

FACT SHEET

Proposed Major Modification of the Part 111 Hazardous Waste Operating License
EQ Resource Recovery, Inc.
Hazardous Waste Container Storage, Tank Storage, and Treatment Facility
Romulus, Michigan

MID 060 975 844

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Michigan Department of Environmental Quality
Waste and Hazardous Materials Division

BASIS FOR PROPOSED MAJOR MODIFICATION TO THE HAZARDOUS WASTE MANAGEMENT FACILITY OPERATING LICENSE

The Michigan Department of Environmental Quality (MDEQ) proposes to issue an operating license major modification to EQ Resource Recovery, Inc. (EQRRI), to allow the reconstruction and continued operation of their hazardous waste container storage, tank storage, and treatment facility in Romulus, Michigan pursuant to Part 111, Hazardous Waste Management, of Michigan's Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451). Section I of this Fact Sheet describes the state and federal programs established to regulate hazardous waste and to license hazardous waste treatment, storage, and disposal facilities.

Based on the review of the EQRRI operating license major modification (major modification) request, MDEQ staff have proposed the operating license major modification be issued based on the following conclusions:

1. The facility has provided acceptable plans and procedures to document compliance with applicable rules. Section II of this Fact Sheet describes the facility site, design, and its prior licensing.
2. The issuance of the major modification will minimize the potential for this facility to present a hazard to human health or the environment during operation.
3. The major modification request submitted by EQRRI is sufficiently detailed to demonstrate that the facility complies with the applicable technical standards. The revised design and operating procedures should prevent the possibility of a future explosion and fire incident at the facility. In addition to the standard and general facility operating conditions contained in all operating licenses, the draft major modification contains conditions specific to EQRRI container storage, tank storage, and treatment activities. A summary and explanation of these conditions is included in Section II.C. of this Fact Sheet. The portions of the major modification request that describe, in detail, how the company will comply with certain regulations have been attached to the draft major modification as enforceable documents. Such attachments include the Waste Analysis Plan, Inspection Schedule, Personnel Training Program, Contingency Plan, Closure Plan, Engineering Plans, and Preventative and Treatment Procedures.

Although the MDEQ believes it has done a thorough job of reviewing the EQRRI major modification request, the MDEQ is seeking public input on the issuance of this major modification. Section III of this Fact Sheet describes the public participation process.

I. INTRODUCTION

Part 111 of Act 451, was passed by the Michigan Legislature to regulate the management of hazardous waste from generation to disposal. Likewise, Subtitle C of the Solid Waste Disposal Act, as amended, Title 42 of the United States Code 6901, *et. seq.* (commonly known as the Resource Conservation and Recovery Act of 1976 [RCRA]), was passed by the U.S. Congress to regulate hazardous waste nationwide. The RCRA was amended substantially by the Hazardous and Solid Waste Amendments of 1984 (HSWA).

Both the RCRA and Part 111 of Act 451 established a permit system governing the treatment, storage, and disposal of hazardous wastes. The RCRA allows the states to obtain authorization

to issue a state hazardous waste operating license in lieu of a federal permit. Effective December 27, 1985, the state of Michigan amended its hazardous waste management administrative rules to be equivalent to those under the RCRA and applied to U.S. Environmental Protection Agency (U.S. EPA) for authorization. In October 1986, Michigan was granted authorization to administer all portions of the RCRA Program, except some provisions under HSWA. Since that time, Michigan has continued to amend its hazardous waste management administrative rules and is currently authorized to administer all portions of the RCRA Program applicable to this operating license.

II. DESCRIPTION OF THE FACILITY

A. Site Description

EQRRRI operates a commercial hazardous waste storage, treatment, and solvent recycling facility. EQRRRI stores hazardous waste in tanks and containers, blends hazardous waste fuel, and recycles spent solvent by using thin film evaporation, distillation, or both. The facility, located at 36345 Van Born Road in Romulus, Michigan, occupies approximately 15 acres of land. (See Attachment A)

B. Facility Design and Regulatory Status

EQRRRI notified the Michigan Department of Natural Resources and the U.S. EPA of its hazardous waste activity in 1980 and obtained interim status for their storage and treatment facilities. This interim status has allowed EQRRRI to continue operating these facilities until the MDEQ issued their first state hazardous waste operating license on November 22, 1985. The MDEQ issued renewals of that operating license on June 17, 1993, and September 12, 2003. The current Part 111 operating license will expire on September 12, 2013. The EQRRRI hazardous waste storage and treatment operations were destroyed in an explosion and fire on August 9, 2005, and have not been operated since that time. For EQRRRI to resume operations it is necessary for the facility to be redesigned and constructed to satisfy current regulatory requirements and the operating procedures updated to prevent such an event in the future. On July 17, 2007, EQRRRI submitted a Part 111 operating license major modification request for the revised design and operating procedures. Based on the MDEQ comments, revisions were submitted on October 17, 2007, November 17, 2007, and September 19, 2008.

All waste handling areas are designed to minimize the potential for a fire or release and include secondary containment to prevent a release to the environment in the event of a spill or leakage.

The hazardous waste managed at this facility consists primarily of spent solvents (solvent recycle), waste with high volatile organic content (fuel blending), and wastes that may be stored prior to shipment off site to another treatment or disposal facility.

C. Modification of Facility-Specific License Conditions

1. Closure cost estimate. Condition II.N. was revised to specify the closure cost estimate for the facility as \$418,157.
2. Coverage of License for Containers. Condition III.A. was revised to refer to Drawing DS-1 for the area covered by the license.

3. Prohibition of storage of incompatible wastes or materials. Condition III.H.3 was revised to specify that storage of incompatible wastes or material could only occur in the hazardous waste container storage area and in accordance with the requirements of Attachment 8.
4. Coverage of License for Tanks. Condition IV.A. was revised to refer to Drawings GFL-1, TP-1, and TP-5 for the area covered by the license.
5. Waste Identification and Quantity for Tanks. Condition IV.B.1 was revised to specify storage of no more than a total volume of 289,400 gallons of the hazardous wastes as part of solvent recovery and fuel blending tanks identified as W1 through W23 in Table C-2.1 and Drawings TP-1 and TP-5 of Attachment 6.
6. Waste Treatment Capacities and Methods for Tanks. Condition IV.C.1. was revised to reduce the capacity for treatment by fuel blending to 63,000 gallons per day and specify that it is to occur in Tanks W4, W5, and W6.

III. PUBLIC PARTICIPATION

A. Public Comment Procedures

The purpose of public participation is to ensure that the interested public has knowledge of the MDEQ proposed action and that it has the opportunity to comment on that action. In addition, the process ensures that the MDEQ has the opportunity to benefit from any information the public might have relevant to the proposed action. Comments may be submitted in writing to the addressee listed in Subsection C between December 18, 2008, and February 17, 2009, or comments may be presented at the public hearing. The public comment and public hearing procedures that will be followed are stated in Michigan Administrative Code, R 299.9514 and R 299.9515, and in Title 40 of the Code of Federal Regulations, Sections 124.11 and 124.12.

The public hearing on the draft Part 111 operating license major modification will be held on January 20, 2009, at the Romulus City Hall, located at 11111 Wayne Road, in Romulus, Michigan. The hearing will be conducted from 7:00 p.m. to 9:00 p.m. All persons attending the public hearing that intend to speak are requested to register by 7:30 p.m.

The public hearing location is accessible to handicapped persons. Any person requiring specialized accommodations or assistance, such as an interpreter for the deaf, meeting materials in Braille, large print, or on audio tape, should contact Ms. Linda Leiter at the Lansing address for the MDEQ, Waste and Hazardous Materials Division (WHMD), given in Subsection C or at 517-373-9875 by January 6, 2009.

After the public hearing and the close of the public comment period, the MDEQ will decide whether, or not, to issue the final operating license major modification. Written comments submitted during the public comment period and statements provided at the public hearing will be considered by the Chief of the WHMD of the MDEQ in the formulation of the final decision. Responses to written comments and statements will be included in the record supporting the final decision of the MDEQ. The final decision will

be communicated to the applicant, each person who submitted a written comment during the public comment period, persons providing statements at the public hearing, and all persons on the facility mailing list.

B. Locations of Available Information

The administrative record for the draft Part 111 operating license major modification is on file at the MDEQ, WHMD Office, located at 525 West Allegan Street, Constitution Hall, Atrium North, in Lansing, Michigan 48933 (contact Mr. Peter Quackenbush at 517-373-7397). In addition, copies of the draft operating license major modification and the Fact Sheet are available for review at the MDEQ, Southeast Michigan District Office, located at 27700 Donald Court, in Warren, Michigan 48092 (contact Mr. James Day at 586-753-3835); and at the Romulus Library, located at 11121 South Wayne Road, located in Romulus, Michigan (contact Ms. Shelley Delano at 734-942-7589).

C. Contact Persons

All comments and requests regarding the operating license major modification, including requests for copies of the draft modification and the Fact Sheet, should be addressed to: Mr. Peter Quackenbush, WHMD, MDEQ, P.O. Box 30241, Lansing, Michigan 48909. Written comment concerning the draft operating license major modification should include the name and address of the writer, a concise statement of the basis for the comments, and the supporting relevant facts upon which the comments are based. Written comments must be postmarked no later than February 17, 2009.