



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

AUG 29 2012

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Bubby D. Dean
General Manager
EQIS Atlanta Transfer and Processing
5600 Fulton Industrial Blvd., SW
Atlanta, Georgia 30336

Re: CERCLA Off-Site Rule: Affirmative Determination of Acceptability for
EQIS Atlanta Transfer and Processing
Fulton County, Atlanta, Georgia
Hazardous Waste Permit GAR000039776
GAEPD Solid Waste Permit 060-093(P)
Scrap Tire Carrier Permit 060-042-CR

Dear Mr. Dean:

The United States Environmental Protection Agency Region 4 has made an affirmative determination of acceptability for the receipt and/or transportation of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) waste, as defined by the Resource Conservation and Recovery Act (RCRA), and CERCLA at EQIS Atlanta Transfer and Processing, located at 5600 Fulton Industrial Blvd., SW, in Atlanta, Georgia. EQIS Atlanta Transfer and Processing has a latitude of 33° 44' 02" North and a longitude of 84° 33' 59" West.

EQIS Atlanta Transfer and Processing is permitted under the Georgia Department of Natural Resources Environmental Protection Division (GAEPD) Hazardous Waste Permit GAR000039776, GAEPD Solid Waste Permit 060-093(P), and Scrap Tire Carrier Permit 060-042-CR. EQIS Atlanta Transfer and Processing has notified as a hazardous waste transporter, a used oil transporter, a used transfer facility and a large quantity universal waste handler.

EQIS Atlanta Transfer and Processing collects and/or transports hazardous waste, non-hazardous waste, and/or recyclable materials (universal wastes and e-wastes) from Georgia and hauls the wastes to their Treatment, Storage, and Disposal Facilities found acceptable under the CERCLA Off-Site Rule. EQIS Atlanta Transfer and Processing provides the following general waste management services: a 10-day hazardous waste and used oil transfer facility, transporting commercial/industrial tankers, transporting cleaned up hazardous materials, and used oil. EQIS Atlanta Transfer and Processing 10-day transfer facility accepts EPA coded hazardous waste material with the exception of radioactive, bio-hazardous, and certain explosives, universal waste, used oil and electronic waste (e-waste).

Pursuant to Chapter 40 of the Code of Federal Regulations (C.F.R.) Section 300.440(a)(4), the EPA has completed an initial assessment of EQIS Atlanta Transfer and Processing and finds that EQIS Atlanta Transfer and Processing is acceptable to receive and/or transport CERCLA Off-Site waste. Such Off-Site waste is defined as those wastes generated as a result of activities authorized pursuant to, or funded by, CERCLA.

On September 22, 1993, the EPA amended the National Oil and Hazardous Substances Pollution Contingency Plan, 40 C.F.R. Part 300, by adding Section 300.440, now known as the Off-Site Rule. This 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, the EPA shall determine if there are relevant releases or relevant violations at the facility. The EPA believes that affirmative determinations of "compliance" and "control of releases" are necessary before a facility may be deemed acceptable for the receipt of CERCLA waste.

This affirmative determination of EQIS Atlanta Transfer and Processing is based on information provided by representatives of GAEPD. On June 16, 2011, the EPA and GAEPD conducted a multimedia inspection on the hazardous waste transfer facility and the solid waste consolidation and storage processing facility to determine EQIS Atlanta Transfer and Processing's compliance with the applicable state regulations and effective operating permits. As a result of the inspection EQIS Atlanta Transfer and Processing upgraded the facility and returned to compliance with applicable environmental standards on June 7, 2012.

Based on communication with GAEPD personnel, the EPA has no information indicating any environmentally significant release of hazardous waste, non-hazardous waste, and/or recyclable materials (universal wastes and e-wastes) from EQIS Atlanta Transfer and Processing. Therefore, effective upon receipt of this letter, EQIS Atlanta Transfer and Processing is acceptable to receive and/or transport CERCLA Off-Site waste. Should any new information affecting this determination develop, the EPA reserves its right to revisit this decision.

Please note that this determination does not supersede the requirements of Subtitle C of RCRA for CERCLA wastes, which are also RCRA solid wastes. Additionally, the EPA would like to make it clear that this affirmative determination of acceptability does not and cannot grant any facility the right or authority to exceed any of its permits or license provisions; receive any waste not allowed by its permits or licenses; or violate any local, state or federal law, rule, regulation or ordinance. Specifically, this determination does not supersede, limit, conflict with or set aside the requirements of any environmental program. By issuing this notice, the EPA is in no way authorizing EQIS Atlanta Transfer and Processing to undertake any waste management practice at the facility for which EQIS Atlanta Transfer and Processing has not been previously authorized by the state or the EPA.

The CERCLA Off-Site status for EQIS Atlanta Transfer and Processing is acceptable for the receipt and/or transportation of CERCLA Off-Site waste, and will remain so until the EPA notifies you otherwise. However, please note that the CERCLA Off-Site status for a facility is dynamic in nature and is subject to change.

If you have any questions concerning this matter, please contact Paula A. Whiting, Regional Off-Site Contact, Region 4, at (404) 562-9277.

Sincerely,

A handwritten signature in blue ink, appearing to read 'G. Keyes Fleming', written in a cursive style.

Gwendolyn Keyes Fleming
Regional Administrator

cc: Keith M. Bentley, Chief, GAEPD