



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

July 28, 2014

Re: Systech Environmental
Corporation
Permit – Intermediate
Public Reponse
RCRA C – Hazardous Waste
Paulding County
OHD 005 048 947

Division of Materials and Waste Management

Response to Comments

Project: Systech Environmental Corporation Permit Renewal
Ohio EPA ID #: OHD 005 048 947

Agency Contacts for this Project

Division Contact: Brent Goetz, (419) 373-4114
Brent.Goetz@epa.ohio.gov
Public Involvement Coordinator: Darla Peelle, (614) 644-2160
Darla.Peelle@epa.ohio.gov

Ohio EPA initiated a comment period on April 30, 2014 regarding the draft hazardous waste renewal permit. This document summarizes the comments and questions received during the associated comment period, which ended on June 16, 2014.

Ohio EPA reviewed and considered all comments received during the public comment period. By law, Ohio EPA has authority to consider specific issues related to protection of the environment and public health. Often, public concerns fall outside the scope of that authority. Ohio EPA may respond to those concerns in this document by identifying another government agency with more direct authority over the issue.

In an effort to help you review this document, the questions are grouped by topic and organized in a consistent format.

Specific Comments from Systech Environmental Corporation:

Module B – General Facility Conditions

Comment 1: Permit Condition B.3 (f) - Acceptance Criteria for Metals

Systech's current RCRA permit has an equivalent section on acceptance criteria for metals. However, it lists only six metals: lead, mercury, arsenic, cadmium, chromium, and beryllium while the draft permit lists four additional metals: antimony, barium, silver, and thallium. These four metals were removed from Systech's current permit a result of a permit modification OEPA approved in 2003. Systech does not see any reason that these metals should have been added to the metals acceptance criteria. As permit B.1 (c) provides all hazardous waste accepted at the facility must be used for energy recovery. Therefore, the treatment for the hazardous waste accepted at the facility is energy recovery which means that the waste must be treated in a facility that is governed by the hazardous waste combustor (HWC) NESHAP provisions adopted under the Clean Air Act. (These rules replaced much of the comparable boiler and industrial furnace (BIF) regulations adopted under RCRA.) The metals regulated under the HWC NESHAPs rules are the six metals addressed in Systech's current RCRA permit. The energy recovery facility has emission limitation for these six metals but do not have any restriction for those other four metals. Since Systech can accept wastes designated as characteristic hazardous waste for these metals, there does not seem to be any basis for requiring further analysis of these four since beyond what the generator has done to determine whether the metal specific waste code needs to be attached to the waste stream. Merely performing the waste analysis does not preclude accepting the waste stream nor does it add any additional protections for human health or the environment. Therefore, Systech requests that the list be pared to the six metals contained in the current permit.

Response 1: On October 10, 2003, Ohio EPA acknowledged a permit modification to remove Silver, Barium, Antimony and Thallium from the list of chemicals that must be analyzed for as required by Permit Condition B.3(f)(i). Therefore, Ohio EPA has removed Silver, Barium, Antimony and Thallium from Permit Condition B.3(f)(i).

Module C&D – Container Storage and Treatment & Tank Storage and Treatment

Comment 2: **Permit Conditions C.3 & D.1(c) - Waste Identification (Waste Codes) for Containers and Tanks**

Waste Code U013 was included in the draft permit as Condition C.3 but the Ohio regulations do not contain this waste code. The waste code should be removed. Waste code K181 was listed in Systech's Part A but was not included in the list of waste codes in the sections on management of waste in containers or tanks. This waste code is in Federal permit and Systech requests that this waste code be added to its state permit.

Response 2: Ohio EPA agrees that Waste Code U013 is not listed in Ohio regulations and therefore this code has been removed from the list of acceptable waste codes in Permit Conditions C.3 and D.1.

Waste Code K181 appeared on the Part A application of the renewal permit application. This is a new waste code that did not appear on the list of acceptable waste codes in Systech's previous permit. The addition of this waste code is a Class 1 permit modification as defined in G.4.b and H.5.d of the Appendix to Ohio Administrative Code Rule 3745-50-51. Ohio EPA has added Waste Code K181 to the list of acceptable waste codes in Permit Conditions C.3 and D.1.

Module E – Corrective Action Requirements

Comment 3: **Permit Condition E.5 RCRA Facility Investigation (RFI)**

This section is written in a manner that suggests that the RFI must be completed according to the time schedule laid out in the section. In fact, this work has already been completed. It seems that this section could be removed or at least amended to reflect that the work has been completed as noted in the Corrective Action Summary section.

Response 3: Permit Condition E.5 provides the scope of work required for an RFI. The permit language is standard and customary and provides part of the framework for progressing through Corrective Action. No change has been made to the permit with respect to this comment

Comment 4: **Permit Condition E.8 Corrective Measures Study (CMS)**

This section should also be amended to reflect that the CMS Workplan has been submitted and is awaiting approval before implementing the plan pursuant to Section E.9 Corrective Measures Implementation.

Response 4: The permit language is standard and customary and provides part of the framework for going through Corrective Action. Corrective Action is not complete for all of the SWMUs or AOCs and the facility has not been released from all of its Corrective Action obligations. No change has been made to the permit with respect to this comment.

End of Response to Comments