

**RCRA PART 373 PERMIT
EXECUTIVE SUMMARY/FACILITY FACT SHEET**

**Nouryon Functional Chemicals LLC
EPA ID No. NYD043815158
DEC Permit No. 9-2928-00001/00003**

**Burt, New York
Niagara County**

1.0 FACILITY PERMIT AND GENERAL INFORMATION

Permittee Name:	Nouryon Functional Chemicals LLC
Facility Name:	Nouryon Functional Chemicals LLC
Facility Location:	2153 Lockport-Olcott Road, Burt, NY 14028
EPA ID No.:	NYD043815158
DEC Permit No.:	9-2928-00001/00003
DEC DER No.:	932030B
Facility Size:	350 acres (30 acres former production area)
Commercial/Non-Commercial TSDF:	Non-Commercial (Corrective Action Only)
Facility Contact:	William Myers william.myers@nouryon.com (716) 266-7403
DEC Contact:	Michael Keller michael.keller@dec.ny.gov (716) 851-7218
Initial/Renewal Permit:	Renewal
Permit Type (Yes/No): Operating Corrective Action Post-Closure Care	No Yes No
Permit Term (5 or 10 years):	10 Years
Estimated Costs: Closure Corrective Action	\$0.00 \$1,340,000
On-site Environmental Monitor(s):	Not Applicable

Facility Background

Nouryon Functional Chemicals LLC Burt facility (Facility), formerly known as Akzo Nobel Polymer Chemicals LLC, was a chemical manufacturing plant procuring organic peroxides. Chemical production operations ceased in 2003, and the facility currently serves as a warehouse and distribution center for finished product. Operations take place in a 30-acre fenced area within the larger 350-acre area that comprises the facility property. The site is a conditionally exempt small quantity generator, with the only hazardous waste produced at the site being disposal of occasional damaged containers.

Corrective action at the Facility includes remedial activities necessary to address remaining contamination in groundwater and soil.

2.0 RCRA PERMITTED UNITS

There are no hazardous waste management units (HWMU) permitted to operate at the facility. All previously permitted HWMUs have been closed in accordance with state and federal regulations.

3.0 CORRECTIVE ACTION SUMMARY

Corrective action at the Facility is being implemented site-wide under the selected final remedy of Monitored Natural Attenuation and Institutional Controls as determined in the 2005 Statement of Basis.

4.0 SITE MANAGEMENT

4.1 Institutional Controls

The Facility is managed under this Permit as well as site restrictions outlined in the 2009 Declaration of Covenants and Restrictions.

4.2 Engineering Controls

The facility currently has a long-term Groundwater Monitoring Program designed to monitor concentrations, fate, and transport of contaminants in the groundwater.

5.0 ISSUES AND CONCERNS

The following sections describe any potential issues or concerns for the facility related to its hazardous waste permit. Additionally, it includes information on any major changes made between the last issued permit and this renewal permit.

5.1 Environmental Risk Assessment

The Facility was evaluated as part of the 1997 RCRA Facility Investigation and subsequent investigations. Based on these reviews, it was determined that contamination at the Facility did not pose imminent danger to human health or the environment, but that corrective action was required to control risks to health and environment.

Corrective action programs have been implemented to clean up, restrict migration of, and prevent exposure to contamination.

5.2 Climate Leadership and Community Protection Act (CLCPA)

Pursuant to the requirements of Sections 7(2) and 7(3) of the CLCPA, during its review of the permit renewal application the DEC has taken into consideration information regarding the facility's consistency with the CLCPA. Specifically, this activity involves corrective action (primarily groundwater monitoring) only. There is no activity included in this action that would be expected to generate significant levels of greenhouse gas emissions, nor any activity expected to create additional burden on the associated Disadvantaged Community.

5.3 Climate Risk and Resilience Act (CRRA)

The Facility has demonstrated to the DEC that future physical climate risk, not limited to sea-level rise, storm surge and flood, was considered during the permit renewal process. The DEC has made a tentative assessment that the Facility is not at risk of adverse climate change impacts due to extreme weather events, and no additional actions are necessary at this time to improve the resiliency at the facility.

5.4 Environmental Justice

The Facility is not located within or near a designated Potential Environmental Justice Area.

5.5 Unresolved Issues and Concerns

There are no unresolved issues or concerns with the Facility.

5.6 Compliance Schedule Items

The Permittee has not proposed to incorporate any items into the Permit renewal.

5.7 Public Participation

The draft RCRA Part 373 Renewal Permit will have a 45-day public notice comment period. Renewal Application documents and the draft RCRA Part 373 Renewal Permit as well as other pertinent documents are accessible at DEC Info Locator (<https://extapps.dec.ny.gov/data/DecDocs/932030B/>), or at the Newfane Public Library on 2761 Maple Avenue, Newfane, NY 14108. If no comments are received, the draft permit shall be issued

as final. If comments are received, they shall be address in either a Response to Comments document or a direct response letter to the commentor(s).

5.8 Significant Permit Modifications

There are no significant permit modifications with this renewal.

5.9 Upcoming Remedial Activities

No new remedial activities are planned beyond continuation of currently established remedial programs.

Figure 1 – Facility Location

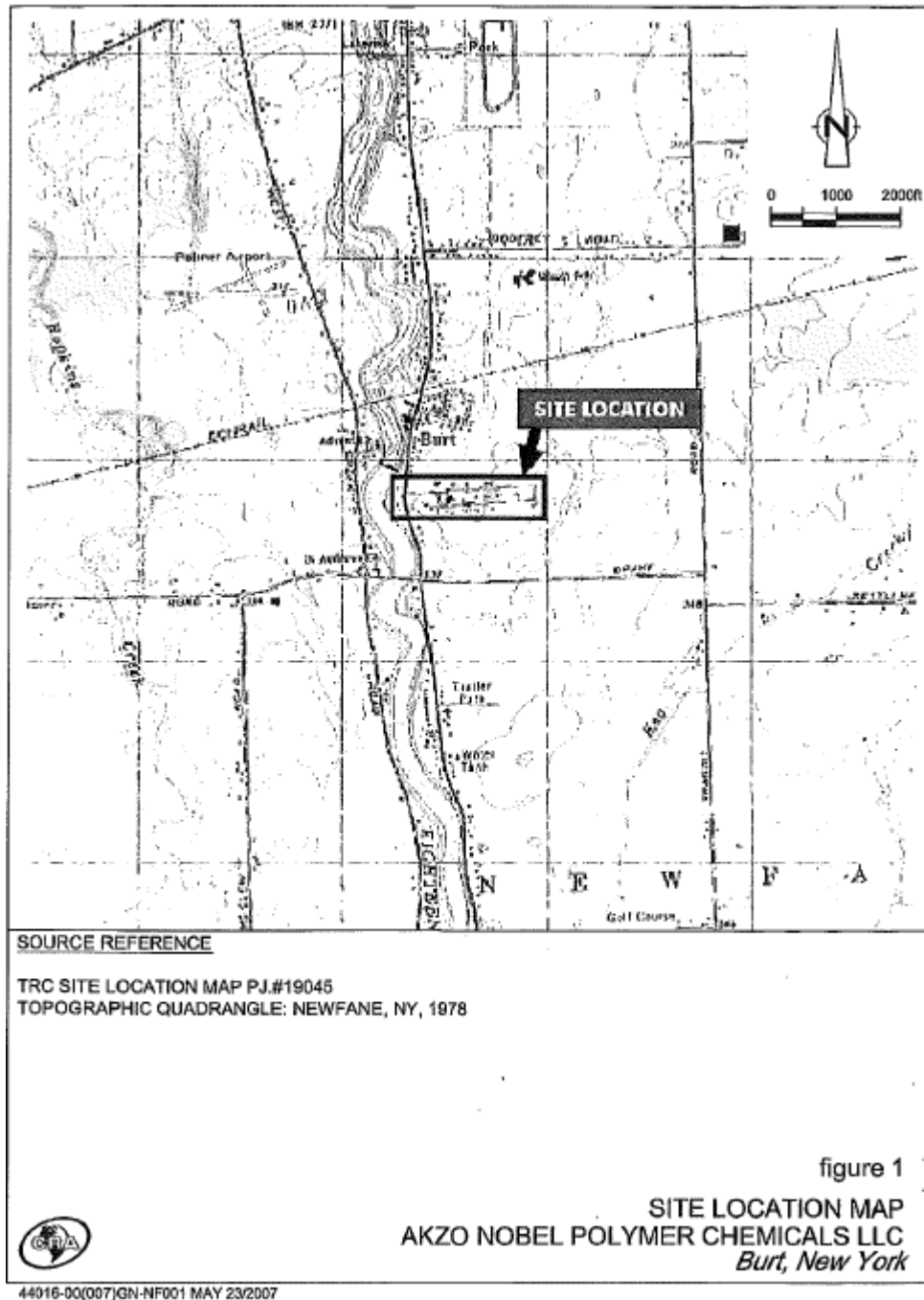


Figure 2 – Facility Layout

