UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

APR 06 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Article Number: 7006-2760-0000-8645-4713

Ms. Bonnie Martin
Senior Compliance Manager
PPM Facilities
Clean Harbors Environmental Services, Inc.
13733 West 108th Street
Lenexa, Kansas 66215

Re: CERCLA Off-Site Rule: Affirmative Determination of Acceptability for Clean Harbors Environmental Services, Inc., Highway 169 North, P.O. Box 1328, Coffeyville, Kansas 67337

Dear Ms. Martin:

This letter serves to inform you that the U.S. Environmental Protection Agency (EPA) has made an affirmative determination of acceptability for the receipt of off-site waste at Clean Harbors Environmental Services, Inc. in Coffeyville, Kansas (Clean Harbors). Pursuant to Title 40 Code of Federal Regulations (40 CFR) Section 300.440(a)(4), EPA has completed an assessment of Clean Harbors, and finds the facility acceptable for the receipt of off-site waste. Such off-site wastes are defined as wastes generated as a result of activities authorized or funded by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

On September 22, 1993, EPA amended the National Oil and Hazardous Substance Pollution Contingency Plan (NCP), 40 CFR Part 300, by adding Section 300.440, now known as the Off-Site Rule. The rule implements and codifies the requirements contained in CERCLA Section 121(d)(3), and incorporates many provisions of the November 13, 1987, OSWER Directive (No. 9834.11), known as the Off-Site Policy. The Off-Site Rule establishes the criteria and procedures for determining if facilities are acceptable for the off-site receipt of CERCLA waste, and outlines the actions affected by the standard. The Off-Site Rule requires that prior to a facility's initial receipt of CERCLA waste, EPA shall determine if there are relevant releases or relevant violations at the facility.

RECYCLED 100% FIBER

EPA corresponded with the Kansas Department of Health and Environment (KDHE) to determine Clean Harbors' compliance with applicable environmental standards. The results of the correspondence indicate that Clean Harbors is currently in compliance with applicable environmental standards. Therefore, effective upon receipt of this letter, Clean Harbors is acceptable to receive CERCLA off-site waste at the facility described above. Should any new information affecting this determination develop; EPA reserves the right to revisit this decision.

By issuing this notice, EPA is in no way authorizing Clean Harbors to undertake any waste management practice at this facility for which Clean Harbors has not been previously authorized by EPA or KDHE.

If you have any questions concerning this matter, please contact Deborah Bredehoft, Regional Off-Site Contact, Region 7, at (913) 551-7164.

Sincerely,

Donald Toensing
Branch Chief
Waste Enforcement and Materials Management Branch
Air and Waste Management Division

cc: Mr. Jim Rudeen, Kansas Department of Health and Environment
Kansas Department of Health & Environment North East District Office