



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

JUN 22 2016

Mr. Monte Londot  
General Manager  
Clean Harbors Recycling Services of Ohio, LLC  
581 Milliken Drive, SE  
Hebron, Ohio 43025

REPLY TO THE ATTENTION OF:

Re: Final Federal RCRA Permit, Clean Harbors Recycling Services of Ohio, LLC  
Hebron, Ohio, OHD 980 587 364

Dear Mr. Londot:

Enclosed is a copy of the final Federal portion of a Resource Conservation and Recovery Act (RCRA) Hazardous Waste permit for the above-referenced facility. The complete RCRA Hazardous Waste permit contains both Federal permit conditions (contained herein) and State permit conditions, which were issued separately by the State of Ohio RCRA program authorized under Title 40 of the Code of Federal Regulations (40 C.F.R.) Part 271. Any hazardous waste activity not included in the Federal portion of the RCRA permit or in the State portion of the RCRA permit is prohibited when such activity requires a RCRA Hazardous Waste permit.

The draft Federal RCRA permit was publicly noticed in the *Newark Advocate*, Newark, Ohio, and *WCLT* radio station on or about July 30, 2015. A copy of the draft Federal RCRA permit was available for review at the Hebron Public Library, 934 West Main Street, Hebron, Ohio 43025. The public comment period extended from July 30 to September 21, 2015.

There was no comments received by U.S. Environmental Protection Agency on the draft Federal RCRA permit during the public comment period.

This Federal permit is effective on **July 29, 2016 and valid until November 18, 2025**, unless the Federal permit is revoked and reissued, or terminated pursuant to 40 C.F.R. § 270.41 and § 270.43. Failure to comply with any conditions of the Federal permit may result in civil and/or criminal Penalties.

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



A petition for review of any condition of a RCRA permit decision must be filed with the Environmental Appeals Board within 30 days after EPA serves notice of the issuance of the final permit decision. 40 C.F.R. § 124.19(a)(3). When EPA serves the notice by mail, service is deemed to be completed when the notice is placed in the mail, not when it is received. However, to compensate for the delay caused by mailing, the 30-day deadline for filing a petition is extended by three days if the final permit decision being appealed was served on the petitioner by mail. 40 C.F.R. § 124.20(d). Petitions are deemed filed when they are received by the Clerk of the Board at the address specified for the appropriate method of delivery. 40 C.F.R. § 124.19(a)(3) and 40 C.F.R. § 124.19(i). Additional information regarding petitions for review may be found in the Environmental Appeals Board Practice Manual (January 2013) and A Citizen's Guide to EPA's Environmental Appeals Board, both of which are available at [http://yosemite.epa.gov/oa/EAB\\_Web\\_Docket.nsf/General+Information/Environmental+Appeals+Board+Guidance+Documents?OpenDocument](http://yosemite.epa.gov/oa/EAB_Web_Docket.nsf/General+Information/Environmental+Appeals+Board+Guidance+Documents?OpenDocument).

Eligibility to appeal the Federal permit is discussed further in 40 C.F.R. §124.19. General filing requirements are contained in the Practice Manual, The Environmental Appeals Board and A Citizens' Guide to EPA's Environmental Appeals Board.

All documents that are sent through the U.S. Postal Service (except by Express Mail) must be addressed as follows:

Clerk of the Board  
U.S. Environmental Protection Agency  
Environmental Appeals Board  
1200 Pennsylvania Avenue, NW  
Mail Code 1103M  
Washington, DC 20460-0001

Documents that are hand-carried in person, delivered via courier, mailed by Express Mail, or delivered by a non-U.S. Postal Service carrier (e.g., Federal Express or UPS) must be delivered to:

Clerk of the Board  
U.S. Environmental Protection Agency  
Environmental Appeals Board  
1201 Constitution Avenue, NW  
U.S. EPA East Building, Room 3334  
Washington, DC 20004



A copy of the petition should also be sent to:

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Guerriero', written over a horizontal line.

Margaret M. Guerriero  
Director  
Land and Chemicals Division

Enclosure

cc: Bradley Mitchell, OEPA



FINAL  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

RESOURCE CONSERVATION AND RECOVERY ACT PERMIT

Facility Name and Location: Clean Harbors Recycling Services of Ohio, LLC  
581 Milliken Drive, SE  
Hebron, Ohio 43025

Owner: Clean Harbors Recycling Services of Ohio, LLC  
581 Milliken Drive, SE  
Hebron, Ohio 43025

Operator: Clean Harbors Recycling Services of Ohio, LLC  
581 Milliken Drive, SE  
Hebron, Ohio 43025

U.S. EPA Identification Number: OHD 980 587 364

Effective Date: July 29, 2016

Expiration Date: November 18, 2025

**Authorized Activities:**

The U.S. Environmental Protection Agency hereby issues a Resource Conservation and Recovery Act permit (hereinafter referred to as the "permit") to Clean Harbors Recycling Services of Ohio, LLC (addressed in the second person as "you") in connection with the hazardous waste management operations at the Clean Harbors Recycling Services of Ohio, LLC, located in Hebron, 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 process vents, equipment leaks, and tanks and containers. See 40 C.F.R. Part 264, Subparts AA, 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 RCRA permit was issued on November 18, 2015, with an expiration date of November 18, 2025.

**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 regulations, including the air emission standards for process vents (40 C.F.R. Part 264, Subpart AA), equipment leaks (40 C.F.R. Part 264, Subpart BB), and tanks 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.

This permit is based on the assumption that the information submitted in your RCRA Part B Permit Renewal Application dated December 2014 and all other revisions and addendums to that application (hereinafter referred to as the "Part B Permit Application") is accurate and the facility is configured, operated and maintained as specified in the Part B Permit Application and other relevant documents.

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



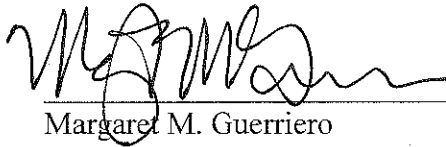
**Opportunity to Appeal:**

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

**Effective Date:**

This permit is effective as of July 29, 2016 and will remain in effect until November 18, 2025, 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:



Margaret M. Guerriero  
Director  
Land and Chemicals Division

Date:

6/22/2016

**OHD 980 587 364**

**Clean Harbors Recycling Services of Ohio, LLC, Hebron, Ohio**

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## SECTION I—STANDARD PERMIT CONDITIONS

### LA 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 Clean Harbors Recycling Services of Ohio, LLC (“facility”) in accordance with this permit and the effective state RCRA permit. Under this permit, the operation of units storing RCRA hazardous waste must comply with all terms and conditions in this permit. Other aspects of the storage of RCRA hazardous wastes in tanks and containers are subject to the conditions in the state RCRA permit. Any hazardous waste activity which requires a RCRA permit and is not included either in this permit or the state RCRA permit, is prohibited.

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

This permit does not: (1) convey any property rights or any exclusive privilege; (2) authorize any injury to persons or property, or invasion of other private rights; or (3) authorize any infringement of state or local law or regulations. Compliance with the terms of this permit does not constitute a defense to any order issued, or any action brought, under: (1) Sections 3008(a), 3008(h), 3013, or 7003 of RCRA; (2) Sections 104, 106(a), or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. §§ 9601 *et seq.* (commonly known as “CERCLA”); or (3) any other law protecting public health or the environment

### LB PERMIT ACTIONS

#### I.B.1 Permit Review, Modification, Revocation and Reissuance, and Termination

EPA may review, modify, or revoke and reissue this permit, or terminate it for cause, as specified in 40 C.F.R. §§ 270.41, 270.42, and 270.43. EPA may also review and modify this permit, consistent with 40 C.F.R. § 270.41, to include any terms and conditions it determines are necessary to protect human health and the environment under Section 3005(c)(3) of RCRA. The filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or

anticipated noncompliance on your part will not stay the applicability or enforceability of any permit condition. (40 C.F.R. § 270.30(f))

You may request a modification of this permit under the procedures specified in 40 C.F.R. § 270.42. A class 1 modification is generally allowed without prior approval by EPA except under certain conditions as described in 40 C.F.R. § 270.42(a)(2). A class 2 modification requires prior approval by EPA as described in 40 C.F.R. § 270.42(b). You must not perform any construction associated with a Class 3 permit modification request until such modification request is granted and the modification becomes effective.

You may perform construction associated with a Class 2 permit modification request beginning 60 days after submission of the request, unless the Director establishes a later date. (40 C.F.R. § 270.42(b)(8)) (Pursuant to Chapter 8-6 of the Region 5 Delegation Manual, the authority assigned to the Regional Administrator as Director under 40 C.F.R. § 270.42(b)(8) has been delegated to the Director of the Land and Chemicals Division of EPA, Region 5. Thus, for the purposes of this permit, the term Director shall refer to the Division Director of EPA Region 5's Land and Chemicals Division.) Procedures for a class 3 modification are specified in 40 C.F.R. § 270.42(c).

### **I.B.2 Permit Renewal**

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

### **I.C SEVERABILITY**

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

### **I.D DEFINITIONS**

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

## **I.E DUTIES AND REQUIREMENTS**

### **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 of 1995, 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 and Waste Analysis Plan which is Section 3 of the Part B Permit Application, or an equivalent method approved by the Director. Laboratory methods must be those specified in *Test Methods for Evaluating Solid Waste: Physical/Chemical Methods* (SW-846, latest edition), *Methods for Chemical Analysis of Water and Wastes* (EPA 600/4-79-020), or an equivalent method, as specified in the referenced Waste Characteristics. (40 C.F.R. § 270.30(j)(1))

**I.E.9.b** You must retain, at the facility, records as specified in 40 C.F.R. § 264.74.

**I.E.9.c** You must retain all reports, records, or other documents, required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the reports, records, or other documents, unless a different period is specified in this permit. These periods may be extended by request of the Director at any time and are automatically extended during the course of any unresolved enforcement action regarding this facility. (40 C.F.R. §§ 270.30(j) and 270.31)

#### **I.E.10 Reporting Planned Changes**

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

#### **I.E.11 Reporting Anticipated Noncompliance**

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

### **I.E.12 Certification of Construction**

You must not operate any RCRA air emission control devices completed after the effective date of this permit until you have submitted to the Director, by certified mail or hand-delivery, a letter signed both by your authorized representative and by a registered professional engineer. That letter must state that the portions of the facility covered by this permit have been constructed in compliance with the applicable conditions of this permit. In addition, you must not operate the permitted control devices until either:

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

**I.E.12.b** The Director waives the inspection and the permittee may commence treatment, storage, or disposal of hazardous waste in accordance with 40 C.F.R. § 270.30(1)(2)(ii)(B).

### **I.E.13 Transfer of Permits**

This permit is not transferable to any person, except after notice to the Director. You must inform the Director in writing and obtain prior written approval of the Director before transferring ownership or operational control of the facility. (40 C.F.R. § 270.42, Appendix I) Under 40 C.F.R. § 270.40, the Director may require permit modification, or revocation and reissuance to change your name and incorporate other RCRA requirements. Before transferring ownership or operation of the facility during its operating life, you must notify the Director and obtain prior approval, and notify the new owner or operator in writing of the requirements of 40 C.F.R. Parts 264, 266, 268, and 270, and you must provide a copy of the RCRA permit to the new owner or operator. (40 C.F.R. §§ 264.12(c), 270.30(1)(3), and 270.40(a))

### **I.E.14 Twenty-Four Hour Reporting**

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

**I.E.14.b** The report must include the following (40 C.F.R. § 270.30(1)(6)): (1) Information concerning release of any hazardous waste that may endanger public drinking water supplies; (2) Information of a release or discharge of hazardous waste; or (3) Information of a fire or explosion from the hazardous waste

management facility, that could threaten the environment or human health outside the facility. You must include the following information:

- (1) Name, title and telephone number of the person making the report;
- (2) Name, address and telephone number of the facility owner or operator;
- (3) Facility name, address and telephone number;
- (4) Date, time and type of incident;
- (5) Location and cause of incident;
- (6) Identification and quantity of material(s) involved;
- (7) Extent of injuries, if any;
- (8) Assessment of actual or potential hazards to the environment and human health outside the facility, where applicable;
- (9) Description of any emergency action taken to minimize the threat to human health and the environment; and
- (10) Estimated quantity and disposition of recovered material that resulted from the incident.

**I.E.14.c** In addition to the oral notification required under Sections I.E.14.a and I.E.14.b of this permit, a written report must also be provided within 5 calendar days after you become aware of the circumstances. The written report must include, but is not limited to, the following:

- (1) Name, address and telephone number of the person reporting;
- (2) Incident description (noncompliance and/or release or discharge of hazardous waste), including cause, location, extent of injuries, if any, and an assessment of actual or potential hazards to the environment and human health outside the facility, where applicable;

- (3) Period(s) in which the incident (noncompliance and/or release or discharge of hazardous waste) occurred, including exact dates and times;
- (4) Whether the incident's results continue to threaten human health and the environment, which will depend on whether the noncompliance has been corrected and/or the release or discharge of hazardous waste has been adequately cleaned up; and
- (5) If the noncompliance has not been corrected, the anticipated period for which it is expected to continue and the steps taken or planned to reduce, eliminate, and prevent the recurrence of the noncompliance.

The Director may waive the requirement that written notice be provided within 5 calendar days; however, you will then be required to submit a written report within 15 calendar days of the day on which you must provide oral notice, in accordance with Sections I.E.14.a and I.E.14.b of this permit. (40 C.F.R. §§ 270.30(1)(6) and 270.30(h))

#### **I.E.15 Other Noncompliance**

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

#### **I.E.16 Other Information**

**I.E.16.a** Whenever you become aware that you failed to submit or otherwise omitted any relevant facts in the Part B Permit Application or other submittal, or submitted incorrect information in the Part B Permit Application or other submittal, you must promptly notify the Director of any incorrect information or previously omitted information, submit the correct facts or information, and explain in writing the circumstances of the incomplete or inaccurate submittal. (40 C.F.R. §§ 270.30(l)(11) and 270.30(h))

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

**I.F SIGNATORY REQUIREMENT**

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

**I.G REPORTS, NOTIFICATIONS AND SUBMITTALS TO THE DIRECTOR**

Except as otherwise specified in this permit, all reports, notifications, or other submittals that this permit requires to be sent or given to the Director should be sent by certified mail or express mail, or hand-delivered to the U.S. Environmental Protection Agency Region 5, RCRA Branch, at the following address:

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

**I.H CONFIDENTIAL INFORMATION**

In accordance with 40 C.F.R. Part 2, Subpart B, you may claim 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)

**I.I DOCUMENTS TO BE MAINTAINED AT THE FACILITY**

You must maintain at the facility, until closure is completed and certified by an independent registered professional engineer, the following documents and all amendments, revisions, and modifications to them.

**I.I.1 Operating Record**

You must maintain in the facility's operating record the documents required by this permit, and by the applicable portions of 40 C.F.R. §§ 266.102, 264.13, and 264.73 (as they apply to the equipment used to comply with this permit).

### **I.I.2 Notifications**

You must maintain notifications from generators that are required by 40 C.F.R. § 268.7 to accompany an incoming shipment of hazardous wastes subject to 40 C.F.R. Part 268, Subpart C, that specify treatment standards, as required by 40 C.F.R. §§ 264.73, 268.7, and this permit.

### **I.I.3 Copy of Permit**

You must keep a copy of this permit on site, including all of the documents listed in any attachments, and you must update it as necessary to incorporate any official permit modifications.

## **I.J ATTACHMENTS AND DOCUMENTS INCORPORATED BY REFERENCE**

**I.J.1** All attachments and documents that this permit requires to be submitted, if any, including all plans and schedules are, upon the Director's approval, incorporated into this permit by reference and become an enforceable part of this permit. Since required items are essential elements of this permit, failure to submit any of the required items or submission of inadequate or insufficient information may subject you to enforcement action under Section 3008 of RCRA. This may include fines, or permit suspension or revocation.

**I.J.2** This permit also includes the documents attached hereto, all documents cross-referenced in these documents, and the applicable regulations contained in 40 C.F.R. Parts 124, 260, 261, 262, 264, 266, 268, and 270, and applicable provisions of RCRA, all of which are incorporated herein by reference.

**I.J.3** Any inconsistency or deviation from the approved designs, plans and schedules is a permit noncompliance. The Director may grant written requests for extensions of due dates for submittals required in this permit.

**I.J.4** If the Director determines that actions beyond those provided for, or changes to what is stated herein, are warranted, the Director may modify this permit according to procedures in Section I.B of this permit.

**I.J.5** If any documents attached to this permit are found to conflict with any of the conditions in this permit, the condition will take precedence.

## LK COORDINATION WITH THE CLEAN AIR ACT

You must fully comply with all applicable Clean Air Act (CAA) and RCRA permit limits. Where two or more operating limitations apply, the most stringent operating limitations take precedence.

This permit does not affect your responsibility to comply with the CAA or other applicable federal, state or local laws. Compliance with this permit will not be a defense to any CAA permitting or enforcement action.

### SECTION II -- AIR EMISSION STANDARDS FOR PROCESS VENTS (40 C.F.R. PART 264 SUBPART AA)

The Part B Permit Application states that you are operating a total of nine (9) process vents. The nine (9) process vents include two (2) thin film evaporators, four (4) safety-thermal driers, two (2) washex still units, and one (1) distillation column unit. All of these units are operated in the closed system and the emission from these units are vented into the Regenerative Fume Oxidizer to control emissions generated from the process vents.

The air emission standards for process vent, 40 C.F.R. Part 264 Subpart AA (Subpart AA), at 40 C.F.R. § 264.1030(e) provide:

*The requirements of this subpart do not apply to the process vents at a facility where the facility owner or operator certifies that all of the process vents that would otherwise be subject to the subpart are equipped with and operating air emission controls in accordance with the process vent requirements of an applicable Clean Air Act regulation codified under 40 CFR part 60, part 61, or part 63. The documentation of compliance under regulations at 40 CFR part 60, part 61, or part 63 shall be kept with, or made readily available with, the facility operating record.*

The Part B Permit Application states that hazardous waste process vents permitted under the State RCRA permit are equipped with and operating air emission controls according to 40 C.F.R. § 63.690 (Subpart DD – National Emission Standards for Hazardous Pollutants from Off-Site Waste and Recovery Operations). For purposes of this permit, EPA considers the information specified in the Part B Permit Application as a certification (“Certification”) pursuant to 40 C.F.R. § 264.1030(e) with respect to those hazardous waste process vents.

Therefore, according to 40 C.F.R. § 264.1030(e), the requirements of the air emission standard for process vents specified in 40 C.F.R. § 264.1030 is not applicable to your facility. The process vents specified in the Part B Permit Application shall be equipped with and operating air emission controls in accordance with the requirements of 40 C.F.R. § Part 63, Subpart DD.

You shall update the Certification, which is in the Part B Permit Application, annually and must certify that all of the process vents specified in the Part B application comply with the applicable 40 C.F.R. Part 63 of CAA requirements controlling air emissions from these process vents. The certification shall be retained at the facility and must be provided to the EPA representatives, or its designees, upon request.

For any changes of the Certification or the compliance status of the process vents with the CAA, you shall inform the EPA, RCRA program, in writing, about the changes not later than 30 days prior to any such changes. In the event that any of the process vents specified in the Part B Permit Application are no longer equipped with and operating air emission controls according to 40 C.F.R. Part 63, Subpart DD, such process vents shall be subject to and you must comply with all applicable requirements of 40 C.F.R. Part 264, Subpart AA, and must also submit a permit modification request providing for the application of 40 C.F.R. Part 264, Subpart AA to those hazardous waste process vents.

### **SECTION III -- AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS (40 C.F.R. PART 264 SUBPART BB)**

The Part B Permit Application states that you are operating equipment subject to 40 C.F.R. Part 264 Subpart BB. Such equipment includes pump, valves, pressure relief valves, flanges, and open end connectors.

The air emission standards for equipment leaks, 40 C.F.R. Part 264 Subpart BB (Subpart BB), at 40 C.F.R. § 264.1064(m) provide:

*The owner or operator of a facility with equipment that is subject to this subpart and to regulations at 40 CFR part 60, part 61, or part 63 may elect to determine compliance with this subpart either by documentation pursuant to § 264.1064 of this subpart, or by documentation of compliance with the regulations at 40 CFR part 60, part 61, or part 63 pursuant to the relevant provisions of the regulations at 40 CFR part 60, part 61 or part 63. The documentation of compliance under the regulations at 40 CFR part 60, part 61, or part 63 shall be kept with or made readily available with the facility operating record.*

The Part B Application provides that, in accordance with 40 C.F.R. § 264.1064(m), the Permittee has elected to determine compliance with Subpart BB by documenting compliance with 40 C.F.R. § 63.691 (Subpart DD- National Emission Standards for Hazardous Pollutants from Off-Site Waste and Recovery Operations).



For purposes of this permit, EPA considers the information in the Part B Application as an election to determine compliance with Subpart BB by documenting compliance with 40 C.F.R. Part 63, Subpart DD. The documentation of compliance with the regulations at 40 C.F.R. Part 63, Subpart DD must be kept with or made readily available with the facility operating record.

Within twelve months of the effective date of this permit and annually thereafter, you must update the determination by describing and certifying your compliance with Subpart BB by documenting compliance with 40 C.F.R. Part 63, Subpart DD. The determination must be retained at the facility and be provided to EPA representatives, or its designees, upon request. For any changes in your determination of compliance under 40 C.F.R. § 264.1064(m), you must inform the EPA Region 5 RCRA program, in writing, about such changes.

For any changes of the Certification or the compliance status of the equipment leaks with the CAA, you shall inform the EPA, RCRA program, in writing, about the changes not later than 30 days prior to any such changes. In the event that any of the equipment specified in the Part B Permit Application is no longer or can no longer be documented to be in compliance with 40 C.F.R. Part 63, Subpart DD, then such equipment shall be subject to and you must comply with all applicable requirements of 40 C.F.R. Part 264, Subpart BB, and must also submit a permit modification request providing for the application of 40 C.F.R. Part 264, Subpart BB to such hazardous waste equipment.

#### **SECTION IV – AIR EMISSION STANDARDS FOR TANKS AND CONTAINERS (40 C.F.R. PART 264 SUBPART CC)**

The Part B Permit Application states that there are seventy-five (75) tanks which store hazardous waste with a total capacity of 1,237,500 gallons. Out of these seventy-five tanks, fourteen (14) tanks, with a capacity of 220,000 gallons, have treatment capability in the tanks. The Part B Permit Application states that all of these seventy-five tanks are determined as a Level 1 tanks with a fixed roof. All of these tanks, except Bin #2, have a conservation vent. Six (6) of these tanks vent their emissions into the Regenerative Fume Oxidizer for the control.

There are also five (5) container storage area with a capability of 199,020 gallons. These containers are determined to comply with Level 1 or Level 2 containers requirements.

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

The air emission standards for tanks and containers, 40 C.F.R. Part 264, Subpart CC (Subpart CC) at 40 C.F.R. § 264.1080(b)(7) provide:

*(b) The requirements of this subpart do not apply to the following waste management units at the facility: .... (7) A hazardous waste management unit that the owner or operator certifies is equipped with and operating air emission controls in accordance with the requirements of an applicable Clean Air Act regulation codified under 40 CFR part 60, part 61 or part 63. For the purpose of complying with this paragraph, a tank for which the air emission control includes an enclosure, as opposed to a cover, must be in compliance with the enclosure and control device requirements of § 264.1084(i), except as provided in § 264.1082(c)(5).*

The Permittee's Part B Permit Application provide that, pursuant to 40 C.F.R. § 264.1080(b)(7), the requirements of RCRA Subpart CC do not apply to the waste management containers and tanks at the facility as they are equipped with air emission controls operated in accordance with the requirements of 40 C.F.R. § 63.685, 687 and 688 (Subpart DD - National Emission Standards for Hazardous Pollutants from Off-Site Waste and Recovery Operations).

For purposes of this permit, EPA considers the information in the Part B Application as a certification by the Permittee that the hazardous waste management units subject to Subpart CC are equipped with and operating air emission controls in accordance with 40 C.F.R. Part 63 Subpart DD. Therefore, in accordance with 40 C.F.R. § 264.1080(b)(7), the requirements of Subpart CC are not applicable to the hazardous waste management units at the facility except for Bin #2 as described in Section V below. The tanks and containers described in the Permittee's Part B Permit Application must be equipped with and operating air pollution controls in accordance with the requirements of 40 C.F.R. Part 63, Subpart DD.

Within twelve months of the effective date of this permit and annually thereafter, you must certify that all of the tanks and containers subject to Subpart CC are equipped with and operating air emission controls in accordance with 40 C.F.R. Part 63, Subpart DD. The certification must be retained at the facility and be provided to EPA representatives, or its designees, upon request.

For any changes in your certification or the compliance status of the tanks and containers with 40 C.F.R. Part 63, Subpart DD, you shall inform the EPA Region 5 RCRA program, in writing, about the changes no later than 30 days prior to any such changes. In the event that any of the tanks and containers specified in the Part B Permit Application are no longer equipped with and operating air emission controls according to 40 C.F.R. Part 63, Subpart DD, such tanks and/or containers shall be subject to and you must comply with all applicable requirements of 40 C.F.R. Part 264, Subpart CC, and must also submit a permit modification request providing for the application of 40 C.F.R. Part 264, Subpart CC to those hazardous waste tanks and/or containers.

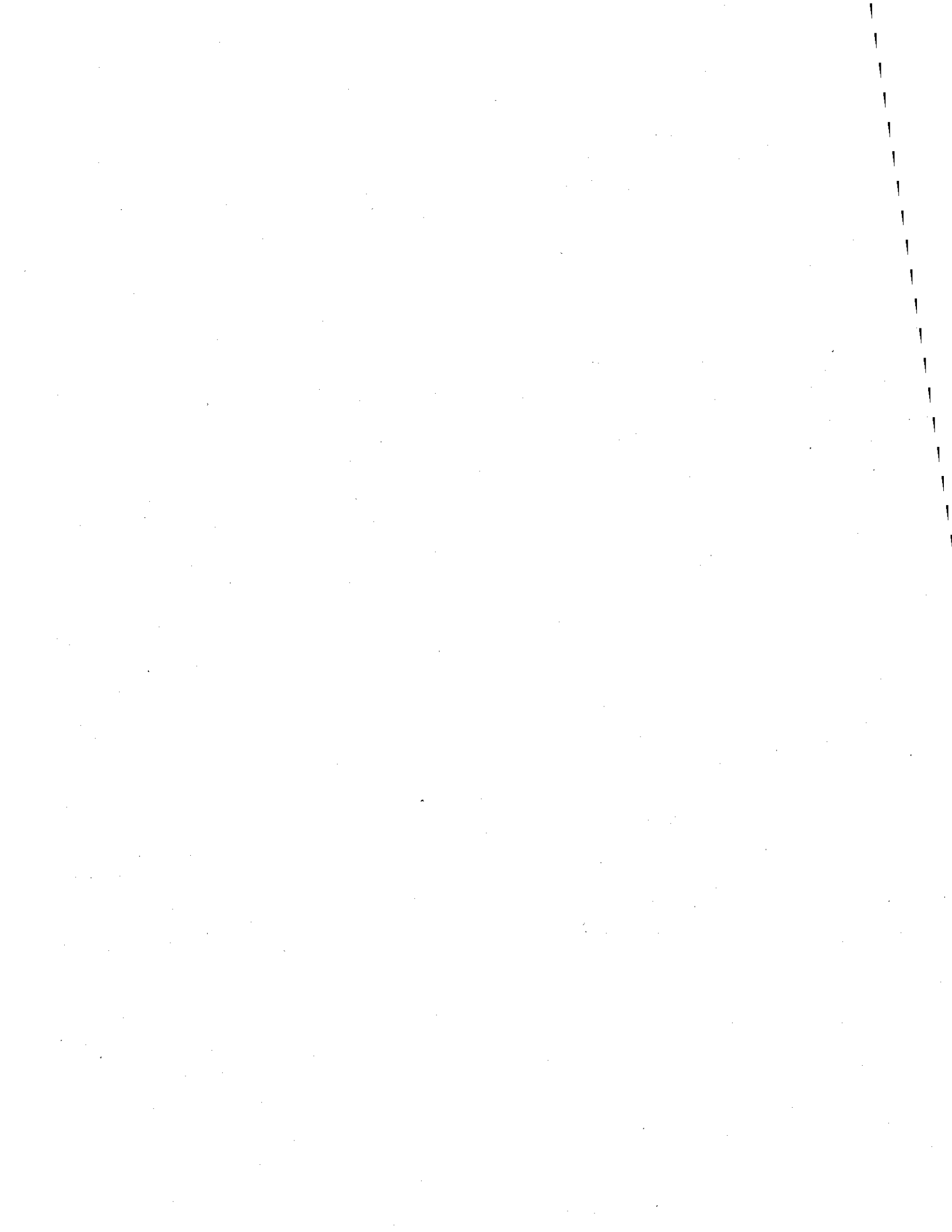
## SECTION V – COMPLIANCE SCHEDULE FOR BIN #2

In the Part B Permit Application, you specified that hazardous waste is stored in the Solid Storage Bin #2, which is situated in the Blue room. It is also indicated that solid hazardous waste and sludge are augured in the Bin #2 and transferred to other hazardous waste unit.

The Bin #2 has a fixed roof with access hatch that stays closed except for maintenance and inspection. It is not clear whether the emissions from the auguring and transfer activities of the Bin #2 are adequately controlled.

You must prepare an Emission Control Plan to control emissions from the auguring and transfer of hazardous waste in and/or from Bin #2 and submit such plan in accordance with the schedule specified below. The plan shall include, but not be limited to, estimated total vapor emissions from the auguring and transfer process of Bin #2; proposed physical or chemical modification of the operation, efficiency of the venting and control device; proposed addition of venting device(s); discussion on the need to conduct any "Procedure T – Criteria for and Verification of a Permanent or Temporary Total Enclosure" under 40 C.F.R. § 52.741 to determine an adequacy of the venting of the vapors in the Blue room to the closed vent and vapor control system; and any other proposals to minimize the exposure of the hazardous waste to the atmosphere. The Plan should also describe compliance with any CAA requirements for controlling vapor emissions from the auguring and transfer process.

Submit Emission Control Plan:	Within 45 days of Effective Date of Final Permit
Submit Revised Emission Control Plan:	Within 45 days of EPA's Review Comment
and	
Implement the EPA Approved Emission Control Plan	Within 45 Days of EPA's Approval of the Emission Control Plan



## RESPONSE SUMMARY

### **RESPONSE TO COMMENTS ON THE FEDERAL DRAFT PERMIT FOR Clean Harbors Recycling Services of Ohio, LLC Hebron, Ohio, OHD 980 587 364**

No comments were received by U.S. Environmental Protection Agency on the draft Federal RCRA permit during the public comment period (from July 30 to September 21, 2015).

The following minor changes and clarifications were made by U.S. EPA of the draft permit:

1. Page ii, second paragraph, the State permit information was updated.
2. Page ii, Permit Approval, first paragraph: On June 28, 1989 was modified to On June 30, 1989 to reflect the effective date of Ohio's authorization.
3. Page 11, Section II, second paragraph: The quotation from 40 C.F.R. § 264.1030(e) has changed the references to "CFR" and added a comma, consistent with the language of the quoted regulations.
4. Page 12, second paragraph, line 5 and 6: ".....40 C.F.R. Part 63, Subpart DD, such process vents shall be subject to and comply with all applicable requirements of 40 C.F.R. Part 264, Subpart AA, and you must submit a permit modification request providing for the application of 40 C.F.R. Part 264, Subpart AA to those hazardous waste process vents." will be modified to ".... 40 C.F.R. Part 63, Subpart DD, such process vents shall be subject to and you must comply with all applicable requirements of 40 C.F.R. Part 264, Subpart AA, and must also submit a permit modification request providing for the application of 40 C.F.R. Part 264, Subpart AA to those hazardous waste process vents." This change was made to clarify the permittee must both comply and submit a modification request in that event.
5. Page 12, Section III, first paragraph, first line: the language "you are operating equipment to be applicable under" has been corrected to read "you are operating equipment subject to", consistent with the language of 40 C.F.R. § 264.1064(m).
6. Page 12, Section III, second paragraph: The quote from 40 C.F.R. § 264.1064(m) has been revised to more closely track the language of that regulation.
7. Page 13, first paragraph, lines 1 and 2: ".....EPA considers the information in the Part B Application as a determination that you must determine compliance with Subpart BB...." will be modified to "EPA considers the information in the Part B Application as an election to determine compliance with Subpart BB...." This change was made to make the statement more clear.

8. Page 13, third paragraph, lines 3 and 4: "In the event that any of the equipment specified in the Part B Permit Application is no longer be documented to be in compliance with 40 C.F.R. Part 63, Subpart DD..." will be modified to "In the event that any of the equipment specified in the Part B Permit Application is no longer or can no longer be documented to be in compliance with 40 C.F.R. Part 63, Subpart DD..." This change was made to fix the grammar "is no longer be documented" to clarify it means equipment is no longer or can no longer be documented to be in compliance .
9. Page 13, third paragraph, line 5 - 8 : ".....40 C.F.R. Part 63, Subpart DD, then such equipment shall be subject to and comply with all applicable requirements of 40 C.F.R. Part 264, Subpart BB, and you must submit a permit modification request providing for the application of 40 C.F.R. Part 264, Subpart BB to such hazardous waste equipment." will be modified to ".....C.F.R. Part 63, Subpart DD, then such equipment shall be subject to and you must comply with all applicable requirements of 40 C.F.R. Part 264, Subpart BB, and must also submit a permit modification request providing for the application of 40 C.F.R. Part 264, Subpart BB to such hazardous waste equipment." This change was made to clarify the permittee must both comply and submit a modification request in that event.
10. Page 14, first paragraph: The quote from 40 C.F.R. § 264.1080(b)(7) has been revised to more closely track the language of that regulation.
11. Page 14, fifth paragraph, line 6 - 8: " ..... containers shall be subject to and comply with all applicable requirements of 40 C.F.R. Part 264, Subpart CC, and you must submit a permit modification request providing for the application of 40 C.F.R. Part 264, Subpart CC to those hazardous waste tanks and/or containers." will be modified to "... containers shall be subject to and you must comply with all applicable requirements of 40 C.F.R. Part 264, Subpart CC, and must also submit a permit modification request providing for the application of 40 C.F.R. Part 264, Subpart CC to those hazardous waste tanks and/or containers." This change was made to clarify the permittee must both comply and submit a modification request in that event.

**Administrative Record Index (Final RCRA PERMIT)**  
 Clean Harbors Recycling Services of Ohio, LLC, Hebron, Ohio  
 OHD 980 587 364

<u>Title</u>	<u>Date</u>	<u>Prepared by</u>
1. Title 5 Air Permit Amendment	December 31, 2002	EPA
2. Part B Permit Renewal Application	December 2014	CH
3. EJ Data	January 2015	EPA
4. Review Comments for Part B Application #1	April 14, 2015	EPA
5. Response for the Review Comment #1	April 16, 2015	CH
6. Additional Response for Review Comment #1	April 24, 2015 12:01 PM	CH
7. Additional Response	April 24, 2015 1:04 PM	CH
8. EPA's Additional comments for Part B #2	May 8, 2015	EPA
9. Response for Part B Review Comment #2	May 12, 2015	CH
10. Revised Table 2 and Appendix CC	May 12, 2015	CH
11. Fact Sheet	July 2015	EPA/OEPA
12. Draft RCRA State Permit	July 2015	OEPA
13. Draft RCRA Federal Permit	July 2015	EPA
14. Public Notices	July 2015	EPA/OEPA
15. Comments to the State Draft Permit	September 21, 2015	CH
16. Final State RCRA Permit	November 2015	OEPA
17. Final RCRA Federal Permit	June 2016	EPA

EJ: Environmental Justice

CH: Clean Harbors Recycling Services of Ohio, LLC

EPA: United States Environmental Protection Agency

OEPA: Ohio Environmental Protection Agency

RCRA: Resource Conservation and Recovery Act







UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

**JUN 22 2016**

REPLY TO THE ATTENTION OF:

Reference Desk Librarian  
Hebron Public Library  
934 West Main Street  
Hebron, Ohio 43025

Re: Final Federal RCRA Permit, Clean Harbors Recycling Services of Ohio, LLC  
Hebron, Ohio, OHD 980 587 364

Dear Madam or Sir:

The U.S. Environmental Protection Agency intends to issue a final Hazardous Waste Management permit to Clean Harbors Recycling Services of Ohio, LLC, Hebron, Ohio. In accordance with the public involvement procedures in Title 40 Code of Federal Regulations Part 124, a public notice was announced in the *Newark Advocate*, Newark, Ohio, and *WCLT* radio station on or about July 30, 2015. A copy of the draft Federal RCRA permit was available for review at the Hebron Public Library, 934 West Main Street, Hebron, Ohio 43025. The public comment period extended from July 30 to September 21, 2015.

Please make available for public examination this letter and the enclosed documents for at least seventy-five (75) days under "Reference Materials – Clean Harbors Recycling Services of Ohio, LLC". The following item is enclosed.

-- Final Permit

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

Sincerely,

A handwritten signature in cursive script that reads "Jae B. Lee".

Jae B. Lee  
Permit Writer  
Land and Chemicals Division





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

**JUN 22 2016**

REPLY TO THE ATTENTION OF:

Mr. Bradley Mitchell  
Ohio Environmental Protection Agency  
Division of Hazardous Waste Management  
Post Office Box 1049  
Columbus, Ohio 43266-0149

Re: Final Federal RCRA Permit, Clean Harbors Recycling Services of Ohio, LLC  
Hebron, Ohio, OHD 980 587 364

Dear Mr. Mitchell:

Enclosed please find a copy of the final Federal Resource Conservation and Recovery Act permit and cover letter to the above-referenced facility.

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

Sincerely,

A handwritten signature in cursive script that reads "Mary S. Setnicar".

Mary S. Setnicar, Chief  
RCRA/TSCA Programs Section

Enclosure

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