

Environmental  
Protection Agency

John E. Kasich, Governor  
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Ohio EPA - DMWM

November 8, 2011

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

**RE: HAZARDOUS WASTE PERMIT MODIFICATION, CLASS 1A APPROVAL  
TIME EXTENSION FOR COMPLIANCE DATE FOR FINANCIAL ASSURANCE  
MECHANISM RESULTING FROM DIRECTOR INITIATED MODIFICATION TO  
IMPLEMENT SITE-WIDE CORRECTIVE ACTION REMEDIES .  
HERITAGE-WTI, INC. (WTI), OHD 980 613 541 / 02-15-0589**

Dear Ms. Beringer:

On October 11, 2011, Ohio EPA received a request dated October 6, 2011 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 - #111011A-1. With this letter, Ohio EPA approves the above referenced class 1A modification submitted pursuant to Ohio Administrative Code (OAC) Rule 3745-50-51.

On August 10, 2011, WTI received a modified Ohio Hazardous Waste Facility Installation and Operation Permit from Ohio EPA. The Permit was modified to implement site-wide Corrective Action remedies. Condition E.9(i) of the Permit required WTI to provide the Ohio EPA documentation of financial assurance in the amount necessary to implement the corrective action measures required by OAC Rule 3745-54-101 (b) and (c) within 60 days of the permit journalization date. The permit journalization date for the modified permit is August 10, 2011. Condition E.9(i) was required to be completed by October 9, 2011.

By letter dated October 6, 2011, WTI requested a 180 day extension for the completion of Condition E.9(i). The 180 day extension allows WTI to make the adjustment to the financial assurance mechanism, Irrevocable Letter of Credit (ILOC) in conjunction with the annual adjustment for inflation.

**FOR APPROVAL:**

There have been no modifications to the WTI Part B permit application.

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

- Modify **E.9(i)** on **Page 64f** of 117 – to extend time from 60 days after the journalization date (of August 10, 2011) to 240 days after the journalization date to provide an additional 180 days to adjust the financial assurance mechanism

The affected permit page is modified in the upper left corner of the page to indicate the date the class 1A modification request was received by Ohio EPA as well as modified in the text. The permit page is date-stamped with the effective date of this letter.

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

Sincerely,



Kurt M. Princic  
District Chief  
Northeast District Office

KMP:ddw

Enclosure

cc: John Nyers, DMWM, CO  
Michelle Tarka, DMWM, NEDO  
Frank Popotnik, DMWM, NEDO  
Jae Lee, US EPA, Region V

ec: Jeremy Carroll, DMWM, 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, at (614) 644-2917, or by e-mail at [Jeremy.carroll@epa.state.oh.us](mailto:Jeremy.carroll@epa.state.oh.us).

Keywords: financial, extension, GW/RFI

The Permittee must not implement the corrective measure until the permit is modified pursuant to OAC Rule 3745-50-51.

(i) Financial Assurance  
OAC Rule 3745-54-101

Within two hundred and forty (240) days of the modification of this permit to incorporate the CMI, the Permittee must provide to Ohio EPA financial assurance documentation in the amount necessary to implement the corrective measure(s) as required by OAC Rules 3745-54-101 (b) and (c).

E.(10) Newly Identified Waste Management Units or Releases  
OAC Rule 3745-54-101

(a) General Information

The Permittee must submit to Ohio EPA, within thirty days of discovery, the following information, regarding any new WMU identified at the facility:

- (i) the location of the unit on the site topographic map;
- (ii) designation of the type of unit;