**OhioEPA**
State of Ohio Environmental Protection Agency

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December 30, 2003

[redacted]

**Re: Submitting Documents as Permit Modification Requests**
[redacted]

Dear Mr. [redacted]

I am sending this letter as a reminder to holders (Permittees) of Ohio Hazardous Waste Facility Installation and Operation Permits. As you may know, the Division of Hazardous Waste Management (DHWM) receives various permit-driven or permit-related documents and reports on an ongoing basis. Through this correspondence, I would like to emphasize certain procedural requirements and offer tools to enhance the effectiveness and efficiency of the hazardous waste permitting program in Ohio.

Submitting Documents as a Permit Modification Request

During the life of the permit, it is important that the issued permit and application (herein, referred to as "permit document") stays current and presents an accurate view of permitted activities at the facility. Further, it is also important to ensure that the copies of the permit document retained by the Permittee, the DHWM Central Office and the relevant District Office are identical. Inspection checklists and other compliance assessment criteria are generated from the current permit on file. Ensuring that permit documents are current and consistent helps keep the Permittee's obligations clear to both parties. This in turn allows the Permittee to focus on its permit obligations and reduce, if not eliminate, instances of non-compliance due to inconsistencies or misinterpretations. Additionally, at the time of permit renewal, an accurate and current permit/application also makes the process more efficient.

OAC Rule 3745-50-51(A) defines a "modification" as "a change or alteration to a hazardous waste facility or its operations that is inconsistent with or not authorized by its existing

permit or authorization to operate." Upon the issuance of a permit, the approved Part B application is incorporated by reference and is, therefore, an essential component of the "existing permit or authorization to operate." Consequently, I would like to remind Ohio Permittees that any document sent to Ohio EPA that would result in the Part B application being revised or updated, should be submitted as a permit modification request.

Examples of such commonly overlooked submittals are the annual update of the financial assurance instrument and tank repair certifications. Upon approval, a copy of the updated instrument or certification is inserted in the Agency's copy of the approved Part B application. Therefore, these documents should be submitted in the form of a permit modification request. As with other modification requests, these permit-driven submittals are classified in accordance with OAC Rule 3745-50-51 and are processed jointly between the Division's Central Office and District Office staff. Relevant portions of the package are routed to the appropriate reviewer. Further, as with all other submittals, your district representative remains your primary contact.

Certifying Documents and Reports

In accordance with OAC Rule 3745-50-42, all permit-related submittals need to include the certification statement in paragraph (D). Please be reminded that, in addition to permit applications and all modification requests, this signatory requirement applies to any other report required by the permit or requested by the Agency. Common examples are groundwater monitoring results and documents related to corrective action.

Administrative Content Checklist for Permit Modification Requests

Receiving an administratively complete permit modification request package helps expedite the review process. To that end, please find attached an Administrative Content Checklist for Permit Modification Requests. The DHWM recommends that you use this checklist when preparing your permit modification request package and include a completed copy with your modification application.

Submitting your Permit Modification Requests:

Finally, for the benefit of a few of our Permittees, please note DHWM's Central Office reorganized in March 2001. The Data Management Section no longer exits and its previous staff and duties fall under the Regulatory and Information Services Section (RIS). Pamela Allen is the Manager of the RIS Section.

Please send two copies of your permit modification request package to:

Ohio EPA - Division of Hazardous Waste Management
Attn: Pamela S. Allen, Manager
Regulatory & Information Services Section
Lazarus Government Center
122 South Front Street
Columbus, Ohio 43215

Please send one copy of your permit modification request package to:

Ohio EPA - Division of Hazardous Waste Management
Southwest District Office
Attn: Harold O'Connell, Supervisor
401 East Fifth Street
Dayton, Ohio 45402

As always, we welcome your input and will be glad to answer questions or provide clarification. If you have any questions about this correspondence, please contact Jeremy Carroll at (614) 644-2830.

Sincerely,

for Michael A. Savage, Chief
Division of Hazardous Waste Management

*Enclosure*

cc: Dave Sholtis, Assistant Chief, DHWM
Pamela S. Allen, Manager, RIS, DHWM
Edwin Lim, Manager, ERAS, DHWM
Don Marshall, Manager, SWDO, DHWM
Harold O'Connell, Supervisor, SWDO, DHWM
Brian Gitzinger, SWDO, DHWM
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