



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

(217) 782-5544
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September 27, 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".

Charles W. Gunnarson
Chief Legal Counsel

Enclosure

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

August 15, 2022

| | | |
|------------------------------|---|-------------------------------|
| In re: |) | |
| |) | |
| Diagraph Marking and Coding, |) | (Provisional Variance – Land) |
| Petitioner. |) | |
| |) | |

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

Diagraph Marking and Coding
Attn: Cassidy Alonzo
EHS Director
T1 Research Park Drive
St. Charles, MO 63304

Dear Ms. Alonzo:

The Illinois Environmental Protection Agency (“Illinois EPA”) has reviewed your August 5, 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.

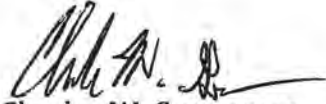
The applicable facts of this request are as follows:

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. This is extension is 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.

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,

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

Charles W. Gunnarson
Chief Legal Counsel
Illinois EPA



August 5, 2022

Division of Land Pollution Control
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

RECEIVED
AUG 08 2022
IEPA/BOL/WRCS

Re: Request for Extension of 90-Day Hazardous Waste Accumulation Time

To Whom It May Concern:

As specified at 35 Illinois Administrative Code 722.134(b), the purpose of this letter is to request an additional 30 days for accumulation of hazardous waste at the Diagraph M & C facility in Marion, Illinois (EPA ID# ILR000116418). Additional time is requested because shipment to our preferred disposal facility, Heritage Thermal Services, is delayed due to scheduling and plant availability limitations for their facility in East Liverpool, Ohio.

Thank you for your consideration of this request. If you have any questions or need additional information, please contact EHS Manager, Cassidy Alonzo at 314.550.2994.

Yours truly,

A handwritten signature in black ink, appearing to read "Cassidy Alonzo".