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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278

PUBLIC NOTICE

No. 85-145

Date: 11/19/85

Notice is hereby given that the U.S. Environmental Protection Agency (EPA) proposes to authorize the Occidental Chemical Corporation of Niagara Falls, New York (applicant) to conduct a trial burn of polychlorinated biphenyls (PCBs), regulated under the Toxic Substances Control Act (TSCA), and selected chemicals regulated under the Resource Conservation and Recovery Act (RCRA) in the incinerator located at the applicant's Niagara Plant facility on Buffalo Avenue in Niagara Falls, New York. The authorization for the PCB trial burn would be granted by U.S. EPA Region II under the authority of the rule entitled "Polychlorinated Biphenyls Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions" (Title 40, Code of Federal Regulations, Part 761), written pursuant to Section 6(e)(i) of TSCA. The trial burn of chemicals other than PCBs would be authorized under 40 CFR 270.62, regulations promulgated under RCRA.

A series of three trial burns has been proposed. One trial burn would involve the use of the Niagara Plant wastes, not including dioxins, which are regulated under RCRA. A second trial burn would involve the use of PCBs which are regulated under TSCA. The applicant would, under terms of this authorization, be allowed to conduct the non-dioxin (RCRA) and PCB (TSCA) trial burns to document the destruction of the PCBs and the selected primary organic hazardous constituents. The starting date of the trial burn for PCB's will be specified by the applicant to U.S. EPA Region II, the State of New York, the County of Niagara and the City of Niagara Falls, New York, at least 30 days prior to the conducting of the trial burn. The results of the PCB trial burn would be used to finalize the trial burn procedures for samples of dioxins and PCB containing wastes from Occidental's Hyde Park Landfill. EPA will then review Occidental's PCB/dioxin trial burn procedures for purposes of authorizing the PCB/dioxin trial burn.

As part of EPA's evaluation of the Occidental Chemical Corporation's application, public comments are being solicited. Comments must be submitted no later than 30 days after the date of the notice.

Comments may be directed to:

Conrad Simon
Director, Division of Air and Waste Management
U.S. Environmental Protection Agency, Region II
26 Federal Plaza
New York, New York 10278

Copies of the application and correspondence relevant to the evaluation of the application are available for public inspection at the following locations:

U.S. Environmental Protection Agency
Public Information Office
Carborundum Center
Suite 530
345 Third Street
Niagara Falls, New York 14303

and

New York State Department of
Environmental Conservation
Region 9 Headquarters
600 Delaware Avenue
Buffalo, New York 14202

A public meeting concerning the proposed trial burns will be held on Tuesday, December 3, 1985 at Niagara University, Dunlevy Hall, Room 127, starting at 7:30 P.M.

cc: Conrad Simon, 2AWM
Richard Walka, 2AWM-SW
Larry Ennist, 20EP
Margaret Randol, 20EP
Richard Baker, 20PM-PAB
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