



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

MAILING ADDRESS:

P.O. Box 1049
Columbus, Ohio 43216-1049

CERTIFIED MAIL

January 30, 2008

Re: **Von Roll America, Inc.**
EPA ID No: OHD 980 613 541
Ohio ID No: 02-15-0589
Modified Hazardous Waste Permit

Ms. Allison Knowles
Von Roll America, Inc.
1250 St. George Street
East Liverpool, Ohio 43920-3400

Dear Ms. Knowles:

On June 20, 2007, Ohio EPA received Von Roll America, Inc.'s request to add a new compressed gas waste stream to their permit. The compressed gas mixture will be accepted, staged and treated through the incineration system. For this modification, Von Roll America, Inc. submitted a Class 2 modification application¹. The Agency did not receive any verbal or written comments concerning this Class 2 modification application. I have enclosed the final modified Ohio hazardous waste facility installation and operation permit (Permit) that was issued by the director today. Please note that the modified Permit remains in effect until it is renewed, withdrawn, suspended or revoked.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

¹Ohio EPA assigned tracking # 070620-2-1 to this modification application.

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



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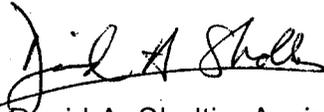
Ohio EPA is an Equal Opportunity

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Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, OH 43215

If you have any questions, please contact Patricia Natali of Ohio EPA's Northeast District at (330) 385-8447.

Sincerely,



David A. Sholtis, Assistant Chief
Division of Hazardous Waste Management

Enclosures

cc: Ed Lim, ERAS, DHWM, CO
Jeremy Carroll/John Nyers, ERAS, DHWM
Dale Meyer, U.S. EPA, Region V
Frank Popotnik/Patricia Natali, NEDO, DHWM
Carol Hester, Ohio EPA, PIC

PUBLIC NOTICE

Columbiana County

OHIO EPA ISSUES FINAL MODIFIED HAZARDOUS WASTE PERMIT

On January 30, 2008, Ohio EPA issued a final class 2 modified Hazardous Waste Facility Installation and Operation Permit (Permit) to Von Roll America, Inc. for its facility at 1250 St. George Street, East Liverpool, Ohio 43920-3400. The EPA Identification Number for this facility is OHD980613541.

Why is Von Roll America, Inc. modifying its Permit?

Von Roll America, Inc. is permitted to operate a hazardous waste incinerator and other related hazardous waste management units at its facility. Von Roll America, Inc. requests to add a new compressed gas waste stream to their permit. The compressed gas mixture will be accepted, staged and treated through the incineration system. This final modified permit will allow Von Roll America, Inc. to make the requested changes. To issue this final modified Permit, Ohio EPA determined that the modification application is complete and meets appropriate standards.

Can I appeal this final modified Permit?

Yes, if you are an officer of an agency of the state or of a political subdivision, acting in a representative capacity, or any person who would be aggrieved or adversely affected by this modified Permit, you have the right to appeal this Permit decision to the Environmental Review Appeals Commission (ERAC).

If I decide to appeal this final modified Permit, how and when must I make the appeal?

If you file an appeal, you must put it in writing no later than **March 1, 2008**. Your appeal must explain why you are appealing the action and the grounds you are using for your appeal. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. You must file your appeal, according to Ohio Revised Code § 3745.04 with ERAC at the following address: **Environmental Review Appeals Commission**, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. You must send a copy of the appeal to the director of Ohio EPA at the following address no later than three (3) days after you file it with ERAC: **Chris Korleski, Director of Ohio EPA**, P.O. Box 1049, Columbus, Ohio 43216-1049.

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OHIO ENVIRONMENTAL PROTECTION AGENCY
DIVISION OF HAZARDOUS WASTE MANAGEMENT

SUMMARY OF MODIFICATION TO HAZARDOUS WASTE
INSTALLATION AND OPERATION PERMIT

Von Roll America, Inc.
U.S. EPA ID #: OHD 980 613 541
Ohio ID #: 02-15-0589

Modification of the Hazardous Waste Facility Installation and Operation Permit will authorize Von Roll America, Inc. to make the following change:

Class 2 Modification:

To accept, stage, and treat a new gas waste stream. VRA will not store compressed gases or gas mixtures on-site, but will, in accordance with their permit, process the waste directly through an unloading bay to the incineration system.

The new compressed gas mixture composed of Genetron 22 and Genetron 23, is characterized as non-flammable and non-hazardous, is non-odoriferous, and does not contain primary organic hazardous constituents (POHCs) more difficult to burn than authorized by VRA's permit. Genetron 22 contains chlorodifluoromethane, which destroys ozone in the upper atmosphere and Genetron 23 contains trifluoromethane, a greenhouse gas which may contribute to global warming. Neither of the compressed gases should be vented to the atmosphere and so incineration, with residual recovery capabilities, is suggested by the generator as a disposal option.

In August 2005, Ohio EPA approved a Class 3B permit modification authorizing VRA to accept and treat compressed gas (Telomer gas), a type of waste previously prohibited from treatment at the facility. With this modification, VRA will add two compressed gases (referenced above) to their permit. These gases have similar characteristics to the already approved gas waste stream (Telomer).

In the future, should the Permittee decide to request authorization to accept additional compressed gases, a Class 1 permit modification with the Director's approval (C1A) would be required for gases with similar characteristics to the already approved compressed gas and gas mixtures, and a Class 2 permit modification would be required for compressed gases and gas mixtures with dissimilar characteristics. The criteria used to determine 'like' characteristics can be found in Section C, Waste Characteristics and Waste Approval Plan, of the approved Part B permit application. Future requests will be handled on a case by case basis.

OHIO E.P.A.

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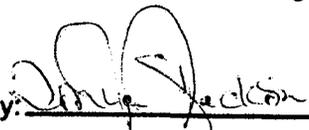
ENTERED DIRECTOR'S JOURNAL

OHIO ENVIRONMENTAL PROTECTION AGENCY

**MODIFIED OHIO HAZARDOUS WASTE FACILITY
INSTALLATION AND OPERATION PERMIT**

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

Date of Issuance: January 30, 2008
Effective Date: January 30, 2008

By:  Date: 1-30-08

U.S. EPA ID No.: OHD 980 613 541
Ohio Permit No.: 02-15-0589

Name of Permittee: Von Roll America, Inc.
Mailing Address: 1250 St. George Street
East Liverpool, OH 43920-3400
Facility Location: 1250 St. George Street
East Liverpool, OH 43920-3400
Person to Contact: Mr. John Peterka

This Modified Ohio Hazardous Waste Facility Installation and Operation Permit is issued pursuant and subject to Section 3734.05(l) of the Ohio Revised Code and Rule 3745-50-51(D) of the Ohio Administrative Code.

The Ohio Hazardous Waste Facility Installation and Operation Permit with the above-referenced permit number as issued by the Ohio Environmental Protection Agency and journalized on March 23, 2005, is hereby incorporated by reference in its entirety, except as it may be modified herein.

This modification of the permit shall remain in effect until such time as the Ohio Hazardous Waste Facility Installation and Operation Permit is renewed, modified, withdrawn, suspended or revoked.

The Permittee shall comply with all requirements of the modified Part B permit application as amended or supplemented on June 20, 2007, August 23, 2007, and November 9, 2007. The information contained in the modified Part B permit application is incorporated herein by reference. Specifically, all written statements regarding the specifications, locations or capabilities of the processes, equipment, containment devices, safety devices or programs or other matters made by the applicant in the permit modification application are hereby incorporated as express, binding terms and conditions of this modified permit.

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The modified Terms and Conditions of this permit are attached hereto and are incorporated herein by reference. The modified Terms and Conditions supersede and replace the corresponding pages found in the March 23, 2005 renewal permit.



Chris Korleski
Director

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- (e) The Permittee may receive and store off-site generated waste (third party waste) that will not be incinerated at the facility. This waste will be transported off-site to a permitted facility for treatment and/or reclamation. Third party waste will be managed in accordance with this permit and the approved Part B permit application.
- (f) The Permittee may manage mixed infectious and hazardous waste (MIHW) in accordance with the specifications in the Part B permit application and Module I(B) of this permit.
- (g) The Permittee may receive and treat, but not store, approved compressed gas waste streams as listed in Section C, Waste Characteristic and Waste Analysis Plan. The compressed gases will be managed in accordance with this permit and the approved Part B permit application.

B.2. Required Notices
OAC Rule 3745-54-12

- (a) The Permittee shall notify the Director in writing at least four weeks in advance of the date the Permittee expects to receive hazardous waste from a foreign source, as required by OAC Rule 3745-54-12(A). Notice of subsequent shipments of the same waste from the same foreign source is not required.

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beginning a scheduled or unscheduled outage. However, if the designated time limits for staging will not be exceeded before the incinerator is operating, the Permittee may continue processing and staging activities in accordance with time limits specified here and in Section D of the Part B permit application

- (j) All other containers staged for processing activities or at locations not previously specified shall be processed within 24 hours of receipt at the facility.

C.15. Processing Compressed Gases and Gas Mixtures

The Permittee is authorized to accept and treat approved compressed gases and gas mixtures through the incineration system. The approved gases are listed in Section C, Waste Characteristic and Waste Analysis Plan, of the approved Part B permit application. The compressed gaseous wastes are received in various types of tanker trucks and are off-loaded and fed directly to the incineration system (kiln) through the Direct Organic Tanker East (Bay 1 and a.k.a. E-bay). E-bay is described in Section D, Process Description, of the approved Part B permit application. During the off-loading process, all doors to E-bay must be closed and the roof exhaust system must be operating adequately. At all times during off-loading, ventilation in the bay will be maintained at the rate of six air changes per hour.

The Permittee is not authorized to store compressed gaseous waste on-site, but may stage the waste in approved staging areas as described in Section D. The annual maximum quantity of gaseous waste treated will be limited by the total volume of waste permitted to be treated by incineration.

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wastes are described in broad compositional ranges. Wastes are received in a variety of container sizes and in bulk form as solids, liquids, slurries, sludges, solid/liquid mixtures, and specifically approved compressed gaseous waste streams listed in Section C-1a(2)(i)(d) located in the Waste Characteristic and Waste Analysis Plan of the approved Part B permit application. The wastes may be fed to the incineration system via several feed mechanisms which are described in Section D of the approved permit application. Waste accepted for thermal treatment will have a thermal stability class ranking equal to or higher than Class 1 chemicals as found in the Thermal Stability Index developed at the University of Dayton Research Institute (UDRI).

(e) Reserved.

I(A).2. Identification Criteria for Permitted, Restricted, and Prohibited Waste
OAC Rule 3745-57-44 and 3745-57-43

Unless otherwise authorized, the Permittee may incinerate the following hazardous wastes, as specified in this permit and only under the terms of this permit. The Permittee may only feed the hazardous wastes as identified below at the facility subject to Permit Conditions I(A).3.through I(A).5., and I(A).8.

- (a) The following criteria must be adhered to when determining the acceptability of wastes at the facility for storage and/or treatment:
- (i) The wastes must be approved by the Ohio EPA, Division of Hazardous Waste Management, in accordance with the conditions set forth in Section C of the approved Part B permit application.
 - (ii) Reserved.

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- (iii) Reserved.
 - (iv) The physical state of the waste feed shall be liquid, solid, slurry, or sludge. Compressed gases and gas mixtures approved for treatment by incineration include gases used as propellant in aerosol cans and compressed gaseous waste streams listed in Section C-1a(2)(i)(d) of the Waste Characteristic and Waste Analysis Plan of the approved Part B permit application.
 - 1. Evaluation of future compressed gases and/or gas mixtures for acceptance and treatment by the Permittee shall be based on criteria listed in Section C -2e(5)(d) of the Part B permit application.
 - 2. If the gaseous waste stream under consideration has characteristics that are similar to approved gaseous waste streams found in Section C, the Permittee may submit a Class 1 permit modification with Director's prior approval (C1A) for evaluation.
 - 3. If the gaseous waste stream under consideration has characteristics that are dissimilar to currently approved gaseous waste streams, the Permittee may submit a Class 2 permit modification for Ohio EPA review.
 - 4. Each gaseous waste stream submitted will be evaluated on a case by case basis and, if approved, be added to Section C of the Part B permit application.
 - (v) The Permittee shall not incinerate or treat any State-recognized hazardous waste whose current Ohio EPA hazardous waste code does not appear in the approved Part A permit application or any waste listed in Section C of the approved Part B permit application categorized as being prohibited from incineration or any waste for which the facility is not designed to receive, handle, store, or treat. Permittee may treat federally approved codes the state has not yet promulgated.
 - (vi) Reserved.

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- (b) Throughout operation, the Permittee shall conduct sufficient analysis in accordance with Section C of the approved Part B permit application to verify that waste received by the facility conforms with the waste scheduled. Analysis will be conducted to ensure that the waste fed to the incinerator is within the physical and chemical composition limits specified in this permit and the approved Part B permit application.
- (c) Wastes, in accordance with Section C of the approved Part B permit application, that are prohibited from acceptance on-site include:
 - (i) waste containing polychlorinated biphenyls (PCBs) in excess of 50 parts per million or, waste that is, or was at one time, regulated by TSCA, 40 CFR 761;
 - (ii) Reserved.

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- (iii) dioxin-bearing waste: waste requiring specific treatment technology, i.e., destruction and removal efficiency (DRE) of 99.9999%; waste assigned federal hazardous waste codes F020 through F023, F026, and F027;
 - (iv) infectious waste;
 - (v) chemical warfare agents (CWA) and other chemical weapons or debris generated from the manufacture and/or cleanup of CWAs;
 - (vi) radioactive wastes;
 - (vii) compressed gases that have not been approved for incineration. Approved compressed gases and gas mixtures are listed in Section C, Waste Characteristic and Waste Analysis Plan, of the approved Part B permit application.
 - (viii) other prohibited wastes as described in Section C.

Additional information regarding the prohibited wastes listed above can be found in C-1a (1) in Section C of the approved Part B permit application.

- (d) Wastes that are restricted at the facility are described in Section C of the approved Part B permit application. Examples of restricted wastes include:
 - (i) wastes that may require special handling and/or storage requirements;
 - (ii) wastes with treatment restrictions; and
 - (iii) wastes that carry any of the federal hazardous waste codes that are required to meet LDR treatment standard for dioxins and furans, such as F032, F039, K043, and/or K099.
- (e) Only waste feed systems specified in Section D of the approved Part B permit application may be used to feed wastes to the incineration system.
- (f) No waste may be fed to the SCC.
- (g) The Permittee shall determine the composition and heat value of any auxiliary fuel used in the incineration of any hazardous waste, during start-up and shut-down procedures, and during upset conditions.

High BTU auxiliary fuel which may be hazardous, but only because it is