



State of Ohio Environmental Protection Agency

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CERTIFIED MAIL

November 8, 2004

Re: **Cytec Industries, Inc.**
US EPA ID No: OHD 004 341 509
Ohio ID No: 04-84-0023
Modified Hazardous Waste Permit

Joel Jerome
Cytec Industries, Inc.
5 Garret Mountain Plaza
West Paterson, New Jersey 07424

Dear Mr. Jerome:

On July 12, 2004, Ohio EPA received Cytec Industries, Inc.'s (Cytec) request to change the Pond 1 Closure plan from a clean/risk based closure to a landfill closure. For this modification, Cytec 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 Please note that the modified Permit remains in effect until it is renewed, withdrawn, suspended or revoked.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.

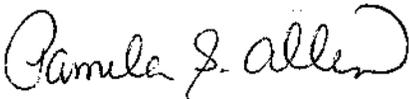
¹Ohio EPA assigned tracking # 040712-2-1 to this modification application.

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Christopher Jones, Director

Joel Jerome
Cytex Industries, Inc.
November 8, 2004
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If you have any questions, please contact Scott Bergreen of Ohio EPA's Southeast District Office at (740) 385-8501.

Sincerely,



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

cc: Jeremy Carroll/Jennifer Rockhold, CO, ERAS, DHWM
Harriet Croke, U.S. EPA, Region V
Dave Chenault, SEDO, DHWM
Carol Hester, Ohio EPA, PIC
Cytex Industries, Inc., Marietta, Ohio
file

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PUBLIC NOTICE

Washington County

OHIO EPA ISSUES FINAL MODIFIED HAZARDOUS WASTE PERMIT

On November 8, 2004, Ohio EPA issued a final modified hazardous waste facility installation and operation permit (Permit) to Cytec Industries, Inc. for its facility at 1405 Greene Street, Marietta, Ohio 45750. The EPA Identification Number for this facility is OHD004341509.

Why is Cytec Industries, Inc. modifying its permit?

Cytec Industries, Inc. (Cytec) is a former speciality chemical manufacturing plant. Operations at the facility have ceased and Cytec is currently performing investigation and cleanup of waste areas at the site. Cytec proposes a modification to change the Pond 1 closure plan from a clean/risk based closure to a landfill closure. This final modified permit will allow Cytec to make the requested changes. To issue this final Permit Modification, Ohio EPA determined that the Hazardous Waste Permit 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 December 8, 2004. 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: **Christopher Jones, Director of Ohio EPA**, P.O. Box 1049, Columbus, Ohio 43216-1049.

OHIO E.P.A.

OHIO ENVIRONMENTAL PROTECTION AGENCY

NOV -8 2004

**MODIFIED OHIO HAZARDOUS WASTE FACILITY
INSTALLATION AND OPERATION PERMIT**

ENTERED DIRECTOR'S JOURNAL

Date of Issuance: November 8, 2004

Effective Date: November 8, 2004

U.S. EPA ID No.: OHD004341509

Ohio Permit No.: 04-84-0023

Name of Permittee: Cytec Industries

Mailing Address: Cytec Industries
5 Garret Mountain Plaza
West Paterson, NJ 07424

Facility Location: Cytec Industries
1405 Greene Street
Marietta, Ohio 45750

Person to Contact: Mr. Joel Jerome

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 June 18, 2004, is hereby incorporated by reference in its entirety, except as it may be modified herein.

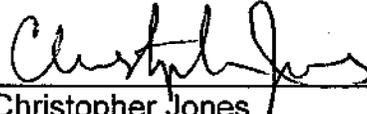
This modification of the permit shall remain in effect until such time as the Ohio Hazardous Waste Facility Installation and Operation Permit is renewed, modified, withdrawn, suspended or revoked.

The Permittee shall comply with all requirements of the modified Part B permit application as amended or supplemented on October 22, 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.

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

[Signature] Date 11-8-04

The modified Terms and Conditions of this permit are attached hereto and are incorporated herein by reference. The modified Terms and Conditions supersede and replace the corresponding pages found in the June 18, 2004 renewal permit.



Christopher Jones
Director

OHIO EPA DHWM

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

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

Cytec Industries
U.S. EPA ID #: OHD004341509
Ohio ID #: 04-84-0023

Modification of the Hazardous Waste Facility Installation and Operation Permit will authorize Cytec Industries to make the following change:

Class 2 Modification:

- 1) The Pond 1 Closure Plan is modified to close the unit as a landfill instead of as a clean/risk-based closure scenario.

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B.22 Operating Record
OAC Rule 3745-54-73

The Permittee must comply with the requirements set forth in OAC Rule 3745-54-73 regarding an operating record, including information to be recorded and the maintenance thereof.

B.23 Contingency Plan Records
OAC Rule 3745-54-56(J)

The Permittee must note in the operating record the time, date, and details of any incident that requires the implementation of the contingency plan. Within fifteen (15) days after any such incident the Permittee must submit to the director a written report of the incident containing the elements set forth in OAC Rule 3745-54-56(J).

B.24 Reserved

B.25 Annual Reports and Additional Reports
OAC Rules 3745-54-77 and 3745-54-75

The Permittee must comply with the annual report requirements set forth in OAC Rule 3745-54-75 and the additional report requirements set forth in OAC Rule 3745-54-77.

B.26 Closure Performance Standard
OAC Rule 3745-55-11

During facility closure, the Permittee must implement the provisions of the approved **amended Pond 1** closure plan (~~once the Class 3 permit modification for Pond 1 closure plan has been finalized~~) in such a manner as to achieve compliance with OAC Rule 3745-55-11.

The Permittee shall also comply with the contingent closure provisions in OAC Rule 3745-56-28.

B.27 Closure Plan
OAC Rules 3745-55-10, 3745-55-11 and 3745-55-13

The Permittee must implement the procedures of the approved **amended Pond 1** closure plan (~~once the Class 3 permit modification for Pond 1 closure plan has been finalized~~), in accordance with OAC Rules 3745-55-10 through 3745-55-20.

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B.28 Amendment of Closure Plan
OAC Rules 3745-55-12 and 3745-50-51

Should a change in the facility closure plan become necessary, the Permittee must amend the closure plan in accordance with OAC Rule 3745-55-12 (C).

B.29 Content of Closure Plan
OAC Rule 3745-55-12

The Permittee must maintain the closure plan at the facility which contains the elements set forth in OAC Rule 3745-55-12 and all elements required by the terms and conditions of this permit.

B.30 Reserved Status of Closure

The amended Pond 1 Closure/Post-Closure Plan dated October 22, 2004 is incorporated into the permit.

B.31 Reserved

B.32 Disposal or Decontamination of Equipment, Structures, and Soils
OAC Rule 3745-55-14

- (a) The Permittee must decontaminate or dispose of all contaminated facility equipment, structures, and soils, as required by OAC Rule 3745-55-14, the closure plan and the terms and conditions of this permit.
- (b) The Permittee must notify the Ohio EPA Southeast District Office within five (5) working days prior to all closure activities, including rinseate and soil sampling activities.

B.33 Certification of Closure
OAC Rule 3745-55-15

The Permittee and an independent, registered professional engineer, registered in the State of Ohio, must certify that each hazardous waste management unit or the facility has been closed in accordance with the specifications in the closure plan and the terms and conditions of this permit, as required by OAC Rule 3745-55-15. The Permittee must furnish to the director, upon request, documentation supporting the certification.

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MODULE F - POST-CLOSURE CARE

F. POST-CLOSURE CARE

This module covers post-closure care activities for Pond 2 and, when closure is complete and certified, for Pond 1. Pond 2 has been "clean-closed" by risk-based standards in soils; however, a ground water contamination plume extends from the unit and must be monitored for a period of 30 years in accordance with the site-wide Integrated Groundwater Monitoring Plan, unless the director of the Ohio EPA approves a petition from Cytec to reduce the post-closure care period in accordance with OAC Rule 3745-55-17(A)(2). Pond 1 is still undergoing closure and Cytec and Ohio EPA have had discussions regarding closing the former surface impoundment as a landfill since post-excavation sampling results revealed elevated levels of contaminants and the extent of impacted soils extends into the adjacent former production area to the north. ~~At the time of permit writing, Cytec is gathering additional information on ground water conditions in the Pond 1 area to decide the final design requirements for Pond 1. The Pond 1 Closure Plan has been amended to close the unit as a landfill, instead of risk-based clean closure.~~ The individual post-closure groundwater monitoring plans for Pond 1 and Pond 2 were replaced by a site-wide Integrated Ground Water Monitoring Program. The permittee is required to submit a corrective action program for remediation of contaminated ground water from Pond 1 and Pond 2 concurrent with the submittal of the Corrective Measures Study required by Permit Condition E.8. Implementation of the selected remedy shall be pursuant to Permit Condition E.9.

F.1 Unit Identification

The Permittee must provide post-closure care for the following hazardous waste management units, subject to the terms and conditions of this permit:

Type of Waste Unit	Unit No. or Other Designation	Maximum Waste Inventory	Description of Wastes Contained	Hazardous Waste No.	Year Post-closure began
Surface Impoundment	Pond 1	33,000 yd ³	Production wastes	F004	To commence after closure is complete
Surface Impoundment	Pond 2	70,900 yd ³	Pond 1 supernatant, laboratory wastes, leachate	F004	1997

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MODULE G - INTEGRATED GROUND WATER MONITORING OAC Rule 3745-55-011

G. INTEGRATED GROUND WATER MONITORING

This module presents permit conditions addressing the requirements for an integrated ground water monitoring program at the Cytec Industries Inc., Marietta, Ohio facility. Ground water contamination from the hazardous waste management units (HWMUs) regulated under OAC Rules 3745-54-90 through 3745-55-01 has co-mingled with ground water contamination from solid waste management units (SWMUs) regulated under OAC Rule 3745-55-011 at the site. Therefore, it is not practical to separate the HWMUs and SWMUs either for ground water monitoring purposes or remedial efforts. A more efficient multifaceted approach is to combine the relevant portions of OAC Rule 3745-55-01 and OAC Rule 3745-55-011 for these areas. This combined approach is hereafter referred to as the Integrated Ground Water Monitoring Program or IGWMP.

Two hazardous waste management units historically regulated under OAC Rules 3745-54-90 through 3745-55-01 exist at the facility. These former surface impoundments are labeled Pond 1 and Pond 2 on Figure 1 of Appendix E-7 Integrated Ground Water Monitoring Program (April 2003) found in the Permit Application. All wastes have been removed from Pond 1, however some contaminated soil remains. Cytec and Ohio EPA have had discussions regarding closing the former surface impoundment as a landfill since post-excavation sampling results revealed elevated levels of contaminants and the extent of impacted soils extends into the adjacent former production area to the north. ~~The Pond 1 Closure Plan has been amended to close the unit as a landfill instead of risk - based clean closure. At the time of permit writing, Cytec is gathering additional information on groundwater conditions in the Pond 1 area to decide the final design Pond 1.~~ At Pond 2, all wastes and contaminated soils have been removed and the excavation has been backfilled.

Thirty-three (33) solid waste management units have been identified at the site. These units consist of landfills, former surface impoundments (including Ponds 1 and 2), storage areas, process areas and disposal areas. The SWMUs are listed and described in Module J and Table J-1 of the Part B Permit Application.

Ground water at the site is found in the following three hydrogeologic units which comprise the uppermost aquifer: unconsolidated overburden, weathered bedrock, and competent bedrock. The unconsolidated overburden at the site ranges from 0 to greater than 50 feet in thickness. This unit is thinnest near the base of the hills along the western and northern borders of the site, in the vicinity of Ponds 1 and 2, and areas immediately west of Hunter Avenue and north of well W-5. The overburden primarily consists of tan to brown, gray and dark green silty clays.

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