



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

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

May 17, 2010

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

**RE: HAZARDOUS WASTE PERMIT MODIFICATION, CLASS 1A APPROVAL
OFF-SITE STORAGE OF HERITAGE-WTI DOCUMENTS
HERITAGE-WTI, INC. (WTI), OHD 980 613 541 / 02-15-0589**

Dear Ms. Beringer:

On April 27, 2010, Ohio EPA received a request dated April 23, 2010 for a Class 1A (Class 1 requiring prior approval) hazardous waste permit modification from Heritage-WTI, Inc. (WTI). The modification was assigned permit information tracking system (PITS) ID number OHD 980 613 541 - #100427-1A-1. With this letter, Ohio EPA approves the above referenced class 1A modification submitted pursuant to Ohio Administrative Code (OAC) Rule 3745-50-51.

FOR APPROVAL:

The following modification has been made to your Ohio Hazardous Waste Facility Installation and Operation Permit. Also the records of Ohio EPA have been changed accordingly:

OAC Rule 3745-54-73 requires owners/operators to store operating records on-site. Due to limited storage capacity at the facility, WTI requested the ability to maintain paper portions of the operating record at off-site locations. Under this permit modification, WTI will be able to maintain paper portions of the operating record off-site that are more than three years old. WTI will ensure the portions of the operating record maintained at off-site locations are available for Ohio EPA review at WTI's facility within five business days of the Ohio EPA's request. WTI management will determine and track which portions of the operating record will be maintained off-site and will maintain a list of the off-site storage locations at its facility.

Revised pages in Section C, Waste Characteristics and Waste Analysis Plan, of the Part B permit application are Revision 25, dated April 23, 2010. Revised pages in Section F, Procedures to Prevent Hazards, of the Part B permit application are Revision 23, dated April 23, 2010.

Changes to the Part B permit application include:

- Replace Section C Cover Page, new revision number and date
- Replace Page C-52, added language to allow storage of operating record at off-site locations, new revision number and date
- Replace Page C-134, added language to allow storage of operating record at off-site locations, new revision number and date
- Replace Section F Cover Page, new revision number and date
- Replace Page F-5, added language to allow storage of operating record at off-site locations, new revision number and date

MAY 20 2010

DIV. OF HAZARDOUS
WASTE MGT.

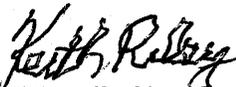
Changes to the Ohio Hazardous Waste Facility Installation and Operation Permit include:

- Replace page 15 of 117, move text from pg 16 to allow new language on pg 16
- Replace page 16 of 117, new language added to (vi)
- Replace page 26 of 117, new language added to B.21 and new B.22(a)
- Replace page 27 of 117, new B.22 (b) and (c)

The affected permit pages are modified in the upper left corner of each page as well as modified in the text, and all affected application pages and permit pages are date-stamped with the date of this letter from Ohio EPA.

Enclosed is a copy of the revised application and permit pages for the WTI Part B permit application and Ohio Hazardous Waste Facility Installation and Operation Permit. These pages have 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 East Liverpool Field Office (330) 385-8421.

Sincerely,



William T. Skowronski
District Office Chief
Northeast District Office

WTS:ddw
Enclosure

cc: Michelle Tarka, DHWM, NEDO
Frank Popotnik, DHWM, NEDO
Patricia Natali, DHWM, NEDO
Wen Huang, USEPA, Region V

ec: John Nyers, DHWM, CO
Mike Allen, Supervisor, Engineering Unit, DHWM, CO
Jeremy Carroll, Manager, RISS, DHWM, CO

*Also, in accordance with Ohio Administrative Code Rule 3745-50-51(D)(1)(a)(ii), the Permittee must send a notice within 90 days of an approved Class 1A Modification to all persons on the Agency mailing list. An updated mailing list can be obtained by contacting Jeremy A. Carroll, P.E., Manager, Regulatory and Information Services Section at (614) 644-2917, or by e-mail at Jeremy.carroll@epa.state.oh.us.

Keywords: records, storage, off-site

- (f) Unless specified otherwise, the Permittee shall submit a copy of all documents to the following locations:

Ohio Environmental Protection Agency
Division of Hazardous Waste Management
Attn: Regulatory and Information Services
P.O. Box 1049
122 S. Front Street
Columbus, Ohio 43216-1049

Ohio Environmental Protection Agency
Division of Hazardous Waste Management
Northeast District Office
2110 East Aurora Road
Twinsburg, Ohio 44087

A.28. Information to be Maintained at the Facility
OAC Rule 3745-54-74

- (a) The Permittee shall maintain at the facility, until closure is completed and certified by a qualified, independent, registered professional engineer, pursuant to OAC Rule 3745-55-15, and until the Director releases the Permittee from financial assurance requirements pursuant to OAC Rule 3745-55-47, the following documents (including amendments, revisions, and modifications):
- (i) waste analysis plan, as found in Section C of the approved Part B permit application, developed and maintained in accordance with OAC Rule 3745-54-13 and the terms and conditions of this permit;
 - (ii) contingency plan, Section G of the approved Part B permit application, developed and maintained in accordance with OAC Rule 3745-54-53 and the terms and conditions of this permit;

MAY 17 2010

- (iii) closure plan, Section I of the approved Part B permit application, developed and maintained in accordance with OAC Rule 3745-55-12 and the terms and conditions of this permit;
 - (iv) cost estimate for facility closure developed and maintained in accordance with OAC Rule 3745-55-42 and the terms and conditions of this permit;
 - (v) personnel training plan, Section H of the approved Part B permit application, and the training records, as developed and maintained in accordance with OAC Rule 3745-54-16 and the terms and conditions of this permit;
 - (vi) operating record required by OAC Rule 3745-54-73 and the terms and conditions of this permit, except for those portions of the operating record maintained at an off-site location pursuant to Condition B.22;
 - (vii) inspection schedules, Section F of the approved Part B permit application, developed in accordance with OAC Rules 3745-54-15, 3745-55-74, 3745-55-95 and the terms and conditions of this permit;
 - (viii) annually-adjusted cost estimate for facility closure, as required by OAC Rules 3745-55-42 and 3745-55-44 and the terms and conditions of this permit;
 - (ix) all other documents required by this permit, e.g., Permit Conditions A.12, sampling and analysis; B.42, groundwater monitoring; and B.44, riverbank and fill material monitoring.
- (b) All amendments, revisions, and modifications to any plan required by the terms and conditions of this permit or the Ohio hazardous waste rules shall be submitted to the Director. No such change shall be made unless the Permittee has received approval in accordance with the Ohio hazardous waste rules.

MAY 17 2010

- (c) The Permittee shall, in accordance with OAC Rule 3745-54-53, submit a copy of the approved Contingency Plan to the Ohio Environmental Protection Agency's Division of Emergency and Remedial Response.

B.19. Emergency Coordinator
OAC Rule 3745-54-55

The Permittee shall comply with the requirements set forth in OAC Rule 3745-54-55 and the Contingency Plan, Section G, of the approved Part B permit application regarding the emergency coordinator.

B.20. Emergency Procedures
OAC Rule 3745-54-55

- (a) The Permittee shall comply with the requirements set forth in OAC Rule 3745-54-56, all applicable sections of the approved Part B permit application, e.g., the Contingency Plan, Section G, and the conditions of this permit regarding the emergency procedures.

(b) Reserved.

B.21. Availability, Retention, and Disposal of Records
OAC Rule 3745-54-74

The Permittee shall furnish upon Ohio EPA request and retain all records at the facility, except for those portions of the operating record maintained at an off-site location pursuant to Condition B.22, in accordance with OAC Rule 3745-54-74, the approved Part B permit application, and all terms and conditions of this permit.

B.22. Operating Record
OAC Rule 3745-54-73

The Permittee shall comply with the requirements set forth in OAC Rule 3745-54-73 and all applicable sections of the approved Part B permit application regarding an operating record, including information to be recorded and the maintenance thereof.

- (a) The Permittee is authorized to maintain paper portions of the operating record required by OAC Rule 3745-54-73 that are more than three years old at an off-site location with the following conditions:

- (b) All portions of the operating record maintained at off-site locations must be available for Ohio EPA review at the Permittee's facility within five (5) business days of the request, unless this is clearly not reasonable, in which case the Permittee and Ohio EPA will mutually establish the most expeditious schedule practicable.
- (c) The Permittee shall determine and track which portions of the operating record will be maintained off-site and will maintain a list of off-site storage locations.

B.23. Contingency Plan Records
OAC Rules 3745-54-73 and 3745-54-56(J)

The Permittee shall note in the operating record the time, date, and details of any incident that requires the implementation of the contingency plan. Within fifteen days of any such incident, the Permittee shall submit to the Director a written report of the incident containing the elements set forth in OAC Rule 3745-54-56(J).

B.24. Manifest System
OAC Rules 3745-54-70, 3745-54-71, 3745-54-72 and 3745-54-76

- (a) In the management of waste at the facility, the Permittee shall comply with the provisions of OAC Chapter 3745-52 and OAC Rules 3745-54-71, 3745-54-72 and 3745-54-76 with regard to the manifest system.
- (b) Manifest discrepancy report. If a significant discrepancy in a manifest is discovered, the Permittee must attempt to reconcile the discrepancy. If the discrepancy is not resolved within fifteen (15) days after receiving the waste, the Permittee must submit a report, including a copy of the manifest, to the Director in accordance with OAC Rule 3745-54-72.
- (c) Unmanifested waste report. This report must be submitted to the Director within fifteen days of receipt of unmanifested waste, which waste is not excluded from the manifest requirements by OAC Rule 3745-51-05, and include the information required under OAC Rule 3745-54-76.

B.25. Annual Reports and Additional Reports
OAC Rules 3745-54-77 and 3745-54-75

The Permittee shall comply with the annual report requirements set forth in OAC Rule 3745-54-75 and the additional report requirements set forth in OAC Rule 3745-54-77.