



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

August 10, 2007

REPLY TO THE ATTENTION OF:

D-8J

7001 0320 0006 1458 8559

CERTIFIED MAIL:
RETURN RECEIPT REQUESTED

Melinda Keillor
EQ-The Environmental Quality Company
49350 North I-94 Service Drive
Belleville, Michigan 48111

RE: Final Federal RCRA Permit
Michigan Disposal Waste Treatment Plant
MID 000 724 831
Belleville, Michigan

Dear Ms. Keillor:

Enclosed is a copy of the final Federal Resource Conservation and Recovery Act (RCRA) permit for Michigan Disposal Waste Treatment Plant (MDWTP), Belleville, Michigan.

Unless review is requested under 40 CFR § 124.19, the Federal permit will become effective on the date which is indicated on the title page of the enclosed Federal RCRA permit. When this Federal permit is effective, MDWTP will have an effective Federal RCRA permit authorizing only those hazardous waste management activities specified in the Federal RCRA permit.

The public was given notice of the draft Federal RCRA permit on May 3, 2007. On that date, the public notice was announced in the *Belleville View* and *WEMU FM* and *WWJ* Radios. A copy of the draft Federal RCRA permit and factsheet was made available for review at the Fred C. Fischer Library, 167 Fourth Street, Belleville, Michigan and Van Buren Township Hall, 46425 Tyler Road, Belleville, Michigan. The public comment period extended from May 3 to June 22, 2007. A public hearing was conducted on June 6, 2007, 7:00 p.m. at the Belleville High School in the mini auditorium, 501 West Columbia, Belleville, Michigan.

There is no comment received for the Federal RCRA permit during the public comment period and at the public hearing.

Eligibility to appeal the Federal permit is discussed further in 40 CFR § 124.19. All original documents are to be signed in blue ink with five (5) copies marked as such. The petition for review must be received by U.S. EPA in Washington D.C., via U.S. Postal Service at the address

indicated below within 30 days after service of notice of the final permit decision.

U.S. Environmental Protection Agency
Clerk of the Board
Environmental Appeals Board (1103B)
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460-0001

Submissions can also be made by hand-delivery or courier, mailed via Federal Express, UPS, or non-U.S. Postal Service at the following address:

U.S. Environmental Protection Agency
Clerk of the Board
Environmental Appeals Board
Colorado Building
1341 G Street, N.W., Suite 600
Washington, D.C. 20005

A copy of the petition should also be sent to:

U.S. Environmental Protection Agency, Region 5
RCRA Branch (DM-7J)
77 West Jackson Boulevard
Chicago, Illinois 60604

The procedures for filing an appeal are found in 40 CFR § 124.19. The administrative appeal procedure must be completed prior to any action seeking judicial review.

If you have questions concerning the final Federal RCRA permit, please contact Jae Lee of my staff at (312) 886-3781.

Sincerely,



Margaret M. Guerriero, Director
Land and Chemicals Division

Enclosures

cc: Kimberly M. Tyson, MDEQ

FINAL

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

HAZARDOUS WASTE MANAGEMENT FACILITY PERMIT

Facility Name and Location: **Michigan Disposal Waste Treatment Plant**
49350 North I-94 Service Drive
Belleville, Michigan 48111

Owner: **EQ – The Environmental Quality Company**
36255 Michigan Avenue
Wayne, Michigan 48184

Operator: **Michigan Disposal Waste Treatment Plant**
49350 North I-94 Service Drive
Belleville, Michigan 48111

U.S. EPA Identification Number: **MID 000 724 831**

Effective Date: **September 11, 2007**

Expiration Date: **September 11, 2017**

Authorized Activities:

The United States Environmental Protection Agency (“U.S. EPA”) hereby issues a Resource Conservation and Recovery Act permit (hereinafter referred to as the “permit”) to the Michigan Disposal Waste Treatment Plant (hereinafter referred to as the “Permittee” or addressed in the second person as “you”) in connection with the hazardous waste treatment operations at the Michigan Disposal Waste Treatment Plant facility located at 49350 North I-94 Service Drive, Belleville, Michigan.

This permit is issued under the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, and the Hazardous and Solid Waste Amendments (“HSWA”) of 1984 (42 USC § 6901 *et seq.*) (collectively referred to as “RCRA”) and U.S. EPA’s regulations promulgated thereunder (codified, and to be codified, in Title 40 of the Code of Federal Regulations (“40 CFR”)).

The RCRA permit consists of both this permit, which contains the effective Federal RCRA permit conditions, and the effective State RCRA permit conditions issued by the State of Michigan's RCRA program authorized under 40 CFR Part 271 (hereinafter called the "State RCRA permit"). Any hazardous waste activity, which requires a RCRA permit and is not included in the RCRA permit, is prohibited.

Permit Approval:

On October 30, 1986, the State of Michigan received final authorization pursuant to Section 3006 of RCRA, 42 USC § 6926, and 40 CFR Part 271, to administer the pre-HSWA RCRA hazardous waste program. The State of Michigan also received final authorization to administer certain additional RCRA requirements on several occasions since then.

However, because the U.S. EPA has not yet authorized the State of Michigan to administer some hazardous wastes listed in 40 CFR Part 261, Subpart D, the U.S. EPA Region 5 is issuing this portion of the RCRA permit to cover operations at the facility which manage wastes for which the State of Michigan is not authorized.

You must comply with all terms and conditions contained in this permit. This permit consists of all the conditions contained herein, the documents attached hereto, all documents cross-referenced in these documents, approved submittals (including plans, schedules and other documents), the applicable regulations in 40 CFR Parts 124, 260, 261, 262, 264, 268, 270, and applicable provisions of RCRA.

This permit is based on the assumption that the information submitted in your RCRA Part B Permit Renewal Application dated April 30, 2004 and subsequent responses and modifications (hereinafter referred to as the "Part B Permit Renewal Application") is accurate, and the facility is configured, operated and maintained as specified in the permit and as described in the Part B Permit Renewal Application and other relevant documents.

Any inaccuracies in the submitted information may be grounds for the U.S. EPA to terminate, revoke and reissue, or modify this permit in accordance with 40 CFR §§ 270.41, 270.42 and 270.43; and for enforcement action. You must inform the U.S. EPA of any deviation from, or changes in, the information in the Part B Permit Renewal Application and other pertinent documents that might affect your ability to comply with the applicable regulations or conditions of this permit.

Opportunity to Appeal:

Petitions for review must be submitted within 30 days after the U.S. EPA serves notice of the final permit decision. Any person who filed comments on the draft permit or participated in the public hearing may petition the Environmental Appeals Board to review any condition of the permit decision. Any person who failed to file comments or failed to participate in the public hearing on the draft permit may file a petition for review only to the extent of the changes from the draft to the final permit decision. The procedures for permit appeals are found in 40 CFR § 124.19.

Effective Date:

This permit is effective as of September 11, 2007 and will remain in effect until September 11, 2017, unless revoked and reissued under 40 CFR § 270.41, terminated under 40 CFR § 270.43, or continued in accordance with 40 CFR § 270.51(a).



Margaret M. Guerriero, Director
Land and Chemicals Division

Date: August 10, 2007

MID 000 724 831

Michigan Disposal Waste Treatment Plant, Belleville, Michigan

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SECTION I—STANDARD PERMIT CONDITIONS

IA EFFECT OF PERMIT

You are hereby allowed to manage hazardous waste at Michigan Disposal Waste Treatment Plant ("facility") in accordance with this permit. Under this permit, the operation of units treating and storing RCRA hazardous waste must comply with all terms and conditions in this permit. Other aspects of the treatment and storage of RCRA hazardous wastes in containers, tanks, and miscellaneous units are subject to the conditions in the State-issued portion of the RCRA permit.

Subject to 40 CFR § 270.4, compliance with the RCRA permit during its term generally constitutes compliance, for purposes of enforcement, with Subtitle C of RCRA.

This permit does not: (1) convey any property rights or any exclusive privilege; (2) authorize any injury to persons or property, or invasion of other private rights; or (3) authorize any infringement of state or local law or regulations. Compliance with the terms of this permit does not constitute a defense to any order issued, or any action brought, under: (1) Sections 3008(a), 3008(h), 3013, or 7003 of RCRA; (2) Sections 104, 106(a), or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 USC §§ 9601 *et seq.* (commonly known as CERCLA); or (3) any other law protecting public health or the environment from any imminent and substantial endangerment to human health, welfare, or the environment. (40 CFR §§ 270.4 and 270.30(g))

IB PERMIT ACTIONS

IB.1 Permit Review, Modification, Revocation and Reissuance, and Termination

The U.S. EPA may review, modify, or revoke and reissue this permit, or terminate it for cause, as specified in 40 CFR § 270.41, § 270.42, and § 270.43. The U.S. EPA may also review and modify this permit, consistent with 40 CFR § 270.41, to include any terms and conditions it determines are necessary to protect human health and the environment under Section 3005(c)(3) of RCRA. The filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance on your part will not stay the applicability or enforceability of any permit condition. (40 CFR § 270.30(f))

You may request a modification of this permit under the procedures specified in 40 CFR § 270.42. A class 1 modification is generally allowed without prior approval by U.S. EPA except under certain conditions as described in 40 CFR § 270.42(a)(2). A class 2 modification requires prior approval by U. S. EPA as described in 40 CFR §270.42(b).

However, you may perform construction associated with a Class 2 permit modification request beginning 60 days after submission of the request unless the Director establishes a later date under 40 CFR § 270.42(b)(8). Procedures for a class 3 modification are specified in 40 CFR § 270.42(c). You must not perform any construction associated with a Class 3 permit modification request until such modification request is granted and the modification becomes effective. (40 CFR §§ 270.42(b)(8) and 270.42(c))

I.B.2 Permit Renewal

This permit may be renewed as specified in 40 CFR § 270.30(b) and Section I.E.2 of this permit. In reviewing any application for a permit renewal, the U.S. EPA will consider improvements in the state of control and measurement technology, and changes in applicable regulations. (40 CFR § 270.30(b) and RCRA Section 3005(c)(3))

I.C SEVERABILITY

This permit's provisions are severable; if any permit provision, or the application of any permit provision to any circumstance, is held invalid, such provision's application to other circumstances and the remainder of this permit will not be affected. Invalidation of any statutory or regulatory provision on which any condition of this permit is based does not affect the validity of any other statutory or regulatory basis for that condition. (40 CFR § 124.16(a))

I.D DEFINITIONS

The terms used in this permit will have the same meaning as in 40 CFR Parts 124, 260 through 266, 268 and 270, unless this permit specifically provides otherwise. Where neither the regulations nor the permit define a term, the term's definition will be the standard dictionary definition or its generally accepted scientific or industrial meaning.

I.E DUTIES AND REQUIREMENTS

I.E.1 Duty to Comply

You must comply with all conditions of this permit, except to the extent and for the duration for which an emergency permit authorizes such noncompliance (40 CFR § 270.61). Any permit noncompliance, except under the terms of an emergency permit, constitutes a violation of RCRA and will be grounds for: enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. (40 CFR § 270.30(a))

I.E.2 Duty to Reapply

If you wish to continue an activity this permit regulates after its expiration date, you must apply for and obtain a new permit. You must submit a complete application for a new permit at least 180 days before the permit expires, unless the Director grants permission for a later date. The Director will not grant permission to submit the complete application for a new permit later than the permit's expiration date. (40 CFR § 270.10(h) and § 270.30(b))

I.E.3 Permit Expiration

Unless revoked or terminated, this permit and all conditions herein will be effective for 10 years from this permit's effective date. This permit and all conditions herein will remain in effect beyond the permit's expiration date if you have submitted a timely, complete application (40 CFR § 270.10 and §§ 270.13 through 270.29), and, through no fault of your own, the Director has not made a final determination regarding permit reissuance. (40 CFR §§ 270.50 and 270.51)

I.E.4 Need to Halt or Reduce Activity Not a Defense

In an enforcement action, you are not entitled to a defense that it would have been necessary to halt or reduce the permitted activity to maintain compliance with this permit. (40 CFR § 270.30(c))

I.E.5 Duty to Mitigate

In the event of noncompliance with this permit, you must take all reasonable steps to minimize releases to the environment resulting from the noncompliance and must implement all reasonable measures to prevent significant adverse impacts on human health or the environment. (40 CFR § 270.30(d))

I.E.6 Proper Operation and Maintenance

You must always properly operate and maintain all facilities and treatment and control systems (and related appurtenances) that you install or use to comply with this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance/quality control procedures. This provision requires you to operate back-up or auxiliary facilities or similar systems only when necessary to comply with this permit. (40 CFR § 270.30(e))

I.E.7 Duty to Provide Information

You must provide the Director, within a reasonable time, any relevant information that the Director requests to determine whether there is cause to modify, revoke and reissue, or terminate this permit, or to determine permit compliance. You must also provide the Director, upon request, with copies of any records this permit requires. The information you must maintain under this permit is not subject to the Paperwork Reduction Act of 1995, 44 USC §§ 3501 *et seq.* (40 CFR §§ 264.74(a) and 270.30(h))

I.E.8 Inspection and Entry

Upon the presentation of credentials and other legally required documents, you must allow the Director or an authorized representative to:

I.E.8.a Enter at reasonable times upon your premises where a regulated activity is located or conducted, or where records must be kept under the conditions of this permit;

I.E.8.b Have access to and copy, at reasonable times, any records that you must keep under the conditions of this permit;

I.E.8.c Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

I.E.8.d Sample or monitor any substances at any location at reasonable times, to assure permit compliance or as RCRA otherwise authorizes.

Notwithstanding any provision of this permit, U.S. EPA retains the inspection and access authority which it has under RCRA and other applicable laws. (40 CFR § 270.30(i))

I.E.9 Monitoring and Records

I.E.9.a Samples and measurements taken for monitoring purposes must be representative of the monitored activity. The methods used to obtain a representative sample of the feed streams, treatment residues, or other hazardous wastes to be analyzed must be the appropriate methods from Appendix I of 40 CFR Part 261, or the methods specified in the Waste Analysis Plan (WAP) which is Section 12 of the Part B Permit Renewal Application, or an equivalent method approved by the Director. Laboratory methods must be those specified in *Test Methods for Evaluating Solid Waste: Physical/Chemical Methods* (SW-846, latest edition), *Methods for Chemical Analysis of Water and Wastes* (EPA

600/4-79-020), or an equivalent method, as specified in the referenced WAP. (40 CFR § 270.30(j)(1))

I.E.9.b You must retain, at the facility, records of all monitoring information as specified in 40 CFR § 264.74.

I.E.9.c You must retain all reports, records, or other documents, required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the reports, records, or other documents, unless a different period is specified in this permit. These periods may be extended by request of the Director at any time and is automatically extended during the course of any unresolved enforcement action regarding this facility. (40 CFR §§ 270.30(j) and 270.31)

I.E.10 Reporting Planned Changes

You must notify the Director as soon as possible of any planned physical alterations or additions to the permitted facility. (40 CFR § 270.30(l)(1))

I.E.11 Reporting Anticipated Noncompliance

You must notify the Director, in advance, of any planned changes in the permitted facility or activity that may result in permit noncompliance. Advance notice will not constitute a defense for any noncompliance. (40 CFR § 270.30(l)(2))

I.E.12 Certification of Construction

You must not operate any RCRA air emission control devices completed after the effective date of this permit until you have submitted to the Director, by certified mail or hand-delivery, a letter signed both by your authorized representative and by a registered professional engineer. That letter must state that the portions of the facility covered by this permit have been constructed in compliance with the applicable conditions of this permit. In addition, you must not operate the permitted control devices until either: (40 CFR § 270.30(l)(2))

I.E.12a. The Director or his/her representative has inspected those portions of the facility and finds them in compliance with the conditions of the permit; or

I.E.12b. The Director waives the inspection.

I.E.13 Transfer of Permits

This permit is not transferable to any person, except after notice to the Director. Under 40 CFR § 270.40, the Director may require permit modification, or revocation and reissuance to change the Permittee's name and incorporate other RCRA requirements. Before transferring ownership or operation of the facility during its operating life, you must notify the new owner or operator in writing of the requirements of 40 CFR Parts 264, 266, 268, and 270, and must provide a copy of the RCRA permit to the new owner or operator. (40 CFR §§ 264.12(c), 270.30(l)(3), and 270.40(a))

I.E.14 Twenty-Four Hour Reporting

I.E.14.a You must report to the Director any noncompliance with this permit that may endanger human health or the environment. Any such information must be promptly reported orally, but no later than 24 hours after you become aware of the circumstances.

I.E.14.b The report must include the following (40 CFR §§ 270.30(l)(6) and 270.33): (1) Information concerning release of any hazardous waste that may endanger public drinking water supplies; (2) Information of a release or discharge of hazardous waste; or (3) Information of a fire or explosion from the hazardous waste management facility, that could threaten the environment or human health outside the facility. You must include the following information:

- (1) Name, title and telephone number of the person making the report;
- (2) Name, address and telephone number of the facility owner or operator;
- (3) Facility name, address and telephone number;
- (4) Date, time and type of incident;
- (5) Location and cause of incident;
- (6) Identification and quantity of material(s) involved;
- (7) Extent of injuries, if any;
- (8) Assessment of actual or potential hazards to the environment and human health outside the facility, where applicable;

- (9) Description of any emergency action taken to minimize the threat to human health and the environment; and
- (10) Estimated quantity and disposition of recovered material that resulted from the incident.

I.E.14.c In addition to the oral notification required under Sections I.E.14.a and I.E.14.b of this permit, a written report must also be provided within 5 calendar days after you become aware of the circumstances. The written report must include, but is not limited to, the following:

- (1) Name, address and telephone number of the person reporting;
- (2) Incident description (noncompliance and/or release or discharge of hazardous waste), including cause, location, extent of injuries, if any, and an assessment of actual or potential hazards to the environment and human health outside the facility, where applicable;
- (3) Period(s) in which the incident (noncompliance and/or release or discharge of hazardous waste) occurred, including exact dates and times;
- (4) Whether the incident's results continue to threaten human health and the environment, which will depend on whether the noncompliance has been corrected and/or the release or discharge of hazardous waste has been adequately cleaned up; and
- (5) If the noncompliance has not been corrected, the anticipated period for which it is expected to continue and the steps taken or planned to reduce, eliminate, and prevent the recurrence of the noncompliance.

The Director may waive the requirement that written notice be provided within 5 calendar days; however, you will then be required to submit a written report within 15 calendar days of the day on which you must provide oral notice, in accordance with Sections I.E.14.a and I.E.14.b of this permit. (40 CFR § 270.30(1)(6)) (40 CFR § 270.30(h))

I.E.15 Other Noncompliance

You must report all instances of noncompliance not reported under Section I.E.14 of this permit, when any other reports this permit requires are submitted. The reports must contain the information listed in Section I.E.14 of this permit.
(40 CFR § 270.30(l)(10))

I.E.16 Other Information

I.E.16.a Whenever you become aware that you failed to submit or otherwise omitted any relevant facts in the Part B Permit Renewal Application or other submittal, or submitted incorrect information in the Part B Permit Renewal Application or other submittal, you must promptly notify the Director of any incorrect information or previously omitted information, submit the correct facts or information, and explain in writing the circumstances of the incomplete or inaccurate submittal. (40 CFR § 270.30(l)(11)) (40 CFR § 270.30(h))

I.E.16.b All other requirements contained in 40 CFR § 270.30 not specifically described in this permit are incorporated into this permit and you must comply with all those requirements.

I.F SIGNATORY REQUIREMENT

You must sign and certify all applications, reports, or information this permit requires, or which are otherwise submitted to the Director, in accordance with 40 CFR § 270.11.
(40 CFR § 270.30(k))

I.G REPORTS, NOTIFICATIONS AND SUBMITTALS TO THE DIRECTOR

Except as otherwise specified in this permit, all reports, notifications, or other submittals that this permit requires to be sent or given to the Director should be sent by certified mail or express mail, or hand-delivered to the U.S. Environmental Protection Agency Region 5, RCRA Branch, at the following address:

RCRA Branch, DM-7J
Land and Chemicals Division
U.S. EPA Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

I.H CONFIDENTIAL INFORMATION

In accordance with 40 CFR Part 2, Subpart B, you may claim any information this permit requires, or otherwise submitted to the Director, as confidential. You must assert any such claim at the time of submittal in the manner prescribed on the application form or instructions or, in the case of other submittals, by stamping the words "Confidential Business Information" on each page containing such information. If you made no claim at the time of submittal, the Director may make the information available to the public without further notice. If you assert a claim, the information will be treated in accordance with the procedures in 40 CFR Part 2. (40 CFR § 270.12)

I.I DOCUMENTS TO BE MAINTAINED AT THE FACILITY

You must maintain at the facility, until closure is completed and certified by an independent registered professional engineer, the following documents and all amendments, revisions, and modifications to them.

I.I.1 Operating Record

You must maintain in the facility's operating record the documents required by this permit, and by the applicable portions of 40 CFR § 266.102, § 264.13, and § 264.73 (as they apply to the equipment used to comply with this permit).

I.I.2 Notifications

You must maintain notifications from generators that are required by 40 CFR § 268.7 to accompany an incoming shipment of hazardous wastes subject to 40 CFR Part 268, Subpart C, that specify treatment standards, as required by 40 CFR §§ 264.73, 268.7, and this permit.

I.I.3 Copy of Permit

You must keep a copy of this permit on site, and you must update it as necessary to incorporate any official permit modifications.

I.J ATTACHMENTS AND DOCUMENTS INCORPORATED BY REFERENCE

I.J.1 All attachments and documents that this permit requires to be submitted, if any, including all plans and schedules are, upon the Director's approval, incorporated into this permit by reference and become an enforceable part of this permit. Since required items are essential elements of this permit, failure to submit any of the required items or submission of inadequate or insufficient information may subject you to enforcement

action under Section 3008 of RCRA. This may include fines, or permit suspension or revocation.

I.J.2 This permit also includes the documents attached hereto, all documents cross-referenced in these documents, and the applicable regulations contained in 40 CFR Parts 124, 260, 261, 262, 264, 266, 268, and 270, and applicable provisions of RCRA, all of which are incorporated herein by reference.

I.J.3 Any inconsistency or deviation from the approved designs, plans and schedules is a permit noncompliance. The Director may grant written requests for extensions of due dates for submittals required in this permit.

I.J.4 If the Director determines that actions beyond those provided for, or changes to what is stated herein, are warranted, the Director may modify this permit according to procedures in Section I.B of this permit.

I.J.5 If any documents attached to this permit are found to conflict with any of the conditions in this permit, the condition will take precedence.

I.K COORDINATION WITH THE CLEAN AIR ACT

You must fully comply with all applicable Clean Air Act (CAA) and RCRA permit limits. Where two or more operating limitations apply, the most stringent operating limitations take precedence.

SECTION II— HAZARDOUS WASTE CODES

In addition to the hazardous waste numbers listed in the state-issued portion of the RCRA permit, you may handle the following newly listed hazardous waste, promulgated under the HSWA, at your facility. All handling of this waste must comply with the applicable provisions of both the State-issued portion and the federally-issued portion of the RCRA permit. Management of any hazardous waste not listed in the RCRA permit is prohibited except as provided in 40 CFR § 270.42(g) which describes the procedures for managing newly listed hazardous wastes.

Listed U.S. EPA

Hazardous Waste Number

Description of Hazardous Waste

K181

Nonwastewaters from the production of dyes and/or pigments (including nonwastewaters commingled at the point of generation with nonwastewaters from other processes)

revocation and reissuance proceeding under § 124.5; and

(2) To the extent conditions of any new permit are stayed under this section, comply with the conditions of the existing permit which correspond to the stayed conditions, unless compliance with the existing conditions would be technologically incompatible with compliance with other conditions of the new permit which have not been stayed.

§ 124.17 Response to comments.

(a) (Applicable to State programs, see §§ 123.25 (NPDES), 145.11 (UIC), 233.26 (404), and 271.14 (RCRA).) At the time that any final permit decision is issued under § 124.15, the Director shall issue a response to comments. States are only required to issue a response to comments when a final permit is issued. This response shall:

(1) Specify which provisions, if any, of the draft permit have been changed in the final permit decision, and the reasons for the change; and

(2) Briefly describe and respond to all significant comments on the draft permit or the permit application (for section 404 permits only) raised during the public comment period, or during any hearing.

(b) For EPA-issued permits, any documents cited in the response to comments shall be included in the administrative record for the final permit decision as defined in § 124.18. If new points are raised or new material supplied during the public comment period, EPA may document its response to those matters by adding new materials to the administrative record.

(c) (Applicable to State programs, see §§ 123.25 (NPDES), 145.11 (UIC), 233.26 (404), and 271.14 (RCRA).) The response to comments shall be available to the public.

§ 124.18 Administrative record for final permit when EPA is the permitting authority.

(a) The Regional Administrator shall base final permit decisions under § 124.15 on the administrative record defined in this section.

(b) The administrative record for any final permit shall consist of the admin-

istrative record for the draft permit and:

(1) All comments received during the public comment period provided under § 124.10 (including any extension or reopening under § 124.14);

(2) The tape or transcript of any hearing(s) held under § 124.12;

(3) Any written materials submitted at such a hearing;

(4) The response to comments required by § 124.17 and any new material placed in the record under that section;

(5) For NPDES new source permits only, final environmental impact statement and any supplement to the final EIS;

(6) Other documents contained in the supporting file for the permit; and

(7) The final permit.

(c) The additional documents required under paragraph (b) of this section should be added to the record as soon as possible after their receipt or publication by the Agency. The record shall be complete on the date the final permit is issued.

(d) This section applies to all final RCRA, UIC, PSD, and NPDES permits when the draft permit was subject to the administrative record requirements of § 124.9 and to all NPDES permits when the draft permit was included in a public notice after October 12, 1979.

(e) Material readily available at the issuing Regional Office, or published materials which are generally available and which are included in the administrative record under the standards of this section or of § 124.17 ("Response to comments"), need not be physically included in the same file as the rest of the record as long as it is specifically referred to in the statement of basis or fact sheet or in the response to comments.

§ 124.19 Appeal of RCRA, UIC, and PSD permits.

(a) Within 30 days after a RCRA, UIC, or PSD final permit decision (or a decision under § 170.29 to deny a permit for the active life of a RCRA hazardous waste management facility or unit) has been issued under § 124.15, any person who filed comments on that draft permit or participated in the public hearing may petition the Environmental

Appeals Board to of the permit decision failed to file comments participate in the draft permit may review on changes from the permit decision. The which a person under this section ice of notice of t rator's action t specified in that shall include a s ons supporting a demonstration raised were rais comment period hearing) to the these regulation priate, a showing question is based

(1) A finding of law which is clear

(2) An exercise of important policy of Environmental A in its discretion.

(b) The Environ may also decide view any condition or PSD permit is The Environme must act under 30 days of the ser the Regional Adr

(c) Within a re ing the filing of t the Environment issue an order gr petition for review view is denied, final permit de agency action. I grant of review l Appeals Board u

(b) of this section vided in § 124.10. I forth a briefing s and shall state th son may file an a denial of review

(d) The Environ may defer consid a RCRA or UIC r tion until the c proceedings under ing to an NPDES

Administrative Record Index
Michigan Disposal Waste Treatment Plant
Belleville, Michigan
MID 000 724 831

	<u>Title</u>	<u>Date</u>	<u>Prepared by</u>
1.	Part B Application	April 30, 2004	MDWTP
2.	Class 1 permit mod request (K-181)	August 1, 2005	MDWTP
3.	Part B NOD Response	September 2, 2005	MDWTP
4.	Part B NOD	December 14, 2005	MDEQ
5.	Part B NOD Response	January 27, 2006	MDWTP
6.	Class 2 Permit mod request (K-181)	February 17, 2006	MDWTP
7.	Class 1 mod approval (K-181)	March 7, 2006	U.S. EPA
8.	Class 2 Mod Approval (K-181)	May 11, 2006	U.S. EPA
9.	EJ Analysis	January 9, 2007	U.S. EPA
10.	Draft State RCRA Permit	May 2007	MDEQ
11.	Draft Federal RCRA Permit	May 2007	U.S. EPA

*** Above Documents are on file in the Waste Management Branch, U.S. EPA, Chicago, IL

EJ: Environmental Justice

MOD: Modification

NOD: Notice of Deficiency

MDWTP: Michigan Disposal Waste Treatment Plant

RCRA: Resource Conservation Resource Act

MDEQ: Michigan Department Environmental Quality

U.S. EPA: United States Environmental Protection Agency



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

August 10, 2007

Delores Montgomery, Acting Chief
Hazardous Waste Section
Waste and Hazardous Materials Division
Michigan Department of Environmental Quality
Constitution Hall, Atrium North
P.O. Box 30241
Lansing, Michigan 48909

REPLY TO THE ATTENTION OF:
DM-7J

Re: Final Federal RCRA Permit
Michigan Disposal Waste Treatment Plant
Belleville, Michigan
MID 000 724 831

Dear Ms. Montgomery:

Enclosed please find a copy of the final Federal Resource Conservation and Recovery Act Permit and cover letter to the above referenced facility.

If you have any questions, please contact Jae Lee of my staff at (312) 886-3781.

Sincerely,

A handwritten signature in cursive script that reads "Willie H. Harris".

Willie H. Harris, P.E.
Chief, RCRA Branch
Land and Chemicals Division

Enclosure



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

August 10, 2007

Reference Desk Clerk
Van Buren Township Hall
46425 Tyler Road
Belleville, Michigan 48111

REPLY TO THE ATTENTION OF:
DU-7J

Re: Final Federal RCRA Permit
Michigan Disposal Waste Treatment Plant
Belleville, Michigan
MID 000 724 831

Dear Madam or Sir:

Enclosed is a copy of the final Federal Resource Conservation and Recovery Act (RCRA) permit for Michigan Disposal Waste Treatment Plant (MDWTP) located in Belleville, Michigan.

Unless review is requested under 40 CFR § 124.19, the Federal permit will become effective on the date which is indicated on the title page of the enclosed Federal RCRA permit. When this Federal permit is effective, MDWTP will have an effective Federal RCRA permit authorizing only those hazardous waste management activities specified in the Federal RCRA permit.

The public was given notice of the draft Federal RCRA permit on May 3, 2007. On that date, the public notice was announced in the *Belleville View* and *WEMU FM* and *WWJ* Radios. A copy of the draft Federal RCRA permit and factsheet was made available for review at the Fred C. Fischer Library, 167 Fourth Street, Belleville, Michigan and Van Buren Township Hall, 46425 Tyler Road, Belleville, Michigan. The public comment period extended from May 3 to June 22, 2007. A public hearing was conducted on June 6, 2007, 7:00 p.m. at the Belleville High School in the mini auditorium, 501 West Columbia, Belleville, Michigan.

There is no comment received for the Federal RCRA permit during the public comment period and at the public hearing.

Please make available for public examination this letter and the enclosed documents for at least seventy-five (75) days. The following items are enclosed;

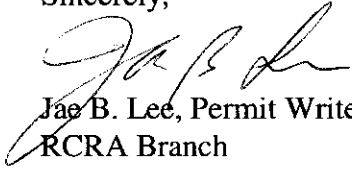
- Final Federal Permit;
- 40 CFR § 264.19; and
- Cover Letter to MDWTP

There is no need to return these documents.

The administrative record is on file in the RCRA Branch, U.S. EPA, Region 5, 8th floor, 77 West Jackson Boulevard, Chicago, Illinois, and may be inspected and copied at any time between 8:30 a.m. and 4:00 p.m., Monday through Friday, except for Federal holidays.

Thank you for your assistance. If you have any questions, please contact me at (312) 886-3781.

Sincerely,

A handwritten signature in black ink, appearing to read "Jae B. Lee". The signature is fluid and cursive, with the first name "Jae" being the most prominent.

Jae B. Lee, Permit Writer
RCRA Branch
Land and Chemicals Division

Enclosures

cc: Kimberly M. Tyson, MDEQ



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

August 10, 2007

Reference Desk Librarian
Fred C. Fischer Library
167 Fourth Street,
Belleville, Michigan 48111

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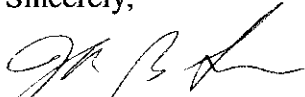
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Jae B. Lee, Permit Writer
RCRA Branch
Land and Chemicals Division

Enclosures

cc: Kimberly M. Tyson, MDEQ