

PUBLIC NOTICE

ISP CHEMICALS LLC.
CALVERT CITY, MARSHALL COUNTY, KENTUCKY
TENTATIVE DECISION TO RENEW A VARIANCE FOR WASTE DESIGNATION
EPA I.D. NO.: KYD-006-370-175
AI NO.: 2939

The Kentucky Energy and Environment Cabinet's (Cabinet) Division of Waste Management (Division), has tentatively decided to grant ISP Chemicals LLC. (ISP) a variance renewal from the designation of a mixture of methyl vinyl ether (MVE) and toluene as solid waste. ISP is located at 455 North Main Street, Calvert City, Marshall County, Kentucky. The site contact is Timothy Whitaker and can be reached at (270) 395-4165.

Why does ISP need a variance from the Division?

A variance is a written waiver from any provision of the waste management regulations. As a hazardous waste, the mixture of MVE and toluene was previously incinerated at a nearby waste management facility, LWD, Incorporated (which has since closed). With this variance ISP is able to take the mixture to its own facility and reclaim it by removing the impurities which make it unsuitable for further use in its original process. This reduces the amount of waste by both eliminating the need for incineration, and also by reducing the need for fresh materials by recycling the old. This action is for a renewal of an existing variance which was originally issued in 1999 and most recently renewed in 2017. The current variance expired on September 28, 2018. With this renewal, the variance will be extended for one year from the final approval date.

How can I tell the Division what I think about this tentative decision?

The Cabinet encourages public involvement and welcomes comments. Anyone wishing to comment or request a public hearing on this tentative decision should submit comments to the Cabinet on or before November 3, 2018, the close of the public comment period. If no significant comments are received by the end of the comment period, the variance will be effective on final approval date. Comments should be submitted to: April J. Webb, P.E., Manager, Hazardous Waste Branch, Division of Waste Management, 300 Sower Boulevard 2nd Floor, Frankfort, KY 40601, or by email at April.Webb@ky.gov.

Where can I review the documents used to make this tentative decision?

Marshall County Public Library – Calvert City Library Branch 23 Park Road, Calvert City, Kentucky 42029 Contact Person: Tammy Blackwell Hours of Operation: Monday: 9am – 7pm Tuesday - Saturday: 9am - 5pm Sunday: Closed	Division of Waste Management, 300 Sower Boulevard, Frankfort, KY 40601 Contact Person: Tina Fisher Phone (502) 782-6357 Email: Tina.Fisher@ky.gov Hours of Operation: Monday-Friday: 8am - 4:30pm
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What will the Division do with the comments they receive?

The Cabinet will consider all comments, received by the close of the public comment period on November 3, 2018, in making a final decision. Anyone submitting comments will be mailed a "response to public comments," document specifying any changes made or not made (with the reasons why) as a result of the comment(s) submitted.

Any person who may be aggrieved by the final decision on the request for variance submitted by ISP may file a petition with the cabinet which sets forth the grounds of the objection and demands a formal hearing pursuant to KRS 224.10-420(2). This type of hearing is held before a hearing officer and all parties are advised to have legal counsel present.

The Division of Waste Management does not discriminate on the basis of race, color, religion, national origin, disability, sex, age, sexual orientation, gender identity, ancestry, or veteran status. The division provides, on request, reasonable accommodations necessary to afford an individual with a disability an equal opportunity to participate in all services, programs and activities. To request materials in an alternate format contact John Moore at (502) 782-6419 or johnf.moore@ky.gov. Hearing and speech impaired persons may contact the agency by using the Kentucky Relay Service, a toll-free telecommunications device for the deaf (TDD). For voice to TDD, call 800-648-6057. For TDD to voice call 800-648-6056.