

BEFORE THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF  
CLEAN HARBORS ENVIRONMENTAL  
SERVICES, INC.  
FID NO. 58562

| Case No. 3293  
|  
| ORDER on INTERIM  
| OPERATING REQUIREMENTS  
|  
|

NOW this matter came before the Acting Director on the application of Clean Harbors Environmental Services, Inc. (CHESI) for Interim Operating Requirements pursuant to 40 CFR Part 63.1207 (l) (3), which is attached.

After failing a comprehensive performance test, CHESI continues to operate the hazardous waste burning operation which is a violation of both the permits and the Hazardous Waste Regulations (See Air Permit condition XXX(F)(2)(a), RCRA Permit conditions I.D.13.d and V.E.2, and 40 CFR Part 63.1207(l)(1)(i)). The Acting Director in reviewing the material presented and documents in the possession of the Department of Environmental Quality concerning the application, finds that if CHESI decides to continue to burn hazardous waste, the following are the Interim Operating Requirements:

1. Total Hazardous Waste Feed Rate (lb/hr)	17,173.60
2. Total Dry Solids Feed Rate (lb/hr)	12,160.80
3. Total Maximum Pumpable Waste Feed Rate (lb/hr)	9,434.40
4. Max Allowable Ash Feed Rate (lb/hr)	9,627.20
5. Max Feed Rate for Total Halogen (as chlorine) (lb/hr)	418.98
6. Min Temperature for PCC (deg. F)	1,400
7. Min Instantaneous Temperature for PCC (deg. F)	1,386
8. Min Temperature for SCC (deg. F)	1,511
9. Min Instantaneous Temperature for SCC (deg. F)	1,491
10. Max Stack Flow Rate (dscfm)	19,727.20



These interim Operating requirements are valid for 90 days from this Order. CHESI shall within 90 days of this order submit a Notification of Compliance or shall ask for an extension of this Order or cease burning hazardous waste immediately.

Nothing in this Order permits or excuses any violations that have occurred or may occur. The NDEQ reserves the right to pursue enforcement in the proper court of law for injunctive relief or to seek civil or criminal penalties for any violations. Nothing in this Order precludes the NDEQ from pursuing such enforcement. Failure to obey this order may result in fines up to \$10,000, per violation, per day, as set out in Neb. Rev. Stat. § 81-1508.02.

IT IS THEREFORE ORDERED.

Dated this 26<sup>th</sup> day of November, 2014.

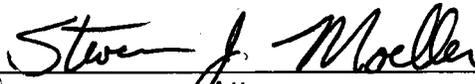
By: 

Patrick W. Rice, Acting Director  
NEBRASKA DEPARTMENT OF  
ENVIRONMENTAL QUALITY  
P.O. Box 98922  
Lincoln, NE 68509-8922  
(402) 471-2186

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Order, was served by certified United States mail, postage prepaid, return receipt requested this 26<sup>th</sup> day of November 2014 upon the Respondent listed below:

Michael Crisenbery, Clean Harbors Environmental Services, Inc., 4879 Spring Grove Ave., Cincinnati, OH 45232

  
\_\_\_\_\_  
Attorney



Clean Harbors Environmental Services, Inc.  
 2247 South Highway 71  
 Kimball, Nebraska 69145  
 308.235.4012  
 www.cleanharbors.com

Sent via email and Federal Express # 7719 8259 3497

November 24, 2014

Mr. Patrick Rice  
 Acting Director  
 Nebraska Department of Environmental Quality  
 Suite 400, The Atrium  
 1200 N Street  
 Lincoln, NE 68509

Re: 2014 Comprehensive Performance Test  
 Clean Harbors Environmental Services, Inc. (CHESI)

Dear Mr. Rice,

Clean Harbors Environmental Services, Inc. (CHESI) submitted the Notification of Compliance (NOC) of the 2014 Comprehensive Performance Test (CPT) to the Nebraska Department of Environmental Quality (NDEQ) on November 20, 2014. In the Notification of Compliance, CHESI explained that our Kimball Facility did not pass the Destruction and Removal Efficiency (DRE) demonstration for Perchloroethylene. We have been in communication with the Department concerning the Test Results and our action plan to identify the root cause for this unexpected deviation and resolution of this anomaly. With this letter, CHESI is giving the NDEQ 60 days notice that the facility will retest for Perchloroethylene DRE. CHESI is currently working with its CPT contractors and the NDEQ in order to schedule a retest. In a separate letter to the NDEQ, CHESI will inform the Department of the date of the retest.

During the interim operating time before the retest is performed, CHESI is proposing that the incinerator operating parameters be the most conservative limit that was demonstrated in either the 2009 or 2014 CPTs. The chart below shows CHESI's proposed interim operating parameters. On Friday, November 21, 2014 CHESI inputted the most conservative limits into the incinerator's Distributive Control System to assure compliance with the alternative operational limits in accordance with 40 CFR Part 63.1207.

Comparison of Limits – RCRA Permit vs. November 2014 NOC

Parameter	Current RCRA Permit	11-2014 NOC	Most Conservative Interim Limit
Total Hazardous Waste Feed Rate (lb/hr)	21,467	23,624	21,467
Dry Solids Feed Rate (lb/hr)	15,201	18,518	15,201
Pumpable Waste Feed Rate (lb/hr)	12,188	11,793	11,793
PCC Temperature, HRA (°F)	1,400	1,337	1,400
PCC Temperature, Instant. (°F)	1,386	1,282	1,386

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SRC Temperature, HRA (°F)	1,491	1,511	<b>1,511</b>
SRC Temperature, Instant. (°F)	1,475	1,491	<b>1,491</b>
Stack Flow Rate (dscfm)	25,151	24,659	<b>24,659</b>

CHESI currently believes that non-steady state conditions of the incinerator and lower Primary Combustion Chamber (PCC) temperatures might have been factors in the DRE failure for perchloroethylene, but our investigation continues and we will update the Department as new information becomes available.

Based on the information and beliefs formed after reasonable inquiry, the statements and information in this letter are true, accurate and complete.

If you have any questions, feel free to call the Facility Compliance Manager, Jessica Grow at 308-235-8260 or by email at [grow.jessica@cleanharbors.com](mailto:grow.jessica@cleanharbors.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Crisenbery", written in a cursive style.

Michael Crisenbery  
Vice President, Compliance  
[crisenberym@cleanharbors.com](mailto:crisenberym@cleanharbors.com)

cc: Siew Kour, NDEQ  
Brad Pracheil, NDEQ  
Ken Herstowski, EPA