



EXEC-2012-010631

Clean Harbors Wichita, LLC
2549 North New York Avenue
Wichita, KS 67219

316-269-7400
www.cleanharbors.com

December 4, 2012

Dr. Steven Chu
Secretary of Energy
US Department of Energy
1000 Independence Ave., SW
Washington, DC 20585

CERTIFIED MAIL # 7004 2890 0001 1687 4032

Dear Dr. Chu,

Mercury regulated under the Mercury Export Ban Act of 2008 (MEBA) is required to be stored at a designated federal facility in operation by 01/01/2013. If a federal facility is not operational by that date, elemental mercury may be stored at a facility with a permit that has been issued under section 3005(c) of the Solid Waste Disposal Act (42 U.S.C. 6925(c)), and shall not be subject to the storage prohibition of section 3004(j) of the Solid Waste Disposal Act (42 U.S.C. 6924(j)) if:

- (i) the Secretary is unable to accept the mercury at a facility designated by the Secretary under subsection (a) for reasons beyond the control of the owner or operator of the permitted facility;
- (ii) the owner or operator of the permitted facility certifies in writing to the Secretary that it will ship the mercury to the designated facility when the Secretary is able to accept the mercury; and
- (iii) the owner or operator of the permitted facility certifies in writing to the Secretary that it will not sell, or otherwise place into commerce, the mercury.

Clean Harbors Wichita, LLC is a Part B permitted hazardous waste TSDF licensed by both KDHE and EPA to accept waste for storage. The facility meets all requirements required by MEBA including:

- Equipment necessary for routine operations, emergencies, monitoring, checking inventory, loading, and storing elemental mercury at the facility.
- Fire detection systems including a permanent fire suppression system

Clean Harbors Wichita, LLC will store elemental mercury in accordance with MEBA and certifies it will ship mercury to the designated federal facility when it is able to accept the mercury and will not sell or otherwise place the mercury into commerce.

Should you have any questions, please contact me at crisenberym@cleanharbors.com or at 513-681-5738.

"People and Technology Creating a Better Environment"

12-4918-50421



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December 4, 2013

Dr. James C. ...
Secretary of Energy
U.S. Department of Energy
1000 Independence Ave., SW
Washington, DC 20585

Sincerely,

Michael Crisenbery, CHMM
Vice President, Environmental Compliance
Clean Harbors Environmental Services, Inc.

Cc:

- Kent Frame @ CHES
- Steve Bley @ CHES
- Akhter Hossain @ KDHE

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