



REGION 5

CHICAGO, IL 60604

Ms. Venita Vivians
Facility Manager
Univar Solutions USA Inc.
2854 Springboro West
Moraine, Ohio, 45439

Dear Ms. Vivians:

Enclosed is a copy of a revised draft of the federal portion of the Resource Conservation and Recovery Act Hazardous Waste Permit ("draft Federal RCRA permit") to be issued by U.S. Environmental Protection Agency, Region 5, for Univar Solutions USA Inc., Moraine, Ohio.

The draft federal RCRA permit will be publicly noticed in the "Dayton Daily News" newspaper and announced on a local radio station on or about May 31st, 2024. A copy of the revised draft federal RCRA permit is available for review at the Kettering-Moraine Public Library. The public comment period extends from May 31st, 2024, to July 22nd, 2024.

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 (or email) to:

Land and Chemicals Branch, LL-17J
Land, Chemicals, and Redevelopment Division
77 West Jackson Boulevard
Chicago, Illinois, 60604

Attention: Emily Keener (Keener.Emily@epa.gov)

Following review of any comments received on the revised draft Federal RCRA permit, EPA will issue a final permit decision in accordance with the requirements of 40 Code of Federal Regulations (C.F.R.) § 124.15. This final permit decision will include a response to public

comments received by EPA regarding the previous draft permit and any comments regarding the revised draft. The procedures of permit appeals are found in 40 C.F.R. § 124.19.

If you have any questions, please contact Emily Keener of my staff at (312) 886-6581.

Sincerely,

**SUSAN
MOONEY**

Digitally signed by
SUSAN MOONEY
Date: 2024.05.24
17:06:36 -05'00'

Susan Mooney
Acting Branch Manager
Land and Chemicals Branch

Enclosure

cc: Bradley Mitchell, OEPA

Draft
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

RESOURCE CONSERVATION AND RECOVERY ACT PERMIT

Facility Name and Location: Univar Solutions USA Inc.
2854 Springboro West Rd.
Moraine, Ohio, 45439

Owner: Univar Solutions USA Inc.
3075 Highland Parkway, Suite 200
Downers Grove, Illinois, 60515

Operator: Univar Solutions USA Inc.
3075 Highland Parkway, Suite 200
Downers Grove, Illinois, 60515

U.S. EPA Identification Number: OHD 074 700 311

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 (RCRA) permit (hereinafter referred to as the "Permit") to Univar Solutions USA Inc (addressed in the second person as "You" or "Permittee") in connection with the hazardous waste management operations at Univar Solutions USA Inc, located in Moraine, 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 United States Code (U.S.C.) § 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 containers. See 40 C.F.R. Part 264, Subpart CC.

This permit does not contain 40 C.F.R. Part 264, Subparts AA and BB, Air Emission Standards for Process Vents and Air Emission Standards for Equipment Leaks, because Univar's RCRA permit Application states that Univar currently does not operate process vents or Equipment subject to

40 C.F.R. 264, Subpart BB. Therefore, the requirements under Subparts AA and BB are not set forth in this Permit.

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.

Permit Approval:

On June 30, 1989, the State of Ohio received final authorization according to Section 3006 of RCRA, 42 U.S.C. § 6926, and 40 C.F.R. Part 271, to administer the pre-HSWA RCRA hazardous waste program. The State of Ohio has also received final authorization to administer certain additional RCRA requirements on several occasions since then. However, because EPA has not yet authorized the State of Ohio to administer certain regulations, including the air emission standards for containers (40 C.F.R. Part 264, Subpart CC), EPA is issuing the RCRA permit requirements for operations at your facility which fall under these regulations.

You must comply with all terms and conditions contained in this permit. This permit consists of all the conditions contained herein, the documents attached hereto, all documents cross-referenced in these documents, approved submittals (including plans, schedules and other documents), the applicable regulations in 40 C.F.R. Parts 124, 260, 261, 262, 264, 268, 270, and applicable provisions of RCRA.

This permit is based on the assumption that the information submitted in your RCRA Part A and B Permit Renewal Application dated March 22, 2023 and all other revisions and addendums to that application (hereinafter referred to as the "Application") is 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 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 of the final permit**, 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: _____ Date: _____
Edward Nam
Director
Land, Chemicals, and Redevelopment Division, Region 5

OHD 074 700 311
Univar Solutions USA Inc, Moraine, Ohio

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SECTION I – STANDARD PERMIT CONDITIONS

I.A EFFECT OF PERMIT

This permit contains the federal Resource Conservation and Recovery Act (“RCRA”) permit conditions. You also have an effective State of Ohio RCRA permit. You are hereby allowed to manage hazardous waste at Univar Solutions USA, Inc. (“facility”) in accordance with this permit and the effective state RCRA permit. The storage of RCRA hazardous waste must comply with all terms and conditions in this permit. Other aspects of the storage of RCRA hazardous wastes are subject to the conditions in the state-issued portion of the RCRA permit. Any hazardous waste activity which requires a RCRA permit and is not included either in this permit or the state RCRA permit, is prohibited.

In accordance with 40 C.F.R. § 270.4, compliance with the RCRA permit during its term 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 AA, BB, or CC of 40 C.F.R. Part 265 limiting air emissions.

This permit does not: (1) convey any property rights or any exclusive privilege; (2) authorize any injury to persons or property, or invasion of other private rights; or (3) authorize any infringement of state or local law or regulations. (40 C.F.R. § 270.4). Compliance with the terms of this permit does not constitute a defense to any order issued, or any action brought, under: (1) Sections 3008(a), 3008(h), 3013, or 7003 of RCRA; (2) Sections 104, 106(a), or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. §§ 9601 *et seq.* (commonly known as “CERCLA”); or (3) any other law protecting public health or the environment.

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 approval by EPA as described in 40 C.F.R. § 270.42(b).

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, Chemicals and Redevelopment Division of EPA, Region 5. Thus, for the purposes of this permit, the term Director must refer to the Division Director of EPA Region 5's Land, Chemicals and Redevelopment Division.)

Procedures for a Class 3 modification are specified in 40 C.F.R. § 270.42(c). 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.

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), 42 U.S.C. § 6925).

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 defines 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 calendar 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 the effective date of the final permit. 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 include 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, 44 U.S.C. §§ 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 provisions 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 “Waste Characteristics” section of the 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 as 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. The 3-year period may be extended by request of the Director at any time and is 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 referenced 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 storage of hazardous waste in accordance with 40 C.F.R § 270.30(1)(2)(ii)(B).

I.E.13 Transfer of Permits

This permit is not transferable to any person, except after notice to 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 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. (40 C.F.R. § 270.30(l)(6)).

I.E.14.b The report must include the following: (1) Information concerning release of any hazardous waste that may cause an endangerment to public drinking water supplies; (2) Any information of a release or discharge of hazardous waste; and/or (3) Any 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. (40 C.F.R. § 270.30(l)(6)).

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 must then submit a written report within 15 calendar days of the day on which You must provide oral notice, in accordance with Sections I.E.14.a and I.E.14.b of this permit. (40 C.F.R. §§ 270.30(1)(6) and 270.30(h)).

I.E.15 Other Noncompliance

You must report all instances of noncompliance not reported under Section I.E.14 of this permit, at the time monitoring reports 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 Application or other submittal, or submitted incorrect information in the Application or other submittal, You must promptly notify the Director of any incorrect information or previously omitted information, submit the correct facts or information, and explain in writing the circumstances of the incomplete or inaccurate submittal. (40 C.F.R. §§ 270.30(l)(11) and 270.30(h)).

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

I.F SIGNATORY REQUIREMENT

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

I.G REPORTS, NOTIFICATIONS AND SUBMITTALS TO THE DIRECTOR

Except as otherwise specified in this permit, all reports, notifications, or other submittals that this permit requires to be sent or given to the Director should be sent by

certified mail or express mail, or hand-delivered to the U.S. Environmental Protection Agency Region 5, Land and Chemicals Branch, at the following address:

Land and Chemicals Branch, LL-17J
Land, Chemicals, and Redevelopment Division
U.S. EPA Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

I.H CONFIDENTIAL INFORMATION

In accordance with 40 C.F.R. Part 2, Subpart B, You may claim any information this permit requires, or otherwise submitted to the Director, as confidential. You must assert any such claim at the time of submittal in the manner prescribed on the application form or instructions or, in the case of other submittals, by stamping the words "Confidential Business Information" on each page containing such information. If You make 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 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 an independent registered professional engineer, the documents listed below 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, 264.1035, 264.1064, 264.1084, 264.1088, 264.1089.

I.I.2 Notifications

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

I.I.3 Copy of Permit

You must keep a copy of this permit on site, including all 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 in this permit will take precedence.

I.K COORDINATION WITH THE CLEAN AIR ACT

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

You must not operate process vents as defined in 40 C.F.R. § 264.1031.

**SECTION II - AIR EMISSION STANDARDS FOR TANKS AND CONTAINERS
(40 C.F.R. PART 264, SUBPART CC)**

The state RCRA permit allows You to store containerized hazardous waste within two permitted hazardous waste storage areas in the Main Warehouse building. The storage areas have a total combined storage capacity of 17,600 gallons. The ignitable and reactive waste storage area is located along the west wall of the main warehouse building. This storage area consists of one large bay and three small bays, has a storage capacity of 10,560 gallons, and has a secondary containment capacity of 1,360 gallons. The non-reactive and non-ignitable hazardous waste storage areas are located on the south side of the Main Warehouse Building. The storage area consists of four bays of equal size, has a storage capacity of 7,040 gallons, and has a secondary containment volume of 996 gallons. Storage of ignitable waste is not permitted in this area because it is located less than 50 feet from the facility's property line. Containers used for hazardous waste storage at the facility must meet DOT (Department of Transportation) requirements. The majority of containers used to store hazardous waste at the facility are 55-gallon drums, but other types of containers are also used. Types of containers used to store hazardous waste at the facility include: drums (55-gallon), small drums (6-gallon to 30-gallon), portable tanks (100 gallons to 550 gallons), intermediate bulk containers (12 cu. ft. to 250 cu. ft.), boxes (corrugated cartons up to 1,000 pounds capacity), bags (multi-walled kraft bags up to 100 pounds capacity), and miscellaneous containers (1-pint to 5-gallons).

You must comply with all applicable requirements of 40 C.F.R. § 264.1080 through 40 CFR § 264.1090, regarding air emission standards for containers handling hazardous waste. All containers that are not exempt must be managed using the applicable standards at 40 C.F.R. § 264.1084 and 40 C.F.R. § 264.1086. You must assume that all containers permitted in the state RCRA permit, described above, could be "in light material service" as defined at 40 C.F.R. § 265.1081 and therefore must comply with the standards at 40 C.F.R. § 264.1086(d) (Container Level 2 standards). If You intend to manage wastes under Level 1 controls only, You must first submit and be granted a Class 3 permit modification; Your application must include adequate provisions in the Waste Analysis Plan for ensuring the hazardous waste received are not "in light material service".

For any hazardous wastes that will be stored in the facility's RCRA permitted hazardous waste storage areas, EPA considers Univar to be the "destination facility", as the term is used in the waste analysis plan in Your permit renewal application. You are therefore responsible for conducting sampling and analysis to confirm the identity of customer waste that will be stored in Your permitted hazardous waste storage areas in accordance with the "Destination Facility Acceptance" description in section C.2.d of Your permit renewal application's waste analysis plan.

You are not permitted for the treatment of hazardous waste including stabilization. Additionally, You are not permitted to transfer, commingling, blending, or repackaging of hazardous waste in containers. This permit does not allow storage or processing of hazardous

waste in tanks, surface impoundments, or miscellaneous units subject to 40 C.F.R. Part 264, Subpart X.

II.A CONTAINER LEVEL 2 STANDARDS (40 C.F.R. § 264.1086(d))

You must manage all containers under Level 2 emission controls. (40 C.F.R. § 264.1086(d)). When storing hazardous waste containers under Level 2 emission controls, You must comply with the following requirements:

II.A.1 A Level 2 container must satisfy one of the following requirements (40 C.F.R. § 264.1086(d)(1)):

- a. Meet the applicable U.S. DOT regulations as specified in 40 C.F.R. § 264.1086(f);
- b. Operate with no detectable organic emissions as defined in 40 C.F.R. § 265.1081 and determined in accordance with the procedures specified in 40 C.F.R. §§ 264.1086(g) and 264.1083(d); or
- c. Has been demonstrated to be vapor tight within the preceding 12 months by using 40 C.F.R. Part 60. Appendix A, Method 27 in accordance with the procedures specified in 40 C.F.R. § 264.1086(h).

II.A.2 Transfer of hazardous waste in or out of a Level 2 container must be conducted in such a manner as to minimize exposure of the hazardous waste to the atmosphere, as specified by 40 C.F.R. § 264.1086(d)(2).

II.A.3 Whenever a hazardous waste is in a Level 2 container, You must install all covers and closure devices for the container, and secure and maintain each closure device in the closed position except as specified in 40 C.F.R. § 264.1086(d)(3)(i) through (v).

II.A.4 You must inspect the Level 2 containers and their covers and closure devices as specified in 40 C.F.R. § 264.1086(d)(4)(i) and (ii). When a defect is detected for the container, cover, or closure devices, You must repair and the defect in accordance with 40 C.F.R. § 264.1086(d)(4)(iii).

II.B RECORDKEEPING AND REPORTING REQUIREMENTS

For container storage areas, You must comply with all applicable recordkeeping and reporting requirements described in 40 C.F.R. § 264.1089 and 264.1090.

SECTION III – LESS-THAN 90-DAY CONTAINER STORAGE

As stated in the application, the facility is a Small Quantity Generator of hazardous waste. The hazardous waste is stored for less than 90 days in a hazardous waste storage area. This hazardous waste storage area must comply with all applicable State requirements of OAC Rule 3745-52-17 (40 C.F.R. § 262.16) in order for an exemption from 40 C.F.R. § 264 Subpart CC to apply. In the event that storage in this area exceeds 180 days or any of the requirements of OAC Rule 3745-52-17 no longer apply you must provide written notice to EPA within 15 days providing the reasons for the exceedance and how it will be rectified.