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

SEP 2 7 2011

REPLY TO THE ATTENTION OF:
LR-8J

7001 0320 0005 8933 1167
CERTIFIED LETTER
RETURN RECEIPT REQUESTED

Mr. Kevin R. Soucy, Facility Manager
Sunoco, Inc., R&M
1019 Haverhill Ohio Furnace Road
Haverhill, Ohio 45636

Re: Draft Federal RCRA Permit, Sunoco, Inc., R&M
Haverhill, Ohio, OHD 005 108 477

Dear Mr. Soucy:

Enclosed is the draft federal Resource Conservation and Recovery Act (RCRA) permit for Sunoco, Inc., R&M, Haverhill, Ohio.

The draft federal RCRA permit will be publicly noticed in the "Portsmouth Daily Times" newspaper on September 27, 2011 and announced on the "WNXT" radio station on September 28, 2011. A copy of the draft federal RCRA permit is available for review at the Portsmouth Public Library, 1220 Gallia, Portsmouth, Ohio, 45662-4217. The public comment period extends from September 28 to November 12, 2011.

During the public comment period, you or any interested party may submit comments to the U.S. Environmental Protection Agency on the draft federal RCRA permit. You may request that EPA hold a public hearing about this permit. If a public hearing is to be held, EPA will make a separat e announcement of the date, time, and location of that hearing/meeting, thirty (30) days in advance. At the close of the comment period, EPA will prepare a response to all significant comments. Co mments on the draft federal RCRA permit may be submitted to:

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

Attention: Jae B. Lee

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on 100% Recycled Paper (50% Postconsumer)

Following review of any comments received on the draft Federal RCRA permit, Region 5will issue a final permit decision in accordance with the requirements of 40 CFR § 124.19.

If you have questions concerning the draft federal RCRA permit, please contact Jae Lee, of my staff, at (312) 886-3781.

Sincerely,

Mary Setnicar, Acting Chief
RCRA Branch
Land and Chemicals Division

Enclosure

cc: Jeremy Carroll, OEPA

DRAFT

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

RESOURCE CONSERVATION AND RECOVERY ACT PERMIT

Facility Name and Location: **Sunoco, Inc., R&M**
1019 Haverhill-Ohio Furnace Road
Haverhill, Ohio 45636

Owner: **Sunoco, Inc., R&M**
1735 Market Street, Suite LL
Philadelphia, PA 19103

Operator: **Sunoco, Inc., R&M**
1735 Market Street, Suite LL
Philadelphia, PA 19103

EPA Identification Number: **OHD 005 108 477**

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

Expiration Date: **10 Years from the Effective Date**

Authorized Activities:

The U.S. Environmental Protection Agency hereby issues a Resource Conservation and Recovery Act permit (hereinafter referred to as the "permit") to Sunoco, Inc., R&M (hereinafter referred to as the "Permittee" or addressed in the second person as "you") in connection with your hazardous waste management operations at your facility in Haverhill, 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 CFR).

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

Any hazardous waste activity which requires a RCRA permit, but is not included in the provisions of the RCRA permit, is prohibited.

Permit Approval:

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

EPA has not yet authorized the State of Ohio to administer certain regulations, however, including the air emission standards for equipment leaks (40 CFR Part 264, Subpart BB), the air emission standards for tanks, surface impoundments, and containers (40 CFR Part 264, Subpart CC), and changes to other sections of applicable regulations. Therefore, 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, 270, and applicable provisions of RCRA.

This permit is based on the assumption that 1) the information submitted in your RCRA Part B Permit Application on April 24, 2009, including the Part A Application, and all other modifications to that application (hereinafter referred to as the "Part B Permit Application"), and 2) Subpart BB and CC certification information dated July 27, 2011, is accurate, and the facility is configured, operated and maintained as specified in the Part B Permit Application and other relevant documents.

Any inaccuracies in the submitted information may be grounds for EPA to terminate, revoke and reissue, or modify this permit in accordance with 40 CFR §§ 270.41, 270.42 and 270.43, and to initiate an 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 the 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 **(10 Years from the Effective Date)**, 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 005 108 477
Sunoco, Inc., R&M

TABLE OF CONTENTS

SECTION I--STANDARD PERMIT CONDITIONS 1
I.A EFFECT OF PERMIT 1
I.B PERMIT ACTIONS 1
I.B.1 Permit Review, Modification, Revocation and Reissuance, and Termination 1
I.B.2 Permit Renewal 2
I.C SEVERABILITY 2
I.D DEFINITIONS 2
I.E DUTIES AND REQUIREMENTS 2
I.E.1 Duty to Comply 2
I.E.2 Duty to Reapply 3
I.E.3 Permit Expiration 3
I.E.4 Need to Halt or Reduce Activity Not a Defense 3
I.E.5 Duty to Mitigate 3
I.E.6 Proper Operation and Maintenance 3
I.E.7 Duty to Provide Information 4
I.E.8 Inspection and Entry 4
I.E.9 Monitoring and Records 4
I.E.10 Reporting Planned Changes 5
I.E.11 Reporting Anticipated Noncompliance 5
I.E.12 Certification of Construction 5
I.E.13 Transfer of Permits 6
I.E.14 Twenty-Four Hour Reporting 6
I.E.15 Other Noncompliance 8
I.E.16 Other Information 8
I.F SIGNATORY REQUIREMENT 8
I.G REPORTS, NOTIFICATIONS AND SUBMISSIONS TO THE DIRECTOR 8
I.H CONFIDENTIAL INFORMATION 9
I.I DOCUMENTS TO BE MAINTAINED AT THE FACILITY 9
I.I.1 Operating Record 9
I.I.2 Notifications 9
I.I.3 Copy of Permit 9
I.J ATTACHMENTS AND DOCUMENTS INCORPORATED BY REFERENCE 10
I.K COORDINATION WITH THE CLEAN AIR ACT 10

SECTION II-- AIR EMISSIONS STANDARDS FOR EQUIPMENT LEAKS
(40 CFR PART 264, SUBPART BB).....10

SECTION III-- AIR EMISSIONS STANDARDS FOR TANKS
(40 CFR PART 264, SUBPART CC).....11

SECTION I—STANDARD PERMIT CONDITIONS

I.A EFFECT OF PERMIT

This permit contains federal permit conditions. You also have a state RCRA permit. You are hereby allowed to manage hazardous waste at this facility in accordance with this permit and the effective State RCRA permit. Under this permit, the storage of RCRA hazardous waste must comply with all terms and conditions in this permit. Other aspects of the storage and treatment of RCRA hazardous wastes are subject to the conditions in the state-issued portion of the 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 CFR § 270.4, compliance with the RCRA permit during its term 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 CFR Part 268 restricting the placement of hazardous waste in or on the land; (3) are promulgated under 40 CFR Part 264 regarding leak detection systems for new and replacement surface impoundment, waste pile, and landfill units, and lateral expansions of the same; or (4) are promulgated under subparts AA, BB, or CC of 40 CFR Part 265 limiting air emissions. (40 CFR §§ 270.4)

This permit does not: (1) convey any property rights or any exclusive privilege (40 CFR § 270.30(g)); (2) authorize any injury to persons or property, or invasion of other private rights; or (3) authorize any infringement of state or local law or regulations. Compliance with the terms of this permit does not constitute a defense to any order issued, or any action brought, under: (1) Sections 3008(a), 3008(h), 3013, or 7003 of RCRA; (2) Sections 104, 106(a), or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 USC §§ 9601 *et seq.* (commonly known as CERCLA); or (3) any other law protecting human health, welfare, 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 CFR §§ 270.41, 270.42, and 270.43. EPA may also review and modify this permit, consistent with 40 CFR § 270.41, to include any terms and conditions it determines are necessary to protect human health and the environment under Section 3005(c)(3) of RCRA. The filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated

noncompliance on your part will not delay the applicability or enforceability of any permit condition. (40 CFR § 270.30(f))

You must not perform any construction associated with a Class 3 permit modification request until such modification request is granted and the modification becomes effective. You may perform construction associated with a Class 2 permit modification request beginning 60 days after submission of the request unless the Director establishes a later date. (40 CFR § 270.42(b)(8))

I.B.2 Permit Renewal

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

I.C SEVERABILITY

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

I.D DEFINITIONS

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

I.E DUTIES AND REQUIREMENTS

1.E.1 Duty to Comply

You must comply with all conditions of this permit, except to the extent and for the duration for which an emergency permit authorizes such noncompliance (40 CFR § 270.61). Any permit noncompliance, except under the terms of an emergency permit, constitutes a violation of RCRA and will be grounds for: enforcement action; permit termination; revocation and reissuance; modification; or denial of a permit renewal application. (40 CFR § 270.30(a))

I.E.2 Duty to Reapply

If you wish to continue the permit regulated activities after the 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 expiration date, unless the Director grants permission for a later submittal date. The Director will not grant permission to submit the complete application for a new permit later than the permit's expiration date. (40 CFR §§ 270.10(h) and 270.30(b))

I.E.3 Permit Expiration

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

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

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

I.E.5 Duty to Mitigate

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

I.E.6 Proper Operation and Maintenance

You must always properly operate and maintain all facilities and treatment and control systems (and related appurtenances) that you install or use to comply with this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance/quality control procedures. This provision requires you to operate back-up or auxiliary facilities or similar systems only when necessary to comply with this permit. (40 CFR § 270.30(e))

I.E.7 Duty to Provide Information

You must provide the Director, within a reasonable time, any relevant information that the Director requests to determine whether there is cause to modify, revoke and reissue, or terminate this permit, or to determine permit compliance. You must also provide the Director, upon request, with copies of any records this permit requires. The information you must maintain under this permit is not subject to the Paperwork Reduction Act of 1980, 44 USC §§ 3501 *et seq.* (40 CFR §§ 264.74(a) and 270.30(h))

I.E.8 Inspection and Entry

Upon the presentation of credentials and other legally required documents, you must allow the Director or an authorized representative to (40 CFR § 270.30(i)):

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 ensure 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.

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 wastes, contaminated media, treatment residue, or other waste to be analyzed must be the appropriate methods from Appendix I of 40 CFR Part 261, or the methods specified in the State-approved waste analysis plan, 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 analysis plan. (40 CFR § 270.30(j)(1))

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

I.E.9.c You must submit all monitoring results at the intervals specified in this permit.

I.E.9.d 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. The 3-year period may be extended by request of the Director at any time and is automatically extended during the course of any unresolved enforcement action regarding this facility. (40 CFR §§ 270.30(j) and 270.31))

I.E.10 Reporting Planned Changes

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

I.E.11 Reporting Anticipated Noncompliance

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

I.E.12 Certification of Construction

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

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

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

I.E.13 Transfer of Permits

This permit is not transferable to any person, except after notice to the Director. You must inform the Director and obtain prior approval of the Director before transferring ownership or operational control of the facility (40 CFR § 270.42, Appendix I). Under 40 CFR § 270.40, the Director may require permit modification, or revocation and reissuance to change your name and incorporate other RCRA requirements. Before transferring ownership or operation of the facility during its operating life, you must notify the Director and obtain prior approval and notify the new owner or operator in writing of the requirements of this permit and the requirements of 40 CFR Parts 264, 268, and 270. (40 CFR §§ 264.12(c), 270.30(l)(3), and 270.40(a))

I.E.14 Twenty-Four Hour Reporting

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

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

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

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

(3) Name, address and telephone number of owner or operator;

(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 Conditions 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 Conditions I.E.14.a and I.E.14.b of this permit. (40 CFR § 270.30(1)(6))

I.E.15 Other Noncompliance

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

I.E.16 Other Information

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

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

I.F SIGNATORY REQUIREMENT

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

I.G REPORTS, NOTIFICATIONS AND SUBMITTALS TO THE DIRECTOR

Except as otherwise specified in this permit, all reports, notifications, or other submittals that this permit requires to be submitted to the Director should be sent by certified mail or hand-delivered to the U.S. Environmental Protection Agency, Region 5, 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 CFR Part 2, Subpart B, you may claim any information this permit requires, or is otherwise submitted to the Director, as confidential. You must assert any such claim at the time of submittal in the manner prescribed on the application form or instructions, or, in the case of other submittals, by stamping the words "Confidential Business Information" on each page containing such information. If you made no claim at the time of submittal, the Director may make the information available to the public without further notice. If you assert a claim, the information will be treated in accordance with the procedures in 40 CFR Part 2 (40 CFR § 270.12). You have the burden of substantiating that the claimed information is confidential, and EPA may request further information from you regarding such claim, and may reasonably determine which such information to treat as confidential.

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 CFR §§ 264.1035, 264.1064, 264.1082, 264.1084, 264.1088, 264.1089 and 40 CFR § 264.73 (as they apply to the equipment used to comply with this permit).

I.I.2 Notifications

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

I.I.3 Copy of Permit

You must keep a copy of this permit at the facility, including all 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 an enforcement action under Section 3008 of RCRA. This action may include fines, or permit suspension or revocation.

I.J.2 This permit also includes the documents attached hereto, all documents cross-referenced in these documents, and the applicable regulations contained in 40 CFR Parts 124, 260, 261, 262, 264, 268, 270, and the 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 Condition 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 the RCRA requirements contained in this permit. This permit does not include the requirements imposed by the Clean Air Act.

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

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

The permit renewal information, dated April 24, 2009, states that the facility has received a Title V operating permit from Ohio EPA that includes 40 CFR 63 requirements for equipment leaks. In the subsequent letter dated July 27, 2011, you indicated that you will comply with 40 CFR Part 264, Subpart BB, by documentation of compliance with regulations at 40 CFR Part 63, Subpart H – National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks.

Therefore, according to 40 § CFR 264.1064(m), the requirements of the air emission standard for equipment specified in 40 CFR Part 264, Subpart BB can be complied by complying the relevant requirements specified in 40 CFR 63, Subpart H.

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

SECTION III -- AIR EMISSION STANDARDS FOR TANKS (40 CFR PART 264, SUBPART CC)

The certification, dated July 27, 2011, states that hazardous waste tanks permitted under the State RCRA permit are equipped with and operating air emission controls according to 40 CFR Part 60, Subpart Kb –Standards of Performance for Volatile Organic Liquid Storage Vessels Including Petroleum Liquid Storage Vessels.

Therefore, according to 40 CFR § 264.1080(b)(7), the requirements of the air emission standard for tanks specified in 40 CFR § 264.1084 is not applicable to your facility. You shall update the certification annually certifying that all of tanks specified in the Part B application will comply with the applicable 40 CFR Part 60 of Clean Air Act in order to control air emission pollutants from the tanks. The certification shall be retained at the facility and must be provided to the EPA representatives, or their designees, upon request.

For any changes of the certification or the compliance status of the tanks with the Clean Air Act (CAA), you shall inform the EPA, RCRA program, in writing, about the changes.

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

SEP 2 7 2011

REPLY TO THE ATTENTION OF:

LR-8J

Portsmouth Public Library
1220 Gallia Street
Portsmouth, Ohio 45662-4217

Re: Draft Federal RCRA Permit
Sunoco, Inc., R&M
Haverhill, Ohio
OHD 005 108 477

Dear Librarian:

The U.S. Environmental Protection Agency intends to issue a draft Hazardous Waste Management Permit to the Sunoco, Inc., R&M, Haverhill, Ohio.

In accordance with the public involvement procedures in Title 40 Code of Federal Regulations Part 124, the draft Federal Resource Conservation Recovery Act (RCRA) permit will be publicly noticed in the "Portsmouth Daily Times" newspaper on September 27, 2011 and announced on the "WNXT" radio station on September 28, 2011. The public comment period extends from September 28 to November 12, 2011.

Please make available for public examination this letter and the enclosed documents for at least 75 days under "Reference Materials – Sunoco, Inc., R&M". The following items are enclosed.

-- Draft Permit
-- Fact Sheet
-- Public Notice

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

Sincerely,

Jae B. Lee, Permit Writer
RCRA/TSCA Section
Land and Chemicals Division

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on 100% Recycled Paper (50% Postconsumer)

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

SEP 2 7 2011

REPLY TO THE ATTENTION OF:
LR-8J

Jeremy Carroll, PE, Manager
Ohio Environmental Protection Agency
Engineering, Remediation & Authorizations Section
Division of Materials & Waste Management,
Post Office Box 1049
Columbus, Ohio 43266-0149

Re: Draft Federal RCRA Permit
Sunoco, Inc., R&M
Haverhill, Ohio
OHD 005 108 477

Dear Mr. Carroll:

Enclosed please find a copy of the draft 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,

Tammy Moore, Acting Chief
RCRA/TSCA Section
Land and Chemicals Division

Enclosure

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on 100% Recycled Paper (50% Postconsumer)

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

Sunoco, Inc., R&M
Haverhill, Ohio
OHD 005 108 477

	Title	Date	Prepared by
1.	Title V Permit	December 1, 2005	OEPA
2.	Part B Renewal Application	April 24, 2009	Sunoco
3.	Class 1 Modification Request	April 1, 2011	Sunoco
4.	Revised part A Application	April 1, 2011	Sunoco
5.	EJ Report	April 2011	EPA
6.	Notification of Tank 2003F Inspection	June 15, 2011	Sunoco
7.	Class 1a Modification Request	June 16, 2011	Sunoco
8.	Response to the OEPA's comment	June 20, 2011	Sunoco
9.	Subpart BB and CC certification (e-mail)	July 26, 2011	Sunoco
10.	Notification of compliance with CAA	July 27, 2011	Sunoco
11.	Revised Subpart CC Information	August 4, 2011	Sunoco
12	Title V permit (e-mail)	August 8, 2011	OEPA
13.	Draft Permit	August 2011	EPA

EPA: United States Environmental Protection Agency
OEPA: Ohio Environmental Protection Agency
RCRA: Resource Conservation Recovery Act
EJ: Environmental Justice
Subpart CC: Air Emission Standards for Containers

PUBLIC NOTICE

Scioto County

OHIO EPA AND U.S. EPA ISSUE DRAFT RENEWAL HAZARDOUS WASTE PERMIT TO Sunoco, Inc. R & M

On September 27, 2011, Ohio EPA and U.S. EPA issued a draft renewal Hazardous Waste Facility Installation and Operation Permit (Permit) to Sunoco Inc., R & M (Sunoco) for its facility located at 1019 Haverhill-Ohio Furnace Road, Haverhill, Ohio 45636. The EPA Identification Number for this facility is OHD005108477.

Why does Sunoco need a Draft Renewal Permit for its Facility?

Sunoco is an organic chemical manufacturer (NAICS 325192) that produces industrial organic chemicals. The purpose of the renewal Permit is to allow Sunoco to store and treat hazardous waste at the facility. For the Permit application to receive final approval, Ohio EPA must determine 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. When issued, the renewal Permit will allow Sunoco to continue the storage of waste in tanks and the treatment of waste in boilers. Also, if issued, the renewal Permit will require Sunoco to investigate and, if necessary, clean up any contamination from hazardous wastes or constituents that may be at the facility.

Some RCRA regulations have not been authorized in the state of Ohio; therefore U.S. EPA must issue a permit to cover those regulations. Sunoco's complete RCRA permit is comprised of both the U.S. EPA and Ohio EPA permits.

Public comments?

All persons, including the applicant, may submit written comments relating to this draft action. Written comments or requests for a public meeting may be submitted before the end of the comment period to the addresses in the paragraph below.

When and how do I submit written comments?

You can submit written comments anytime between September 28, 2011 and November 12, 2011. Send your comments to Ohio EPA, Division of Materials and Waste Management, Attn: Dustin Tschudy, Engineering, Remediation & Authorization Section, P.O. Box 1049, Columbus, Ohio 43216-1049, telephone number (614) 644-2621, fax number (614) 728-5315, e-mail: dmwmcomments@epa.state.oh.us. You can submit written comments about the U.S. EPA portion of the draft permit to Jae Lee, LR-8J, United States Environmental Protection Agency, 77 West Jackson Blvd., Chicago, Illinois 60604-3590, telephone number (312) 886-3781, fax number (312) 692-2408, or email: lee.jae@epa.gov

Where can I review the Permit Application and draft renewal Permit?

You can review these at one of the following locations:

***Ohio EPA, Southeast District Office**, 2195 Front Street, Logan, Ohio 43138, (740) 385-8501,*
***Ohio EPA, Division of Materials and Waste* Management**, *50 West Town Street, Suite 700, Columbus, Ohio 43215, (614) 644-2621,*
***U.S. EPA, RCRA Branch**, 77 W. Jackson Blvd., Chicago, Illinois 60604, (312) 886-3781, and*
***Ohio EPA website:** http://www.epa.ohio.gov/dmwm*
***U.S. EPA website:** http://www.epa.gov/reg5rcra/wptdiv/permits/index.htm*

***A copy of the draft U.S. EPA permit is available for review by the public at the following location**: Portsmouth Public Library, 1220 Gallia Street, Portsmouth, Ohio 45662, (740) 354-5688.*

What will Ohio EPA and U.S. EPA do with the comments?

After carefully considering public comments, Ohio EPA and U.S. EPA will reconsider the draft Permit, making any necessary changes, and issue or deny the final Permit. Ohio EPA and U.S. EPA will issue a "response to public comments," specifying any changes made to the draft Permit. If you commented on the draft Permit, Ohio EPA and U.S. EPA will send you a copy of the "response to public comments" and the final permit decision.

Ohio | Environmental Protection Agency

State of Ohio Environmental Protection Agency

Fact Sheet

September 2011

Draft Hazardous Waste Permit Renewal

Facility Name:	Sunoco Inc., R & M
U.S. EPA I.D.:	OHD 005 108 477
Location:	1019 Haverhill-Ohio Furnace Road Haverhill, Ohio 45636
Facility Owner:	Sunoco Inc., R & M 1735 Market Street, Suite LL Philadelphia, PA 19103
Facility Operator:	Sunoco Inc., R & M 1735 Market Street, Suite LL Philadelphia, PA 19103
Activity:	Tank storage of hazardous waste, treatment of hazardous waste in boilers, corrective action
Comment Period:	September 28, 2011 – November 12, 2011

Submit Comments to:

Ohio EPA
Mr. Dustin Tschudy
Div. of Materials & Waste Mgmt.
P.O. Box 1049
Columbus, Ohio 43216-1049
dustin.tschudy@epa.state.oh.us

U.S. EPA, Region 5
Mr. Jae Lee
RCRA Branch (LR-8J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
Lee.Jae@epa.gov

Public Participation Procedures and Comment Period Ohio Administrative Code (OAC) Rule 3745-50-22 (B)(5)(a)&(b)

All persons, including the applicant, may submit written comments relating to this draft action. Written comments or requests for a public meeting may be submitted before the end of the comment period to the address in the box on the right.

The comment period begins on September 28, 2011, and ends on November 12, 2011. A copy of the permit application and the draft permit is available for review by the public at the following locations:

Ohio EPA, Southeast District
Div of Materials and Waste Mgmt
2195 Front Street,
Logan, Ohio 43138
(740)385-8501

Ohio EPA, Central Office
Div. Materials & Waste Mgmt.
Lazarus Government Center
50 West Town St., Suite 700
Columbus, Ohio 43215
(614) 644-2621

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

The Ohio draft permit is available for review by the public online at: http://www.epa.ohio.gov/dmwm

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

http://www.epa.gov/reg5rcra/wptdiv/permits/index.htm

and at the:

Portsmouth Public Library
1220 Gallia Street
Portsmouth, Ohio 45662-421
(740) 354-5688

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

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

Sunoco Inc., R & M (Sunoco) is an organic chemical manufacturer (NAICS 325192) that produces industrial organic chemicals. The facility consists of two separate production units that are physically separated but functionally integrated; (1) a phenol process area consisting of three phenol/acetone lines which produce phenol, acetone, cumene hydroperoxide (CHP), and alpha-methyl-styrene (AMS); and (2) a bisphenol-A (BPA) process area that produces two different commercial grades of BPA.

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

This permit allows Sunoco Inc., R & M to store up to 650,000 gallons of phenol distillation bottom tars (K022), ignitable wastes (D001), wastes containing benzene (D018), and wastes containing methyl ethyl ketone (D035) in three storage tanks and to burn these wastes in on-site boilers.

Regulatory Basis to Support the Decision to Renew the Permit Application OAC Rule 3745-50-22 (B)(3)

The director has determined that Sunoco Inc., R & M has submitted an application for renewal one hundred eighty (180) days prior to the expiration date of its present permit which was issued by the Ohio EPA on October 29, 2001.

The director has considered the application, inspection reports, a report regarding the facility's compliance with the present permit, and the rules adopted under Chapter 3734.05 of the Ohio Revised Code. 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.

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

For additional information, please contact Rich Stewart at (740) 380-5278 or Jae Lee of the U.S. EPA Regional Office in Chicago, Illinois at (312) 886-3781.

Sunoco.DRAFT.Factsheet.Tschudy.2011 Sep.doc

60 – SECOND SPOT FOR MORNING DRIVE

September 28, 2011

On September 27, 2011, Ohio EPA issued a draft hazardous waste permit renewal to Sunoco, Inc., R&M for its facility located at 1019 Haverhill-Ohio Furnace Road, Haverhill, Ohio 45636. The draft permit allows Sunoco to continue to store and treat hazardous waste in containers at its facility as well as perform Corrective Action.

Written comments concerning the draft renewal permit may be sent to Ohio EPA; Division of Materials and Waste Management; Engineering, Remediation & Authorization Section; P.O. Box 1049, Columbus, Ohio 43216-1049, no later than November 12, 2011.

The draft permit package may be reviewed at Ohio EPA, Division of Materials and Waste Management, 50 West Town Street, Suite 700, Columbus, Ohio 43215 or at Ohio EPA, Southeast District Office, 2195 Front Street, Logan, Ohio 43138.

This announcement was paid for by Ohio EPA.