

FINAL

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

HAZARDOUS WASTE MANAGEMENT FACILITY PERMIT

Facility Name and Location: **Vertellus Agriculture & Nutrition Specialties LLC**
(formerly known as Reilly Industries, Inc.)
1500 South Tibbs Avenue
Indianapolis, Indiana 46241

Owner: **Vertellus Agriculture & Nutrition Specialties LLC**
(formerly known as Reilly Industries, Inc.)
1500 South Tibbs Avenue
Indianapolis, Indiana 46241

Operator: **Vertellus Agriculture & Nutrition Specialties LLC**
(formerly known as Reilly Industries, Inc.)
1500 South Tibbs Avenue
Indianapolis, Indiana 46241

U.S. EPA Identification Number: **IND 000 807 107**

Effective Date: **November 6, 2006**

Expiration Date: **November 6, 2011**

The United States Environmental Protection Agency (“U.S. EPA”) hereby issues a Resource Conservation and Recovery Act permit (hereinafter referred to as the “permit”) to Vertellus Agriculture & Nutrition Specialties LLC (formerly known as Reilly Industries, Inc.) (hereinafter referred to as the “Permittee” or addressed in the second person as “you”) in connection with the hazardous waste treatment operations at the Vertellus Agriculture & Nutrition Specialties LLC facility located in Indianapolis, Indiana. The Vertellus Agriculture & Nutrition Specialties LLC facility is located at latitude 39 44 38 and longitude 89 13 11 .

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

Specifically, this permit addresses requirements for Boilers 70K, 30K, and 28K burning hazardous waste. (40 CFR Part 266 Subpart H)

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 Indiana's RCRA program authorized under 40 CFR Part 271 (hereinafter called the "State RCRA permit"). The State RCRA permit was issued on July 29, 2004. (The effective and expiration dates of the State RCRA permit are August 14, 2004 and August 14, 2009, respectively.) Any hazardous waste activity, which requires a RCRA permit and is not included in the RCRA permit, is prohibited.

Permit Approval:

On January 31, 1986, the State of Indiana received final authorization pursuant to Section 3006 of RCRA, 42 USC § 6926, and 40 CFR Part 271, to administer the pre-HSWA RCRA hazardous waste program. The State of Indiana has also received final authorization to administer certain additional RCRA requirements on several occasions since then. However, because the U.S. EPA has not yet authorized the State of Indiana to administer certain regulations, including the Boilers and Industrial Furnaces regulations (see 40 CFR § 266.100 *et seq.*, also known as the BIF regulations), the U.S. EPA Region 5 is issuing the RCRA permit requirements for operations at the Permittee's 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, 266, 268, 270, and applicable provisions of RCRA.

This permit is based on the assumption that the information submitted (1) in the Permittee's RCRA Part B Permit Renewal Application dated May 2006 (hereinafter referred to as the "Part B Permit Renewal Application"), (2) in the trial burn plans dated August 1999 and September 2004, and subsequent responses and modifications, (3) in the trial burn reports dated February 2000 and January 2006, and subsequent responses and modifications, and (4) in the risk assessment report dated April 2000 and subsequent responses and modifications, is accurate, and the facility is configured, operated and maintained as specified in the permit and as described in the Part B Permit Renewal Application and other relevant documents.

Any inaccuracies in the submitted information may be grounds for the U.S. EPA to terminate, revoke and reissue, or modify this permit in accordance with 40 CFR §§ 270.41, 270.42 and 270.43; and for enforcement action. You must inform the U.S. EPA of any deviation from, or changes in, the information in the Part B Permit Renewal Application and other pertinent documents that might affect your ability to comply with the applicable regulations or conditions of this permit.

Opportunity to Appeal:

Petitions for review must be submitted within 30 days after the U.S. EPA serves notice of the final permit decision. Any person who filed comments on the draft permit or participated in the public hearing may petition the Environmental Appeals Board to review any condition of the permit decision. Any person who failed to file comments or failed to participate in the public hearing on the draft permit may file a petition for review only to the extent of the changes from the draft to the final permit decision. The procedures for permit appeals are found in 40 CFR § 124.19.

Effective Date:

This permit is effective as of **November 6, 2006** and will remain in effect until **November 6, 2011**, 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).

Margaret M. Guerriero, Director
Waste, Pesticides and Toxics Division

Date: _____

IND 000 807 107

Vertellus Agriculture & Nutrition Specialties LLC, Indianapolis, Indiana

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