



## 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 17, 2022

In re: )  
)  
)  
Pharma Logistics, ) (Provisional Variance - Land)  
Petitioner. )  
)  
)

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

Pharma Logistics  
Attn: John Capelli  
[JCapelli@pharmalogistics.com](mailto:JCapelli@pharmalogistics.com)  
Director of Quality and Compliance  
Libertyville, IL

Dear Mr. Watson:

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 26<sup>th</sup>, 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. A previous extension was granted on July 12, 2022.
4. Due to the incident at the Heritage site in Ohio and the fact that alternative disposal has not been found, this provisional variance is issued for 30 days.

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,



Charles W. Gunnarson  
Chief Legal Counsel  
Illinois EPA



RECEIVED  
AUG 11 2022  
IEPA/BOL/WRCS

August 5th, 2022

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

**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 Pharma Logistics facility in Libertyville, Illinois EPA ID # ILR000205286. 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. Please see the most recent communication indicating their anticipated timeframe to resume business of early to mid-November.

Pharma Logistics has contacted Clean Harbors in an alternative service provider to ship waste off-site. Clean Harbors has indicated that the earliest availability to assist Pharma Logistics would be December. I have attached the Clean Harbors communication for reference.

Pharma Logistics is continuing to seek additional service providers.

Thank you for your consideration of this request. If you have any questions or need additional information, please contact John Capelli at [jcapelli@pharmalogistics.com](mailto:jcapelli@pharmalogistics.com) or Robert DeBaets at [rdebaets@pharmalogistics.com](mailto:rdebaets@pharmalogistics.com).

Yours truly,

A handwritten signature in black ink that reads 'John Capelli'.

**John Capelli** | Director of Quality and Compliance  
Office: 224.424.4469 | Cell: 847.347.5177  
Email: [JCapelli@pharmalogistics.com](mailto:JCapelli@pharmalogistics.com)  
[www.pharmalogistics.com](http://www.pharmalogistics.com)

August 3, 2022

RE: Heritage Thermal Services June 2022 Outage Update

Dear Customer:

The purpose of this letter is to provide an update on the Heritage Thermal Services incinerator in East Liverpool, Ohio. 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 in the air pollution control equipment. Thankfully, no injuries were sustained. Due to this unforeseen event and resulting extended outage, we are unable to accept waste into the facility until repairs are completed. Your sales and customer experience professionals will continue to work with you to cancel or reschedule your waste shipments.

Our employees have worked tirelessly since June 27 to evaluate the facility, source replacement equipment, and begin repairs. We are currently targeting resumption of waste acceptance and incineration activities in early to mid-November 2022.

We plan to schedule your waste for incineration as soon as we can safely and compliantly do so. We can assist with your 30-day extension letters and provide letters from US EPA and available state agency authored 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

**Capelli, John**

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**From:** Sopoci, Joel  
**Sent:** Wednesday, July 13, 2022 10:19 AM  
**To:** Capelli, John; DeBaets, Robert  
**Subject:** FW: [External Sender] - Clean Harbors - Information Request (PH27177 - Pharma Logistics)

**Importance:** High

FYI. This is the response from Clean Harbors regarding their incinerator capacity



**Joel Sopoci** | Head of fulfillment  
Office: 847.388.3187 | Cell: 847.347.6544  
Email: JSopoci@pharmalogistics.com  
www.pharmalogistics.com



**From:** Gigliotti, Kristen <gigliotti.kristen@cleanharbors.com>  
**Sent:** Wednesday, July 13, 2022 9:15 AM  
**To:** Sopoci, Joel <jSopoci@pharmalogistics.com>  
**Subject:** [External Sender] - Clean Harbors - Information Request (PH27177 - Pharma Logistics)  
**Importance:** High

*External Sender Alert: This email originated from a sender outside of the Pharma Logistics network. Please use caution before opening attachments, clicking links or responding to the sender.*

Hello Joel,

I was informed this morning that there is currently no availability at our incinerator facility until December at the earliest.

This means we would not be able to take the waste for disposal until then.

I understand that you are looking to have this service done before 7/26 and I apologize we will not be able to meet that time frame.

Please let me know if you would like us to quote for service this winter, or if you would like me to close out your request for the quote.

Thank you,

**Kristen Gigliotti**  
Business Development Representative  
[Gigliotti.Kristen@cleanharbors.com](mailto:Gigliotti.Kristen@cleanharbors.com)