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

APR 25 2016

REPLY TO THE ATTENTION OF:

Mr. John Glassburn
EHS Manager
Retriev Technologies, Inc.
265 Quarry Road
Lancaster, Ohio 43130

Re: Draft Federal RCRA Permit, Retriev Technologies, Inc.
Lancaster, Ohio, OHD 071 654 958

Dear Mr. Glassburn:

Enclosed is a copy of the draft EPA portion of the Resource Conservation and Recovery Act (RCRA) permit for Retriev Technologies, Inc., Lancaster, Ohio.

The draft Federal RCRA permit will be publicly noticed in the *Lancaster Eagle Gazette*, Lancaster, Ohio, and *WLOH* radio station on or about April 25, 2016. A copy of the draft Federal RCRA permit is available for review at the Fairfield County Public Library, 219 North Broad Street, Lancaster, Ohio 43130. The public comment period extends from April 25 to June 10, 2016.

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 set forth above. At the close of the comment period, EPA will prepare a response to all significant comments. Comments on the draft federal RCRA permit may be submitted to:

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

Attention: Jae B. Lee

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Following review of any comments received on the draft federal RCRA permit, EPA will issue a final permit decision in accordance with the requirements of 40 Code of Federal Regulation (C.F.R.) § 124.15.

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

Sincerely,

Gary J. Victorine, Chief
RCRA Branch

Enclosure

cc: Jeremy Carroll, OEPA

DRAFT

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

RESOURCE CONSERVATION AND RECOVERY ACT PERMIT

Facility Name and Location: **Retriev Technologies, Inc.**
265 and 295 Quarry Road
Lancaster, Ohio 43130

Owner: **Retriev Technologies, Inc.**
265 and 295 Quarry Road
Lancaster, Ohio 43130

Operator: **Retriev Technologies, Inc.**
265 and 295 Quarry Road
Lancaster, Ohio 43130

U.S. EPA Identification Number: **OHD 071 654 958**

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 Retriev Technologies, Inc. (addressed in the second person as "you" or "Permittee") in connection with the hazardous waste management operations at the Retriev Technologies, Inc., located in Lancaster, Ohio.

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

Specifically, this permit addresses air emission standards for equipment and containers. See 40 C.F.R. Part 264, Subpart BB and CC.

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"). Any hazardous waste activity which requires a RCRA permit and is not included in the RCRA permit is prohibited.

The State previously issued a RCRA permit on June 17, 2005. (The effective and expiration dates of that earlier State RCRA permit were June 17, 2005 and December 21, 2015, respectively.)

Permit Approval:

On June 30, 1989, the State of Ohio received final authorization according to Section 3006 of RCRA, 42 USC § 6926, and 40 C.F.R. Part 271, to administer the pre-HSWA RCRA hazardous waste program. The State of Ohio has 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 HSWA regulations, including the air emission standards for equipment leaks (40 C.F.R. Part 264, Subpart BB) and containers (40 C.F.R. Part 264, Subpart CC), 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 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 C.F.R. Parts 124, 260, 261, 262, 264, 268, 270, and applicable provisions of RCRA. You must also comply with the State permit.

This permit is based on the assumption that the information submitted in your RCRA Part A and B Permit Renewal Application dated June 22, 2015 and all other revisions and addendums to that application (hereinafter referred to as the "Application") is complete and accurate and the facility is configured, operated and maintained as specified in the 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 promptly inform EPA of any deviation from, or changes in, the information in the 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 **(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 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:_____

Margaret M. Guerriero, Director
Land and Chemicals Division

OHD 071 654 958
Retriev Technologies, Inc., Lancaster, Ohio

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SECTION I—STANDARD PERMIT CONDITIONS

I.A EFFECT OF PERMIT

This permit contains the federal RCRA permit conditions. You also have a state RCRA permit. You are hereby allowed to manage hazardous waste at Retriev Technologies, Inc. ("facility") in accordance with this permit and the effective state RCRA permit. Under this permit, the operation of containers storing RCRA hazardous waste must comply with all terms and conditions in this permit. Other aspects of the storage of RCRA hazardous wastes in containers are subject to the conditions in the state RCRA permit. 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 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. (40 C.F.R. §§ 270.4)

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 Condition 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

I.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 for approximately 10 years from this permit's effective date. This permit and all conditions herein will remain in effect beyond the permit's expiration date if you have submitted a timely, complete application (40 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, 44 USC §§ 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 which is Section 3 of the 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, all records as specified in 40 C.F.R. § 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 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, in accordance with 40 C.F.R. 270.30(l)(2)(i). 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 Within 15 days of the date of submission of the letter in I.E.12, the Permittee has not received notice from the Director of his or her intent to inspect, prior inspection is waived 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, 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 noncompliance.

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 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 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 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 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 Application or other submittal, or submitted incorrect information in the 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 any information this permit requires, or otherwise submitted to the Director, as confidential. You must assert any such claim at the time of submittal in the manner prescribed on the application form or instructions or, in the case of other submittals, by stamping the words "Confidential Business Information" on each page containing such information. If you made no claim at the time of submittal, the Director may make the information available to the public without further notice. If you assert a claim, the information will be treated in accordance with the procedures in 40 C.F.R. Part 2. (40 C.F.R. § 270.12) You have the burden of substantiating that the claimed information is confidential, and U.S. 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 C.F.R. §§ 264.1035, 264.1064, 264.1084, 264.1088, 264.1089 and 40 C.F.R. § 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 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, 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 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.

You shall not operate the process vents defined in 40 C.F.R. § 264.1031.

SECTION II -- AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS (40 C.F.R. PART 264, SUBPART BB)

II.A EQUIPMENT LEAKS

You must comply with all applicable requirements of 40 C.F.R. Part 264 Subpart BB (Subpart BB), regarding air emission standards for equipment leaks. Subpart BB applies to equipment that contains or contacts hazardous waste with organic concentrations of at least 10 percent by weight that are managed in certain units as provided in 40 C.F.R. § 264.1050(b), however; and the Application represents your facility does not have any such equipment. You shall not manage hazardous waste with organic concentrations equal to or greater than 10 percent by weight in any equipment, as defined in 40 C.F.R. § 264.1031. (40 C.F.R. § 264.1050(b)).

II.B TEST METHOD AND PROCEDURES

You must comply with the requirements of 40 C.F.R. § 264.1063(d).

II.C RECORDKEEPING AND REPORTING REQUIREMENTS

You must comply with the requirements of 40 C.F.R. § 264.1064(k).

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

You must comply with all applicable requirements of 40 C.F.R. Part 264 Subpart CC (Subpart CC), regarding air emission standards for containers. All containers not exempt from 40 C.F.R. Part 264 Subpart CC must be managed using the applicable standards at 40 C.F.R. § 264.1086.

The containers subject to your State RCRA permit, described below, include Level 1 containers, and therefore must comply with the standards at 40 C.F.R. § 264.1086(c), Container Level 1 standards.

The State RCRA permit allows you to store hazardous wastes in containers in two separated permitted storage areas. The first permitted storage area is located within the 265 building. That storage unit is permitted for free liquids, has a capacity of 5,900,000 pounds (lbs) (equivalent of 59,000 gallons) and a footprint of 36,709 square feet (ft^2) with the option of expanding the foot print by 20,000 ft^2 for a total of 56,709 ft^2. The Permittee may not construct the expansion at this time and even when expansion may occur, the capacity must not exceed the 5,900,000 lbs. The second permitted storage area is the 295 building in which the Permittee is allowed to construct a storage unit that will have a capacity of 100,000 lbs and a footprint of 1,173 ft^2. The 295 storage unit will not be permitted for free liquids.

All containers storing hazardous waste at the site are considered Level 1 containers as defined in 40 C.F.R. 264.1086(b)(i) and (ii). You shall not store hazardous waste in the containers other than Level 1 containers.

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

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 defined in 40 C.F.R. § 265.1081, with Container Level 1 standards as described 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 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 purpose of and operates as defined 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 with capacity of 0.46 m^3 or greater, which do not meet applicable DOT regulations, 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).

Administrative Record Index ***(Draft RCRA PERMIT)***
Retriev Technologies, Inc., Lancaster, Ohio
OHD 071 654 958

	Title	Date	Prepared by
1.	Part A Application	April 16, 2015	Retriev
2.	Part B Application	June 22, 2015	Retriev
3.	EJ Information	October 2015	EPA
4.	Part B Addendum	March 15, 2016	Retriev
5.	email correspondences	March 2016	EPA/Retriev
6.	Draft Permit Fact Sheet	April 2016	OEPA
7.	Draft State RCRA Permit	April 2016	OEPA
8.	Draft Federal RCRA Permit	April 2016	EPA

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

Ohio Environmental Protection Agency

United States Environmental Protection Agency

Draft Hazardous Waste Permit Renewal/Modification & Comment Period

April 2016

Facility Name: Retriev Technologies Inc.
U.S. EPA I.D.: OHD071654958

Location:
265 Quarry Road
Lancaster, Ohio 43130

Facility Owner:
Retriev Technologies Incorporated
265 Quarry Road
Lancaster, Ohio 43130

Facility Operator:
Retriev Technologies Incorporated
265 Quarry Road
Lancaster, Ohio 43130

Activity:
Permit renewal for container storage and a Class 3B Modification to increase permitted storage to six million pounds.

Comment Period:
April 25, 2016 – June 10, 2016

Submit Comments to:
Ohio EPA
Brad Mitchell
Division of Materials and Waste Management
P.O. Box 1049
Columbus, Ohio 43216-1049
(614) 644-2621
bradley.mitchell@epa.ohio.gov

U.S. EPA, Region 5
Jae Lee
RCRA Branch (LR-8J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
(800) 621-8431 ext. 6-3781
lee.jae@epa.gov

What is the history of the hazardous waste program?

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

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

Draft Hazardous Waste Permit Renewal/Modification

State of Ohio's draft permit have been issued concurrently and both share the same comment period.

How can I become more involved?

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 side of the first page. Written comments for the federal portion of the permit should be submitted to U.S. EPA to the address listed in the box on the left side of the first page.

U.S. EPA follows the public comment, permit issuance and appeal procedures at 40 C.F.R. §§ 124.11 – 124.19. You may request that Ohio EPA or U.S. EPA hold a public hearing about this permit. At a hearing, you would have an opportunity to submit written comments, ask questions, make statements and otherwise discuss any concerns about the permit with Ohio and U.S. EPA staff. If a public hearing is held, Ohio EPA and U.S. EPA will make a separate announcement of the date, time, and location of that hearing/meeting 30 days in advance. To request a hearing, please contact Andy Maneff at (614) 728-3884 or Jae Lee of the U.S. EPA Regional Office in Chicago, Illinois at (800) 621-8431 ext. 63781.

The comment period begins on April 15, 2016, and ends on June 3, 2016. Copies of the permit application and the draft permit are available for review by the public at the following locations:

Ohio EPA, Central District Office
50 West Town, Suite 700
Columbus, Ohio 43215
614-728-3778

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

U.S. EPA, Region 5
RCRA Branch, LR-8J
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
(312) 886-3781

Copies of the Ohio draft permit and the federal draft permit are available for review by the public at:

Fairfield County Library
219 N. Broad St.
Lancaster, Ohio 43130
740-653-2745

The Ohio draft permit is available for review by the public online under the "Stakeholder Input" tab at:

www.epa.ohio.gov/dmwm

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

epa.gov/region5/waste/permits/actions.htm.

The entire record for this draft action is available via Ohio EPA's eDocument portal:

http://edocpub.epa.ohio.gov/publicportal/edochome.aspx

Using the search function, search under the document type of "Permit" and then refine the search using the package number which is "301".

To search for the Class 3B modification, search under the document type of "Permit" and then refine the search using the package number which is "279".

Draft Hazardous Waste Permit Renewal/Modification

After the close of the public comment period, Ohio EPA and U.S. EPA will review all comments received and decide whether to issue the permit. The final decision will include notification to those who submitted written comments during the official comment period. Ohio EPA and U.S. EPA will also prepare and send to all responders a document answering significant comments.

Within 30 days of a final decision, any person who submitted written comments or made a statement at the hearing, if one is held, may appeal Ohio EPA's decision to the Environmental Review Appeals Commission.

Any person who submitted written comments or made a statement at the hearing, if one is held, to the federal portion of the permit may appeal to U.S. EPA to review the decision.

What does the facility do?

Retriev Technologies specializes in the management, reutilization and recycling of all types of industrial, automotive, and household batteries.

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

This permit allows Retriev Technologies, Inc. to store up to six million pounds of hazardous waste batteries (D001-D011) at any one time.

What is the regulatory basis to support this permit renewal/modification?

The Director has determined that Retriev Technologies has submitted an application for renewal one hundred eighty (180) days prior to the expiration date of its present permit which was issued by Ohio EPA on December 21, 2005. Retriev Technologies has concurrently applied for a Class 3 permit modification, and, as required by Ohio Administrative code (OAC) Rule 3745-50-51-(D) submitted the relevant information required by OAC Rule 3745-50-43 (Part A application contents) and OAC Rule 3745-50-44 (Part B application contents).

The Director has considered the renewal application, Class 3 modification 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 and Class 3 modification 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 Andy Maneff at (614) 728-3884 or Jae Lee of the U.S. EPA Regional Office in Chicago, Illinois at (800) 621-8431 ext. 6-3781.

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

APR 25 2016

REPLY TO THE ATTENTION OF:

Reference Desk Librarian
Fairfield County Public Library
219 North Broad Street
Lancaster, Ohio 43130

Re: Draft Federal RCRA Permit, Retriev Technologies, Inc.
Lancaster, Ohio, OHD 071 654 958

Dear Madam or Sir:

The U.S. Environmental Protection Agency intends to issue a final Hazardous Waste Management permit to Retriev Technologies, Inc., Lancaster, Ohio. In accordance with the public involvement procedures in Title 40 Code of Federal Regulations Part 124, a public notice was announced in the *Lancaster Eagle Gazette*, Lancaster, Ohio, and *WLOH* radio station on or about April 25, 2016. A copy of the draft Federal RCRA permit is available for review at the Fairfield County Public Library, 219 North Broad Street, Lancaster, Ohio 43130. The public comment period extends from April 25 to June 10, 2016.

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

-- Draft Permit
-- Fact Sheet

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

Sincerely,

Jae B. Lee
Permit Writer
Land and Chemicals Division

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

APR 25 2016

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: Draft Federal RCRA Permit, Retriev Technologies, Inc.
Lancaster, Ohio, OHD 071 654 958

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,

Mary S. Setnicar, Chief
RCRA/TSCA Programs Section

Enclosure

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