



## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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(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 8, 2022

In re:	)	
	)	
	)	
Rock River Fabrication,	)	(Provisional Variance – Land)
Petitioner.	)	
	)	

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

Rock River Fabrication  
Attn: Clark Watson  
Corporate Environmental Manager  
900 E. Commercial St.  
Lyndon, IL 61261

Dear Mr. Watson:

The Illinois Environmental Protection Agency ("Illinois EPA") has reviewed your July 28, 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.

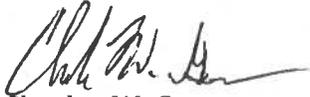
The applicable facts of this request are as follows:

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. The 90-day accumulation period for spent stannous methane sulfonate solution ends August 20, 2022.

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".

Charles W. Gunnarson  
Chief Legal Counsel  
Illinois EPA

VIA CERTIFIED MAIL

July 1, 2022

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

RECEIVED

JUL 28 2022

IEPA/BOL/WRCS

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

To Hope Wright:

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 Rock River Fabrication facility in Lyndon, Illinois (EPA ID # ILR000201699). 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. After Heritage cancelled our shipment request on 7/20/22 we have been diligently pursuing other Subtitle C landfills for potential disposal of this waste, but have not secured any pickups at the time of this letter.

Thank you for your consideration of this request. If you have any questions or need additional information, please contact Clark Watson.

Yours truly,



Clark Watson  
Corporate Environmental Manager  
cwatson@webcotube.com  
918-581-0944 (office)  
918-960-4725 (cell)

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