



## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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(217) 782-5544  
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November 2, 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**

October 10, 2022

In re:	)	
	)	
	)	
NORTH AMERICAN LIGHTING,	)	(Provisional Variance – Land)
Petitioner.	)	
	)	

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

North American Lighting, Corporate  
Attn: Bill Fisher  
Environmental Engineer  
2275 S. Main St.  
Paris, IL 61944

Dear Mr. Fisher:

The Illinois Environmental Protection Agency (“Illinois EPA”) has reviewed your August 8, 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 the waste is October 27, 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,



Charles W. Gunnarson  
Chief Legal Counsel  
Illinois EPA

VIA CERTIFIED MAIL

October 6, 2022

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

RECEIVED  
OCT 11 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 North American Lighting facility in Salem (EPA ID# IL981955891). 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.

This is the second request for this waste stream. We were granted a 30-day extension on 9/27/2022. The disposal facility believes they will be back online in November.

Thank you for your consideration of this request. If you have any questions or need additional information, please see my contact info below.

Yours truly,



**Bill Fisher**

Environmental Engineer  
North American Lighting, Corporate  
2275 S. Main St. Paris, IL 61944  
217 465-6600 x7091