STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING

RICK SNYDER
GOVERNOR

DAN WYANT
DIRECTOR

December 18, 2012

Ms. Melanie Frohreip
PSC Environmental Services
515 Lycaste Avenue
Detroit, Michigan 48217

Dear Ms. Frohreip:

SUBJECT: Hazardous Waste Management Facility Operating License (License); Petro-Chem Processing Group of Nortru, LLC (PCPG), Detroit, Michigan; MID 980 615 298

The Department of Environmental Quality (DEQ), Office of Waste Management and Radiological Protection (OWMRP), has completed its review of the License application from PCPG. Based on that review and the results of the public comment period from August 26, 2012, to October 18, 2012, the DEQ has issued the License to PCPG pursuant to Part 111, Hazardous Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. The License application review and the public participation procedures were conducted in accordance with Part 111.

Enclosed are copies of the License, Response to Comments, and Notice of Final Decision. The License attachments that were previously provided with the draft License have not changed, so they can be included with this final License. If you have any questions or comments, please contact Mr. Daniel Dailey, Hazardous Waste Section, OWMRP, at 517-335-6610; daileyd@michigan.gov; or DEQ, OWMRP, P.O. Box 30241, Lansing, Michigan 48909-7741.

Sincerely,

Elizabeth M Browne

Elizabeth M. Browne, Chief
Office of Waste Management and
Radiological Protection
517-373-9523

Enclosures
cc: Mr. Jeffrey Davis, PSC Environmental Services
Ms. DeLores Montgomery/Mr. Jack Schinderle/Mr. Daniel Dailey, DEQ
Mr. James Day, DEQ
Operating License File

State of Michigan
Department of Environmental Quality
HAZARDOUS WASTE MANAGEMENT FACILITY OPERATING LICENSE

NAME OF LICENSEE: Petro-Chem Processing Group of Nortru, LLC

NAME OF FACILITY OWNER: Nortru, LLC

NAME OF FACILITY OPERATOR: Petro-Chem Processing Group of Nortru, LLC

NAME OF TITLEHOLDER OF LAND: Nortru, LLC

FACILITY NAME: Petro-Chem Processing Group of Nortru, LLC

FACILITY LOCATION: 421 Lycaste, Detroit, Michigan 48214

EPA IDENTIFICATION (ID) NUMBER: MID 980 615 298 EFFECTIVE DATE: December 18, 2012

REAPPLICATION DATE: June 21, 2022 EXPIRATION DATE: December 18, 2022

AUTHORIZED ACTIVITIES

Pursuant to Part 111, Hazardous Waste Management, of Michigan's Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451), being §§324.11101 to 324.11153 of the Michigan Compiled Laws, and the hazardous waste management administrative rules (hereafter called the "rules") promulgated thereunder, being R 299.9101 *et. seq.* of the Michigan Administrative Code, by the Michigan Department of Environmental Quality (DEQ), an operating license (hereafter called the "license") is issued to Petro-Chem Processing Group of Nortru, LLC (hereafter called the "licensee") to operate a hazardous waste management facility (hereafter called the "facility") located at latitude 42° 22' 1" and longitude 82° 57' 55". The licensee is authorized to conduct the following hazardous waste management activities:

☒ STORAGE	☒ TREATMENT	☐ DISPOSAL	☐ POSTCLOSURE
☒ Container	☐ Container	☐ Landfill	☐ Tank
☒ Tank	☒ Tank	☐ Land Application	☐ Surface Impoundment
☐ Waste Pile	☐ Surface Impoundment	☐ Surface Impoundment	☐ Landfill
☐ Surface Impoundment	☐ Incinerator		☐ Waste Pile
☐ Drip Pad	☐ Other:		

APPLICABLE REGULATIONS AND LICENSE APPROVAL

The conditions of this license were developed in accordance with the applicable provisions of the rules, effective March 17, 2008. The licensee shall comply with all terms and conditions of this license, Part 111, and its rules. This license consists of the 20 pages of conditions attached hereto (including those in Attachments 1 through 11) and the applicable regulations contained in R 299.9101 through R 299.11008. For purposes of compliance with this license, applicable rules are those that are in effect on the date of issuance of this license in accordance with R 299.9521(3)(a).

This license is based on the information in the license application submitted on May 18, 2009, and any subsequent amendments (hereafter referred to as the "application"). Pursuant to R 299.9519(11)(c), the license may be revoked if the licensee fails, in the application or during the license issuance process, to disclose fully all relevant facts or, at any time, misrepresents any relevant facts. As specified in R 299.9519(1), the facility shall be constructed, operated, and maintained in accordance with Part 111 of Act 451, the rules, and this license.

This license is effective on the date of issuance and shall remain in effect for 10 years from the date of issuance, unless revoked pursuant to R 299.9519 or continued in effect as provided by the Michigan Administrative Procedures Act, 1969 PA 306, as amended (Act 306).

Issued this 18th day of December, 2012

by Elizabeth M. Browne

Elizabeth M. Browne, Chief
Office of Waste Management and Radiological Protection

HAZARDOUS WASTE MANAGEMENT FACILITY OPERATING LICENSE
FOR

Petro-Chem Processing Group of Nortru, LLC
MID 980 615 298

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PART I
STANDARD CONDITIONS

A. TERMINOLOGY AND REFERENCES

Throughout this license, the term "Office" means the Office of Waste Management and Radiological Protection within the DEQ responsible for administering Part 111 of Act 451 and the rules. Throughout this license, "Director" means the Director of the DEQ or the Director's duly authorized designee such as the Office Chief. All of the provisions of Title 40 of the Code of Federal Regulations (CFR) referenced in this license are adopted by reference in R 299.11003.

B. EFFECT OF LICENSE

Except as otherwise provided by law, any treatment, storage, or disposal of hazardous waste not specifically authorized in this license is prohibited. Issuance of this license does not authorize any injury to persons or property, any invasion of other private rights, or any infringement of federal, state, or local law or regulations {R 299.9516(8)}; nor does it obviate the necessity of obtaining such permits or approvals from other units of government as may be required by law. Compliance with the terms of this license does not constitute a warranty or representation of any kind by the DEQ, nor does the DEQ intend that compliance with this license constitutes a defense to any order issued or any action brought under Act 451 or any other applicable state statute or §106(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) {42 U.S.C. 9606(a)}, the Resource Conservation and Recovery Act of 1976, as amended (RCRA), and its rules, or any other applicable federal statute. The licensee, however, does not represent that it will not argue that compliance with the terms of this license may be a defense to such future regulatory actions. Each attachment to this license is a part of, and is incorporated into, this license and is deemed an enforceable part of the license.

C. SEVERABILITY

The provisions of this license are severable, and if any provision of this license, or the application of any provision of this license to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this license shall not be affected thereby.

D. RESPONSIBILITIES

1. The licensee shall comply with Part 111 of Act 451, the rules, and all conditions of this license, except to the extent authorized by the DEQ pursuant to the terms of an emergency operating license. Any license noncompliance, except to the extent authorized by the DEQ pursuant to the terms of an emergency operating license, constitutes a violation of Part 111 of Act 451 and is grounds for enforcement action, license revocation, license modification, or denial of a license renewal application. {§§324.11148, 324.11150, and 324.11151 of Act 451 and R 299.9521(1)(a) and (c) and (3)(a) and (b) and 40 CFR §270.30(a)}

2. If the licensee wishes to continue an activity regulated by this license after the expiration date of this license, the licensee shall submit a complete application for a new license to the Office Chief at least 180 days before this license expires, **June 21, 2022**, unless an extension is granted pursuant to R 299.9510(5). To the extent the licensee makes a timely and sufficient application for renewal of this license, this license and all conditions herein will remain in effect beyond the license expiration date and shall not expire until a decision on the application is finally made by the DEQ, and if the application is denied or the terms of the new license are limited, until the last day for applying for judicial review of the new license or a later date fixed

by order of the reviewing court consistent with §91(2) of Act 306. {R 299.9521(1)(a) and (c) and (3)(a) and 40 CFR §270.30(b)}

3. The licensee shall comply with the conditions specified in R 299.9521(1)(b)(i) to (iii) and 40 CFR §270.30(c) through (k), (l)(2), (3), (5), (7), and (11), and (m). {§§11123(3), 11146(1) and (2), and 11148(1) of Act 451 and R 299.9501(1), R 299.9516, R 299.9519, R 299.9521(1)(a) and (b) and (3)(a) and (b), R 299.9522, and R 299.9525}

4. The licensee shall give notice to the Office Chief as soon as possible prior to any planned physical alterations or additions to the licensed facility. {R 299.9501 and R 299.9519 and Part 6 of the Part 111 Rules}

E. SUBMITTAL DEADLINES

When the deadline for submittals required under this license falls on a weekend or legal state holiday, the deadline shall be extended to the next regular business day. This extension does not apply to the deadline for financial mechanisms and associated renewals, replacements, and extensions of financial mechanisms required under this license. The licensee may request extension of the deadlines for submittals required under this license. The licensee shall submit such requests at least five business days prior to the existing deadline for review and approval by the Office Chief. Written extension requests shall include justification for each extension. {R 299.9519 and R 299.9521(3)(a)}

PART II
GENERAL OPERATING CONDITIONS

A. GENERAL WASTE ANALYSIS

The licensee shall ensure that any waste managed at the facility has been properly characterized pursuant to R 299.9302 and comply with the procedures described in the attached Waste Analysis Plan, Attachment 1, of this license. {R 299.9605(1), and 40 CFR §264.13}

B. SECURITY

The licensee shall comply with the barrier, surveillance, and signage requirements of R 299.9605(1) and 40 CFR §264.14.

C. GENERAL INSPECTION REQUIREMENTS

1. The licensee shall inspect the facility in accordance with the Inspection Schedule, Attachment 2, of this license and comply with the inspection requirements of R 299.9605(1) and 40 CFR §264.15.

2. The licensee shall develop and implement a procedure to ensure compliance with the requirements of R 299.9605(2) regarding transport vehicles and other containers leaving the facility.

D. PERSONNEL TRAINING

The licensee shall comply with the personnel training requirements of R 299.9605 and 40 CFR §264.16. The Personnel Training Program, Attachment 3, of this license shall, at a minimum, cover all items in R 299.9605 and 40 CFR §264.16.

E. PREPAREDNESS AND PREVENTION

The licensee shall comply with the preparedness and prevention requirements of R 299.9606 and 40 CFR Part 264, Subpart C.

F. CONTINGENCY PLAN

The licensee shall comply with the contingency plan requirements of R 299.9607 and 40 CFR Part 264, Subpart D. The Contingency Plan, Attachment 4, of this license and the prescribed emergency procedures shall be immediately implemented by the licensee whenever there is a fire, explosion, or other release of hazardous waste or hazardous waste constituents that threatens or could threaten human health or the environment, or if the licensee has knowledge that a spill has reached surface water or groundwater.

G. DUTY TO MITIGATE

Upon notification from the Office Chief or his or her designee that an activity at the facility may present an imminent and substantial endangerment to human health or the environment, the licensee shall immediately comply with an order issued by the Office Chief pursuant to §11148(1) of Act 451 to halt such activity and conduct other activities as required by the Office Chief to eliminate the said endangerment. The licensee shall not resume the halted activity without the prior written approval from the Office Chief. {§11148 of Act 451 and R 299.9521(3)(b)}

H. MANIFEST SYSTEM

The licensee shall comply with the manifest requirements of R 299.9304, R 299.9305, and R 299.9608.

I. RECORD KEEPING AND REPORTING

1. The licensee shall comply with the written operating record and monthly operating report (EQP 5142 form) requirements of R 299.9609 and 40 CFR §264.73 and Part 264, Appendix I, and R 299.9610(3), respectively. The monthly operating report shall be submitted on EQP 5142 form provided by the Office Chief, or an equivalent form that has been approved by the Office Chief.

2. The licensee shall comply with the biennial report requirements of R 299.9610. {R 299.9521(1)(a) and 40 CFR §270.30(l)(9)}

3. The licensee shall submit the results of all environmental monitoring required by this license and any additional environmental sampling or analysis conducted beyond that required by this license, in the form of an Environmental Monitoring Report to the Office Chief within 60 days after any sample collection. {R 299.9521(1)(a) and R 299.9521(3)(b) and 40 CFR §270.30(l)(4)}

4. The licensee shall provide environmental monitoring information or data that is required pursuant to this license to an authorized representative of an environmental or emergency response department of the city of Detroit or county of Wayne who requests such information or data and that has jurisdiction over the facility. Such information or data shall be made available on the same day the licensee forwards this information to the Office Chief. {R 299.9521(3)(b)}

5. The licensee shall immediately report to the Office Chief any noncompliance with the license that may endanger human health or the environment by doing both of the following:

   a. The licensee shall immediately notify the Office Chief at 517-335-2690, if the noncompliance occurs Monday through Friday during the period of 8:00 a.m. to 5:00 p.m., except state holidays, or by calling the DEQ Pollution Emergency Alerting System (PEAS) at 1-800-292-4706 during all other times. This notice shall include the following:

      (i) Information concerning the fire, explosion, release, or discharge of any hazardous waste or hazardous waste constituent that could threaten human health or the environment, that has reached surface water or groundwater, or that may endanger public drinking water supplies or the environment; and

      (ii) A description of the occurrence and its cause, including all of the information outlined in R 299.9607(2)(a)-(i).

   b. The licensee shall also follow up the verbal notice by providing a written report to the Office Chief within five days of the time the licensee becomes aware of the circumstances. The written report shall contain all of the information in Condition II.I.5.a.(i)-(ii) of this license along with a description of the noncompliance and its cause; the periods of noncompliance (including exact dates and times); whether the

noncompliance has been corrected and, if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance and when those activities occurred or will occur. The Office Chief may waive the 5-day written notice requirement in favor of submittal of a written report within 15 days of the time the licensee becomes aware of the circumstances.

{R 299.9521(1)(a) and R 299.9607 and 40 CFR §270.30(l)(6)}

6. The licensee shall report all other instances of noncompliance with this license, Part 111 of Act 451, the rules, and any other applicable environmental laws or rules that apply to the licensed facility at the time monitoring reports required by this license are submitted or within 30 days, whichever is sooner. The reports shall contain the information listed in Condition II.I.5. of this license. {R 299.9521(1)(a) and 40 CFR §270.30(l)(10)}

7. The licensee may make minor modifications to the forms contained in the attachments to this license. The modifications may include changing the format, updating existing references and information, adding necessary information, and changing certification and notification information in accordance with Part 111 of Act 451 and its rules and RCRA and its regulations. The licensee shall submit the modifications to the Office Chief prior to implementing the use of the modified form(s). If the Office Chief does not reject or require revision of the modified form(s) within 14 days of receipt, the licensee shall implement use of the modified form(s) and the form(s) shall be incorporated into this license as a replacement for the existing form(s).

J. CLOSURE

The licensee shall comply with the closure requirements of R 299.9613. The licensee shall close the facility in accordance with the Closure Plan, Attachment 5, of this license, all other applicable requirements of this license, and all other applicable laws. {R 299.9613 and 40 CFR Part 264, Subpart G, except 40 CFR §§264.112(d)(1), 264.115, and 264.120}

K. FINANCIAL ASSURANCE FOR CLOSURE

1. On the effective date of this license, the facility closure cost estimate is $1,946,093. The licensee shall keep this estimate current as required under R 299.9702 and 40 CFR §264.142.

2. The licensee shall continuously maintain financial assurance for the current closure cost estimate as required under R 299.9703.

L. FINANCIAL ASSURANCE FOR CORRECTIVE ACTION

1. The licensee shall establish a cost estimate(s) for completing corrective actions at the facility for the cost of performing corrective actions at such time as work plans are submitted, as required by Part VI of this license. The licensee shall keep the corrective action cost estimate current as required under R 299.9712.

2. The licensee shall continuously maintain financial assurance for corrective action as required under R 299.9713.

M. FINANCIAL REPSONSIBILITY FOR LIABILITY COVERAGE

The licensee shall continuously maintain liability coverage for sudden and accidental occurrences, as required by R 299.9710.

N. WASTE MINIMIZATION

The licensee shall certify, at least annually, that the licensee has a hazardous waste minimization program in place. {R 299.9609(1)(a), 40 CFR §264.73(b)(9), §3005(h) of RCRA, and 42 U.S.C. §6925(h)}

O. LAND DISPOSAL RESTRICTIONS

The licensee shall comply with all of the requirements of 40 CFR Part 268. {R 299.9627 and 40 CFR Part 268}

P. AIR EMISSION STANDARDS

1. The licensee shall comply with the requirements of 40 CFR Part 264, Subpart AA, regarding air emission standards for process vents; Subpart BB, regarding air emission standards for equipment leaks; and Subpart CC, regarding air emission standards for tanks, surface impoundments, and containers.

2. The licensee shall notify the Office Chief of any waste management units that become subject to the requirements of 40 CFR Part 264, Subparts AA, BB, and/or CC within 30 days of the start of the regulated activity.

{R 299.9630, R 299.9631, and R 299.9634 and 40 CFR Part 264, Subparts AA, BB, and CC}

Q. DOCUMENTS TO BE MAINTAINED AT THE FACILITY

The licensee shall maintain at the facility the following documents and amendments required by this license, until closure/postclosure is completed, certified by an independent registered professional engineer, and the facility is released from financial assurance requirements for closure/postclosure by the Director:

1. Waste Analysis Plan, including Quality Assurance/Quality Control (QA/QC) Plans.
2. Inspection Schedules and records.
3. Personnel Training Program documents and records.
4. Contingency Plan.
5. Closure Plan.
6. Cost estimates for facility closure, and corrective action and copies of related financial assurance documents.
7. Operating record.
8. Site Security Plan.
9. Facility engineering plans and specifications.
10. Record keeping procedures.
11. Environmental monitoring plans, including Sampling and Analysis Plans and QA/QC Plans.
12. Environmental monitoring data and statistical records.
13. Preventative procedures (Personnel Protection Plan).
14. Hazardous waste minimization program certification.

{R 299.9521(3)(a)}

R. **ENGINEERING PLANS**

The licensee shall construct, operate, and maintain the facility in accordance with the Engineering Plans and Specifications, Attachment 6, of this license, and any modifications to those plans shall be made in accordance with this license

PART III
CONTAINER STORAGE CONDITIONS

A. COVERAGE OF LICENSE

The hazardous waste container storage areas at the facility shown in Drawings A-1, SUP A-1, A-2, SUP A-2, A-3, SUP A-3, A-4, SUP A-4, A-9, F-1, F-2, G-1, G-2, G-3, G-4, G-5, M-1, M-2, M-3, M-3A, M-4, S-1, S-2, S-4, S-5, S-6, 071, 072, 073, PCPI-63, PCPI-63B, PCPI-91, PCPI-153, and PCPI-154 are covered by this license. Any expansion or enlargement beyond the facility boundary shown in Drawing G-2 or beyond the 385,399 gallon storage design capacity requires a new expansion license from the Director. Drawings A-1, SUP A-1, A-2, SUP A-2, A-3, SUP A-3, A-4, SUP A-4, A-9, F-1, F-2, G-1, G-2, G-3, G-4, G-5, M-1, M-2, M-3, M-3A, M-4, S-1, S-2, S-4, S-5, S-6, 071, 072, 073, PCPI-63, PCPI-63B, PCPI-91, PCPI-153, and PCPI-154 are incorporated into this license as part of the Engineering Plans and Specifications, Attachment 6, of this license. {R 299.9521(1)(b)}

B. WASTE IDENTIFICATION AND QUANTITY

1. The licensee may store no more than a total volume of 385,399 gallons of the hazardous wastes listed in the Appendices of Attachment 5 of this license in containers at the facility, subject to the terms of this license. The maximum number of containers of hazardous waste that may be stored at the facility is 7,195, 55-gallon container equivalents. {R 299.9521(2)(d)}

2. Storage of hazardous waste in containers by the licensee is limited to the following specified areas as shown on Drawings A-1, F-2, G-3, M-3A, S-1, PCPI-63, PCPI-91, and PCPI-153 in the Engineering Plans and Specifications, Attachment 6, of this license:

Storage Area Description	Maximum Inventory Allowed
Truck Staging Area (Up to 72 hours Only)	363 containers or 20,000 gallons
First Floor Operations Building – North Storage	700 containers or 38,500 gallons
CMB Container Storage Areas	3,888 containers or 213,840 gallons
CMB Roll-Off Storage	1 roll-off box or 8,080 gallons
CMB Temporary Storage (Up to 72 hours only – Area 4, QA Staging, Pump Room)	675 containers or 37,119 gallons
Drum Dock #3	300 containers or 16,500 gallons
Drum Dock #4	147 containers or 8,080 gallons
SBS Container Storage Room	272 containers or 14,960 gallons
SBS Solids Storage Area (Solids Only)	1 roll-off box or 8,080 gallons
SBS Dock Storage Area	368 containers or 20,240 gallons
Total Facility Authorized Container Storage Capacity	**385,399 gallons**

C. USE AND MANAGEMENT OF CONTAINERS

1. The licensee shall manage all containers in compliance with R 299.9521(3)(b), R 299.9614, and R 299.9627 and 40 CFR §§264.171, 264.172, 264.173, and 268.50(a)(2)(i).

2. The licensee shall only place containers, stacked no greater than two high, into the hazardous waste container storage areas referenced in Condition III.A. and B. of this license in accordance with the configuration shown in Drawings A-1, F-2, G-3, M-3A, S-1, PCPI-63, PCPI-91, and PCPI-153 in the Engineering Plans and Specifications, Attachment 6, of this license or an alternate configuration approved by the Office Chief. {R 299.9521(3)(b)}

3. The licensee shall operate and maintain the containment system in accordance with the requirements of R 299.9614 and 40 CFR §264.175, and the Engineering Plans and Specifications, Attachment 6, of this license.

D. SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTES

1. The licensee shall locate containers holding ignitable or reactive wastes in accordance with R 299.9614 and 40 CFR §264.176.

2. The licensee shall take precautions to prevent the accidental ignition or reaction of ignitable or reactive wastes by following the procedures specified in Attachments 7, 9, and 10 of this license, where applicable. The licensee shall document compliance with this condition and place this documentation in the operating record. {R 299.9605 and 40 CFR §264.17(a) and (c)}

E. SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES OR MATERIALS

1. Prior to placing incompatible wastes or incompatible wastes and materials in the same container, the licensee shall comply with R 299.9605 and 40 CFR §264.17(b) by following the procedures specified in Attachments 7, 9, and 10 of this license. {R 299.9521(2)(d) and (3)(b)}

2. The licensee shall prevent the placement of hazardous waste in an unwashed container that previously held an incompatible waste or material. {R 299.9614 and 40 CFR §264.177(b)}

3. The licensee shall document compliance with Conditions III.E.1. and III.E.2. of this license and place this documentation in the operating record. {R 299.9605 and 40 CFR §264.17(c)}

4. The licensee shall separate containers of incompatible wastes as indicated in the procedures contained in Attachments 7 and 9 of this license. {R 299.9614 and 40 CFR §264.177(c)}

F. DISPOSITION OF ACCUMULATED LIQUIDS

The licensee shall remove all liquids accumulated in the containment system within 24 hours of detection and manage the liquids in accordance with the requirements of Part 111 of Act 451 and the rules, as specified in the Use and Management of Containers, Attachment 7, of this license. {R 299.9521(3)(b) and R 299.9614(1)(a) and 40 CFR §264.175(b)(5)}

PART IV
TANK SYSTEM STORAGE AND TREATMENT CONDITIONS

A. COVERAGE OF LICENSE

The hazardous waste tank system storage and treatment areas at the facility shown in Drawings A-1, A-4, G-2, G-3, G-5, M-3A, 071, 072, 073, TK001, TK002, PCPI-58, PCPI-58B, PCPI-58C, PCPI-59, PCPI-60, PCPI-79, PCPI-116B, PCPI-174, PCPI-192, PCPI-193, PCPI-194, PCPI-196B, and PCPI-572A are covered by this license. Any expansion or enlargement beyond the facility boundary shown in Drawings G-2 or beyond the 646,956-gallon tank system storage design capacity requires a new expansion license from the Director. Drawings A-1, A-4, G-2, G-3, G-5, M-3A, 071, 072, 073, TK001, TK002, PCPI-58, PCPI-58B, PCPI-58C, PCPI-59, PCPI-60, PCPI-79, PCPI-116B, PCPI-174, PCPI-192, PCPI-193, PCPI-194, PCPI-196B, and PCPI-572A are incorporated into this license as the Engineering Plans and Specifications, Attachment 6,of this license. {R 299.9521(1)(b)}

B. WASTE IDENTIFICATION AND QUANTITY

1. The licensee may store no more than a total volume of 646,956 gallons of the hazardous wastes listed in the Appendices of Attachment 5 of this license in the tank systems identified as Tank Systems 1, 2, and 3 and the CMB Tanks in Attachments 8 and 9, subject to the terms of this license. {R 299.9521(2)(d)}

2.

Tank System Description	Maximum Inventory Allowed
Tank System 1: Tanks 16-30	28,000 gallons each; 420,000 gallons total
Tank System 2: Tanks 35-40	28,000 gallons each; 168,000 gallons total
Tank System 3: Tanks S69, S70	13,277 gallons each; 26,554 gallons total
Tank System 3: Tanks S71, S72	10,201 gallons each; 20,402 gallons total
CMB Tanks: TK 001, TK 002	6,000 gallons each; 12,000 gallons total
Total Authorized Tank Storage Capacity	**646,956 gallons**

C. WASTE TREATMENT CAPACITY AND METHODS

1. The licensee may treat no more than a total volume of 155,000 gallons per day of the hazardous wastes listed in the Appendices of Attachment 5 of this license in the tank systems identified as Tanks S69, S70, S71, S72 (Fuel Blending and Spent Solvent Reclamation), 16-30 (Fuel Blending), and 35-40 (Fuel Blending) in Tables 1 and 2 of the Process Descriptions, Attachment 9,of this license and Drawings A-1, A-4, G-2, G-3, G-5, M-3A, 071, 072, 073, TK001, TK002, PCPI-58, PCPI-58B, PCPI-58C, PCPI-59, PCPI-60, PCPI-79, PCPI-116B, PCPI-174, PCPI-192, PCPI-193, PCPI-194, PCPI-196B, and PCPI-572A in the Engineering Plans and Specifications, Attachment 6, of this license subject to the license terms. {R 299.9521(2)(d) and (3)(a) and (b)}

2. The licensee may only conduct the treatment methods specified in the Treatment Process Description, Attachment 10, of this license subject to the license terms. {R 299.9521(2)(d) and (3)(a) and (b)}

D. DESIGN, CONTAINMENT, AND ASSESSMENT OF TANK SYSTEMS

The licensee shall operate and maintain all tank systems in accordance with the applicable requirements of R 299.9615 and 40 CFR §§264.193 and 264.194, and in accordance with the Engineering Plans and Specifications, Attachment 6, of this license.

E. MANAGEMENT OF TANK SYSTEMS

1. The licensee shall label and manage the tank systems in accordance with the requirements of R 299.9615 and R 299.9627, 40 CFR §§264.194, 264.196, and 268.50(a)(2)(ii), R 29.4101 to R 29.4504 pursuant to the provisions of the Fire Prevention Act, 1941 PA 207, as amended, National Fire Protection Association (NFPA) Standard No. 704, and the spill and overfill prevention procedures specified in the Tank systems, Attachment 8, of this license. {R 299.9615}

2. The licensee shall conduct the treatment of hazardous wastes in accordance with the methods and procedures specified in the Treatment Process Description, Attachment 10, of this license. {R 299.9633}

F. SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTES

1. The licensee shall not place ignitable or reactive waste in a tank system unless the procedures described in Attachments 8 and 9 of this license are followed. The licensee shall document compliance with this condition and place this documentation in the operating record. {R 299.9605, R 299.9609, R 299.9615 and 40 CFR §§264.17(c), 264.73(b)(3), and 264.198(a)}

2. The licensee shall maintain the protective distances between the tank systems and any public ways, streets, alleys, or adjoining property lines that can be built upon, as required in Tables 2-1 through 2-6 of the NFPA's "Flammable and Combustible Liquids Code" (1977 or 1981) as specified in Attachments 8 and 9 of this license, and as required by R 299.9615 and 40 CFR §264.198(b).

G. SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES OR MATERIALS

The licensee shall not place incompatible wastes or incompatible wastes and materials, in the same tank system or place hazardous waste in a tank system that has not been decontaminated and that previously held an incompatible waste or material unless the procedures specified in Attachments 8, 9, and 10 of this license are followed, as required by R 299.9615 and 40 CFR §264.17(b). The licensee shall document compliance with this condition and place this documentation in the operating record. {R 299.9609 and R 299.9615 and 40 CFR §§264.17(c), 264.73(b)(3), and 264.199}

H. DISPOSITION OF ACCUMULATED LIQUIDS

The licensee shall remove spilled or leaked waste and accumulated precipitation from the tank system within 24 hours of detection and manage it in accordance with the requirements of Part 111 of Act 451 and the rules, and the procedures in the Tank Systems, Attachment 8, of this license. {R 299.9521(3)(b), R 299.9615, and 40 CFR §264.193(c)(4)}

PART V
ENVIRONMENTAL MONITORING CONDITIONS

A. GROUNDWATER MONITORING PROGRAM

1. The licensee shall conduct a semiannual corrective action monitoring program. Under this program, the licensee shall operate and maintain a groundwater monitoring system in accordance with the Groundwater Monitoring Programs, Sampling and Analysis Plan (SAP) of Attachment 11, of this license. {R 299.9611(2)(a) and (b), R 299.9612, and R 299.9629 and 40 CFR Part 264, Subpart F, excluding 40 CFR §§264.94(a)(2) and (3), 264.94(b) and (c), 264.100, and 264.101}

2. The licensee shall submit proposed revisions to the SAP to the Office Chief for approval prior to implementation and shall revise any other affected document accordingly. If approved, the revisions to the SAP shall become part of this license without the need for a minor license modification. {R 299.9519(5)(c)(ii), R 299.9611(2)(a), and R 299.9612 and 40 CFR §264.97(d) and (e)}

3. Water removed from each monitoring well shall be managed as specified on page 4 of the Environmental Monitoring Programs, Attachment 11, of this license. {R 299.9521(3)(b)}

4. The licensee shall submit an annual groundwater report to the Office Chief no later than March 1st of each year for the previous calendar year's activities. At a minimum, the report shall include the following information:

   a. A narrative summary of the previous calendar year's sampling events, including sampling event dates, the identification of any significant problems with respect to SAP procedures, and copies of field log sheets.

   b. A determination of the groundwater flow rate and direction in the monitored zone, including the preparation of a groundwater level contour map from this data.

   c. A summary of groundwater quality data results, including a narrative summary of results and trends, isochems, data graphs, and data tables.

   d. A presentation of the statistical analysis of the data and the identification of any statistically significant trends pursuant to Condition V.A.5. of this license.

   e. An analysis and discussion of laboratory and field related QA/QC information. This shall include results of equipment, field, and trip blanks and discussion and evaluation of the adequacy of the data with respect to SAP specifications and requirements.

   {R 299.9521(3)(b) and R 299.9612(1) and 40 CFR §264.97(j)}

5. Within 60 days of each sampling of each monitoring well, the licensee shall determine if a statistically significant increase has occurred compared to background levels for each primary parameter described in Section B5.A.3(a), and listed in the volatile organic compounds and semivolatile compounds analyte lists, of the Environmental Monitoring Programs, Attachment 11, of this license. This statistical test will be conducted as follows:

   a. The nonparametric Mann-Kendell test will be applied to each well individually (intra well).

6. The licensee shall submit the results of groundwater monitoring required by this license in the form of an Environmental Monitoring Report to the Office Chief within 60 days after any sample collection. This report must include:

   a. A brief summary describing whether contaminant trends are increasing, decreasing, or remaining steady.

   b. Data summary table and laboratory analytical data.

   c. Identification of any tentatively identified compounds (TICs).

7. In the event that the Office Chief determines from the findings of Conditions V.A.5. of this license that a statistically significant increase (or change in pH) in hazardous constituents has occurred in the groundwater and the Director finds, in accordance with §11148 of Act 451, that the increase (or change in pH) may present an imminent and substantial hazard to the health of persons or to the natural resources, or is endangering or causing damage to public health or the environment, the licensee shall immediately comply with an order issued by the Director pursuant to §11148(1) of Act 451 to cease waste receipt, storage, and treatment at the affected units and conduct other activities as required by the Director to eliminate the said endangerment. {R 299.9612(1)(g)}

B. AMBIENT AIR MONITORING PROGRAM

The licensee shall conduct ambient air monitoring in accordance with the program specified in the Environmental Monitoring Programs, Attachment 11, of this license within 30 days after the issuance of this license. {R 299.9611(2)(c)}

PART VI
CORRECTIVE ACTION CONDITIONS

A. CORRECTIVE ACTION AT THE FACILITY

1. The licensee shall implement corrective action for all releases of a contaminant from any waste management units (WMUs) at the facility, regardless of when the contaminant may have been placed in or released from the WMU. For the purposes of this license, the term "corrective action" means an action determined by the Office Chief to be necessary to protect the public health, safety, welfare, or the environment, and includes, but is not limited to, investigation, evaluation, cleanup, removal, remediation, monitoring, containment, isolation, treatment, storage, management, temporary relocation of people, and provision of alternative water supplies, or any corrective action allowed under Title II of the federal Solid Waste Disposal Act, PL 89-272, as amended, or regulations promulgated pursuant to that act. For the purposes of this license, the process outlined in Part 111 of Act 451 and the environmental protection standards adopted in R 299.9629 shall be used to satisfy the corrective action obligations under this license. {§§11102 and 11115a of Act 451 and R 299.9629}

2. To the extent that a release of a hazardous substance, as defined in §20101(t) of Act 451, that is not also a contaminant, as defined in §11102(2) of Act 451, is discovered while performing corrective action under this license, the licensee shall take concurrent actions as necessary to address the Part 201, Environmental Remediation, of Act 451 remedial obligations for that release. {R 299.9521(3)(b)}

B. CORRECTIVE ACTION BEYOND THE FACILITY BOUNDARY

The licensee shall implement corrective action beyond the facility in accordance with §11115a of Act 451 and R 299.9629(2).

C. IDENTIFICATION OF WASTE MANAGEMENT UNITS AND AREAS OF CONCERN

The WMUs and areas of concern (AOCs) at the facility are identified below and shown on Drawing G-1 and the Area of Concern Map in the Engineering Plans and Specifications, Attachment 6, of this license.

1. The following WMU and AOCs, identified in the Evaluation of Part 201 Exposure Pathways (2007) and the RCRA Facility Investigation Report (2011), require further corrective action at this time that includes, at a minimum, further investigation to determine the nature and extent of the release in accordance with Condition VI.D. of this license.

WMU Number 15:	Former Container Processing System
AOC Number 1:	Soil Volatilization to Indoor Air Exceedences
AOC Number 2:	Soil Volatilization to Ambient Air Exceedences
AOC Number 3:	MTBE Release to Site Wide Groundwater

2. The following WMUs do not require corrective action at this time as they are currently operating pursuant to the act and its rules with no evidence of a release of any contaminants. Corrective action may be required when any of the units undergo final closure.

WMU Number 16:	West Tank Farm
WMU Number 17:	Northwest Tank Farm
WMU Number 18:	Super Blender System
WMU Number 19:	Site Paving Areas

{§§11102 and 11115a of Act 451 and R 299.9521(3)(b) and R 299.9629}

3. Within 30 days of discovery of a new WMU or a release of a contaminant from a new WMU, the licensee shall provide written notification to the Office Chief. The written notification shall include all of the following information:

   a. The location of the unit on the facility topographic map.

   b. The designation of the type of unit.

   c. The general dimensions and structural description, including any available drawings of the unit.

   d. The dates the unit was operated.

   e. Specification of all waste(s) that have been managed in the unit.

   f. All available information pertaining to any release of a contaminant from the unit.

4. Based on a review of all of the information provided in Condition VI.C.3. of this license, the Office Chief may require corrective action for the newly-identified WMU. The licensee shall submit a written Investigation Work Plan to the Office Chief within 60 days of written notification by the Office Chief that corrective action for the unit is required.

   {§§11102 and 11115a of Act 451 and R 299.9504(1), R 299.9508(1)(b), and R 299.9629 and 40 CFR §270.14(d)}

D. CORRECTIVE ACTION INVESTIGATION

The licensee shall conduct a Corrective Action Investigation to determine if a release of a contaminant(s) from any of the WMUs identified in Condition VI.C. of this license has occurred and, if a release(s) has occurred, evaluate the nature and extent of the release(s). The licensee shall submit a written Corrective Action Investigation Work Plan, Corrective Action Investigation Final Report documenting compliance with the approved Work Plan and supporting further corrective action at the facility, and Corrective Action Investigation progress reports to the Office Chief for review and approval in accordance with Condition VI.K. of this license. The Office Chief will approve, modify and approve, or provide a Notice of Deficiency (NOD) for the Work Plan and Final Report. Upon approval, the Work Plan and Final Report become enforceable conditions of this license. {§§11102 and 11115a of Act 451 and R 299.9629}

E. INTERIM MEASURES

The licensee shall conduct interim measures (IMs) at the facility, if determined necessary by the licensee or the Office Chief, to cleanup or remove a released contaminant or to take other actions, prior to the implementation of corrective action measures, as may be necessary to prevent, minimize, or mitigate injury to the public health, safety, or welfare, or to the environment. The licensee shall submit a written IM Work Plan, an IM Final Report documenting compliance with the approved Work Plan and supporting further corrective action at the facility, and IM progress reports to the Office Chief for review and approval in accordance with Condition VI.K. of this license. The Office Chief will approve, modify and approve, or provide an NOD for the Work Plan and Final Report. Upon approval, the Work Plan and Final Report become enforceable conditions of this license. {§§11102 and 11115a of Act 451 and R 299.9629}

F. DETERMINATION OF NO FURTHER ACTION

1. The licensee shall continue corrective action measures to the extent necessary to ensure that the applicable environmental protection standards adopted in Part 111 of Act 451 are met, if the limits are not less stringent than allowed pursuant to the provisions of RCRA.

2. Based on the results of the Corrective Action Investigation and other relevant information, the licensee shall submit a written request for a license minor modification to the Office Chief if the licensee wishes to terminate corrective action for a specific WMU identified in Condition VI.C. of this license. The licensee must demonstrate that there have been no releases of a contaminant(s) from the WMU and that the WMU does not pose a threat to public health, safety, welfare, or the environment.

3. Based on the results of the Corrective Action Investigation and other relevant information, the licensee shall submit a written request for a license major modification to the Office Chief if the licensee wishes to terminate facility-wide corrective action. The licensee must conclusively demonstrate that there have been no releases of a contaminant(s) from any of the WMUs at the facility and that none of the WMUs pose a threat to public health, safety, welfare, or the environment.

4. If, based upon a review of the licensee's request for a license modification pursuant to Condition VI.F.2. or VI.F.3. of this license, the results of the completed Corrective Action Investigation, and other relevant information, the Office Chief determines that the releases, or suspected releases, of a contaminant(s) do not exist and that the WMU(s) do not pose a threat to public health, safety, welfare, or the environment, the Office Chief will approve the requested modification, subject to conditions VI.F.5. and VI.F.6., below.

5. A determination of no further action shall not preclude the Office Chief from requiring continued or periodic monitoring of air, soil, groundwater, or surface water, if necessary, to protect public health, safety, welfare, or the environment, when facility-specific circumstances indicate that potential or actual releases of a contaminant(s) may occur.

6. A determination of no further action shall not preclude the Office Chief from requiring further corrective action at a later date, if new information or subsequent analysis indicates that a release or potential release of a contaminant(s) from a WMU at the facility may pose a threat to public health, safety, welfare, or the environment. The Office Chief will initiate the necessary license modifications if further corrective action is required at a later date.

{§§11102 and 11115a of Act 451 and R 299.9629(2)}

G. CORRECTIVE MEASURES STUDY

If the Office Chief determines, based on the results of the Corrective Action Investigation and other relevant information, that response activities are necessary, the Office Chief will notify the licensee in writing that a Corrective Measures Study (CMS) is required. If required by the Office Chief, the licensee shall conduct a CMS to develop and evaluate the response activity alternative(s) necessary to address the release(s) of a contaminant(s) or hazardous substances and the WMU(s) that are identified in the approved Corrective Action Investigation Final Report as requiring final response activities. The licensee shall submit a written CMS Work Plan, an CMS Final Report documenting compliance with the approved Work Plan and supporting further corrective action at the facility, and CMS progress reports to the Office Chief for review and approval in accordance with Condition VI.K. of this license. The Office Chief will approve, modify and approve, or provide an NOD for the Work

Plan and Final Report. Upon approval, the Work Plan and Final Report become enforceable conditions of this license. {§§11102 and 11115a of Act 451 and R 299.9629}

H. CORRECTIVE MEASURES IMPLEMENTATION

1. The licensee shall implement final corrective action measures based on the CMS Final Report approved by the Office Chief. The licensee shall submit a written Corrective Measures Implementation (CMI) Work Plan to the Office Chief for review and approval. The licensee shall also submit a written CMI Final Report documenting compliance with the approved CMI Work Plan and providing justification that the corrective action measures may cease and CMI progress reports to the Office Chief for review and approval in accordance with Condition VI.K. of this license. The Office Chief will approve, modify and approve, or provide an NOD for the Work Plan and Final Report. Upon approval, the Work Plan and Final Report become enforceable conditions of this license.

2. The Office will provide notice of its draft decision on the CMI Work Plan to persons on the facility mailing list and provide an opportunity for a public hearing.

3. The licensee shall implement the approved CMI Work Plan within 60 days of receipt of the Office Chief's written approval of the CMI Work Plan.

{§§11102 and 11115a of Act 451 and R 299.9629}

I. CORRECTIVE ACTION MANAGEMENT UNITS

If applicable, the licensee shall comply with the requirements of R 299.9635 in order to designate an area at the facility as a corrective action management unit for implementation of corrective action remedies. {R 299.9521(3)(a)}

J. TEMPORARY UNITS

If applicable, the licensee shall comply with the requirements of R 299.9636 in order to designate tank or container storage units used for the treatment or storage of remediation wastes as temporary units for implementation of corrective action remedies. {R 299.9521(3)(a)}

K. SUMMARY OF CORRECTIVE ACTION SUBMITTALS

The licensee shall submit the required corrective action documents in accordance with Conditions VI.D., VI.E., VI.G., and VI.H. of this license and the schedule below.

CORRECTIVE ACTION DOCUMENT	SUBMITTAL DEADLINE
Written notification of new release of contaminant from existing WMU, new WMU, or release of contaminant from new WMU	Within 30 days of discovery
Corrective Action Investigation Work Plan for newly-identified release of contaminant from existing WMU, new WMU, or release of a contaminant from a new WMU	Within 60 days of receipt of written notification that response activity is required

CORRECTIVE ACTION DOCUMENT	SUBMITTAL DEADLINE
Corrective Action Investigation Work Plan for existing WMUs, AOCs, and contaminant releases	Within 60 days of the effective date of this license
Revised Corrective Action Investigation Work Plan for WMUs and contaminant releases	Within 60 days of receipt of Work Plan NOD
Corrective Action Investigation progress reports	Within 90 days of initiation of the investigation and every 90 days thereafter, unless otherwise approved
Corrective Action Investigation Final Report for WMUs and contaminant releases	Within 60 days of completion of investigation
Revised Corrective Action Investigation Final Report for WMUs and contaminant releases	Within 60 days of receipt of Final Report NOD
IM Work Plan for WMUs and contaminant releases	Within 60 days of receipt of notification that Work Plan is required
Revised IM Work Plan for WMUs and contaminant releases	Within 60 days of receipt of Work Plan NOD
IM progress reports	Within 90 days of initiation of the IM and every 90 days thereafter, unless otherwise approved
IM Final Report for WMUs and contaminant releases	Within 60 days of completion of the IM
Revised IM Work Plan for WMUs and contaminant releases	Within 60 days of receipt of Final Report NOD
CMS Work Plan for WMUs and contaminant releases	Within 60 days of receipt of notification that CMS is required
Revised CMS Work Plan for WMUs and contaminant releases	Within 60 days of receipt of Work Plan NOD
CMS progress reports	Within 90 days of initiation of the CMS and every 90 days thereafter, unless otherwise approved
CMS Final Report for WMUs and contaminant releases	Within 60 days of completion of the CMS
Revised CMS Final Report for WMUs and contaminant releases	Within 60 days of receipt of Final Report NOD
CMI Work Plan for WMUs and contaminant releases	Within 60 days of approval of the CMS Final Report
Revised CMI Work Plan for WMUs and contaminant releases	Within 60 days of receipt of Work Plan NOD
CMI Work Plan progress reports	Within 90 days of implementation of Work Plan and

CORRECTIVE ACTION DOCUMENT	SUBMITTAL DEADLINE
	every 90 days thereafter, unless otherwise approved
CMI Final Report for remediated WMUs and contaminant releases	Within 60 days after corrective action measures have been completed and cleanup criteria have been met
Revised CMI Final Report for WMUs and contaminant releases	Within 60 days of receipt of Final Report NOD

L. CORRECTIVE ACTION DOCUMENTS RETENTION

The licensee shall maintain all corrective action documents required by this license at the facility. The documents shall be maintained for the operating life of the facility or until the facility is released from financial assurance requirements for corrective action by the Director, whichever is longer. The licensee shall offer such documents to the Office Chief prior to discarding those documents. {§§11102 and 11115a of Act 451 and R 299.9521(3)(b) and R 299.9629}

PART VII
SCHEDULE OF COMPLIANCE

A. NEW CONSTRUCTION

1. Construction Schedule: The licensee shall initiate construction of 10,341 gallons of excess available storage capacity in the form of hazardous waste container or tank storage units within 3 years after the effective date of this license. This license condition remains valid for a period of 5 years from the effective date of this license if construction is initiated within the 3-year period and proceeds in a continuous manner. Extensions may be granted by the Office Chief if unexpected construction delays occur beyond the control of the licensee.

2. Plan Submittal and Review: Prior to construction of excess storage capacity, the licensee shall submit engineering plans of all storage equipment and containment structures to the Office Chief for review and approval. The plans shall be prepared and sealed by a registered professional engineer and shall include all of the following information:

   a. Plan views, elevations, sections, and supplementary views that, together with general layout drawings, provide working information for the review of the storage process.

   b. Specifications on all construction materials and installation methods.

   c. The basis of design for all storage equipment and containment structures.

   d. A flow diagram of the storage process.

   e. The design capacity of the storage process.

   {R 299.9504(1)(g)}

3. Notification of Start of Construction: The licensee shall notify the Office Chief as soon as possible, but no later than seven days prior to beginning construction of excess storage capacity approved pursuant to Condition VII.A.2. of this license.

4. Progress Reports: Starting within 90 days after the effective date of the license, and quarterly thereafter, the licensee shall submit progress reports to the Office Chief detailing the status of construction completion and the expected construction activities during the next 90-day reporting period. The licensee shall continue to provide these progress reports until the letter required in condition VII.5., below, has been provided to the Office Chief.

5. Certification and Inspection: The licensee shall not store hazardous waste in the portion of the facility constructed pursuant to this part of the license until:

   a. The licensee has submitted, to the Office Chief, by certified mail or hand delivery, a letter signed by the licensee and a registered professional engineer stating that the excess available storage capacity at the facility has been constructed in compliance with the license and approved plans, and

   b. The RMD has inspected the modified facility and issued a determination that the construction is in compliance with the conditions of the license.

6. Forfeiture: Any claim by the licensee to the 10,341 gallon excess available storage capacity authorized by this license Condition VII.A., but not constructed in accordance with the deadlines to begin and complete construction in Condition VII.A.1. shall be forfeited.

{R 299.9504(1)(g), R 299.9508, and R 299.9516}

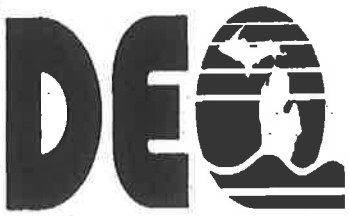
RESPONSE TO COMMENTS

FOR

PETRO-CHEM PROCESSING GROUP OF NORTRU LLC

HAZARDOUS WASTE MANAGEMENT FACILITY
OPERATING LICENSE RENEWAL

DECEMBER 2012



MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF WASTE MANAGEMENT AND RADIOLOGICAL PROTECTION

INTRODUCTION

On August 26, 2012, a public notice was published in The Detroit Free Press to notify the public and request comments concerning the draft hazardous waste management facility operating license renewal (License) proposed to be issued to Petro-Chem Processing Group of Nortru, LLC (PCPG), pursuant to Part 111, Hazardous Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

The public comment period spanned from August 26, 2012, to October 18, 2012. The Michigan Department of Environmental Quality (DEQ) publishes a biweekly "Environmental Calendar" that provides public notice of pending DEQ decisions. Notice regarding the DEQ's intent to issue a Part 111 License to PCPG appeared in the DEQ Environmental Calendar on September 10, 2012.

In accordance with R 299.9515 of the administrative rules promulgated pursuant to Part 111, this document was prepared to respond to significant comments submitted during the public comment period and to describe any significant changes made to the draft License. No modification to the draft License was made as a result of the one comment received. Some modifications to the License were made to update regulatory and statutory citations, include progress reports for new construction, and to update new office names resulting from reorganization of the Hazardous Waste Program from the Resource Management Division to the Office of Waste Management and Radiological Protection. The comment received and the DEQ response are presented in Attachment 1, Response to Comments. Changes made to the draft License and the reasons for each change are presented in Attachment 2, Summary of Changes.

ATTACHMENT 1
RESPONSE TO COMMENTS

COMMENT 1: *I store my boat near Petro-Chem Processing Group on Lycaste in Detroit. I have watched the company over the years and I consider them to be good neighbors. They keep the facility and surrounding area spotless and employ many. When their first permit application was filed in the early 1990s, the company was able to report there were no neighbors in the area. But, things have changed since then. A group of condominiums and a subdivision have been built between the facility and the Detroit River to its south. I have always wondered what evacuation plans exist for these people in case there is a fire or explosion at the plant. Current filings only speak to evacuation of the plant itself.*

RESPONSE: Petro-Chem is required under its Contingency Plan to contact the Detroit Fire Department using the 911 emergency number when there is a fire at the facility that it cannot control. The Detroit Fire Department would decide whether it is necessary to evacuate the area surrounding the facility, and the Detroit Police Department would carry out the evacuation. Petro-Chem has provided the Detroit Fire Department with a copy of the facility Contingency Plan so that emergency responders can be familiar with the facility in case of a need to respond to an emergency fire situation. If you are interested in more details on area evacuations and when the situation may merit an evacuation, you may want to contact the Detroit Fire Department at (313) 596-2900 or communityrelations@detroitmi.gov.

ATTACHMENT 2
SUMMARY OF CHANGES

No comments were received during the public comment period that required revisions to the License; however, some revisions were made as further specified below.

Cover Page: "Draft" was removed as the date and the appropriate date was inserted. Also, the Division Chief's name and title were changed to be the Office Chief's name and title. These revisions were to reflect the reorganization of the division that occurred after the draft License was available for review and comment.

CONDITION: Standard Condition I.A.Terminology and References

CHANGE: This condition was revised to replace "Division" with the term "Office" and read as follows:

"Throughout this license, the term "Office" means the Office of Waste Management and Radiological Protection within the DEQ responsible for administering Part 111 of Act 451 and the rules. Throughout this license, "Director" means the Director of the DEQ or the Director's duly authorized designee, such as the Office Chief. All of the provisions of Title 40 of the Code of Federal Regulations (CFR) referenced in this license are adopted by reference in R 299.11003."

CONDITION: Standard Condition I.D.1 Responsibilities

CHANGE: This condition was revised to include the following statutory citations for Part 111 enforcement provisions: §§11148, 11150, and 11151.

CONDITION: Standard Condition I.D.4 Responsibilities

CHANGE: This condition was revised to include R 299.9501 and R 299.9519 and Part 6 of the Part 111 Rules as the authority for notifying and obtaining Office Chief approval prior to any planned physical alteration or additions to the licensed facility.

CONDITION: Standard Condition I.E Submittal Deadlines

CHANGE: This condition was revised to include R 299.9519 as the authority for submittals.

CONDITION: Tank System Storage and treatment Conditions IV.C. 1 and 2

CHANGE: Corrected a typographical error in each item.

CONDITION: Corrective Action Condition IV.F.4.

CHANGE: "Subject to conditions VI.F.5 and VI.F.6, below" was added to this condition.

CONDITION: Schedule of Compliance Condition VII.A.3. New Construction

CHANGE: This condition was revised to add the language "but no later than seven days" to the condition.

CONDITION: Schedule of Compliance Condition VII A. 4 New Construction

CHANGE: This condition was added regarding progress report submittals.

CONDITION: Schedule of Compliance Condition VII A. 5 New Construction

CHANGE: Previous Condition 4 was renumbered to accommodate the addition of the progress report submittal condition.

NOTICE OF FINAL DECISION

Hazardous Waste Management Facility Operating License
Petro-Chem Processing Group of Nortru, LLC
MID 980 615 298

The Michigan Department of Environmental Quality (MDEQ), Office of Waste Management and Radiological Protection (OWMRP), issued a hazardous waste treatment and storage facility operating license renewal (License) to Petro-Chem Processing Group of Nortru, LLC (PCPG), pursuant to Part 111, Hazardous Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. The License was issued on December 18, 2012, and allows PCPG to continue to operate their hazardous waste treatment and storage facility at 621 Lycaste Avenue, Detroit, Michigan. The Part 111 License will expire 10 years from the date of issuance.

The MDEQ conducted a public participation process. Issues raised during that process have been addressed by the MDEQ in the Response to Comments.

The final Part 111 License and the Response to Comments are available at the MDEQ, Detroit Field Office, OWMRP, Cadillac Place, 3058 West Grand Boulevard, Suite 2-300, Detroit, Michigan 48202; at the MDEQ, Southeast Michigan District Office, OWMRP, 27700 Donald Court, Warren, Michigan 48092 (contact Mr. James Day at 586-753-3835); and at the MDEQ, OWMRP, Constitution Hall, Atrium North, 525 West Allegan Street, Lansing, Michigan 48933 (contact Mr. Daniel Dailey at 517-335-6610). Copies of these documents may be obtained for the cost of reproduction by contacting Ms. Lindacarol Leiter, OWMRP, MDEQ, at 517-373-9875. Questions or comments concerning PCPG should be directed to Mr. Dailey.