



State of Ohio Environmental Protection Agency

Northeast District Office

OHIO EPA

JAN 15 2010

DIV. OF HAZARDOUS
WASTE MGT.

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

January 13, 2010

Ms. Carrie Beringer
Heritage-WTI, Inc.
1250 St. George Street
East Liverpool, OH 43920

**RE: HAZARDOUS WASTE PERMIT MODIFICATION, CLASS 1 ACKNOWLEDGMENT
ATTACHMENT 10 OF THE PERMIT, TEMPORARY CLOSURE COST ESTIMATE
INCREASE, HERITAGE-WTI, INC. OHD 980 613 541 / 02-15-0589**

Dear Ms. Beringer:

Ohio EPA is in receipt of a notification dated November 6, 2009, for a Class 1 hazardous waste permit modification from Heritage-WTI, Inc. (WTI). The modification request was received on November 13, 2009. The Class 1 permit modification was assigned permit information tracking system (PITS) ID number, OHD980613541 - 091113-1-1.

With this letter, Ohio EPA acknowledges the above referenced Class 1 modification submitted pursuant to Ohio Administrative Code (OAC) Rule 3745-50-51, and accordingly has updated Attachment 10 of the WTI Hazardous Waste Facility Installation and Operation permit. An increase in the Closure Cost Estimate, and Attachment 12 to the Irrevocable Letter of Credit are to be temporarily included in Attachment 10 of the permit.

As background, in a letter dated July 21, 2009, the Ohio EPA approved a Class 2 permit modification request to make the following temporary changes: (1) increase permitted storage capacity from 684,380 gallons to 729,215 gallons; (2) store containerized waste in areas not currently permitted for storage; and (3) increase storage time up to a maximum of eighteen months for specific containerized waste. This Class 2 permit modification was necessary to accommodate waste receipt during an extended maintenance outage/kiln replacement that was conducted during Fall of 2009.

The overall facility storage capacity was temporarily increased and WTI temporarily added 'new' permitted storage areas to accommodate waste during the outage. As such, the Closure Cost Estimate and financial assurance mechanism (Irrevocable Letter of Credit) needed to be modified to reflect the temporary changes for this period of time.

The November 6, 2009 letter from WTI includes a detailed summary of the temporary changes to the Closure Cost Estimate and also includes Amendment 12 to the ILOC.

The November 6, 2009 letter also explains that when the outage is complete and the backlog of waste is eliminated, the permitted storage capacity for the facility would revert to 684,380 gallons; the storage limit will return to 12 months; and storage of containerized waste will be restricted to permitted storage areas. Consequently, the Closure Cost Estimate for the facility will decrease, and the ILOC will be adjusted to reflect the decrease in the Closure Cost Estimate. WTI will submit a permit modification to adjust the ILOC back to \$7,106,280.32 (the amount prior to the November 6, 2009 permit modification request). This future permit modification will affect Attachment 10 of the WTI Hazardous Waste Facility Installation and Operation permit.

There are no changes to the Part B permit application. As previously stated, the attachments are temporary inclusions in Attachment 10 of the WTI Hazardous Waste Facility Installation and Operation permit.

There is one revised permit page, page 121, the cover sheet for Attachment 10. Attached is a copy of the revised permit page. This has been included to ensure that all involved parties have written confirmation of the change.

If you have any questions concerning this action, please contact Michelle Tarka at the Ohio EPA Northeast District Office (330) 963-1234 or the East Liverpool Field Office (330) 385-8421.

Sincerely,



Natalie Oryshkewych
Environmental Manager
Division of Hazardous Waste Management

NO:ddw
Enclosure

cc: Jeremy Carroll, Manager, ITTS, DHWM, CO
Patricia Natali, Michelle Tarka, Frank Popotnik, DHWM, NEDO
Wen Huang, USEPA, Region V
John Nyers, DHWM, CO
ec: Natalie Oryshkewych, DHWM, NEDO
Sherry Slone, DHWM, NEDO
John Schierberl, DHWM, EU, CO
Mike Allen, DHWM, CO

Keywords: permit, ILOC, cost estimate

Attachment 10 - Temporary Management and Operating
Conditions during 2009 Outage to Replace
the Kiln

Heritage-WTI, Inc.
Installation and Operation Hazardous Waste Permit

Class 1 Permit Modification to temporarily increase the Closure
Cost Estimate and Irrevocable Letter of Credit
PITS # 091113-1-1

Acknowledged January 13, 2010

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