



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF WASTE MANAGEMENT
AND RADIATION CONTROL
Scott T. Anderson
Director

July 31, 2018

Newspaper Agency Corporation
Legal Advertising Department
143 South Main
Salt Lake City, Utah 84101
EMAIL: naclegal@utahmediagroup.com

RE: NAC Account #9001350993

Dear Sirs:

This email constitutes authorization to publish the attached NOTICE in the Salt Lake Tribune and Deseret News on August 6, 2018.

Please send invoice and affidavit of publication to:

Scott T. Anderson, Director
Division of Waste Management and Radiation Control
P.O. Box 144880
Salt Lake City, Utah 84114-4880

Attachment: Public Notice

c: Brian Hatch, Health Officer, Davis County Health Department
David W. Spence, Deputy Director, Davis County Health Department
Dennis Keith, Environmental Health Director, Davis County Health Department
Edward C. Graves, Environmental Engineer, Nexeo Solutions
Michael Hahn, Facility Manager, Nexeo Solutions
Jesse Newland, USEPA, Region 8
Donna Spangler (Email), Carlee Christoffersen (Email), Tom Ball (Email)
Larene Wyss (Email), Kimberly Diamond-Smith (Email)
Mailing List (Email)
Facility File, Public Participation File, Alisa Westenskow



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF WASTE MANAGEMENT
AND RADIATION CONTROL
Scott T. Anderson
Director

July 31, 2018

Standard Examiner
332 Standard Way
P.O. Box 12790
Ogden, Utah 84412

Dear Sirs:

This email constitutes authorization to publish the attached NOTICE in the Standard Examiner on August 6, 2018.

Please send invoice and affidavit of publication to:

Scott T. Anderson, Director
Division of Waste Management and Radiation Control
P.O. Box 144880
Salt Lake City, Utah 84114-4880

Attachment: Public Notice

c: Brian Hatch, Health Officer, Davis County Health Department
David W. Spence, Deputy Director, Davis County Health Department
Dennis Keith, Environmental Health Director, Davis County Health Department
Edward C. Graves, Environmental Engineer, Nexeo Solutions
Michael Hahn, Facility Manager, Nexeo Solutions
Jesse Newland, USEPA, Region 8
Donna Spangler (Email), Carlee Christoffersen (Email), Tom Ball (Email)
Kimberly Diamond-Smith (Email), Larene Wyss (Email)
Mailing List (Email)
Facility File, Public Participation File, Alisa Westenskow

NOTICE OF PUBLIC COMMENT

Nexeo Solutions, LLC – Permit Reissuance
UTD048406144

The Director of the Division of Waste Management and Radiation Control is seeking public comment on an application from Nexeo Solutions, LLC to renew its Hazardous Waste Permit. The permit application has been reviewed by Division staff and a draft permit has been prepared.

The public comment period to receive comments on the draft permit will commence on August 7, 2018 and end on September 20, 2018. A public hearing has been scheduled at 6:00 p.m. on Wednesday, September 12, 2018 at Clearfield City Hall Multi-Purpose Room, 55 South State Street Clearfield, UT

Documents related to this application can be reviewed at the following location:

Utah Department of Environmental Quality (Multi Agency State Office Building)
Division of Waste Management and Radiation Control
195 North 1950 West, 2nd Floor
Salt Lake City, Utah

For the public's convenience, an unofficial copy of the draft permit is available on the Internet at "<https://deq.utah.gov/waste-management-and-radiation-control/waste-management-radiation-control-public-notice>".

Written comments will be accepted if received by 5:00 p.m. on September 20, 2018 and should be submitted to the address below. Comments can also be hand delivered to the Division address above and must be received by 5:00 p.m. on September 20, 2018.

Scott T. Anderson, Director
Division of Waste Management and Radiation Control
Department of Environmental Quality
P.O. Box 144880
Salt Lake City, Utah 84114-4880

Comments can also be sent by electronic mail to: "dwmrcpublic@utah.gov". Comments sent in electronic format should be identified by putting the following in the subject line: Public Comment on Nexeo Solutions Draft Permit. All documents included in comments should be submitted as ASCII (text) files or in pdf format.

Under Utah Code Section 19-1-301.5, a person who wishes to challenge a Permit Order may only raise an issue or argument during an adjudicatory proceeding that was raised during the public comment period and was supported with sufficient information or documentation to enable the Director to fully consider the substance and significance of the issue.

For further information, contact Karen Wallner of the Division of Waste Management and Radiation Control at (801) 536-4279. In compliance with the Americans with Disabilities Act, individuals with special needs (including auxiliary communicative aids and services) should contact Kimberly Diamond-Smith, Office of Human Resources at (801) 536-4285, Telecommunications Relay Service 711, or by email at "kdiamondsmith@utah.gov".



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF WASTE MANAGEMENT
AND RADIATION CONTROL
Scott T. Anderson
Director

July 31, 2018

Deanne Tetzl, National Sales Rep
Cell: (801) 580-6187 | Work: (801) 575-7231
Dtetzl@ksl.com
KSL.com
55 North 300 West
SLC, UT 84101

Dear Ms. Tetzl:

Enclosed is a public notice we would like aired on your radio station two separate times during the day on August 7, 2018: 1) between 5:00-10:00 a.m. and 2) between 7:00 p.m. and midnight .

Please send invoice and affidavit of airtime to:

Scott T. Anderson, Director
Division of Waste Management and Radiation Control
P.O. Box 144880
Salt Lake City, Utah 84114-4880

Enclosure: Public Notice

c: Brian Hatch, Health Officer, Davis County Health Department
David W. Spence, Deputy Director, Davis County Health Department
Dennis Keith, Environmental Health Director, Davis County Health Department
Donna Spangler (Email), Carlee Christoffersen (Email),
Tom Ball (Email), Kim Diamond-Smith (Email), Larene Wysee (Email)
Facility File, Public Participation File, Alisa Westenskow

DSHW-2018-007085

195 North 1950 West • Salt Lake City, UT
Mailing Address: P.O. Box 144880 • Salt Lake City, UT 84114-4880
Telephone (801) 536-0200 • Fax (801) 536-0222 • T.D.D. (801) 536-4284
www.deq.utah.gov
Printed on 100% recycled paper

NOTICE

The Director of the Division of Waste Management and Radiation Control is seeking comment on a draft Permit for the Nexeo Solutions, LLC facility in Davis County.

A public hearing on the draft Permit will be held September 12, 2018, at 6:00 p.m. Clearfield City Hall, Multi-Purpose Room, 55 South State Street, Clearfield.

A public comment period begins August 7, 2018 and ends September 20, 2018. A copy is available for review at the Multi Agency State Office Building, 195 North 1950 West, Salt Lake City.

For questions, contact Karen Wallner at (801) 536-4279. In compliance with the Americans with Disabilities Act, individuals with special needs (including auxiliary communicative aids and services) should contact Kimberly Diamond-Smith, Office of Human Resources at (801) 536-4285, Telecommunications Relay Service 711, or by email at “kdiamondsmith@utah.gov”.



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF WASTE MANAGEMENT
AND RADIATION CONTROL
Scott T. Anderson
Director

August 1, 2018

CERTIFICATION OF MASS MAILING

Facility: Nexeo Solutions, LLC

Mail Notification Activity

1. Part B Hazardous Waste Operations Permit Renewal

I Kathy Lundy, certify that the attached DWMRC mass mail notification was sent to the Nexeo Soutions LLC. Mail list 8-2-18 by email and U.S. Postal service on August 2, 2018 in accordance with applicable rules in R315-15 and 124 through 273.

Enclosure: Email and Mail list

NOTICE

Nexeo Solutions, LLC – Permit Reissuance
UTD048406144

Proposed action	Permit Reissuance
When is the public hearing?	A public hearing has been scheduled at 6:00 p.m. on Wednesday, September 12, 2018 at Clearfield City Hall Multi-Purpose Room, 55 South State Street Clearfield, UT
Who can I talk to about the proposed action?	Please contact Karen Wallner of the Division at (801) 536-4279 if you have any questions concerning this draft permit.
How long is the public comment period?	In accordance with R315-124-10(b) UAC, the public comment period is allowed 45 days to review the draft approval and submit comments. The public comment period will begin on August 7, 2018 and will end on September 20, 2018.
Where can I see the draft permit?	<p>“https://deq.utah.gov/waste-management-and-radiation-control/waste-management-radiation-control-public-notice”</p> <p>or</p> <p>Division of Waste Management and Radiation Control Multi-Agency State Office Building 195 North 1950 West Salt Lake City, Utah 84116</p>
How do I comment on the draft permit?	<p>Written comments, addressed to the Director of the Division of Waste Management and Radiation Control, can be submitted in person at the Division office listed above or mailed to the following address:</p> <p>Scott T. Anderson, Director Utah Division of Waste Management and Radiation Control P.O. Box 144880 Salt Lake City, Utah 84114-4880</p> <p>Written comments will be accepted until 5:00p.m.on September 20, 2018.</p> <p>Comments can also be sent by electronic mail to: “dwmrcpublic@utah.gov”. Comments sent in electronic format should be identified by putting the following in the subject line: Public Comment on Nexeo Solutions Draft Permit. All documents included in comments should be submitted as ASCII (text) files or in pdf format. Under Utah Code Section 19-1-301.5, a person who wishes to challenge a permit order may only raise an issue or argument during an adjudicatory proceeding that was raised during the public comment period and was supported with sufficient information or documentation to enable the director to fully consider the substance and significance of the issue.</p>



UTAH DEPARTMENT of
ENVIRONMENTAL QUALITY
**WASTE MANAGEMENT
& RADIATION CONTROL**

Nexeo Solutions, LLC Draft Permit Renewal Fact Sheet

On April 18, 2017, Nexeo Solutions, LLC submitted an application to the Division of Waste Management and Radiation Control to renew its hazardous waste permit. The current permit was issued on October 17, 2007.

Nexeo Solutions operates a commercial hazardous waste transfer and storage facility in the Freeport Center, Clearfield, Utah which is located in Davis County. The facility is located approximately 1.6 miles west of Exit 334, the Freeport Center exit on Interstate 15.

The Division of Waste Management and Radiation Control has completed its review of the permit renewal application. A draft permit has been prepared and is available for review during the public comment period, which begins on August 7, 2018 and will conclude on September 20, 2018, at 5:00 p.m.

A public hearing to receive comment on the draft permit has been scheduled for 6:00 p.m. on September 12, 2018, in the Clearfield City Hall Multi-purpose Room, which is located at 55 South State Street Clearfield, Utah.

The fact sheet and draft permit are available for review during the public comment period at the following location:

Division of Waste Management and Radiation Control
Multi Agency State Office Building
195 North 1950 West, 2nd Floor
Salt Lake City, Utah

For the public's convenience, a copy of the fact sheet and draft permit is available online at:
<http://www.hazardouswaste.utah.gov/Public/PublicHearingsandCommentPeriods.htm>

Written comments will be accepted if received by 5:00 p.m. on September 20, 2018 and should be submitted to the address below. Comments can also be hand delivered to the Division address above as long as they are received by 5:00 p.m. on September 20, 2018.

Scott T. Anderson, Director
Division of Waste Management and Radiation Control
Department of Environmental Quality
P.O. Box 144880
Salt Lake City, Utah 84114-4880

Comments can also be sent by electronic mail to: dwmrcpublic@utah.gov. Comments sent in electronic format should be identified by putting the following in the subject line: Public Comment on Nexeo Solutions, LLC Draft Permit Renewal. All documents included in comments should be submitted as ASCII (text) files or in pdf format.

Following the public comment period on the draft Nexeo Solutions, LLC (Nexeo) permit, all public comments will be evaluated and where appropriate will be included in the final decision on whether to reissue the permit. A final permit determination will then be made and the corresponding action taken.

Under Utah Code Section 19-1-301.5 a person who wishes to challenge a Permit Order may only raise an issue or argument during an adjudicatory proceeding that was raised during the public comment period and was supported with sufficient information or documentation to enable the director to fully consider the substance and significance of the issue.

The Nexeo facility is a permitted transfer and storage facility. Nexeo can manage RCRA waste streams. Waste is received and transported by truck. The facility is located at latitude 41° 06' 17" North and longitude 112° 02' 05" West. Nexeo has one permitted storage unit. All waste sent to the Nexeo facility is sent to other facilities for reclamation, treatment, and disposal.

The Draft Permit consists of three modules and 11 attachments. A summary of each is provided below with the significant changes from the review noted. In June 2016, Title R315 of the Utah Administrative Code waste substantially changed. Most of the changes involved modification of the Code references. This resulted in a document where the numbering system reflected, to a large extent, the numbering system used in the Code of Federal Regulations (CFR). As a result, a citation that began as 40 CFR 264.32(a) became R315-264-32(a). There are exceptions to the changes, but they are few.

Information that was included in the Permit to show that Nexeo had evaluated all required permit application contents that did not pertain to the Nexeo facility was deleted.

References to the Executive Secretary of the Division of Solid and Hazardous Waste have been changed throughout the Permit to the Director of the Division of Waste Management and Radiation Control.

Module 1, Standard Conditions

Waste analysis detail was moved to the Waste Analysis Plan, Attachment 1.

A clarification of the time frame (30 days) for providing requested information to the Director was added.

The period for record retention was modified to include an automatic extension during the course of any unresolved enforcement action regarding this facility.

A Corrective Action section was added to address releases of hazardous waste at the facility as the Corrective Action Module (Module 4) has been deleted from the permit.

A condition was added to address verification of new and modified Hazardous Waste Management Units in accordance with the approved design. Any construction not in accordance with designs and specifications approved in the Permit may require removal and replacement.

Language describing specific situations defining a significant discrepancy and requiring a manifest discrepancy report was added.

A section containing definitions was added to end of Module 1.

Module 2, General Facility Conditions

A condition was added that clarifies use of appropriate sampling and analytical methods.

A condition was added that clarifies the process for requesting an equivalent, substitute or additional analytical method.

A clarification for personnel training was added to not allow personnel to work unsupervised in positions dealing with or around hazardous waste until they have completed the training requirements.

Conditions which require update of the financial assurance mechanism were added.

Module 3, Storage and Processing in Containers

Nexeo requested a modification to Permit Condition III.J.1, Attachment 3, and Attachment 4 to remove the requirement for daily inspection of containers (i.e., change of frequency of an inspection schedule). DWMRC evaluated this request and determined that the focus of Permit Condition III.J.1 is the loading and unloading areas rather than the containers themselves. Based on the requirements in R315-264-15(b)(4), the requested change will not be accepted and the area shall continue to be inspected daily when in use.

The title of Module 3 was changed to “Containers.”

The list of hazardous wastes prohibited from storage under this Permit has been amended to include “Infectious Waste” and “Liquid PCB-containing Wastes.”

Module 4, Corrective Action for Solid Waste Management Units and Schedule of Compliance

This module was deleted from the Permit. The Division completed a RCRA Facility Assessment of the former Ashland facility (now Nexeo facility). Based on the results of the assessment, Ashland conducted a RFI in 2005. As a result of the RFI, a No Further Action letter was issued to the facility. Additionally, a Corrective Action condition was added to Module 1 to provide a mechanism to address releases at the facility.

Attachment 1 – Waste Characteristics and Waste Analysis Plan (WAP)

A paragraph was added to address handling of hazardous waste generated at the Nexeo facility.

Language was added to require screening for cyanide containing plating wastes (F007) which may also be characterized as a reactive waste (D003).

A section was added to require segregation of Transfer-Only Wastes from the wastes stored under this Part B Operating Permit.

Infectious waste and liquid PCB containing waste were added to the list of prohibited wastes for storage under this Permit.

RCRA metals analysis was changed from analyte specific methods to general analysis by SW-846 method 6010.

Attachment 2 – Security Plan

No significant changes were made.

Attachment 3 – Inspection Plan

As discussed in the Module 3 change summary, Nexeo requested a modification to Attachment 3 (Section 2.1) to change the requirement for daily inspection of containers. DWMRC evaluated this request and determined that the loading and unloading areas shall continue to be inspected daily when in use based on the requirements in R315-264-15(b)(4). The requested change will not be accepted.

Changes were made to automatically extend the record retention period for logged inspections in the event of an enforcement action or as requested by the Director.

Changes were made to the Monthly Inspection Log referencing the Nexeo inspection forms that contain the number of pieces of equipment present at the facility and their locations.

Attachment 4 – Spill Prevention control and Countermeasure and RCRA Contingency Plan

As discussed in the Module 3 change summary, Nexeo requested a modification to Attachment 4 (Section 10.0) to change the requirement for daily inspection of containers. DWMRC evaluated this request and determined that the loading and unloading areas shall continue to be inspected daily when in use based on the requirements in R315-264-15(b)(4). The daily inspections must be documented as well. The requested change will not be accepted.

A paragraph was added to specify how spilled material captured in the retention basin will be handled.

The list of Emergency Incident Commanders was renamed Emergency Coordinators.

An Evacuation Map of the Nexeo facility has been added.

Attachment 5 – Preparedness and Prevention Plan

No significant changes were made.

Attachment 6 – Facility Information

The original attachment was deleted from the Permit as this information was required for obtaining the initial permit and is not required for permit renewal.

Attachment 6 – Training Plan

This attachment was renumbered and renamed “Attachment 6” and contains the information from the original Module 7 Training Plan.

No significant changes were made to the training plan information.

Attachment 7 – Closure, Post-Closure Plans, and Cost Estimates

This attachment was originally numbered Attachment 8 and was renumbered as Attachment 7.

Nexeo requested a modification to Section 1.5.2 in the Closure Plan to clarify the rinsate sampling and analysis for decontamination procedures. Nexeo has also updated closure costs to reflect current costs and changes to the closure plan. These changes have been included in the draft Permit.

Changes were made to the Closure Performance Standard to require modification of the Closure Plan to add detailed procedures for sampling and decontamination or removal of all contaminated soil, groundwater, equipment and structures. A sampling and analysis plan must be submitted to the Director prior to any sampling activities. Additionally, the Director may require baseline sampling prior to initiating closure.

Changes were made to Section 1.5.2 to require: inspection of the entire surface areas of the CSU and hazardous waste handling equipment for evidence of any spills; review of the operating record to identify the location of any spills; and conduct soil sampling if cracks, holes or evidence of potential leakage is documented.

A change was made to specify that necessary changes to the closure plan will require submission of a modified closure plan for Director approval at least forty-five (45) days prior to the date on which closure of the regulated unit is expected to begin.

Attachment 8 – Financial Assurance

This attachment was originally numbered Attachment 9 and was renumbered as Attachment 8.

The financial assurance mechanism was changed from a closure trust fund to a letter of credit and standby trust.

Attachment 9 – Container Storage

This attachment was originally numbered Attachment 10 and was named “Process Information”. renumbered and renamed “Attachment 9 – Container Storage”.

Management practices for locating specific containers of waste at the facility have been modified by removing the requirement for use of the grid container location system.

Attachment 10 – SWMU Map Drawing No. 71030-ZD-005

This attachment was originally numbered Attachment 11 and was renumbered Attachment 10.

No significant changes were made to this attachment.

Attachment 11 – As-Built Drawings and Construction Standards

This attachment was originally numbered Attachment 12 and was renumbered Attachment 11.

Appendix A was updated with a new as-built drawing of the Truck Dock Hazardous Waste Area Grounding and Lighting Plan.