

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

In the Matter of:)	
)	
Vickery Environmental, Inc.)	
Vickery, Ohio)	
)	Appeal No.: RCRA 19-01
Permittee)	
)	
Final RCRA Permit)	
Docket No. OHD 020 273 819)	
)	

CERTIFIED INDEX OF THE ADMINISTRATIVE RECORD

**Resource Conservation Recovery Act (RCRA) Part 264 Renewal Permit for Petitioner's
Vickery, Ohio Facility, Issued by U.S. EPA Region 5 on September 6, 2019
(Permit No. OHD 020 273 819)**

In the Matter of: Vickery Environmental, Inc. Vickery, Ohio, Permittee
Final RCRA Permit Docket No. OHD 020 273 819
Appeal No.: RCRA 19-01

Index to the Administrative Record, Final Decision
Vickery Environmental, Inc., OHD 020 273 819
Vickery, Ohio

Docs	Date of Doc	Date Received	Title/Description/Subject	Author/Sender	Addressee
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I. Final Permit Administrative Record (40 C.F.R. § 124.18(b))

a. Permit Application (40 C.F.R. § 124.9(b)(1))

1	9/12/2014		Part A and Part B Permit Application	Denise Gretz, Vickery	Margaret Guerriero, U.S. EPA
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b. Supporting documentation supplied by permit applicant (40 C.F.R. § 124.9(b)(1))

2	5/22/2015	5/22/2015	Additional Subparts AA, BB, and CC Information	Brett Miller, Vickery	Jae Lee, U.S. EPA
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c. Draft permit or notice of intent to deny the application or to terminate the permit (40 C.F.R. § 124.9(b)(2))

3	10/5/2018	10/5/2018	U.S. EPA Draft RCRA Permit	Julie Morris, U.S. EPA	Stephen Lonneman, Vickery
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d. Statement of basis or fact sheet (40 C.F.R. § 124.9(b)(3))

4	10/5/2018		U.S. EPA Draft Permit Fact Sheet	U.S. EPA	File
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e. All documents cited in the statement of basis or fact sheet (40 C.F.R. § 124.9(b)(4))

5	10/5/2018		Draft permit and Fact Sheet https://www.epa.gov/oh/vickery-environmental-inc	U.S. EPA	File
6	3/5/2012		Final RCRA State Permit	Scott Nally, Ohio EPA	Vickery
7			RCRA and 40 C.F.R. Provisions http://www.epa.gov/lawsregs/index.html	U.S. EPA	File
8	9/12/2014		Part A and Part B Permit Application	Denise Gretz, Vickery	Margaret Guerriero, U.S. EPA

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f. Other documents contained in the supporting file for the draft permit
(40 C.F.R. § 124.9(b)(5))

9	3/5/2012		Final RCRA State Permit	Scott Nally, Ohio EPA	Vickery
10	October 2015		Environmental Justice Data	U.S. EPA	File
11	7/27/2016	7/27/2016	Email: Vickery draft RCRA permit ECP	Jae Lee, U.S. EPA	Brett Miller, Vickery
12	9/6/2016	9/6/2016	Email: Vickery RCRA permit	Jae Lee, U.S. EPA	Brett Miller, Vickery
13	9/27/2016	9/27/2016	Email: Emission Control Plan	Brett Miller, Vickery	Jae Lee, U.S. EPA
14	11/29/2016	11/29/2016	Email: Emission Control Plan Vickery	Jae Lee, U.S. EPA	Brett Miller, Vickery
15	12/28/2016	12/28/2016	Email: Emission Control Plan Vickery	Brett Miller, Vickery	Jae Lee, U.S. EPA
16	3/10/2017	3/10/2017	Email: Emission Control Plan Vickery	Brett Miller, Vickery	Jae Lee, U.S. EPA
17	3/17/2017	3/17/2017	Email: Vickery FP Subpart CC Compliance	Jae Lee, U.S. EPA	Brett Miller, Vickery
18	4/25/2017	4/25/2017	Email: Vickery FP Subpart CC Compliance	Brett Miller, Vickery	Jae Lee, U.S. EPA
19	5/25/2017	5/25/2017	Email: Vickery FP Unit Exemption	Brett Miller, Vickery	Jae Lee, U.S. EPA
20	6/13/2017	6/13/2017	Email: Vickery FP Unit Exemption	Brett Miller, Vickery	Jae Lee, U.S. EPA
21	6/14/2017	6/14/2017	Email: Vickery FP Unit Exemption	Jae Lee, U.S. EPA	Brett Miller, Vickery
22	6/29/2017	6/29/2017	Email: Vickery FP Unit Exemption	Brett Miller, Vickery	Jae Lee, U.S. EPA
23	7/7/2017	7/7/2017	Email: Vickery FP Unit Exemption	Jae Lee, U.S. EPA	Brett Miller, Vickery
24	7/12/2017	7/12/2017	Email: Vickery FP Unit Exemption	Brett Miller, Vickery	Jae Lee, U.S. EPA
25	4/30/2018	4/30/2018	Email: Vickery additional information request	Brett Miller, Vickery	Jae Lee, U.S. EPA

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II. All comments received during the public comment period (40 C.F.R. § 124.18(b)(1))

26	11/21/2018	11/21/2018	Vickery's comments for draft RCRA permit	Brett Miller, Vickery	Jae Lee, U.S. EPA
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III. Tape or Transcript of Public Hearing (40 C.F.R. § 124.18(b)(2))

IV. Written Materials Submitted at Public Hearing (40 C.F.R. § 124.18(b)(3))

V. Response to Comments (40 C.F.R. § 124.18(b)(4))

a. Response to Comments

27	9/6/2019		Response Summary	U.S. EPA	File
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b. New records considered by the Agency in developing response to comments

28	June 2015		OSWER Technical Guide for Assessing and Mitigating the Vapor Intrusion Pathway from Subsurface Vapor sources to Indoor Air https://www.epa.gov/sites/production/files/2015-09/documents/oswer-vapor-intrusion-technical-guide-final.pdf	U.S. EPA	File
29	11/29/2018		The National Institute for Occupational Safety and Health (NIOSH) for Benzene https://www.cdc.gov/niosh/npg/npgd0049.html	CDC	File
30	11/30/2018		Permit Modification Request	Denise Gretz, Vickery	Craig Butler, Ohio EPA
31	12/7/2018		Acknowledgement of the Permit Modification	Colleen Weaver, Ohio EPA	Stephen Lonneman, Vickery
32	2/14/19	2/14/19	Email: Vickery Permit	Jae Lee, U.S. EPA	Brett Miller, Vickery
33	2/18/19	2/18/19	Email: Vickery Permit	Brett Miller, Vickery	Jae Lee, U.S. EPA

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34	4/2/19	4/2/19	Email: Vickery Permit	Jae Lee, U.S. EPA	Brett Miller, Vickery
35	4/5/19	4/5/19	Email: Vickery Permit	Brett Miller, Vickery	Jae Lee, U.S. EPA
36	4/12/19	4/12/19	Email: Vickery Permit (P&ID for Tanks T1 and T2)	Brett Miller, Vickery	Jae Lee, U.S. EPA
37	11/25/1996		61 Federal Register 59932 - 59944 (Nov. 25, 1996)	U.S. EPA	File

VI. Other Records in the Supporting File for the Permit (40 C.F.R. § 124.18(b)(6))

VII. Final Permit (40 C.F.R. § 124.18(b)(7))

38	9/6/2019	9/10/2019	Final RCRA Federal Permit	Edward Nam, U.S. EPA	Stephen Lonneman, Vickery
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AFFIDAVIT

I, Edward Nam, being first duly sworn, depose and state that the statements in this document are true and correct, except as to matters stated on information and belief and, as to such matters, the undersigned certifies that he believes the same to be true:

1. I am employed by the Environmental Protection Agency, Region 5 (“Region”) as the Director of the Land, Chemicals and Redevelopment Division. My responsibilities include reviewing and issuing RCRA permits at 77 West Jackson Blvd., Chicago, Illinois. I have held this position since July 22, 2019.

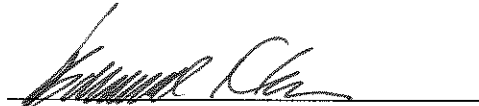
2. On September 12, 2014, Vickery Environmental, Inc. (“Vickery”) submitted a hazardous waste management renewal permit application under the Resource Conservation and Recovery Act (RCRA) Part 264 to EPA for Vickery’s Vickery, Ohio facility (Permit No. OHD 020 273 819). The Region issued the Part 264 Renewal Permit for Vickery’s Vickery, Ohio

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facility on September 6, 2019. By virtue of my role as the Director of the Land, Chemicals and Redevelopment Division for the Region, I am familiar with the materials contained within the administrative record for the Part 264 Renewal Permit.

3. I have reviewed the Certified Index of the Administrative Record and, to the best of my knowledge and belief, I find that it is complete and contains the information relied upon by the Region in issuing the Part 264 Renewal Permit.

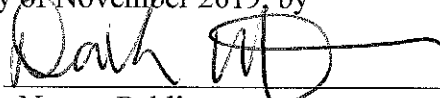
Further affiant sayeth not



Edward Nam
Director
Land, Chemicals and Redevelopment Division
U.S. EPA, Region 5

STATE OF ILLINOIS)
COUNTY OF COOK)

Subscribed and sworn before me this 15 day of November 2019, by


Notary Public