



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF

OCT 23 2019

Dear Sir or Madam:

Re: Notification Concerning Federal RCRA Permit  
Vickery Environmental, Inc., OHD 020 273 819  
Effective Date of Uncontested Permit Conditions

Vickery Environmental, Inc. (Vickery) operates a hazardous waste treatment, storage and deep well injection disposal facility at Vickery, Ohio. Vickery receives liquid industrial waste and liquid hazardous waste for treatment, storage and disposal.

On September 12, 2014, Vickery applied for a Hazardous Waste Management Permit under the Resource Conservation and Recovery Act (RCRA). On October 5, 2018, EPA issued a draft RCRA permit to Vickery and provided an opportunity for 45 days of public comment. U.S. Environmental protection Agency (EPA) responded to the public comments and issued the final RCRA permit on September 6, 2019<sup>1</sup>.

The effective and expiration dates of the EPA's RCRA permit are October 10, 2019 and October 10, 2029, respectively.

On October 7, 2019, prior to the effective date, Vickery petitioned EPA's Environmental Appeals Board (EAB) to review the following permit conditions:

1. Permit Conditions III.C.8, III.C.8.a and III.C.8.b;
2. Permit Conditions III.C.9 and III.C.9.a through III.C.9.i;
3. Permit Condition III.C.10;
4. Permit Condition III.C.11;
5. Permit Conditions III.D.3 and III.D.3.(a), III.D.3.(b), III.D.3.(c) and III.D.3.(e);
6. Permit Condition III.E.2; and
7. Permit Condition III.E.3.

This letter is to notify you that the contested permit conditions specified above (contested permit conditions) will be stayed and be subject to judicial review pending final agency action in accordance with 40 Code of Federal Regulations (C.F.R.) §124.16. The contested permit

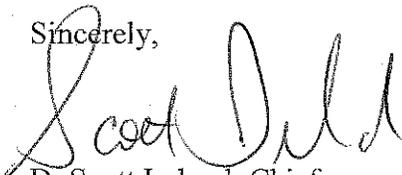
<sup>1</sup>The final federal RCRA permit and fact sheet are available at Clyde Public Library, 222 West Buckeye Street, Clyde, Ohio 43410 and <https://www.epa.gov/hwpermitting/vickery-environmental-inc-vickery-ohio-permit-documents-hazardous-waste-management>.

conditions will not be effective until the petition before the EAB is resolved. For the contested permit conditions, Vickery must comply with the conditions specified in Section IV of the previous federal RCRA permit issued on April 14, 2005.

All conditions of EPA's permit, except the contested permit conditions, will become fully effective and enforceable 30 days from the date of this notification according to 40 C.F.R. § 124.16. This RCRA permit, except the contested permit conditions, will remain in effect until October 10, 2029, unless revoked and reissued under 40 C.F.R. § 270.41, terminated under 40 C.F.R. § 270.43, or continued in accordance with 40 C.F.R. § 270.51(a). We will notify you concerning any resolution of these contested permit conditions.

If you have any questions, please contact Mr. Jae Lee of my staff at (800) 621-8431 ext. 63781 or [Lee.Jae@epa.gov](mailto:Lee.Jae@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "D. Scott Ireland". The signature is written in a cursive, flowing style.

D. Scott Ireland, Chief  
Land and Chemicals Branch  
Land, Chemicals and Redevelopment Division

**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	)	
	)	

**CERTIFICATE OF SERVICE**

I hereby certify that a **NOTIFICATION CONCERNING FEDERAL RCRA PERMIT - EFFECTIVE DATE OF UNCONTESTED PERMIT CONDITIONS** In the Matter of **Vickery Environmental, Inc., Appeal No.: RCRA 19-01, Docket No. OHD 020 273 819** was filed electronically with the Board.

Dated: [October 30, 2019]

/s/ Brittani L. Anderson  
Brittani L. Anderson  
Paralegal Specialist