

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

January 6, 2012

In re:)
)
)
ENGINEERED POLYMER) (Provisional Variance – Land)
SOLUTIONS, INC.,)
Petitioner.)
)
)

IEPA 12-7

Re: Request for Provisional Variance Pursuant to 35 Ill. Adm. Code 722.134(b)

Engineered Polymer Solutions, Inc.
Attn: Randy Tillema
1400 North State Street
Marengo, Illinois 60152

Dear Mr. Tillema:

The Illinois Environmental Protection Agency (“Illinois EPA”) has reviewed Engineered Polymer Solutions, Inc.’s (“EPS”) January 6, 2012 request for a provisional variance pursuant to 35 Ill. Adm. Code 722.134(b). Based on this review, a provisional variance for a period of 30-days is GRANTED by the Illinois EPA.

The applicable facts of this request are as follows:

1. EPS manufactures resins for the paint and coatings market at its facility located at 1400 North State Street, Marengo, Illinois. Hazardous wastes are generated by its manufacturing processes and stored on-site for removal by a hazardous waste transporter.
2. Prior to the holidays at the end of December, a hazardous waste pickup was scheduled for January 4, 2012. On January 2, 2012, the hazardous waste transporter informed EPS that the January 4, 2012 pickup had been cancelled. The earliest pickup that can now be scheduled will not occur until January 11, 2012. However, the 90-day on-site holding period for some of the hazardous wastes ends on January 9, 2012.
3. EPS states that the hazardous wastes are being properly stored and managed at its facility, that it is seeking this provisional variance so as not to violate the applicable hazardous waste storage requirements, and that no similar extension for these hazardous wastes has been previously requested.

35 Ill. Adm. Code 722.134(b) allows a generator to seek an extension of up to 30 days, by means of a variance or provisional variance, from the Illinois EPA if hazardous wastes must remain on-site for longer than 90 days due to unforeseen, temporary, and uncontrollable circumstances. The Illinois EPA finds that such facts and circumstances exist in this situation and hereby GRANTS EPS a provisional variance pursuant to 35 Ill. Adm. Code 722.134(b) for a period of 30 days.

EPS shall sign a certificate of acceptance of this provisional variance and return it to James G. Richardson #21 at 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 by January 18, 2012. The certification should take the following form:

Engineered Polymer Solutions, Inc. hereby accepts and agrees to be bound by all terms and conditions of the provisional variance granted by the Illinois EPA on January 6, 2012.

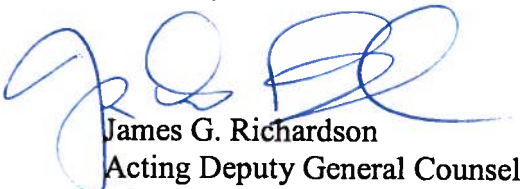
Authorized Agent

Title

Date

The Illinois EPA grants this provisional variance in accordance with its authority contained in Sections 35(b), 36 (c), and 37(b) of the Illinois Environmental Protection Act (415 ILCS 5/35(b), 36(c), and 37(b)), and 35 Ill. Adm. Code 722.134(b). The decision to grant this provisional variance is not intended to address compliance with any other applicable laws or regulations.

Sincerely,


James G. Richardson
Acting Deputy General Counsel
Division of Legal Counsel



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

(217) 782-5544
TDD (217) 782-9143

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STATE OF ILLINOIS
Pollution Control Board

January 6, 2012

John T. Therriault
Assistant Clerk
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, IL 60601

Re: Notice of Provisional Variance Approval - Land

Dear Mr. Therriault:

Pursuant to Subsection 37(b) of the Illinois Environmental Protection Act (415 ILCS 5/37(b)), attached is a copy of the Illinois EPA's recent approval of a request for provisional variance. As you know, the Board must maintain for public inspection copies of all provisional variances filed with it by the Illinois EPA. If you have any questions, please do not hesitate to contact me.

Sincerely,

James G. Richardson
Acting Deputy General Counsel
Division of Legal Counsel

Attachment