



State of Ohio Environmental Protection Agency

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P.O. Box 1049
Columbus, OH 43216-1049

CERTIFIED MAIL

March 29, 2005

Re: Solvay Advanced Polymers, LLC
EPA ID No: OHD 981 529 688
Ohio ID No: 04-84-0194
Modified Hazardous Waste Permit

Mr. Mark Potochnik
Solvay Advanced Polymers, LLC
P.O. Box 446
Marietta, Ohio 45750

Dear Mr. Potochnik:

On December 29, 2004, Ohio EPA received Solvay Advanced Polymers, LLC 's (Solvay) request to use a security guard at the public access gate, fencing and warning signs. Staff formerly stationed in a control room at the wastewater treatment plant will be moved to a centralized control room. Also, the removal of inconsistencies in the permit application will be achieved between the former equalization basin post-closure plan and the compliance monitoring plan. For this modification, Solvay submitted a Class 2 modification application¹. The Agency did not receive written comments concerning this Class 2 modification application. I have enclosed the final modified Ohio hazardous waste facility installation and operation permit (Permit) that was issued by the director today. Please note that the modified Permit remains in effect until it is renewed, withdrawn, suspended or revoked.

You have the right to appeal this Permit decision to the Environmental Review Appeals Commission (ERAC) no later than 30 days after the public notice (See Ohio Revised Code § 3745.04). You may file your appeal with ERAC at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

If you file an appeal, you must put it in writing. Your appeal must explain why you are appealing the action and the grounds you are using for your appeal. You must send a copy of the appeal to the director of the Ohio Environmental Protection Agency no later than three (3) days after you file it with ERAC.

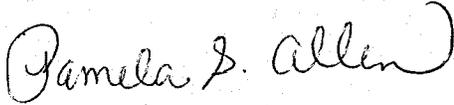
¹Ohio EPA assigned tracking #s 041229-2-1 & 041229-2-2 to this modification application.

Bob Taft, Governor
Bruce Johnson, Lieutenant Governor
Joseph P. Koncelik, Director

Mr. Mark Potochnik
Solvay Advanced Polymers, LLC
March 29, 2005
Page 2

If you have any questions, please contact Elizabeth Herron of the Southeast District Office at (740) 385-8501.

Sincerely,



Pamela S. Allen, Manager
Regulatory and Information Services
Division of Hazardous Waste Management

cc: Jeremy Carroll/Chris Hunt, ERAS, DHWM
Harriet Croke, U.S. EPA, Region V
Jim Michnowicz/Elizabeth Herron, SEDO, DHWM
Carol Hester, Ohio EPA, PIC

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PUBLIC NOTICE

Washington County

OHIO EPA ISSUES FINAL MODIFIED HAZARDOUS WASTE PERMIT

On March 29, 2005, Ohio EPA issued a final Class 2 modified Hazardous Waste Facility Installation and Operation Permit (Permit) to Solvay Advanced Polymers, LLC for its facility on State Route 7 South; Marietta, Ohio 45750. The EPA Identification Number for this facility is OHD981529688.

Why is Solvay Advanced Polymers modifying its Permit?

Solvay Advanced Polymers, LLC (Solvay) is engaged in the production of specialty, high temperature polymers for use in the manufacture of medical devices, food contact uses, electronic devices, chemical process equipment, and automotive applications. From this activity, hazardous waste is generated. To comply with security requirements, Solvay wishes to use a security guard at the public access gate, fencing and warning signs. Staff formerly stationed in a control room at the wastewater treatment plant will be moved to a centralized control room. Also, the removal of inconsistencies in the permit application will be achieved between the former equalization basin post-closure plan and the compliance monitoring plan. To issue this final modified Permit, Ohio EPA determined that the modification application is complete and meets appropriate standards.

Can I appeal this final modified Permit?

Yes, if you are an officer of an agency of the state or of a political subdivision, acting in a representative capacity, or any person who would be aggrieved or adversely affected by this modified Permit, you have the right to appeal this Permit decision to the Environmental Review Appeals Commission (ERAC).

If I decide to appeal this final modified Permit, how and when must I make the appeal?

If you file an appeal, you must put it in writing no later than **April 29, 2005**. Your appeal must explain why you are appealing the action and the grounds you are using for your appeal. You must file your appeal, according to ORC § 3745.04, with ERAC at the following address: **Environmental Review Appeals Commission**, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. You must send a copy of the appeal to the director of Ohio EPA at the following address no later than three (3) days after you file it with ERAC: **Joseph P. Koncelik, Director of Ohio EPA**, P.O. Box 1049, Columbus, Ohio 43216-1049.

OHIO ENVIRONMENTAL PROTECTION AGENCY

MODIFIED OHIO HAZARDOUS WASTE FACILITY
INSTALLATION AND OPERATION PERMIT

OHIO E.P.A.

MAR 29 2005

ENTERED DIRECTOR'S JOURNAL

Date of Issuance: March 29, 2005
Effective Date: March 29, 2005

U.S. EPA ID No.: OHD981529688
Ohio Permit No.: 04-84-0194

Name of Permittee: Solvay Advanced Polymers, LLC

Mailing Address: Solvay Advanced Polymers, LLC
P.O. Box 446
Marietta, OH 45750

Facility Location: State Route 7, South
Marietta, Ohio 45750

Person to Contact: Mark Potochnik

This Modified Ohio Hazardous Waste Facility Installation and Operation Permit is issued pursuant and subject to Section 3734.05(l) of the Ohio Revised Code and Rule 3745-50-51(D) of the Ohio Administrative Code.

The Ohio Hazardous Waste Facility Installation and Operation Permit with the above-referenced permit number as issued by the Ohio Environmental Protection Agency and journalized on August 7, 2001, is hereby incorporated by reference in its entirety, except as it may be modified herein.

This modification of the permit shall remain in effect until such time as the Ohio Hazardous Waste Facility Installation and Operation Permit is renewed, modified, withdrawn, suspended or revoked.

The Permittee shall comply with all requirements of the modified Part B permit application as amended or supplemented on December 29, 2004. The information contained in the modified Part B permit application is incorporated herein by reference. Specifically, all written statements regarding the specifications, locations or capabilities of the processes, equipment, containment devices, safety devices or programs or other matters made by the applicant in the permit modification application are hereby incorporated as express, binding terms and conditions of this modified permit.

Recorded and indexed by the Office of the Director, Ohio Environmental Protection Agency

Michael A. Shannon 3/29/05

Joseph P. Koncelik
Director

**OHIO ENVIRONMENTAL PROTECTION AGENCY
DIVISION OF HAZARDOUS WASTE MANAGEMENT**

**SUMMARY OF MODIFICATIONS TO HAZARDOUS WASTE
INSTALLATION AND OPERATION PERMIT**

Solvay Advanced Polymers, LLC
U.S. EPA ID #: OHD981529688
Ohio ID #: 04-84-0194

Modifications of the Hazardous Waste Facility Installation and Operation Permit will authorize Solvay Advanced Polymers, LLC to make the following changes:

Class 2 Modifications:

- 1) Solvay Advanced Polymers will no longer have staff in the wastewater treatment plant (which is the permitted part of the facility) 24 hours a day. With this permit modification the facility will comply with the security requirements of Ohio Administrative Code (OAC) Rule 3745-54-14 through the use of a security guard at the public access gate, fencing and warning signs. To accomplish this change, paragraph 2.4 of Section 2 in Appendix G-1 of the permit application will be removed. Under this change, staff that were formerly stationed in control room at the wastewater treatment plant will be moved to a centralized plant control room, located outside of the wastewater treatment plant.
- 2) Solvay Advanced Polymers will amend Appendix I-3 of the permit application by replacing Section 2 with the replacement page 2-1, which is included as an attachment with this package. This change in the permit application will remove inconsistencies in the permit application between the Former Equalization Basin Post-Closure Plan of Appendix I-3 and the Compliance Monitoring Plan found in Appendix E-1. Appendix I-3 will now refer the reader to follow the ground water monitoring requirements of Appendix E-1 and E-2.

OHIO EPA DHWM

MAR 29 2005

2 Groundwater Monitoring

Groundwater monitoring during the post-closure care period will be completed in accordance with the *Compliance Monitoring Plan (CMP)* included as Appendix E-1 of the Part B Permit Application (ThermoRetec, April 1999). The CMP was prepared in accordance with OEPA regulations for protection of groundwater at facilities operated under a Hazardous Waste Facility Installation and Operation Permit, and fulfills the requirements for a compliance monitoring program, as specified in OAC 3745-54-99. The purpose of the CMP is to:

- Detail groundwater compliance monitoring requirements,
- Evaluate whether statistically significant increases in hazardous constituents have occurred
- Evaluate the influence of off-site sources of contaminants at the compliance boundary
- Determine whether the SVB system for the Former Equalization Basin can remain shutdown

The units being monitored at the WWTP area are the Former Equalization Basin and the Emergency Basin. Since the Former Equalization Basin is located immediately upgradient of the Emergency Basin, an active surface impoundment, a combined monitoring program is described in the CMP. The compliance boundary is defined as a vertical plane along the downgradient southern and western edge of the regulated units. The determination for operating the SVB system at the Former Equalization Basin is based on data collected from additional monitoring wells at the downgradient edge of the Former Equalization Basin. The procedures for groundwater monitoring at the WWTP are documented in the CMP.

The CMP includes information regarding sampling locations, parameters, sampling schedules, and data evaluations required by OAC 3745-54-99. Groundwater sampling and analysis procedures are presented in the *Sampling and Analysis Plan for the Compliance Monitoring Network (SAP)* included in Appendix E-2 of the Part B Permit Application. Procedures for fluid level measurements; groundwater sampling; sample identification and custody documentation; laboratory analysis; quality assurance/quality control; project management; and data management and quality control are presented in the SAP.

OHIO EPA DHWM

MAR 29 2005

2 Security Measures

Security at the WWTP is provided by the following measures:

2.1 Security Guard

A Security Guard is stationed at the public access gate 24 hours per day. All visitors, vendors, truckers, etc. are logged in and out of the WWTP, and instructed in WWTP safety procedures. Safety equipment is provided when needed. Additionally the guard will routinely patrol the WWTP property. The gate is locked when the guard is away from the public access gate. A copy of the Visitor Log in Sheet is included as Attachment 1.

2.2 Fencing

The entire WWTP, including the hazardous waste areas, is surrounded by a chain-link fence with barbed wire on top. The fence inspection procedures are presented in Section 3.

2.3 Warning Signs

Signs warning that no unauthorized personnel are admitted into the WWTP are posted at all gates.

~~2.4 WWTP Operation~~

~~The WWTP is fully staffed by the shift operating group 24 hours a day, seven days a week. This ensures additional around the clock security.~~

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MAR 29 2005