



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

March 8, 2024

Don Brown, Clerk
Illinois Pollution Control Board
60 East Van Buren St., Ste. 630
Chicago, IL 60605
don.brown@illinois.gov

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

March 6, 2024

In re:)
)
)
 Befesa Zinc US Inc. ,) (Provisional Variance – Land)
 Petitioner.)
)

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

Befesa Zinc US, Inc.
Attn: Don Norton Jr.
Director of Operations - West
2701 E. 114th Street
Chicago, IL 60617

Dear Mr. Fisher:

The Illinois Environmental Protection Agency (“Illinois EPA”) has reviewed your March 5, 2024, 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.

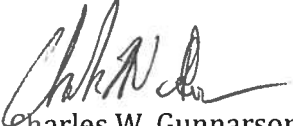
The applicable facts of this request are as follows:

The Befesa Chicago Facility is a zinc recycling facility located at 2701 East 114th Street in Chicago, Illinois (EPA ID ILD040891368), which currently ships its hazardous waste to Giant Resource Recovery (GRR) located in South Carolina. GRR’s facility has an outage and will not be able to take delivery of Befesa’s waste until sometime in late March. The accumulation period for two roll-off boxes ends on March 11, 2024.

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', written in a cursive style.

Charles W. Gunnarson
Chief Legal Counsel
Illinois EPA



Don Norton Jr.
Director of Operations - West
Befesa Zinc US Inc.
2701 E 114th St.
Chicago, IL 60617
O: 865-463-4600
don.norton@befesa.com

March 5, 2024

Illinois Environmental Protection Agency
Attn: Mr. Jesse Bernhardt (via jesse.bernhardt@illinois.gov)
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

**RE: 90-day accumulation time limit extension request
Befesa Zinc US Inc. (Befesa - EPA ID ILD040891368)**

Dear Mr. Richardson:

Befesa respectfully requests an extension of its 90-day hazardous waste accumulation limit for the Chicago facility under 35 IAC 262.17(b) due to unforeseen, temporary, and uncontrollable circumstances. The Befesa Chicago facility is a zinc recycling facility located at 2701 East 114th Street in Chicago, Illinois (EPA ID ILD040891368), which currently ships its hazardous waste to Giant Resource Recovery (GRR) located in South Carolina.

Befesa has been advised by GRR, that the Harleyville, South Carolina facility will not be accepting any more waste deliveries before their outage for repairs starts on March 9, 2024. Under these circumstances the GRR facility cannot accept waste until the repairs are completed. GRR had previously cancelled the delivery of Befesa's waste, which was scheduled for the week of February 19, 2024, due to experiencing an unplanned outage sometime around February 16, 2024.

GRR has advised Befesa that it anticipates the facility will be operational in three to four weeks from now. At this point, we are requesting a 30-day extension to our 90-day accumulation limit, which ends on March 11, 2024. At this time, there is approximately 4,000 pounds of PPE, belts, and hoses contaminated with D006 and D008 stored in two covered roll-offs near the baghouses adjacent to the Curing & Blending Building. Until the waste is shipped to GRR, Befesa will continue to maintain the waste in compliance with all regulatory requirements.

If you have any questions regarding the request, please contact Jim Taylor at 865-207-9958 or jim.taylor@befesa.com.

Respectfully submitted,

Two handwritten signatures in black ink. The first signature is "Don Norton" and the second is "Ivan Znika".

Ivan Znika on behalf of Don Norton Jr.
Assistant Plant Manager on behalf of Director of Operations - West

cc: Eric Hunsberger, Befesa
Jeffery Davids, Befesa