



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

CERTIFIED MAIL: 7017 0530 0000 1268 20929
RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF:

December 28, 2018

Mr. Jeff Lenchak
Environmental, Health, Safety, Security, and Regulatory Manager
United Initiators, Inc.
555 Garden Street
Elyria, Ohio 44035

Re: Draft Federal RCRA Permit, United Initiators, Inc.
Elyria, Ohio, OHD 046 202 602

Dear Mr. Lenchak:

Enclosed is a copy of the draft EPA portion of the Resource Conservation and Recovery Act (RCRA) permit for United Initiators, Inc., Elyria, Ohio.

The draft federal RCRA permit will be publicly noticed in The Chronicle Telegram newspaper and WEOL radio station on or about December 28, 2018. A copy of the draft federal RCRA permit is available for review at the Central Branch Elyria Public Library, 320 Washington Ave., Elyria, Ohio 44035. The public comment period extends from January 4, 2019 to February 22, 2019. A public meeting will be held on February 11, 2019 at 6:00 P.M. at Elyria Public Library West River Branch, 1194 W. River Rd. N., Elyria, Ohio 44035 to receive public comments.

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-17J)
77 West Jackson Boulevard
Chicago, Illinois 60604

Attention: James Blough

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

If you have questions concerning the draft federal RCRA permit, please contact Mr. James Blough, of my staff at (312) 886-2967.

Sincerely,

A handwritten signature in black ink, appearing to read 'Julie Morris', with a long horizontal flourish extending to the right.

Julie Morris, Acting Chief
RCRA Branch

Enclosure

cc: Bradley Mitchel, OEPA

DRAFT
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

RESOURCE CONSERVATION AND RECOVERY ACT PERMIT

Facility Name and Location: United Initiators, Inc.
555 Garden Street
Elyria, Ohio 44035

Owner: United Initiators, Inc.
555 Garden Street
Elyria, Ohio 44035

Operator: United Initiators, Inc.
555 Garden Street
Elyria, Ohio 44035

U.S. EPA Identification Number: OHD 046 202 602

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 United Initiators, Inc. (addressed in the second person as "you" or "Permittee") in connection with the hazardous waste management operations at the United Initiators, Inc., located in Elyria, 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, tanks, and containers. See 40 C.F.R. Part 264, Subpart BB.

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 March 1, 2002. (The effective and expiration dates of that earlier State RCRA permit were March 1, 2002 and March 1, 2012, 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 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. 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 September 1, 2016 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:

Tinka G. Hyde
Division Director
Land and Chemicals Division

Date: _____

OHD 046 202 602
United Initiator, Inc., Elyris, 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 of Ohio RCRA permit. You are hereby allowed to manage hazardous waste at the United Initiators, Inc. facility (“facility”) in accordance with this permit and the effective State RCRA permit. Under this permit, the storage and treatment of RCRA hazardous waste must comply with all terms and conditions in this permit. Other aspects of the storage or treatment of RCRA hazardous wastes are subject to the conditions in the state RCRA permit. Any hazardous waste activity which requires a RCRA permit and is not authorized 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) are promulgated under Subparts 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 USC §§ 9601 *et seq.* (commonly known as CERCLA); or (3) any other law protecting public health or the environment from any imminent and substantial endangerment to human health, welfare, or the environment. (40 C.F.R. §§ 270.4 and 270.30(g))

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

I.E.9.b You must retain, at the facility, all records 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. 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(I)(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(I)(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 (including all air emission control devices required by this permit) have been constructed in compliance with the applicable conditions of this permit. In addition, you must not operate the permitted control devices until either:

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

I.E.12.b 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 and approval of 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 the name of the Permittee 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 circumstances.

I.E.14.b The report must include the following (40 C.F.R. §§ 270.30(l)(6) and 270.33): (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(I)(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(I)(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(I)(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.

IF 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 Environmental Protection Agency Region 5, RCRA Branch, at the following address:

RCRA Branch, LR-17J
Land and Chemicals Division
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 a qualified 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. §§ 264.13, 264.73, 264.1064, 264.1065, and 264.1090.

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 and 268.7, and this permit.

I.I.3 Copy of Permit

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

I.J ATTACHMENTS AND DOCUMENTS INCORPORATED BY REFERENCE

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

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

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

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

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

I.K COORDINATION WITH THE CLEAN AIR ACT

You must comply fully with the requirements contained in this RCRA permit. This permit does not include the requirement imposed by the Clean Air Act (CAA).

You must not operate at the facility process vents as 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

II.A.1 Applicable Equipment

You must comply with all applicable requirements of 40 C.F.R. Part 264, Subpart BB, at 40 C.F.R. §§ 264.1050 through 264.1065, regarding air emission standards for equipment leaks. These requirements apply to equipment that contains or contacts hazardous waste with organic concentrations of at least 10 percent by weight. You must clearly mark each piece of equipment to which Subpart BB applies in such a manner that it can be distinguished readily from other pieces of equipment. (40 C.F.R. § 264.1050(d)).

The equipment which is subject to the Subpart BB requirements is considered as “In light liquid service” or “In gas/vapor service” as defined in 40 C.F.R. § 264.1031. The equipment subject to Subpart BB at your facility includes, but is not limited to: 1) pumps, 2) valves, 3) flanges and other connectors, and 4) open-ended valves or lines.

II.A.2 Pumps in Light Liquid Service (40 C.F.R. § 264.1052)

II.A.2.a Each pump in light liquid service must be monitored monthly to detect leaks by the methods specified in 40 C.F.R. § 264.1063(b), except: when each pump is 1) equipped with dual mechanical seal system satisfying the requirements of 40 C.F.R. § 264.1052(d); 2) designated, as described in 40 C.F.R. § 264.1064(g)(2), for no detectable emissions, as indicated by an instrument reading of less than 500 parts per million (ppm) above background, and meeting the requirements of 40 C.F.R. § 264.1052(e); or 3) equipped with a closed vent system complying with the requirements of 40 C.F.R. § 264.1052(f).

II.A.2.b Each pump must be checked by visual inspection each calendar week for seal leaks.

II.A.2.c A leak is detected if: 1) an instrument reading of 10,000 ppm or greater is measured, or 2) there is an indication of liquid dripping from the pump seal.

II.A.2.d When a leak is detected, you must repair it as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in 40 C.F.R. § 264.1059 - Standards: Delay of repair. The first attempt at repair must be made no later than five calendar days after each leak is detected.

II.A.3 Sampling Connection Systems (40 CFR § 264.1055)

Each sampling connection system, except *in-situ* sampling systems and sampling systems without purges, must be equipped with a closed-purge, closed-loop or closed-vent system. This system must collect the sample purge for return to the process or for routing them to the appropriate treatment system, and must meet one of the following requirements:

II.A.3.a Return the purged process fluid directly to the process line;

II.A.3.b Collect and recycle the purged process fluid; or

II.A.3.c Be designed and operated to capture and transport all the purged process fluid to a waste management unit that complies with applicable requirements of 40 CFR § 264.1084 through § 264.1086 or a control device that complies with the requirements of 40 CFR § 264.1060.

II.A.4 Open-ended Valves or Lines (40 C.F.R. § 264.1056)

II.A.4.a Each open-ended valve or line must be equipped with a: 1) cap, 2) blind flange, 3) plug, or 4) second valve, which seals the open end at all times except during operations requiring hazardous waste stream flow through the open-ended valve or line.

II.A.4.b Each open-ended valve or line equipped with a second valve must be operated in a manner such that the valve on the hazardous waste stream end is closed before the second valve is closed.

II.A.4.c When a double block and bleed system is used, the bleed valve or line may remain open during operations that require venting the line between the block valves but shall seal the open end at all other times.

II.A.5 Valves in Light Liquid Service (40 C.F.R. § 264.1057)

II.A.5.a Each valve in light liquid service must be monitored monthly to detect leaks in accordance with 40 C.F.R. § 264.1057(a) and (c), except as provided in 40 C.F.R. §§ 264.1057(f), (g), and (h), and 40 C.F.R. §§ 264.1061 and 264.1062.

II.A.5.b If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

II.A.5.c When a leak is detected, it must be repaired as soon as practicable, but no later than 15 calendar days after the leak is detected, except as provided in 40 C.F.R. § 264.1059—Standards; Delay of Repair and Section II.A.6 below. When a leak is detected, it must be repaired as specified in 40 C.F.R. §264.1057(d) and

(e). The first attempt at repair must be made no later than 5 calendar days after each leak is detected, and must include the best practices specified in 40 C.F.R. § 264.1057(e).

II.A.6 Delay of Repair (40 C.F.R. § 264.1059)

II.A.6.a Delay of repair of equipment for which leaks have been detected will be allowed if: 1) the repair is technically infeasible without a hazardous waste management unit shutdown. In such a case, repair of this equipment shall occur before the end of the next hazardous waste management unit shutdown; or 2) the equipment is isolated from the hazardous waste management unit and does not continue to contain or contact hazardous waste with organic concentrations at least 10 percent by weight.

II.A.6.b Delay of repair for valves will be allowed if: 1) emissions of purged material resulting from immediate repair are greater than the emissions likely to result from delay of repair; and 2) when repair procedures are effected, the purged material is collected and destroyed or recovered in a control device complying with 40 C.F.R. § 264.1060.

II.A.6.c Delay of repair for pumps will be allowed if: 1) repair requires the use of a dual mechanical seal system that includes a barrier fluid system; and 2) repair is completed as soon as practicable, but not later than six months after the leak was detected.

II.A.6.d Delay of repair beyond a hazardous waste management unit shutdown will be allowed for a valve only if it meets the provisions of 40 C.F.R. § 264.1059(e).

II.A.7 Alternative Standards for Valves in Light Liquid Service: Percentage of Valves Allowed to Leak (40 C.F.R. § 264.1061)

You may elect to have all valves subject to 40 C.F.R. § 264.1057 and Section II.A.5 within a hazardous waste management unit comply with an alternative standard that allows no greater than 2 percent of the valves to leak if the provisions of 40 C.F.R. §§ 264.1061(b) and (c) are met. If you elect to comply with this alternative standard, you must comply with the provisions of 40 C.F.R. § 264.1061(b) and (c). If you decide to discontinue the election of the alternative standards, you must comply with the work practice standards in 40 C.F.R. § 264.1057 and Section II.A.5, and you must notify the Director in writing that you will comply with the standards described in 40 C.F.R. §§ 264.1057(a) through (e).

II.A.8 Alternative Standards for Valves in Light Liquid Service: Skip Period Leak Detection and Repair (40 C.F.R. § 264.1062)

You may elect for all valves subject to the requirements of 40 C.F.R. § 264.1057 and Section II.A.8 within a hazardous waste management unit to comply with one of the alternative work practices specified below.

II.A.8.a After two consecutive quarterly leak detection periods with the percentage of valves leaking equal to or less than 2 percent, you may begin to skip one of the quarterly leak detection periods for the valves.

II.A.8.b After five consecutive quarterly leak detection periods with the percentage of valves leaking equal to or less than 2 percent, you may begin to skip three of the quarterly leak detection periods for the valves.

You must monitor valve leaks monthly in accordance with 40 C.F.R. § 264.1057, if the percentage of valves leaking is greater than 2 percent, but you may again elect to use the alternative standards after meeting the requirements of 40 C.F.R. § 264.1057(c)(1).

II.B TEST METHODS AND PROCEDURES (40 C.F.R. § 264.1063)

You must comply with the test methods and procedures of 40 C.F.R. § 264.1063.

II.C RECORDKEEPING AND REPORTING REQUIREMENTS (40 C.F.R. §§ 264.1064 and 264.1065)

You must comply with the recordkeeping and reporting requirements of 40 C.F.R. §§ 264.1064 and 264.1065.

SECTION III –AIR EMISSION STANDARDS FOR TANK AND CONTAINERS

The Part B Application says you are not seeking a storage permit for tanks and containers. It indicates hazardous waste stored in a tank and containers at the facility will be managed in a less-than 90-day area as a large quantity generator and will not be a permitted unit. The typical containers used by the facility for accumulation and shipment are 55-gallon drums. There is one hazardous waste tank that has a total capacity of 1,122 gallons. Based on your representations, this permit does not address, cover, or authorize those activities or units. Activities and units covered by an exemption from RCRA permitting, such as the large quantity generator exemption at the authorized State regulation at 35 Ohio. Admin. Code § 3745-52-34 and 40 C.F.R. § 262.34 (which, among other things, imposes conditions addressing air emission standards for tanks and containers at 40 C.F.R. Part 265 subpart CC), must meet all conditions and/or requirements for the exemption as set forth in the provisions that govern any exemption from RCRA permitting to operate without a permit or meeting the conditions that apply to permitted facilities. As discussed at I.A. above, any hazardous waste activity that requires a RCRA permit and is not authorized is prohibited.

You shall inform the EPA Region 5 RCRA program, in writing, about any changes to the statement in the Application or any change in any permitting exemption status no later than 30 days prior to any such changes. In the event that any activity or unit does not meet the conditions and/or requirements for an exemption from permitting, it shall be immediately subject to and you must comply with all requirements that apply to facilities that must obtain a RCRA permit, including but not limited to the applicable requirements of 40 C.F.R. Part 264, Subpart CC. In this event, you must also submit to EPA and the State RCRA program a modification request of the appropriate class providing for revision of the State and federal RCRA Permit to apply the applicable 40 C.F.R. Part 264, requirements.

In such a case, repair of this equipment shall occur before the end of the next hazardous waste management unit shutdown.

Administrative Record Index (Draft RCRA PERMIT)

United Initiators, Inc.

Elyria, Ohio

OHD 046 202 602

<u>Title</u>	<u>Date</u>	<u>Prepared by</u>
1. Part B Renewal Application	September 1, 2016	United
2. Part B Application State Revised	May 20, 2018	United
3. Additional information on Boiler	March 31,2017	EPA to United
4. State NOD to United email	April 12,20174	EPA to United
5. Additional information after site visit	August 16,2017	
6. Amended part B application	October 31, 2017	EPA to United
7. Permit Comments	January 19, 2018	United
8. Automatic reply: Information needed for the Part B application	March 7, 2018	United
9. Draft RCRA Permit United Initiator	April 21, 2018	EPA to United
10. RE: Draft RCRA Permit United Initiator More information	April 24, 2018	EPA to United
11. RE: Permit Application	May 17, 2018	EPA to United
12. Email chain asking for additional Information	January 24,2018 thru May 21, 2018	EPA to United
13. Part B Application (Revised)	May 22, 2018	United
14. State RCRA Draft Permit	May 22, 2018	OEPA
15. Federal RCRA Draft Permit	May 22, 2018	EPA
16. Email chain asking for additional Information	June 27, 2018	EPA To United
17. Email chain asking for additional Information	July 10, 2018	EPA to United
18. Email chain asking for additional Information	July 31, 2018	EPA to United
19. Email chain asking for additional Information	August 14, 2018	EPA to United
20. Email chain asking for additional Information	August 27, 2018	EPA to United
21. Email from united Section M	September 4, 2018	United email
22. Email chain asking for additional Information for Section M	September 5,2018	EPA to United
23. United will redraft Section M	September 30,2018	United email
24. United sent addition information	November 2, 2018	United email
25. EPA call with United	November 8. 2018	Phone call
26. United submit additional information	November 19, 2018	United Email
27. EPA Send out Denial letter	November 20,2018	EPA Letter to United
28. Email from United Section M	December 7, 2018	United email

29. EPA email need more information	December 11, 2018	EPA to United
30. EPA calls United	December 11, 2018	EPA to United
31. United send Updates	December 11, 2018	United to EPA
32. Draft RCRA State Permit	December 28, 2018	OEPA to United
33. Draft Federal RCRA Permit	December 28, 2018	EPA to United

EPA: United States Environmental Protection Agency

OEPA: Ohio Environmental Protection Agency

United: United Initiators, Inc

RCRA: Resource Conservation Recovery Act



Draft Hazardous Waste Permit Renewal and Comment Period

December 2018

Facility Name: United Initiators, Inc.

U.S. EPA I.D.: OHD046202602

Location:

555 Garden Street
Elyria, Ohio 44035

Facility Owner:

United Initiators, Inc.
555 Garden Street
Elyria, Ohio 44035

Facility Operator:

United Initiators, Inc.
555 Garden Street
Elyria, Ohio 44035

Activity:

Permit renewal for treatment of hazardous waste in a boiler for energy recovery.

Comment Period:

January 4, 2019 – February 22, 2019

Submit Comments to:

Ohio EPA
Chloé Mercier
Division of Environmental Response and Revitalization
P.O. Box 1049
Columbus, Ohio 43216-1049
(614) 644-2924
chloe.mercier@epa.ohio.gov

U.S. EPA, Region 5
Mr. James Blough
RCRA/TSCA Programs Section, LR-17J
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
Blough.james@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 waste 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 State of Ohio's draft permit have been issued concurrently and both share the same comment period.

Draft Hazardous Waste Permit Renewal

How can I become more involved?

A public meeting will be held on February 11, 2019 at 6:00 P.M. at Elyria Public Library West River Branch, 1194 W River Rd N, Elyria, Ohio 44035 to receive public comments. Oral comments will be received during the public meeting. All persons, including the applicant, may submit written comments relating to this draft action. Written comments may be submitted before the end of the comment period to the address in the box on the left.

The comment period begins on January 4, 2019 and ends on February 22, 2019. Copies of the permit application and the draft permit are available for review by the public at the following locations:

Ohio EPA, Northeast District Office
2110 East Aurora Road
Twinsburg, Ohio 44087
1-800-686-6330

Ohio EPA, Central Office
Division of Environmental Response and Revitalization
Lazarus Government Center
50 West Town St., Suite 700
Columbus, Ohio 43215
(614) 644-2924

U.S. EPA, Region 5
RCRA Branch, LR-17J
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
(312) 886-2967

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

Elyria Public Library West River Branch
194 W River Rd N
Elyria, Ohio 44035
(440) 324-2270

The Ohio draft permit is available for review by the public online under the "What's New" tab at:

<http://www.epa.ohio.gov/derr/EnvironmentalResponseandRevitalization>

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

<http://edocpub.epa.ohio.gov/publicportal/edoc/home.aspx>

Using the search function, search under the document type of "Permit" and then refine the search using the facility's RCRA ID number (Secondary ID) which is OHD046202602 and Permit Purpose which is "Renewal". Select from the list of documents, the document dated 12/28/2018.

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

<https://www.epa.gov/oh/draft-federal-rcra-permit-united-initiators-inc>

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

After the close of the public comment period, 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. 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 petition U.S. EPA's

Draft Hazardous Waste Permit Renewal

Environmental Appeals Board to review the decision.

What does the facility do?

The facility manufactures chemicals used in the latex and rubber industries. The facility also produces organic peroxides that are used in their manufacturing processes. By-products (peroxides) from the manufacturing processes are collected and burned on-site in an industrial boiler.

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

This permit allows United Initiators to treat hazardous waste that is generated on-site in a boiler. The hazardous waste is primarily waste organic peroxides that are stored in chilled totes until being transferred to a chilled tank. Wastes are introduced into a boiler at a rate of approximately 8 gallons per hour when the boiler is operating.

What is the regulatory basis to support this permit renewal?

The Director has determined that United Initiators, Inc. has submitted an application for renewal one hundred eighty (180) days prior to the expiration date of its present permit which was issued by Ohio EPA on March 1, 2002. The Director has considered the application, inspection reports, a report regarding the facility's compliance with the present permit, and the rules adopted under ORC Section 3734. The Director has found that the Part B permit application meets the Director's performance standards and that the facility has a history of compliance with this chapter, rules adopted under it, the existing permit, and orders entered into, which demonstrates reliability, expertise, and competency to subsequently operate the facility under this chapter, the rules, and the permit.

Who can I contact for more information?

For additional information, please contact Michelle Tarka at 330-963-1234 or James Blough of the U.S. EPA Regional Office in Chicago, Illinois at (800) 621-8431 ext. 62967.



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

December 28, 2018

REPLY TO THE ATTENTION OF:

Central Branch Elyria Public Library
320 Washington Ave
Elyria, Ohio 44035

Re: Draft Federal RCRA Permit, United Initiators, Inc.
Elyria, Ohio, OHD 046 202

Dear Madam or Sir:

The U.S. Environmental Protection Agency intends to issue a draft Hazardous Waste Management Permit to United Initiators, Inc. Elyria, Ohio.

In accordance with the public involvement procedures in Title 40 Code of Federal Regulations Part 124, the draft federal RCRA permit will be publicly noticed in The Chronicle Telegram newspaper and WEOL radio station on or about December 28, 2018. A copy of the draft federal RCRA permit is available for review at the Central Branch Elyria Public Library, 320 Washington Ave. Elyria, Ohio 44035. The public comment period extends from January 4, 2019 to February 22, 2019. A public meeting will be held on February 11, 2019 at 6:00 P.M. at Elyria Public Library West River Branch, 1194 W. River Rd. N., Elyria, Ohio 44035 to receive public comments. Oral comments will be received during the public meeting.

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

- Draft Permit
- Fact Sheet
- Public Notice

Thank you for your assistance. If you have any questions, please call me at 312-886-2967.

Sincerely,

A handwritten signature in cursive script, appearing to read "James Blough".

James Blough, Permit Writer
RCRA Branch
Land and Chemicals Division



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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

December 28, 2018

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: Draft Federal RCRA Permit, United Initiators, Inc.
Elyria, Ohio, OHD 046 202 602

Dear Mr. Mitchell:

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 Jim Blough of my staff at (312) 886-2967.

Sincerely,

A handwritten signature in cursive script, appearing to read "for Jim Blough".

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

Enclosure

