



State of Ohio Environmental Protection Agency

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MAILING ADDRESS:

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

CERTIFIED MAIL

July 18, 2005

Re: **Lanxess Corporation**
US EPA ID No: OHD 004 233 003
Ohio ID No: 05-31-0604
Modified Hazardous Waste Permit

Lanxess Corporation
Mr. Mark Townsend
356 Three Rivers Parkway
Addyston, Ohio 45001-0039

Dear Mr. Townsend:

On April 5, 2005, Ohio EPA received Lanxess Corporation's (Lanxess) request to include the closure of the hazardous waste boiler. For this modification, Lanxess submitted a Class 2 permit modification application¹. The Agency did not receive any verbal or written comments concerning the Class 2 modification. I have enclosed the final modified Ohio hazardous waste facility installation and operation permit (Permit) action 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 Please note that the modified Permit remains in effect until it is renewed, withdrawn, suspended or revoked.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(s) 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.

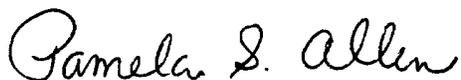
¹Ohio EPA assigned tracking # 050405-2-1 to this modification application.

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

Lanxess Corporation
Mr. Mark Townsend
July 18, 2005
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If you have any questions, please contact Debora Depweg of Ohio EPA's Southwest District Office at (937) 285-6357.

Sincerely,



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

cc: Jeremy Carroll/Pamela McCoy, ERAS, DHWM
Harriet Croke, U.S. EPA, Region V
Don Marshal, SWDO, DHWM
Carol Hester, Ohio EPA, PIC
file

PUBLIC NOTICE

Hamilton County

OHIO EPA ISSUES FINAL MODIFIED HAZARDOUS WASTE PERMIT

On July 18, 2005, Ohio EPA issued a final Class 2 modified Hazardous Waste Facility Installation and Operation Permit (Permit) to Lanxess Corporation (f.k.a. Bayer Polymers, LLC) for its facility at 356 Three Rivers Parkway, Addyston, Ohio 45001-0039. The EPA Identification Number for this facility is OHD004233003.

Why is Lanxess Corporation modifying its Permit?

Lanxess Corporation (Lanxess) is involved in the manufacturing of plastics and resins. Hazardous wastes generated at the plant are stored on-site in containers and tank systems. To store the hazardous wastes, Lanxess needs a Permit. Lanxess wishes to include the closure of the hazardous waste boiler. The final permit modification contains the conditions under which the facility must operate if the Permit receives final approval. To issue this final modified permit, Ohio EPA determined that the modification application is complete and meets appropriate standards and that the applicant has a history of compliance with relevant environmental laws.

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 August 19, 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 Ohio Revised Code § 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 E.P.A. OHIO ENVIRONMENTAL PROTECTION AGENCY

JUL 18 2005

ENTERED DIRECTOR'S JOURNAL
**MODIFIED OHIO HAZARDOUS WASTE FACILITY
INSTALLATION AND OPERATION PERMIT**

Date of Issuance: July 18, 2005

Effective Date: July 18, 2005

U.S. EPA ID No.: OHD 004 233 003

Ohio Permit No.: 05-31-0604

Name of Permittee: Lanxess Corporation
Mailing Address: 356 Three Rivers Parkway
Addyston, Ohio 45001-0039
Facility Location: 356 Three Rivers Parkway
Addyston, Ohio 45001-0039
Person to Contact: Mark Townsend

This Modified Ohio Hazardous Waste Facility Installation and Operation Permit is issued pursuant and subject to Section 3734.05(i) 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 July 11, 2003, 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 April 5, 2005. 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.

I certify this to be a true and accurate copy of the official document as filed in the records of the Ohio Environmental Protection Agency.

By: [Signature] Date: 7/18/05

[Signature]
Joseph P. Koncinski
Director

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

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

Lanxess Corporation
U.S. EPA ID #: OHD 004 233 003
Ohio ID #: 05-31-0604

Modifications of the Hazardous Waste Facility Installation and Operation Permit will authorize Lanxess Corporation to make the following changes:

Class 2 Modifications:

- 1) Modifications to the closure plan to include the closure of the BIF unit.
- 2) Notification of intent to close the BIF unit as a hazardous waste boiler.

lanxesscl2modsum.wpd

OHIO EPA DWM1

JUL 18 2005