

Fact Sheet
Tentative Hazardous Waste Permit Action
Termination of the Hazardous Waste Operating Permit
Daicel Safety Systems America, Inc.
Beaver Dam, Ohio County, Kentucky
EPA ID KYR-000-034-207, AI 6238
October 16, 2024

The Kentucky Energy and Environment Cabinet, Division of Waste Management (Division), has tentatively decided to terminate the Hazardous Waste Permit for Daicel Safety Systems America, Inc. (Daicel). The permitting process is governed by the requirements of the federal Resource Conservation and Recovery Act (RCRA) and Commonwealth of Kentucky statutes and regulations.

Daicel is located at 720 Old Liberty Church Road, Beaver Dam, Kentucky 42320.

I. Purpose of the Permitting Process

The permitting process gives the public the opportunity to evaluate the Permittee's ability to comply with the hazardous waste management regulations. The Division prepares this document as a notice of intent to terminate Daicel's hazardous waste permit. The public has forty-five (45) days to review this tentative permit termination decision and submit comments before the Cabinet makes any final permit decision.

II. Facility Background Description

The Daicel facility manufactured airbag inflators for the automotive industry. The inflators contain a chemical mixture which, upon initiation, releases a gas to inflate the airbags. This chemical mixture is known as gas generant and is the primary reactive component of the airbag inflators. Off-specification and waste generant become wastes that were functioned at the Cage Unit. The term "functioned" is used to describe the process under which waste and off-specification generant are treated to eliminate the hazardous waste characteristics of the waste, rendering it non-hazardous.

During operation, the Cage Unit functioned a maximum quantity of 100 pounds (45 kilograms) of Resource Conservation and Recovery Act (RCRA) ignitable and reactive hazardous waste during each treatment event which generated approximately 0.25 kilograms of non-hazardous ash per pound of hazardous waste. In accordance with Daicel's Kentucky Department for Environmental Protection (KDEP) Air Quality Permit, chemically inert, non-hazardous residuals were removed from the Cage Unit and the containment pad was cleaned after two functioning events (including the final event), with residuals containerized in 55-gallon drums that were transported offsite for disposal as non-hazardous waste. The final functioning event occurred on March 7, 2024.

III. Basis of the Permit Termination

Daicel has permanently ceased all manufacturing operations, hazardous waste generation and treatment. Daicel submitted a Cage Unit Closure Report dated June 20, 2024 and an addendum to the report dated July 24, 2024. The report and its addendum detail the procedures undertaken by Daicel to dismantle the cage unit, the decontamination process that followed, as well as sampling and disposal. The Division has reviewed both documents and determined that the closure of the Cage Unit follows all the applicable closure requirements in 40 CFR Part 264 Subpart G – Closure and Post-Closure, as well as the applicable requirements in Daicel's hazardous waste permit.

With the closure of the Cage Unit, Daicel is no longer managing hazardous waste that requires a hazardous waste permit. The Closure Report indicates no areas of contamination which require remediation. Thus, the Division has tentatively decided to terminate Daicel's hazardous waste operating permit.

IV. Procedures to Make a Final Decision

The public notice announces the opening of a forty-five (45) day public comment period in which any interested person is encouraged to submit comments on the proposed draft permit. The public comment period begins on October 16, 2024 coincident with the date of the publication of the public notice in Ohio County Times-News and ends on November 30, 2024. All public comment shall submit with name and mailing address of the individual making the comment.

The administrative record, which includes the draft permit, the permit application, and related information, can be reviewed at the following locations:

Division of Waste Management, 300 Sower Blvd., Frankfort, KY 40601

Contact: Tina Fisher at Tina.Fisher@ky.gov

Ohio County Public Library, 413 S Main Street, Hartford, KY 42347

Contact: Melanie Warga

Division of Waste Management web site: <https://eec.ky.gov/Environmental-Protection/Waste/Pages/public-notice.aspx> ([Waste Management Public Notices – Kentucky Energy and Environment Cabinet](#))

Upon request, this information can be made available in alternative formats. To make an appointment, submit a written request at least 72 hours prior to the desired review date.

Anyone wishing to submit a comment, needing additional information, or wanting to be put on the facility mailing list should contact:

Ms. April J. Webb, P.E., Manager
Kentucky Energy and Environment Cabinet
Division of Waste Management
300 Sower Boulevard, 2nd Floor
Frankfort, Kentucky 40601
(502) 782-6470
Email: April.Webb@ky.gov

What will the Division do with the Comments they receive?

After consideration of all written comments and requirements of state laws and regulations, the Director of the Division of Waste Management will make a final decision regarding the permit termination. If the tentative decision to terminate the permit is substantially changed, the Division will issue a public notice indicating a revision of the decision. If the tentative decision to terminate the permit is substantially unchanged from those announced in the public notice, notification of termination will be given to the applicant and each person who has submitted comments or requested notice of the final permit decision. When a final permit is terminated, the Division will also release a Response to Comments document. All significant comments on the permit termination, raised during the public comment period, will be responded to in the Response to Comments document.

Any person who may be aggrieved by final decision on the permit termination may file a petition with the Cabinet or the Division, which sets forth the grounds of the objection and the demand for a formal hearing pursuant to KRS 224.10-420(2). This type of hearing is held before a hearing officer. 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 john.moore@ky.gov. Hearing and speech impaired persons may contact the agency by using the Kentucky Relay Service, a toll-free telecommunication device for the deaf (TDD). For voice to TDD, call (800)648-6057. For TDD to voice, call (800)648-6056.