

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: September 25, 2029

**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 and CC.

The RCRA permit consists of both this permit, which contains the effective Federal RCRA permit conditions, and the effective State RCRA permit conditions issued by the State of Ohio's RCRA program authorized under 40 C.F.R. Part 271 (hereinafter called the "State RCRA permit"). Any hazardous waste activity which requires a RCRA permit and is not included in the RCRA permit is prohibited.

The State previously issued a RCRA permit on March 1, 2002. (The effective and expiration dates of that earlier State RCRA permit were March 1, 2002 and March 1, 2012, respectively.) EPA is coordinating this permit with the issuance of a new permit by the State.

**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 September 25, 2029, 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:



Edward Nam

Division Director

Land, Chemicals and Redevelopment Division

Date:

9/20/19

**OHD 046 202 602  
United Initiator, Inc., Elyria, 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(l)(1))

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

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

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

You must not operate any RCRA air emission control devices completed after the effective date of this permit until you have submitted to the Director, by certified mail or hand-delivery, a letter signed both by your authorized representative and by a registered professional engineer in accordance with 40 C.F.R. § 270.30(l)(2)(i). That letter must state that the portions of the facility covered by this permit (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(I)(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(l)(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 Environmental Protection Agency Region 5, RCRA Branch, at the following address:

RCRA Branch, LL-17J  
Land and Chemicals Redevelopment 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.

**II 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.

**II.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.

