This fact sheet, in accordance with the requirements of Kansas Administrative Regulation (K.A.R.) 28-31-124d, has been prepared for a draft Resource Conservation and Recovery Act (RCRA) permit that the Kansas Department of Health and Environment (KDHE) intends to issue to Univar Solutions USA Inc. (Univar Solutions), for its hazardous waste management facility located at 5420 Speaker Road, Kansas City, Kansas, 66106 (Figure 1). In accordance with permit condition I.E.3 and 40 CFR 270.30(b), Univar Solutions submitted a complete RCRA permit renewal application to continue operating this hazardous waste storage facility. In the interim, all hazardous waste management activities have been and are currently taking place under the authority of the facility’s expired permit. The draft permit combines the previous KDHE issued Part I and EPA issued Part II permits into a single permit. The permit will allow the facility to transport and store containerized on-site facility-generated hazardous waste and off-site customer-generated hazardous waste. Any treatment, storage or disposal of hazardous waste not authorized in the permit is prohibited.
I. Facility Permit Overview

The facility applied for the renewal of its RCRA permit to continue to operate the hazardous waste storage facility at 5420 Speaker Road, Kansas City, Kansas. The facility was originally permitted to store hazardous wastes in 1988; this permit was renewed in 2000 and was assigned the EPA identification number KSD057889313. On March 31, 2011, the original permittee Ashland Distribution Company sold the facility and KDHE approved the transfer of the RCRA permit to the new owner and operator, Nexeo Solutions LLC. Nexeo Solutions maintained the previous management and employees, so daily operations were not significantly affected by the change in ownership and permittee. In 2011, the permit was renewed again and since then has been modified several times to improve the facility’s waste processing and storage capabilities. On September 1, 2019, Nexeo Solutions LLC sold the facility and KDHE approved the transfer of the RCRA permit to the new owner and operator, Univar Solutions USA, Inc. (Univar Solutions). Univar Solutions maintained the previous management and employees. Daily operations were not significantly affected by the change in ownership and permittee. On June 21, 2021, the facility applied for the renewal of its RCRA permit to continue to operate the hazardous storage facility at 5420 Speaker Road, Kansas City, Kansas.

The facility currently operates one permitted hazardous waste storage pad for containerized waste located north of the warehouse. Hazardous waste is stored at the facility in portable containers, per 40 CFR 264.170 through 264.179. The hazardous waste storage pad is divided into three (3) individual bays and is permitted to handle a maximum capacity of 9,240 gallons, the equivalent of 168 55-gallon containers. Containers of hazardous waste stored in the storage area are stored on pallets (unless the containers have their own built-in legs) and are stacked no more than two high. The deck elevation is four (4) feet above the surrounding ground surface to prevent run-on of storm water. Secondary containment is provided by a six-inch wide by three-inch high concrete curb that lines the perimeter of each individual storage bay. The concrete deck of each bay is free of cracks and is chemically coated to provide an impermeable base below the containers.

All hazardous wastes that will be stored in the individual storage bays are classified as hazardous by virtue of their characteristic: ignitability, corrosivity, reactivity, toxicity or identified as a listed hazardous waste. All waste containers will be stored on pallets and incompatible waste will be stored in separate containment bays to limit the possibility of incompatible wastes mixing in the event of a spill.

All of the container storage areas are enclosed with a perimeter chain link fence that surrounds the entire hazardous waste management facility. All container storage areas comply with 40 CFR Part 264 Subpart I and Part 270 requirements for container storage areas. Additionally, the Permittee must inspect weekly and maintain the secondary containment system of the container storage area. Emergency equipment is available at the facility and appropriate warning signs are posted on the perimeter fences. The liquid and solid hazardous wastes stored at the facility are destined for transport off-site to other regulated management units that will treat the waste in an environmentally safe manner. In the event of closure, the storage area will be decontaminated in an environmentally sound manner. Additional information on the hazardous waste management activities at the Univar Solutions facility can be found in the draft permit, administrative record, or obtained from the KDHE contact list below.
II. Permitting Regulatory Authority

In October 1985, the State of Kansas received final authorization from the Environmental Protection Agency (EPA) to implement its own hazardous waste management program in lieu of the federal program, except for those portions covered by the 1984 Hazardous and Solid Waste Amendments (HSWA). In September 2013, authority for the HSWA corrective action portion of the RCRA program was delegated to the State of Kansas. Therefore, issuance of this draft permit will render the current EPA Part II HSWA permit unnecessary; and, following issuance of this KDHE permit, EPA will terminate their December 22, 2011 Part II permit.

Prior to receiving state authorization for the corrective action portion of the RCRA program, the EPA made corrective action decisions based on documents contained in EPA’s administrative record(s), which were placed on public notice prior to each permit action. KDHE has accepted these decisions in preparing the draft permit. Some administrative record of prior EPA corrective action decisions that contain supporting information for elements of this draft permit are included in KDHE’s Administrative Record for this permit action. Although KDHE has accepted and incorporated EPA corrective action decisions into the draft permit, KDHE retains the authority to require additional investigation and/or corrective action at any existing or newly identified solid waste management unit (SWMU), area of concern (AOC), and/or release as determined necessary to protect human health and the environment.

The draft permit sets forth the applicable requirements that KDHE will require the Permittee to comply with during the 10-year duration of the permit. The draft permit includes standard permit conditions, general facility conditions, container requirements, air emission conditions, and regulatory provisions for all releases or potential future releases from any SWMU, AOC and/or release at this facility.

The draft permit is being considered for issuance under authority of the Kansas Statutes Annotated (K.S.A.) 65-3430 et seq. and KAR 28-31-4 through 28-31-279a. Documents that support the permit conditions specified in the draft permit are part of the administrative record. Applicable regulations are found in 40 CFR Parts 124, 260 through 264, 268, and 270, as specified in the draft permit. All citations found in the draft permit to federal regulations are for the sake of convenience, but federal regulations are only in effect to the extent they are incorporated by state regulations. Some modifications to federal regulations by applicable state regulations are noted in the draft permit, but all modifications to federal regulations by state regulations are incorporated. To the extent that state regulations exclude any sections of applicable federal regulations, those sections are still in effect but are not enforceable by the Secretary. In the instance of inconsistent language or discrepancies between conditions found in the draft permit, state regulations, or federal regulations, state law governs.

III. Summary of the RCRA Permitting Process

State hazardous waste laws require that the public be given at least 45 days to review the administrative record for the draft permit prior to KDHE taking a final action. The purpose of having a public comment period is to provide interested parties an opportunity to evaluate the conditions specified in the draft permit and to provide input into the permit decision-making process. The public comment period will begin on May 5 and end on June 19, 2022.
administrative record, which includes the draft permit, permit application, and other relevant correspondence, will be available for public review at the following locations:

- **Kansas Department of Health and Environment**
  Hazardous Waste Permits Section
  1000 SW Jackson Street, Suite 320
  Topeka, Kansas 66612-1366
  Contact: Kerri Kennedy
  (785) 296-6898
  Kerri.Kennedy@ks.gov

- **Kansas City Kansas Public Library**
  W. Wyandotte Branch
  1737 N. 82nd St.
  Kansas City, KS 66112
  Contact: Linda Wolford
  Tel: (913) 295-8250 ext. 5030

A subset of the complete administrative record that includes the draft permit, fact sheet, permit application, and other documents typically of interest to the public is also available on the KDHE website at: [https://www.kdhe.ks.gov/621/Hazardous-Waste-Public-Notices](https://www.kdhe.ks.gov/621/Hazardous-Waste-Public-Notices)

Written comments related to this permit renewal action should be addressed to Kerri Kennedy at the address above and postmarked no later than June 20, 2022. As specified in 40 CFR 124.11, during the public comment period any interest person may request a public hearing in writing which states the nature of the issues proposed to be raised in a public hearing. At this time a public hearing has not been scheduled; however, if written requests are received that indicate a significant degree of public interest in the draft permit, a public hearing will be scheduled and advance notice regarding the location and time of the hearing will be given to the public. In accordance with 40 CFR 124.17, if a public hearing is held, any person may submit oral or written statements and data concerning the draft permit or permit application.

### IV. Procedures for Reaching a Final Decision

The Secretary of KDHE will make the decision regarding the issuance of the final permit after the close of the public comment period. If a public hearing is held, the Secretary will consider all comments received during the public hearing and comment period.

When the final decision to issue or deny the permit is made, notice will be given to the applicant, all persons who submitted written comments, and those who requested notice of the final permit decision. If none of the comments received during the public comment period result in revision(s) to the draft permit, the permit will become effective immediately upon issuance of the final permit decision. If comments received during the public comment period result in revision(s), the permit will become effective 30 days after service of notice of the final decision to allow for public review of the revisions. Appeals of the final permit decision for the permit must be filed within fifteen days after service of notice in accordance with K.S.A 65-3440 and K.S.A. 77-601 et.seq.
V. **Permit Organization**

The permit is organized in the following manner:

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<th>Description</th>
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<td>Sets forth basic legal authority.</td>
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<td>General permit conditions which are the regulatory requirements specified in 40 CFR 270.</td>
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<td>Section II General Facility Conditions</td>
<td>General facility permit conditions which are the regulatory requirements specified in 40 CFR 264.</td>
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<td>Section III Corrective Action for SWMUs/AOCs/Releases</td>
<td>Specific conditions requiring evaluation of releases of hazardous constituents from solid waste management units and corrective action as appropriate.</td>
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<td>Section VII Air Emission Standards</td>
<td>Specific operating conditions, limitations, procedures, and requirements which implement the regulatory requirements of 40 CFR 264, Subparts AA, BB, and CC.</td>
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