



State of Ohio Environmental Protection Agency

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January 22, 2009

Ms. Gretchen Viken
EHS Director
Toxco, Inc.
265 Quarry Road
Lancaster, Ohio 43130

**Re: Hazardous Waste Permit Modification
Class 1A Approval
Toxco, Inc.
U.S. EPA ID# OHD071654958**

Dear Ms. Viken:

On December 18, 2008, Ohio EPA received a request for a Class 1A (Class 1 requiring prior approval) hazardous waste permit modification (tracking number – OHD071654958-081218-1A-1) from Toxco, Inc. With this letter, Ohio EPA approves the above referenced Class 1A modification submitted pursuant to Ohio Administrative Code (OAC) Rule 3745-50-51.

The following modification has been made to your December 21, 2005, Ohio Hazardous Waste Facility Installation and Operation Permit. Also, the records of Ohio EPA have been changed accordingly:

Non appendix change for relocation of materials stored in Phase I and Phase III storage areas.

Attached is a copy of the permit and permit application revisions. This has been included to ensure that all involved parties have written confirmation of the changes*. The revisions are as follows:

- Revised page 26 of 37 of Toxco's permit terms and conditions (redline and clean copies attached)
- A new map of the facility to be inserted into the Part A of the RCRA permit directly preceding the facility photos in place of the current map
- Revised Part B pages: title page, 13, 14, 15, 17, 18, and 57
- Updated copy of the facility map to be inserted behind Tab 8 of the Part B
- Updated pages 4 and 5 to insert behind Tab 9 of the Part B
- Revised page 66 of 72 of the facility's contingency plan (behind Tab 21)
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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Toxco, Inc.
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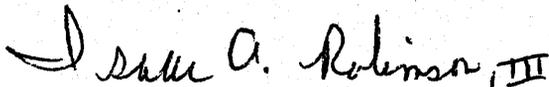
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OHIO EPA

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DIV. OF HAZARDOUS
WASTE MGT.

If you have any questions concerning this action, please contact Melissa Storch at the Ohio EPA Central District Office at (614) 728-3887.

Sincerely,



Isaac A. Robinson III
Chief
Central District Office

*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.

Enclosure

c: Jeremy Carroll, Manager, RISS, DHWM/CO
Supervisor, Engineering Unit, DHWM/CO
Melissa Storch, DHWM/CDO
Steve Rath, Manager, DHWM/CDO

MODULE C - CONTAINERS STORAGE

C. CONTAINER STORAGE AND MANAGEMENT

The Permittee operates one (1) area for the storage of hazardous waste (S01). Waste alkali and acidic batteries are stored on pallets in the storage area before they are recycled on site. Battery components in drums are also stored in the storage area. The maximum amount of container storage allowed in the container storage area is 40,000 gallons.

The container storage area is divided into three phases. Phase I is a 100' by 100' area dedicated to storage of unsorted sealed and dry cell materials (alkali and acidic) and battery components. Phase II is a 140' by 100' area adjacent to Phase I that is dedicated to storage of wet-cell lead acid batteries and battery components. Phase III is an "L"-shaped area with one 134.3' by 100' area and one 20' by 40' area. Phase III is adjacent to Phase II and is dedicated to storage of wet-cell alkali batteries and battery components. Phase III is also used to stage batteries for waste analysis, sorting, packaging and tracking. All wet-cell batteries are considered hazardous waste and will be moved out of the Phase III staging area within 96 hours into their proper locations in Phase II or Phase III as appropriate.

The entire storage area is constructed of a concrete pad with 3.5 inch high curbs around the perimeter, except for the 5.5 inch high curbs between Phase I of the storage area and the battery breaking area. The secondary containment capacity for the entire storage area is 66,000 gallons. All three phases are constructed of the same materials and treated or sealed with the same epoxy floor sealing product or functionally equivalent alternatives that can withstand exposure to both alkali and acidic electrolyte.

The waste codes accepted at the facility include D002 through D011, although the majority of batteries will be carrying waste codes D002, D006 and D008. The types and sizes of batteries are described in Section A.1.a of the permit application. The battery components will be stored in drums. The primary containers for the batteries are the battery casings themselves, which are manufactured of polyethylene or polypropylene or other durable plastic materials which are impervious to the acid or caustic electrolyte stored within them.

C.1 Container Storage/ Quantity Limitation

- (a) The Permittee is authorized to store 40,000 gallons of hazardous waste at any given time in the permitted container storage area located inside the facility.

The Permittee must store hazardous waste in the types of containers (size and type) described in Section C.2.a of the permit application.