



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217)782-3397

JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

(217) 782-5544
TDD: (866) 273-5488

July 14, 2022

Don Brown
Clerk
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Re: Notice of Provisional Variance Approval - Land

Dear Mr. Brown:

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 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,

A handwritten signature in black ink, appearing to read "Charles W. Gunnarson", with a long horizontal line extending to the right.

Charles W. Gunnarson
Chief Legal Counsel

Enclosure

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

July 11, 2022

In re:)
)
)
Sherwin-Williams,) (Provisional Variance – Land)
Petitioner.)
)
)

Re: Request for Provisional Variance Pursuant to 35 Ill. Adm. Code 722.117(b)

The Sherwin-Williams Company
Environmental, health, Safety & Regulatory Affairs
Attn: John Polak
Senior Environmental Specialist
101 Prospect Avenue NW
Cleveland, Ohio 44115-1075

Dear Mr. Polak:

The Illinois Environmental Protection Agency ("Illinois EPA") has reviewed your June 30, 2022 request for a provisional variance pursuant to 35 Ill. Adm. Code 722.117(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:

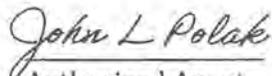
1. Unforeseen circumstances that resulted in this request is due to the Heritage East Liverpool, Ohio incinerator being shut down to perform routine maintenance on June 26th, 2022.
2. During this shutdown, the facility experienced a non-waste related fire. This led to damage of critical equipment which must be repaired before the incinerator can safely come back online
3. The 90-day accumulation period for the Obsolete Catalyst has an end date of July 11, 2022.
4. This is a one-time extension due to the incident at the Heritage site in Ohio.

35 Ill. Adm. Code 722.117(b) allows a generator to seek an extension of up to 30 days by means of a 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** a provisional variance pursuant to 35 Ill. Adm. Code 722.117(b) for a period of 30 days.

Sherwin Williams shall sign a certificate of acceptance of this provisional variance and return it to Melanie A. Jarvis #21 at 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 or via email, melanie.jarvis@illinois.gov on or before July 12, 2022. The certification should take the following form:

Sherwin Williams hereby accepts and agrees to be bound by all terms and conditions of the provisional variance granted by the Illinois EPA on July 11, 2022.


Authorized Agent

Senior Environmental Specialist

Title

7/13/2022

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 722.117(b). The decision to grant this provisional variance is not intended to address compliance with any other applicable laws or regulations.

Sincerely,


Charles W. Gunnarson
Chief Legal Counsel
Illinois EPA



SHERWIN-WILLIAMS.

THE SHERWIN-WILLIAMS COMPANY
Environmental, Health, Safety & Regulatory Affairs
101 Prospect Avenue NW
Cleveland, Ohio 44115-1075

June 30, 2022

CERTIFIED MAIL

Division of Land Pollution Control
Environmental Protection Agency
1021 North Grand Avenue East
PO BOX 19276
Springfield, IL 62794-9506

REQUEST FOR EXTENSION TO ACCUMULATION TIME LIMITATION

To Whom it May Concern:

As specified in 35 Illinois Admin Code 722.134(b), The Sherwin Williams Company (Sherwin-Williams) facility located in Moline, IL requests an extension of 30 days to the 90 day accumulation limit – for Large Quantity Generators.

The hazardous waste stream(s) are profiled for incineration as the management method. Further information is provided below about the waste stream(s) and facility.

1. Facility Name: Sherwin- Williams Co
2. Facility Address and mailing address: 5400 Avenue of Cities, Moline, IL 61265
3. Facility EPA ID Number: ILD005265749
4. Facility Generator Status: Large Quantity Generator

The unforeseen circumstances for this extension request are due to the Heritage East Liverpool, OH incinerator recently shut-down operation to perform routine maintenance on June 26th. During this shutdown, the facility experienced a non-waste related fire. This incident unfortunately led to damage of critical equipment which must be repaired before the incinerator can safely come back online. Due to this unforeseen event and resulting extended outage, Heritage is unable to accept waste into the specific facility in the near term.

Sherwin-Williams is working with Heritage to divert this waste to other incinerators if possible.

If you have any questions regarding this information, please call John Polak at (216) 515-4629.

Sincerely,

John Polak

Senior Environmental Specialist

RECEIVED

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IEPA/BOL



June 29, 2022

RE: Heritage Thermal Services June 2022 Outage Update

Dear Customer:

The purpose of this letter is to inform you that the Heritage Thermal Services located in East Liverpool, Ohio is conducting an extended outage this summer. We had initially planned a scheduled outage for July 31; however, we began the outage on June 26, to address several maintenance items requiring more immediate attention. On June 27, after we had taken the incinerator offline and had been performing maintenance activities for several days, a non-waste related fire developed at a portion of the facility. Thankfully, no injuries were sustained, but the equipment involved in the incident must be repaired before we can put the incinerator back online.

We appreciate your patience with us as we evaluate the damage, source replacement equipment, and make the necessary repairs to resume safe and compliant operation of the facility. Due to this unforeseen event and resulting extended outage, we are unable to accept waste into the facility in the near term. Your sales and customer experience professionals will work with you to cancel or reschedule your waste deliveries.

Please accept this letter as notification that we will schedule your waste for incineration as soon as we can safely and compliantly do so. We can assist with language for 30-day extension letters and provide US EPA and state letters regarding capacity, if needed.

We apologize for the inconvenience; please feel free to reach out to your Account Representative or Corporate Account Manager for assistance.

Heritage Environmental Services

