

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

AUG 28 2017

Jason R. Shoff
Refinery Manager
Safety-Kleen Systems, Inc.
601 Riley Road
East Chicago, Indiana 46312-1698

Re: Comments on the 2017 Closure Plan and Closure Cost Estimate Submitted for the Polychlorinated Biphenyl (PCB) Alternative Treatment Technology and Storage Approval Renewal for Safety-Kleen Systems, Inc. (Safety-Kleen), East Chicago, Indiana

Dear Mr. Shoff:

The U.S. Environmental Protection Agency has received Safety-Kleen's revision to the Closure Plan and Closure Cost Estimate. These documents were received via email in May 2017. The EPA has reviewed the revised Closure Plan and Closure Cost Estimate for the purposes of modifying the conditions of your existing 1998 Approval to operate an alternative technology under 40 Code of Federal Regulations (CFR) § 761.60(e) and a PCB Storage Approval under 40 CFR § 761.65(d).

At this time, EPA requires Safety-Kleen to address the comments in the Attachment regarding the revised Closure Plan and Closure Cost Estimate. This required information must be provided within 30 days from the date of receipt of this letter and is required for renewal of Safety-Kleen's 1998 PCB Approval. If you are unable to provide the required information within the allotted time, you may request an extension, listing the reasons for your request and indicating when the requested information can be provided. Failure to provide the information by the required date or failure to request and obtain an extension may result in the EPA not approving your request to modify the conditions of your 1998 Approval. Submittal of this information does not ensure approval nor does it preclude EPA from requiring additional information if needed.

The information should be submitted to Lisa Graczyk, of my staff, at the above address. If you have any questions regarding this letter or any of the information requested, please contact Lisa Graczyk at (312) 353-3219.

Sincerely,



Mary S. Setnicar
Chief
RCRA/TSCA Programs Section

Attachment: EPA Comments on the Safety-Kleen Systems, Inc. 2017 Revised Closure Plan and Closure Cost Estimate for the East Chicago Facility

cc: Lisa Graczyk, EPA, RCRA/TSCA Programs Section (LR-8J)
Robert Guenther, EPA, ORC (C-14J)
Karen Swetland-Johnson, EPA, ORCR
Winston Lue, EPA, ORCR
George Ritchotte, IDEM
Dennis Zawodni, Safety-Kleen

ATTACHMENT

EPA Comments on the Safety-Kleen Systems, Inc. 2017 Revised Closure Plan and Closure Cost Estimate for the East Chicago Facility

The following comments are based on the review of Safety-Kleen Systems, Inc. (Safety-Kleen) 2017 Closure Plan and Closure Cost Estimate for the renewal of the 1998 Polychlorinated Biphenyl (PCB) Approval for Alternative Treatment of PCBs and PCB Storage. The comments below describe in detail what is missing or deficient in the 2017 Revised Closure Plan and Closure Cost Estimate for the Safety-Kleen East Chicago facility.

1. **Section 3.2, Maximum Inventory of PCB Waste.** The maximum inventory of PCB waste is 460,375 gallons due to the addition of the three intermediate tanks. Please revise this number.
2. **Section 4.1, Closure Schedule.** This section says “Within ninety (90) days after the facility submits the written notice of intended closure, if any PCB used oil is in storage, it will be processed in compliance with the Approvals.” 40 Code of Federal Regulations (CFR) 761.65(e)(6)(iii) states that the facility must dispose of the PCB waste with 90 days of receiving the last quantity of PCB waste and not 90 days from the notification. Please revise this accordingly.
3. **Section 4.2, Inventory Removal.** This section states that bulk PCB wastes in inventory will be disposed of through the hydrotreater. This is acceptable if Safety-Kleen’s hydrotreater is in operation at the time of closure. However, should some unforeseen circumstance occur at the time of closure (bankruptcy, catastrophic damage to hydrotreater, etc.), then the PCB maximum inventory would need to be disposed of off-site. Revise this section to account for the need to dispose of the maximum PCB inventory should some unforeseen event occur at the time of closure. Also see comment 8.
4. **Section 5.2.2, Decontamination/Closure Standards.** Item number 1 in this section refers to a cleanup level of 1 ppm PCBs for “other restricted areas” in 40 CFR 761.61(a)(4)(i)(B). 40 CFR 761.61(a)(4)(i)(B) states that the cleanup level for PCB remediation waste in a low occupancy area is less than or equal to 25 ppm PCBs. 40 CFR 761.61(a)(4)(i)(A) states that the cleanup level for PCB remediation waste in a high occupancy area is less than or equal to 1 ppm PCBs. Please revise this section to the correct regulation reference for the cleanup standard chosen by Safety-Kleen.
5. **Section 5.3.3.1, Decontamination Criteria.** Change “40 CFR 761.61(a)(4)(B)” to “40 CFR 761.61(a)(4)(A).”
6. **TSCA Closure Cost Estimate, Section 2.1, Disposal Facilities/Pricing.** This section has two disposal facilities listed which currently have different owners/names. In Section 2.1, change the name of the disposal facilities to the correct facility names. Also, contact these facilities to get the current rates for transportation and disposal. The new transportation/disposal rate will then need to be carried over to the other sections of the cost estimate for disposal costs.

7. **TSCA Closure Cost Estimate, Section 3.1, Container Storage Building.** This section includes disposal costs of the drums but is missing disposal of the contents of the drums. Include costs for the disposal of the drum contents.
8. **TSCA Closure Cost Estimate, Section 3.2, Used Oil Tank Storage Area.** Per comment 3, it cannot be assumed that the hydrotreater will be in operation at time of closure. In addition, per 40 CFR 761.65(f)(1)(ii), the cost estimate shall be based on the costs for hiring a third party to close the facility. EPA is concerned that a third party would not have the capability to operate Safety-Kleen's hydrotreater due to its technical complexity. Please suggest disposal options for disposal of the maximum inventory of PCB-regulated used oil that would be available to be carried out by a third-party in a "worst-case" scenario and include costs for labor for consolidation and preparation for shipment and costs for the disposal of the bulk liquid off-site. In addition, revise Note 1 in this section accordingly.
9. **TSCA Closure Cost Estimate, Section 3.2, Used Oil Storage Area.** This section is missing costs for decontamination including labor, equipment, and solvent.
10. **TSCA Closure Cost Estimate, Section 3.3, Hydrotreater.** This section should include costs for decontamination of the hydrotreater by a third party. As discussed in previous comments, it cannot be assumed that the hydrotreater will be in operation at time of closure.
11. **TSCA Closure Cost Estimate, Section 3.4, VFS Tank Storage Area.** This section is missing costs for decontamination of tanks including labor, equipment, and solvent. Note 2 states that the rinse material will be processed through the hydrotreater. It cannot be assumed that the hydrotreater will be operational at the time of closure.
12. **Section 5.1, TSCA Closure Cost Estimate.** Revise this section with the updated values after the above comments are addressed.