



## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

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

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**

September 15, 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  
Attn: John Polak  
Senior Environmental Specialist  
101 Prospect Avenue NW  
Cleveland, OH 44115-1075

Dear Mr. Polak:

The Illinois Environmental Protection Agency ("Illinois EPA") has reviewed your September 7, 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.

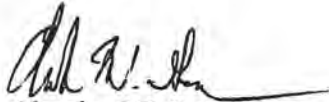
The applicable facts of this request are as follows:

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. This 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



**SHERWIN-WILLIAMS.**

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

September 7, 2022.

State of Illinois  
Environmental Protection Agency  
PO BOX 19276  
Springfield, IL 62794-9506

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**REQUEST FOR EXTENSION TO ACCUMULATION TIME LIMITATION**

To Whom it May Concern:

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
5. Hazardous Waste Information (pertaining to extension):
  - a. Waste Codes: D001
  - b. Waste Description: Obsolete Catalyst
  - c. Quantity: Four (4) 55-gallon drums @ ~ 1,834 total lbs.
  - d. How Managed (container type, drum, tote, tank): Steel 55 gallon drums

RECEIVED  
STATE OF ILLINOIS  
SEP 12 2022  
ENVIRONMENTAL PROTECTION AGENCY  
BUREAU OF AIR

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 26<sup>th</sup>. 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