRA final permit issued on January 29, 2014 expires on January 29, 2024. It is more efficient, and lessens confusion, when the state and federal permits have the same expiration date. Since the federal permit will be issued in April of 2014 resulting in an effective date of the permit of May of 2014, the duration of the federal permit would be a few months less than 10 years. Therefore, the use of "approximately 10 years" is appropriate. However, to avoid any confusion that may arise, EPA will modify this condition to reflect the clear permit expiration date.

Change: Section I.E.3, Permit Expiration: "Unless revoked or terminated, this permit and all conditions herein will be effective until for approximately 10 years from this permit's effective date."

will be changed to

"Unless revoked or terminated, this permit and all conditions herein will be effective until January 29, 2024."

2. **Comment: Section I.I, Documents to be Maintained at the Facility:** The language of the first sentence within Section I.I is not consistent with the language of 40 C.F.R. § 264.115 which it references. The first sentence within Section I.I of the draft Permit currently states: "*You must maintain at the facility, until closure is completed and certified by an independent registered professional engineer, the following documents and all amendments, revisions, and modifications to them.*"

   However, the language of 40 C.F.R. § 264.115 states that such closure documentation must be certified "*. . . by a qualified Professional Engineer.*" The words "*independent*" and "*registered*" have been removed from the effective regulation.

   Consequently, the first sentence within Section I.I is more onerous than the regulation which it references. As such, RIS requests that the first sentence within Section I.I be revised to state the following:

   "*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.*"

   Response: The permit further defines the term of "qualified." To avoid certification by a professional engineer with any kind of relationship with the facility, it is necessary to have an independent professional engineer to review and certify the closure documents. Since the professional engineer has to register with the appropriate state government, the use of "registered" is also needed. A professional engineer with an expired license or no registration documentation should not be qualified for the certification process.

   Change: No change is needed for this comment.

3. **Comment: Section II, Air Emission Standards for Equipment Leaks:** Paragraphs two through four within Section II of the draft Permit currently state:

   "*In your Part B Permit Renewal Application, dated April 1, 2013, you state that the facility will comply with 40 C.F.R. Part 264, Subpart BB, by documentation of compliance with the Off-Site Waste and Recovery Operations (OSWRO) National Emissions Standards for Hazardous Air Pollutants (NESHAPS) under the provisions of 40 C.F.R. Part 63, Subpart DD.*

Therefore, pursuant to 40 C.F.R. § 264.1064(m), the compliance of the air emission standard requirements for equipment at the facility specified in 40 C.F.R. Part 264, Subpart BB can be demonstrated by complying with the relevant requirements specified in 40 C.F.R. 63, Subpart H.

The documentation of compliance with the regulations at 40 C.F.R. Part 63, Subpart H shall be kept with or made readily available with the facility operating record."

While a few portions of the OSWRO NESHAPS refer to specific subsections of 40 C.F.R. 63, Subpart H, it is confusing and unnecessary to make a reference to this subpart in RIS' draft Permit, since the referral to the OSWRO NESHAPS already covers such references where appropriate, in addition to 40 C.F.R. 63, Subpart DD referring to other regulatory requirements which are not in either of these subparts. As such, for purposes of clarification, RIS requests that paragraphs three and four within Section II of the draft Permit be revised to state the following:

"Therefore, pursuant to 40 C.F.R. § 264.1064(m), the compliance of the air emission standard requirements for equipment at the facility specified in 40 C.F.R. Part 264, Subpart BB can be demonstrated by complying with the relevant requirements specified in 40 C.F.R. 63, Subpart DD.

The documentation of compliance with the regulations at 40 C.F.R. Part 63, Subpart DD shall be kept with or made readily available with the facility operating record."

Response: EPA agrees with this comment and will modify the permit accordingly.

Change: SECTION II, third and fourth paragraphs: "Therefore, pursuant to 40 C.F.R. § 264.1064(m), the compliance of the air emission standard requirements for equipment at the facility specified in 40 C.F.R. Part 264, Subpart BB can be demonstrated by complying with the relevant requirements specified in 40 C.F.R. 63, Subpart H.

The documentation of compliance with the regulations at 40 C.F.R. Part 63, Subpart H shall be kept with or made readily available with the facility operating record."

will be changed to

"Therefore, pursuant to 40 C.F.R. § 264.1064(m), the compliance of the air emission standard requirements for equipment at the facility specified in 40 C.F.R. Part 264, Subpart BB can be demonstrated by complying with the relevant requirements specified in 40 C.F.R. 63, Subpart DD.

The documentation of compliance with the regulations at 40 C.F.R. Part 63, Subpart DD shall be kept with or made readily available with the facility operating record."

4. **Comment: SECTION II, Air Emission Standards for Equipment Leaks:** Paragraph five within Section II of the draft Permit currently states:

   "You shall annually provide to the Director a certification describing your election of compliance at the facility with 40 C.F.R. Part 264, Subpart BB."

   RIS has been unable to locate any regulatory requirement under 40 C.F.R. Part 264, Subpart BB or Part 63, Subpart DD to which this may refer. In addition, there is no similar requirement in RIS' current Permit or the renewal application.

   Hence, paragraph five specifies a reporting requirement which is unnecessarily burdensome and beyond what is required by applicable regulations. As such, RIS requests that paragraph five be removed from Section II of the draft Permit.

   Response: It is not necessary for the facility to annually submit certification documents to EPA. However, the facility needs to update its certification document to reflect the facility's compliance status with the relevant regulations. An annual update of the certification is proper and such updated certification should be retained at the facility. EPA will modify the condition to reflect this concern.

   Change: Section II, Fifth Paragraph: "You shall annually provide to the Director a certification describing your election of compliance at the facility with 40 C.F.R. Part 264, Subpart BB."

   will be changed to

   "You shall annually update the Certification, which is in the Part B Permit Application, describing your election of compliance at the facility with 40 C.F.R. Part 264, Subpart BB. The certification document shall be retained at the facility and must be provided to the EPA representatives, or its designees, upon request."

5. **Comment: Section III, Air Emission Standards for Containers, Tanks, and Subpart X Unit:** The opening paragraph of Section III of the draft Permit states as follows:

   "The State RCRA permit authorizes you to store hazardous wastes in the following forty-nine (49) tanks:

Tank Farm I:	*Tanks #23-36, 9,920 gallons each;*
Tank Farm II:	*Tanks #37-51, 9,920 gallons each;*
Tank Farm III:	*Tanks #52-64, 9,920 gallons each;*
Process Dock:	*Tank #70, 10,000 gallons; and*
Process Dock:	*Tanks #73 and 74, 7,500 gallons each.*

   Tanks #67, 68, 75 and 79 also store wastewater with hazardous constituents."

The tank numbers listed above for Tank Farms II and III are listed in error. Please refer to RIS' July 01, 2013 Addendum to its April 01, 2013 Federal RCRA Part B Permit Renewal Application. As such, RIS requests that the opening paragraph of Section III of the draft Permit be revised to state as follows:

"The State RCRA permit authorizes you to store hazardous wastes in the following forty-nine (49) tanks:

Tank Farm I:	*Tanks #23-36, 9,920 gallons each;*
Tank Farm II:	*Tanks #37-50, 9,920 gallons each;*
Tank Farm III:	*Tanks #51-64, 9,920 gallons each;*
Process Dock:	*Tank #70, 10,000 gallons; and*
Process Dock:	*Tanks #73 and 74, 7,500 gallons each.*

Tanks #67, 68, 75 and 79 also store wastewater with hazardous constituents."

Response: EPA agrees with this comment and will modify the permit accordingly.

Change: Section III, First Paragraph:
"The State RCRA permit authorizes you to store hazardous wastes in the following forty-nine (49) tanks

Tank Farm I: Tanks #23-36, 9,920 gallons each;
Tank Farm II: Tanks #37-51, 9,920 gallons each;
Tank Farm III: Tanks #52-64, 9,920 gallons each;
Process Dock: Tank #70, 10,000 gallons; and
Process Dock: Tanks #73 and 74, 7,500 gallons each.

Tanks #67, 68, 75 and 79 also store wastewater with hazardous constituents. "

will be changed to

"The State RCRA permit authorizes you to store hazardous wastes in the following forty-nine (49) tanks:

Tank Farm I:	Tanks No. #23-36, 9,920 gallons each;
Tank Farm II:	Tanks No. #37-50, 9,920 gallons each;
Tank Farm III:	Tanks No. #51-64, 9,920 gallons each;
Process Dock:	Tank No. #70, 10,000 gallons; and
Process Dock:	Tanks No. #73 and 74, 7,500 gallons each.

Tanks No. #67, 68, 75 and 79 also store wastewater with hazardous constituents."

6. **Comment: Section III, Air Emission Standards for Containers, Tanks, and Subpart X Unit:** Paragraph six within Section III of the draft Permit states as follows:

"You must comply with all applicable requirements of 40 C.F.R. § 264.1080 through 40 C.F.R. § 1090, regarding air emission standards for all containers and tanks handling hazardous waste. All containers and tanks not exempt from 40 C.F.R. Part 264 Subpart CC must be managed using the applicable standards at 40 C.F.R. § 264.1084 and 40 C.F.R. § 264.1086. The tanks and containers permitted in the State RCRA permit, and described above, are Level 2 tanks or Level 1 and 2 containers, and must comply with the Tank Level 2 standards at 40 C.F.R. § 264.1084(d), the Container Level 1 standards at 40 C.F.R. § 264.1086(c), or the Container Level 2 standards at 40 C.F.R. § 264.1086(d), as applicable."

Under 40 C.F.R. § 264.1082(c) and (c)(1), a tank is exempt from the standards specified in § 264.1084 through § 264.1087 provided that the hazardous waste entering the unit has an average volatile organic (VO) concentration at the point of waste origination of less than 500 parts per million by weight (ppmw). As indicated earlier within Section III of the draft Permit, Tanks #67, 68, 75 and 79 store hazardous waste that has an average VO concentration of less than 500 ppmw, and hence, meet the above exemption.

As such, RIS requests that paragraph six within Section III of the draft Permit be revised as follows to clearly indicate that Tanks #67, 68, 75 and 79 are exempt from the standards specified in § 264.1084 through § 264.1087:

"You must comply with all applicable requirements of 40 C.F.R. § 264.1080 through 40 C.F.R. § 1090, regarding air emission standards for all containers and tanks handling hazardous waste which do not meet the exemption requirements under 40 C.F.R. 264, Subpart CC. All containers and tanks not exempt from 40 C.F.R. Part 264 Subpart CC must be managed using the applicable standards at 40 C.F.R. § 264.1084 and 40 C.F.R. § 264.1086. The tanks and containers permitted in the State RCRA permit, and described above, are Level 2 tanks (that is, Tanks #23 through 64, #70, #73 and #74) or Level 1 and 2 containers, and must comply with the Tank Level 2 standards at 40 C.F.R. § 264.1084(d), the Container Level 1 standards at 40 C.F.R. § 264.1086(c), or the Container Level 2 standards at 40 C.F.R. § 264.1086(d), as applicable. Tanks #67, 68, 75 and 79 are exempt from the standards specified in § 264.1084 through § 264.1087."

Response: As stated in the permit (page 12 of 19, fifth paragraph, third line), all containers and tanks not exempt from 40 C.F.R. Part 264 Subpart CC must be managed using the applicable standards at 40 C.F.R. § 264.1084 and 40 C.F.R. § 264.1086. For any unit to be exempted from the applicable 40 C.F.R. Part 264, Subpart CC regulations, the facility has to demonstrate why such exemption status is applicable to the unit. As required in Section III.D of the permit, the facility should demonstrate that all hazardous waste stored in the tanks and other miscellaneous units (Tanks No. #67, 68, 75, and 79 and FP unit) has an average VO concentration less than 500 ppmw at the point of waste

origination in accordance with 40 C.F.R. § 264.1082(c)(1) in order to be eligible for the exemption.

Change: No change is needed for this comment.

7. **Comment: Section III, Air Emission Standards for Containers, Tanks, and Subpart X Unit:** Paragraph seven within Section III of the draft Permit states as follows:

   "You must not conduct a waste stabilization process, as defined at 40 C.F.R. § 265.1081, in containers and tanks which contain hazardous waste."

   The definition of *"waste stabilization process,"* as defined at 40 C.F.R. § 265.1081 applies to RCRA *"interim status"* facilities. These are hazardous waste management facilities which were in existence before the RCRA Subtitle C program became effective in November 1980, and for which a final action had not been taken by EPA on their Part B Permit application.

   RIS is not an *'interim status'* facility. It is not subject to the *'waste stabilization process'* definition under 40 C.F.R. §265.1081, nor has it identified waste stabilization as a hazardous waste management activity in either its Federal or State RCRA Part B Permit applications. Hence, paragraph seven within Section III of the draft Permit has no relevance to hazardous waste permitted activities at RIS.

   As such, RIS requests that paragraph seven within Section III of the draft Permit be removed.

   Response: The term "Waste Stabilization Process" is defined at 40 C.F.R. § 265.1081. As suggested by your comment, 40 C.F.R. Part 265 applies to interim status facilities. However, the terms defined in the 40 C.F.R. Part 265 are not necessarily applicable only to interim facilities, they are merely defined in that part of the regulation. As specified in 40 C.F.R. § 264.1081, all terms used in 40 C.F.R. 264 shall have the meaning given to them in 40 C.F.R. § 265.1081. Therefore, the term "Waste Stabilization Process" as defined in 40 C.F.R. § 265.1081 is also applicable to the permitted facilities to be regulated by 40 C.F.R. Part 264.

   Change: No change is needed for this comment.

8. **Comment: Section III.B, Level 2 Container Requirements:** Condition III.B.2 of the draft Permit states in part:

   ". . . Any transfer of the hazardous waste from Level 2 containers to the tanks at the facility shall be conducted at the pump station room. While transferring hazardous waste from containers, you shall vent vapors in the pump station room into the carbon adsorption system through the closed vent system. You shall not conduct any transfer activities when the carbon adsorption system is offline for maintenance. The closed-vent and carbon adsorption system shall be operated to comply with the

requirements specified in Section III.C."

Please note that RIS has already documented its Level 2 container transfer procedures within Section V.C of the Subpart CC portion of its Permit renewal application as follows:

"C. Drum Material Transfer Procedures.

For Level 2 containers, transfer of waste in or out of a container will be conducted in such a manner as to minimize exposure of the waste to the atmosphere, to the extent practical, considering the physical properties of the hazardous waste and good engineering and safety practices for handling flammable, ignitable, explosive, reactive, or other hazardous materials."

The above language mirrors that of 40 C.F.R. §264.1086(d)(2) which US EPA has referenced in Condition III.B.2 of the draft Permit. As elaborated upon in RIS' August 05, 2013 Second Addendum to its Permit renewal application, these container pumping (transfer) operations take place within the Process Dock, and vapors from such activities are vented to a carbon adsorption unit (i.e., carbon bed). RIS does not conduct such transfer activities in a location identified by the Agency as a *'pump station room,'* nor is there a room at the facility which goes by this name. As such, RIS requests that US EPA remove the name *'pump station room'* from Condition III.B.2 of the draft Permit and replace it with *'Process Dock.'*

In addition, as discussed in the August 05, 2013 Second Addendum to its Permit renewal application, RIS complies with 40 C.F.R. §264.1087(c)(1)(i) with regards to the carbon bed that receives vapors from the container pumping operations within the Process Dock. During periods of planned routine maintenance or system malfunction of the carbon bed, the requirements of 40 C.F.R. §264.1087(c)(1)(i) do not apply as indicated in 40 C.F.R. §264.1087(c)(2)(ii) and (iii). As the Agency was previously informed, the periods of planned routine maintenance of RIS' carbon bed are less than 240 hours per year in accordance with 40 C.F.R. §264.1087(c)(2)(i). As such, RIS complies with 40 C.F.R. §264.1087(c)(2)(i), (ii) and (iii) during periods of planned routine maintenance or system malfunction of the carbon bed.

Consequently, based on the information presented above, RIS requests that US EPA change Condition III.B.2 of the draft Permit which is referenced above to state in part:

". . . Any transfer of the hazardous waste from Level 2 containers to the tanks at the facility shall be conducted in the Process Dock. While transferring hazardous waste from containers, you shall vent vapors in the Process Dock into the carbon adsorption system through the closed vent system. You shall comply with 40 C.F.R. §264.1087(c)(2)(i), (ii) and (iii) during periods of planned routine maintenance or system malfunction of the carbon bed.. The closed-vent and carbon adsorption system shall be operated to comply with the requirements specified in Section III.C."

Response: EPA acknowledges that 40 C.F.R. § 264.1087(c)(2) allows a certain amount of planned maintenance period for the control device. EPA will modify this condition accordingly.

Change: Section III.B.2: ". . . Any transfer of the hazardous waste from Level 2 containers to the tanks at the facility shall be conducted at the pump station room. While transferring hazardous waste from containers, you shall vent vapors in the pump station room into the carbon adsorption system through the closed vent system. You shall not conduct any transfer activities when the carbon adsorption system is offline for maintenance. The closed-vent and carbon adsorption system shall be operated to comply with the requirements specified in Section III.C."

will be changed to

". . . Any transfer of the hazardous waste from Level 2 containers to the tanks at the facility shall be conducted in the Process Dock. While transferring hazardous waste from containers, you shall vent vapors in the Process Dock into the carbon adsorption system through the closed vent system. You shall comply with 40 C.F.R. § 264.1087(c)(2)(i), (ii) and (iii) during periods of planned routine maintenance or system malfunction of the carbon bed. The closed-vent and carbon adsorption system shall be operated to comply with the requirements specified in Section III.C."

9. **Comment: Section III.C.8.h:** Condition III.C.8.h of the draft Permit currently states as follows:

   "You shall not transfer hazardous waste into the tanks when the carbon adsorption system is offline for maintenance."

   RIS complies with 40 C.F.R. §264.1087(c)(1)(i) with regards to the carbon bed that receives vapors from the Process Dock tanks and Tank Farms I, II and III. During periods of planned routine maintenance or system malfunction of the carbon bed, the requirements of 40 C.F.R. §264.1087(c)(1)(i) do not apply as indicated in 40 C.F.R. §264.1087(c)(2)(ii) and (iii). The periods of planned routine maintenance of RIS' carbon bed are less than 240 hours per year in accordance with 40 C.F.R. §264.1087(c)(2)(i). As such, RIS complies with 40 C.F.R. §264.1087(c)(2)(i), (ii) and (iii) during periods of planned routine maintenance or system malfunction of the carbon bed.

   Consequently, based on the information presented above, RIS requests that US EPA change Condition III.C.8.h of the draft Permit which is referenced above to state:

   "You shall not transfer hazardous waste containing an average organic concentration of greater than or equal to 500 ppmw into the tanks when the carbon adsorption system is offline, except during periods of planned routine maintenance or system malfunction of the carbon bed which are less than 240 hours per year in accordance with 40 C.F.R. §264.1087(c)(2)(i), (ii) and (iii)."

Response: As specified in 40 C.F.R. § 264.1084(g)(1)(iv), the closed-vent system and control device for the tanks shall be operated in accordance with 40 C.F.R. § 264.1087. EPA agrees with this comment and will modify the permit accordingly. Since hazardous waste containing less than 500 ppm is not applicable to the Subpart CC regulations, there is no reason to repeat that phrase in this section.

Change: Section III.C.8.h: "You shall not transfer hazardous waste into the tanks when the carbon adsorption system is offline for maintenance."

will be changed to

"You shall not transfer hazardous waste into the tanks when the carbon adsorption system is offline, except during periods of planned routine maintenance or system malfunction of the carbon bed which are less than 240 hours per year in accordance with 40 C.F.R. § 264.1087(c)(2)(i), (ii) and (iii)."

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

APR 23 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, Ross Incineration Services, Inc.
Grafton, Ohio, OHD 048 415 665

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,

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

Enclosure

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Administrative Record Index ***(Final RCRA PERMIT)***
Ross Incineration Services, Inc.
Grafton, Ohio
OHD 048 415 665

	Title	Date	Prepared by
1.	Part B Permit Application	April 1, 2013	Ross
2.	EJ Information	May 2013	EPA
3.	Part B Application Addendum	July 1, 2013	Ross
4.	Part B Application 2nd Addendum	August 5, 2013	Ross
5.	Draft RCRA Permit (EPA)	September 2013	EPA
6.	Draft Permit Review Comments	November 22, 2013	Ross
7.	Final RCRA Permit (State)	January 29, 2014	OEPA
8.	Response Summary	April 2014	EPA
9.	Final RCRA Permit (Federal)	April 2014	EPA

EPA: United States Environmental Protection Agency
OEPA: Ohio Environmental Protection Agency
RCRA: Resource Conservation Recovery Act
EJ: Environmental Justice
Subpart BB: 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

APR 23 2014

REPLY TO THE ATTENTION OF:

Reference Desk Librarian
Grafton-Midview Public Library
983 Main Street
Grafton, Ohio 44044

Re: Final Federal RCRA Permit, Ross Incineration Services, Inc.
Grafton, Ohio, OHD 048 415 665

Dear Madam or Sir:

The U.S. Environmental Protection Agency intends to issue a final Hazardous Waste Management Permit to Ross Incineration Services, Inc., of Grafton, 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 Morning Journal on September 30, 2013. EPA made a copy of the draft federal RCRA permit available for review at the Grafton-Midview Public Library, 983 Main Street, Grafton, Ohio 44044. The public comment period was extended from September 30 to November 22, 2013. A public hearing was held on November 21, 2013, 6:00 p.m. at the Grafton-Midview Public Library, 983 Main Street, Grafton, Ohio 44044.

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

-- Final Permit
-- Responsive Summary
-- 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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September 2013

Draft Hazardous Waste Permit Renewal

Facility Name: Ross Incineration Services, Inc.

U.S. EPA I.D.: OHD 048 415 665

Location:

36790 Giles Road
Grafton, Ohio 44044

Facility Owner:

Ross Incineration Services, Inc.
36790 Giles Road
Grafton, Ohio 44044

Ross Consolidated Corp.
36790 Giles Road
Grafton, Ohio 44044

Facility Operator:

Ross Incineration Services, Inc.
36790 Giles Road
Grafton, Ohio 44044

Activity:

Permit renewal for tank and container storage of hazardous waste; treatment of hazardous waste by incineration and in tanks and a filter press; Corrective Action.

Comment Period:

September 30, 2013 – November 22, 2013

Submit Comments to:

Ohio EPA
Mr. John Nyers
Division of Materials and Waste Management
P.O. Box 1049
Columbus, Ohio 43216-1049
John.Nyers@*epa.ohio.gov*

U.S. EPA, Region 5
Mr. Jae Lee
RCRA Branch (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) is a federal law enacted in 1976 to address the growing volume of municipal and industrial solid waste generated across the United States. Goals established by RCRA include: protection of human health and the environment from potential hazards of waste disposal, reducing the amount of waste generated, and ensuring that waste is managed in an environmentally sound manner.

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, the state must demonstrate that its 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 Thursday, November 21, 2013 at 6 p.m. at the Grafton-Midview Public Library, 983 W. Main Street, Grafton, OH 44044. 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 left.

The comment period begins on September 30, 2013 and ends on November 22, 2013. A copy of the permit application and the draft permit is available for review by the public at the following locations:

Ohio EPA, Northeast District Office
2110 East Aurora Road
Twinsburg, Ohio 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:

Grafton-Midview Public Library
983 Main Street
Grafton, Ohio 44044
(440) 926-3317

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?

The facility receives hazardous waste generated by others. The facility includes units that: incinerate hazardous waste, store hazardous waste in containers and tanks and treat wastes in tanks and in a filter press. Also located at the facility are a surface impoundment that was closed with waste in-place and additional post-RCRA waste management units that were closed with waste removal. Four solid waste management unit areas located at the facility include units that conducted waste management activities prior to the RCRA regulatory program.

Typical hazardous waste types received at the facility include: halogenated and non-halogenated spent solvents, paint wastes, off specification commercial chemical products and spill residues. Waste generated at the facility consists primarily of treatment residuals from the incineration process.

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

This draft permit would allow Ross Incineration Services, Inc. to continue to conduct the following activities:

-Store 610,373 gallons of hazardous waste in the permitted container areas: Container Storage Facility, Bulk Storage Areas, and Oxidizer Storage Building;

-Store 1,122,216 gallons of hazardous waste in 49 tanks;

-Treat 122,000 gallons per day of hazardous waste in 4 tanks;

Draft Hazardous Waste Permit Renewal

-Process 111,000 gallons per day of scrubber water in the filter press; and,

-Operate a hazardous waste incinerator.

Operation of the hazardous waste incinerator is regulated by air pollution control regulations, including the hazardous waste combustor MACT standards, and by the draft RCRA permit. Conditions, limits, and restrictions which have been superseded by equivalent or more stringent requirements under the hazardous waste combustor MACT standards are no longer included in the facility's RCRA permit.

The draft permit proposes that the facility continue its corrective action program. Ohio EPA is currently working on a draft Statement of Basis (not a part of this draft permit) that is expected to propose implementation of additional corrective measures to further control risks identified in the corrective action program.

What is the regulatory basis to support this permit renewal?

The Director has determined that Ross incineration Services, 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 September 30, 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 Neil Wasilk of Ohio EPA, Northeast District Office at (330) 963-1165 or Jae Lee of the U.S. EPA Regional Office in Chicago, Illinois at (800) 621-8431 ext. 63781.

PUBLIC NOTICE

Lorain County

HAZARDOUS WASTE DRAFT RENEWAL PERMIT ISSUANCE

On September 27, 2013, Ohio EPA and U.S. EPA issued a draft renewal Hazardous Waste Facility Installation and Operation Permit (Permit) to Ross Incineration Services, Inc. (RIS) and Ross Consolidated Corp. (RCC), U.S. EPA ID Number OHD 048415665, for its facility located at 36790 Giles Road, Grafton, OH 44044. RIS owns and operates a commercial hazardous waste treatment and storage facility. RCC owns the land on which the facility is located. The primary service offered by this facility is treatment by incineration of hazardous waste from off-site generators. The purpose of this Permit is to allow RIS to continue the following hazardous waste management activities: container and tank storage, treatment in tanks, filter press and by incineration, closure, post-closure and corrective action. To issue this Permit, Ohio EPA determined that the Permit application is complete and meets appropriate standards and that the applicant has a history of compliance with relevant environmental laws and demonstrates sufficient reliability, expertise, and competency to operate a hazardous waste facility. A public hearing for this Permit will be held on Thursday, November 21, 2013 at 6 p.m. at the Grafton-Midview Public Library, 983 W. Main Street, Grafton, Ohio 44044 to receive public comments. You may send written comments concerning this Permit to Ohio EPA, Division of Materials and Waste Management, P.O. Box 1049, Columbus, Ohio 43216-1049, no later than the close of business on November 22, 2013. A copy of the Permit can be viewed at: Grafton-Midview Public Library, 983 Main Street, Grafton, Ohio EPA Northeast District Office, 2110 E. Aurora Road, Twinsburg, Ohio 44087, Tel: (330) 963-1200, Ohio EPA Division of Materials and Waste Management, 50 W. Town Street, Suite 700, Columbus, Ohio 43215, Tel: (614) 644-2621, and online under the "Stakeholder input" tab at: epa.ohio.gov/dmwm/.