



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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BRUCE RAUNER, GOVERNOR

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April 23, 2015

RECEIVED  
CLERK'S OFFICE

APR 29 2015

STATE OF ILLINOIS  
Pollution Control Board

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

Re: Notice of Provisional Variance Approval - Land

Dear Mr. Therriault:

Pursuant to Section 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 an application 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  
Deputy General Counsel  
Division of Legal Counsel

Attachment

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

April 23, 2015

In re: )  
)  
)  
HORSEHEAD CORPORATION, ) (Provisional Variance – Land)  
Petitioner. )  
)  
)

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

Horsehead Corporation  
Attn: Erica Livingston, Environmental Manager  
4955 Steubenville Pike, Suite 405  
Pittsburgh, Pennsylvania 15205

Dear Ms. Livingston:

The Illinois Environmental Protection Agency (“Illinois EPA”) has reviewed Horsehead Corporation’s (“Horsehead’s”) April 16, 2015 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. Horsehead is a zinc recycling facility located at 2701 East 114<sup>th</sup> Street, Chicago, Illinois. Presently Horsehead has approximately 3,300 pounds of waste PPE (personal protective equipment), belts, and hoses contaminated with listed hazardous wastes D006 (Cadmium) and D008 (Lead). The waste is in two covered roll-off boxes stored near the baghouses at the facility.
2. Horsehead ships its hazardous waste to a Giant Resource Recovery (GRR) facility in Sumter, South Carolina. GRR then ships the hazardous waste to its facility in Harleyville, South Carolina. GRR recently advised Horsehead of an April 13, 2015 fire at the Harleyville facility that has idled operations until an investigation is completed concerning the cause of the fire.
3. The 90-day holding period for the 3,300 pounds of hazardous waste ends on April 28, 2015.
4. Horsehead states that the 3,300 pounds of hazardous waste is and will be 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 this hazardous waste 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 waste 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 Horsehead a provisional variance pursuant to 35 Ill. Adm. Code 722.134(b) for a period of 30 days.

Horsehead 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 on or before April 27, 2015. The certification should take the following form:

Horsehead Corporation hereby accepts and agrees to be bound by all terms and conditions of the provisional variance granted by the Illinois EPA on April 23, 2015.

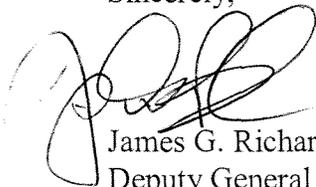
\_\_\_\_\_  
Authorized Agent

\_\_\_\_\_  
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  
Deputy General Counsel  
Illinois EPA