40 years and moving forward
John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

CERTIFIED

July 31, 2013

INEOS ABS (USA) Corporation
356 Three Rivers Parkway
Addyston, OH 45001-0039

Re: **Draft Renewal Permit Issuance**
INEOS ABS (USA) Corporation
EPA ID No. OHD 004 233 003

Dear Sir/Madam:

The Ohio EPA, Division of Materials and Waste Management (DMWM) staff has reviewed your Ohio Hazardous Waste Facility Installation and Operation Permit (Permit) renewal application. It is the recommendation of the staff that the director issue a draft renewal Permit to INEOS ABS (USA) Corporation since the proposed changes to the permit appear to comply with applicable hazardous waste rules. Therefore, I have enclosed a draft renewal Permit in accordance with Rule 3745-50-40 of the Ohio Administrative Code.

The public notice concerning the issuance of the draft renewal Permit will appear in The Cincinnati Enquirer newspaper on August 1, 2013. A public announcement in similar form will be made over a local radio station. Ohio EPA will accept written comments relevant to the Permit application and the draft renewal Permit until September 16, 2013. Written comments should be submitted before the close of the public comment period to Ohio EPA, Division of Materials and Waste Management, Attn: Shawn Sellers, Engineering, Remediation & Authorizations Section, P.O. Box 1049, Columbus, Ohio 43216-1049, Tel: (614) 644-2621.

You can review copies of the Permit application and the draft renewal Permit at the following location:

Ohio EPA – Southwest District Office
401 E. Fifth Street
Dayton, OH 45402
(937) 285-6357

You can review the draft renewal Permit at the following location:

Public Library of Cincinnati and
Hamilton County
Miami Township Branch
8 N. Miami Ave.
Cleves, OH 45002
(513) 369-6050

Details about this draft action may be viewed on Ohio EPA's website at http://www.epa.ohio.gov/dmwm.

After carefully considering public comments, Ohio EPA will reconsider the draft renewal Permit and should issue or deny the final renewal Permit after September 16, 2013.

If you have any questions concerning the draft renewal Permit, please call Jeff Smith of the Ohio EPA Southwest District Office at (937) 285-6357.

Sincerely,

Georgia Frakes, Management Analyst
Division of Materials & Waste Management

Attachments

cc: Shawn Sellers, DMWM, CO
Scott Hester, DMWM, CO
Laura Morgan, DMWM, CO
Ed Lim, DERR, CO
Todd Anderson, Legal
Darla Peelle, PIC
Tim Hull, DERR, SWDO
Jeff Smith, DMWM, SWDO
George Strobel, DMWM, SWDO

July 2013

Draft Hazardous Waste Permit Renewal Factsheet

Facility Name: INEOS ABS (USA) Corp.

U.S. EPA I.D.: OHD 004 233 003

Location:
356 Three Rivers Parkway
Addyston, Ohio 45001-0039

Facility Owner:
INEOS ABS (USA) Corp.

Facility Operator:
INEOS ABS (USA) Corp.
356 Three Rivers Parkway
Addyston, Ohio 45001-0039

Activity:
Permit renewal for Corrective Action requirements per OAC 3745-54-101

Comment Period:
August 1, 2013 – September 16, 2013

Submit Comments to:
Ohio EPA
Shawn Sellers
Division of Materials and Waste Management
P.O. Box 1049
Columbus, Ohio 43216-1049
(614) 644-2621
Shawn.Sellers@epa.state.oh.us

What is the History of the Hazardous Waste Program?

The Resource Conservation and Recovery Act (RCRA), an amendment to the Solid Waste Disposal Act, was passed in 1976. The main reason for the amendment was to address the growing volume of municipal and industrial solid waste generated across the United States. A few goals established by RCRA include the protection of human health and the environment from potential hazards of waste disposal, to reduce the amount of waste generated and to ensure that waste produced are managed in an environmentally sound manner.

When RCRA was written, U.S. Congress' intent for the states was to assume primary responsibility for implementing the hazardous waste regulations with oversight from the United States Environmental Protection Agency (U.S. EPA). U.S. EPA must approve each state as an authorized state. To become an authorized state, each must demonstrate that the state programs are at least equivalent to and consistent with federal laws, provides adequate enforcement authority and provides availability of information similar to the federal program. Since 1989, the State of Ohio has been an authorized state by U.S. EPA for the majority of the hazardous waste program.

How Can I Become More Involved?

Public meeting has not been pre-scheduled.
All persons, including the applicant, may submit written comments relating to this draft action. Written comments or requests for a public meeting may be submitted before the end of the comment period to the address in the box on the left.

The comment period begins on August 1, 2013, and ends on September 16, 2013. A copy of the permit application and the draft permit is available for review by the public at the following locations:

Ohio EPA, Southwest District Office
401 E. Fifth Street
Dayton, Ohio 45402
(937) 285-6357

Ohio EPA, Central Office
Division of Materials and Waste Management
Lazarus Government Center
50 West Town St., Suite 700
Columbus, Ohio 43215
(614) 644-2621

A copy of the draft permit is available for review by the public online at the following locations:

The Ohio draft permit is available for review by the public online under the "Stakeholder Input" tab at:
http://www.epa.ohio.gov/dmwm

Public Library of Cincinnati and Hamilton County – Miami Township Branch
8 N. Miami Ave.
Cleves, OH 45002
(513) 369-6050

Within sixty (60) days of the close of the public comment period, Ohio EPA will, without prior hearing, issue the permit (or deny the request) in accordance with Chapter 3734 of the Ohio Revised Code (ORC). If Ohio EPA approves the application, taking into account public comments, a renewal permit will be issued with terms and conditions as are necessary to ensure compliance with hazardous waste rules.

What Does the Facility Do?

INEOS ABS (USA) Corporation is a manufacture of acrylonitrile-butadiene-styrene (ABS) and styrene-acrylonitrile (SAN) plastics. They also manufacture styrene-maleic anhydride resins.

What Would this Hazardous Waste Permit Allow the Facility to Do?

This permit allows INEOS ABS (USA) Corporation to address Corrective Action requirements per OAC 3745-54-101

What is the Regulatory Basis to Support this Permit Renewal?

The Director has determined that INEOS ABS has submitted an application for renewal one hundred eighty (180) days prior to the expiration date of its present permit which was issued by Ohio EPA on July 11, 2003. The Director has considered the application, inspection reports, a report regarding the facility's compliance with the present permit, and the rules adopted under ORC Section 3734. The Director has found that the Part B permit application meets the Director's performance standards and that the facility has a history of compliance with this chapter, rules adopted under it, the existing permit, and orders entered into, which demonstrates reliability, expertise, and competency to subsequently operate the facility under this chapter, the rules, and the permit.

Who Can I Contact for More Information?

For additional information, please contact Jeff Smith at 937-285-6070.

PUBLIC NOTICE

Hamilton County

HAZARDOUS WASTE DRAFT PERMIT RENEWAL ISSUANCE

On July 31, 2013, Ohio EPA issued a draft renewal Hazardous Waste Facility Installation and Operation Permit (Permit) to INEOS ABS (USA) Corporation (INEOS) for its facility located at 356 Three Rivers Parkway, Addyston, Ohio in Hamilton County, OHD004233003. The renewal permit authorizes INEOS to address corrective action requirements in accordance with Ohio Administrative Code (OAC) Rule 3745-54-101. To issue this draft renewal permit, Ohio EPA determined that the Permit application is complete and meets the appropriate standards, and that the applicant has a history of compliance with relevant environmental laws. You may send written comments to Ohio EPA, Division of Materials and Waste Management, P.O. Box 1049, Columbus, Ohio 43216-1049, before the close of business on Monday, September 16, 2013. A copy of the Permit is available for review at the following locations: Public Library of Cincinnati and Hamilton County, Miami Township Branch, 8 N. Miami Avenue, Cleves, Ohio 45002, Tel: (513) 369-6050, Ohio EPA Southwest District Office, 401 E. Fifth Street, Dayton, Ohio 45402, Tel: (937) 285-6357, or Ohio EPA Central Office, Division of Materials and Waste Management, 50 West Town Street, Suite 700, Columbus, Ohio 43215, Tel: (614) 644-2621.

OHIO ENVIRONMENTAL PROTECTION AGENCY

OHIO HAZARDOUS WASTE FACILITY INSTALLATION AND OPERATION PERMIT RENEWAL

Permittee: **INEOS ABS (USA) Corporation**

Mailing Address: 356 Three Rivers Parkway
Addyston, Ohio 45001-0039

Owner: INEOS ABS (USA) Corporation
2600 South Shore Boulevard, Suite 250
League City, Texas 77573

Operator: INEOS ABS (USA) Corporation
356 Three Rivers Parkway
Addyston, Ohio 45001-0039

Location: 356 Three Rivers Parkway
Addyston, Ohio 45001-0039

Ohio Permit No.:	05-31-0604
US EPA ID:OH	OHD 004 233 003
Issue Date:	
Effective Date:	
Expiration Date:	

AUTHORIZED ACTIVITIES

In reference to the application of **INEOS ABS (USA) Corporation** for an Ohio Hazardous Waste Facility Installation and Operation Renewal Permit under Ohio Revised Code (ORC) Chapter 3734 and the record in this matter, you are authorized to conduct at the above-named facility the following hazardous waste management activities:

- **Address Corrective Action Requirements per OAC Rule 3745-54-101**

PERMIT APPROVAL

_____
Scott J. Nally, Director
Ohio Environmental Protection Agency

This permit approval is based upon the record in this matter which is maintained at the offices of the Ohio Environmental Protection Agency. The Director has considered the application, accompanying information, inspection reports of the facility, a report regarding the facility's compliance or noncompliance with the terms and conditions of its permit and rules adopted by the Director under this chapter, and such other information as is relevant to the operation of the facility. The Director has determined that the facility under the existing permit has a history of compliance with ORC Chapter 3734, rules adopted under it, the existing permit, or orders entered to enforce such requirements that demonstrate sufficient reliability, expertise, and competency to operate the facility henceforth under this chapter, rules adopted under it, and the renewal permit.

Entered into the Journal of the Director this ____ day of _____, 2013.

By _____ of the Ohio Environmental Protection Agency.

DRAFT

MODULE A - GENERAL PERMIT CONDITIONS

A. GENERAL PERMIT CONDITIONS

A.1 Effect of Permit
ORC Sections 3734.02 (E) and (F) and 3734.05
OAC Rule 3745-50-58(G)

(a) The Permittee is authorized to proceed with Corrective Action activities in accordance with the terms and conditions of this Ohio hazardous waste permit (hereinafter "permit"), ORC Chapter 3734, all applicable Ohio hazardous waste rules, all applicable regulations promulgated under the Resource Conservation and Recovery Act (RCRA), as amended, and the permit application. The permit application, as submitted to Ohio EPA on January 9, 2013 is hereby incorporated into this permit. In the instance of inconsistent language or discrepancies between the above, the language of the more stringent provision shall govern.

(b) Any management of hazardous waste not authorized by this permit is prohibited, unless otherwise expressly authorized or specifically exempted by law. Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, or invasion of other private rights. Compliance with the terms and conditions of this permit does not obviate Permittee's obligation to comply with other applicable provisions of law governing protection of public health or the environment including but not limited to the Community Right to Know law under ORC Chapter 3750.

A.2 Permit Actions
OAC Rule 3745-50-58(F)

This permit may be modified or revoked as specified by Ohio law. The filing of a request by the Permittee for a permit modification, or the notification of planned changes or anticipated noncompliance on the part of the Permittee, does not stay any permit term or condition.

A.3 Permit Effective/Expiration Date
OAC Rule 3745-50-54

The effective date of this permit is the date the permit is entered into the Director's Journal. The permit expiration date is ten years after the date of journalization of this permit.

A.4 Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

A.5 Duty to Comply
OAC Rule 3745-50-58(A)

The Permittee must comply with all applicable provisions of ORC Chapter 3734, all applicable Ohio hazardous waste rules, and all terms and conditions of this permit, except to the extent and for the duration such noncompliance is authorized by the laws of the State of Ohio. Any permit noncompliance, other than noncompliance authorized by the laws of the State of Ohio, constitutes a violation of ORC Chapter 3734 and is grounds for enforcement action, revocation, modification, denial of a permit renewal application, or other appropriate action.

A.6 Duty to Reapply and Permit Expiration
OAC Rules 3745-50-40(D), 3745-50-58(B), and 3745-50-56 and ORC Section 3734.05(H)

(a) If the Permittee wishes to continue an activity allowed by this permit after the expiration date of this permit, the Permittee must submit a completed permit application for a hazardous waste facility installation and operation permit renewal and any necessary accompanying general plans, detailed plans, specifications, and such information as the Director may require, to the Director no later than one hundred eighty (180) days prior to the expiration date of this permit, unless a later submittal date has been authorized by the Director upon a showing of good cause.

(b) The Permittee may continue to operate in accordance with the terms and conditions of the expired permit until a renewal permit is issued or denied if:

(i) the Permittee has submitted a timely and complete permit application for a renewal permit under OAC Rule 3745-50-40; and

(ii) through no fault of the Permittee, a new permit has not been issued pursuant to OAC Rule 3745-50-40 on or before the expiration date of this permit.

(c) The Corrective Action obligations contained in this permit will continue regardless of whether the facility continues to operate or ceases operation and closes. The Permittee is obligated to complete facility-wide Corrective Action under the conditions of this permit regardless of the operational status of the facility. The Permittee must submit an application for permit renewal at least 180 days before the expiration date of this permit pursuant to OAC Rule 3745-50-40(D) unless a) the permit has been modified to terminate the Corrective Action schedule of compliance and the Permittee has been released from the requirements for financial assurance for Corrective Action; or b) a later submittal date has been authorized by the Director.

A.7 Need to Halt or Reduce Activity Not a Defense
OAC Rule 3745-50-58(C)

It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce a permitted activity in order to maintain compliance with the conditions of this permit.

A.8 Duty to Mitigate
OAC Rule 3745-50-58(D)

The Permittee must take all reasonable steps to minimize releases to the environment and must carry out such measures as are reasonable to prevent significant adverse impact on human health or the environment resulting from noncompliance with this permit.

A.9 Proper Operation and Maintenance
OAC Rule 3745-50-58(E)

The Permittee must at all times properly operate and maintain the facility (and related appurtenances) to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes effective management practices, adequate funding, adequate operator staffing and training, and where appropriate, adequate laboratory and process controls, including appropriate quality assurance/quality control procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the terms and conditions of this permit.

A.10 Duty to Provide Information
OAC Rule 3745-50-58(H)

The Permittee must furnish to the Director, within a reasonable time, any relevant information which the Director may request to determine whether cause exists for modifying or revoking, or to determine compliance with, this permit. The Permittee must also furnish to the Director, upon request, copies of records required to be kept by this permit.

A.11 Inspection and Entry
OAC Rules 3745-50-58(I), 3745-49-03 and 3745-50-30 and ORC Section 3734.07

(a) The Permittee must allow the Director, or an authorized representative, upon stating the purpose and necessity of the inspection and upon proper identification, to:

(i) enter, at reasonable times, upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the terms and conditions of this permit;

(ii) have access to and copy, at reasonable times, any records required to be kept under the terms and conditions of this permit;

(iii) inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under the terms and conditions of this permit; and

(iv) sample, document, or monitor, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by ORC Chapter 3734 and the rules adopted thereunder, any substances or parameter at any location.

(b) Any record, report, or other information obtained under the hazardous waste rules or ORC Chapter 3734 shall not be available to the public upon the Permittee's timely submittal of a trade secret claim and satisfactory showing to Ohio EPA that all or part of the information would divulge methods or processes entitled to protection as trade secrets pursuant to Ohio Trade Secret Law and OAC Rules 3745-49-03 and 3745-50-30.

A.12 Monitoring and Records
OAC Rule 3745-50-58(J)

(a) Any sample and measurement taken for the purpose of monitoring must be representative of the monitored activity. Further, a sample must be a representative sample, as such term is defined and used in the Ohio hazardous waste rules. The method used to obtain a representative sample of the waste to be analyzed must be the appropriate method from Appendix I of OAC Rule 3745-51-20, Laboratory Methods. Laboratory methods must be those specified in Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods, EPA Publication SW-846, Third Edition (November 1986), as amended by Updates I (dated July 1992), II (dated September 1994), IIA (dated August 1993), IIB (dated January 1995), III (dated December 1996), and IIIA (dated April 1998), and additional supplements or editions thereof; Standard Methods for the Examination of Water and Wastewater: Twentieth Edition, 1999; or an equivalent method as specified in the approved waste analysis plan, or as this term is defined and used in the Ohio hazardous waste rules.

(b) Records of monitoring information must specify the:

(i) date(s), exact place(s), and time(s) of sampling or measurements;

(ii) individual(s) who performed the sampling or measurements;

(iii) date(s) analyses were performed;

(iv) individual(s) who performed the analyses;

(v) analytical technique(s) or method(s) used; and

(vi) results of such analyses.

A.13 Signatory Requirement and Certification of Records
OAC Rules 3745-50-58(K) and 3745-50-42

All applications, reports, or information must be properly signed and certified in accordance with OAC Rule 3745-50-58(K).

A.14 Retention of Records and Information Repository
OAC Rules 3745-50-40(G), 3745-50-58(J), 3745-50-58(M), and 3745-50-58(N)

(a) The Permittee must retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports and records required by this permit, the certification required by OAC Rule 3745-54-73(B)(9), and records of all data used to complete the application for this permit, for a period of at least three (3) years from the date of the sample, measurement, report, certification, or application.

(b) The record retention period may be extended by request of the Director at any time and is automatically extended during the course of any unresolved enforcement action regarding the facility.

(c) The Permittee must maintain, in accordance with the Ohio hazardous waste rules, records of all data used to complete the permit application and any amendments, supplements, or modifications of such application. The Permittee must retain a complete copy of the current application for the effective life of the permit as indicated in Permit Condition A.3.

(d) The Permittee must maintain records from all ground water monitoring wells and associated ground water surface elevations for the active life of the facility, and for disposal facilities for the post-closure care period as well.

(e) Corrective Action records must be maintained at least three (3) years after all Corrective Action activities have been completed.

A.15 Planned Changes
OAC Rules 3745-50-51 and 3745-50-58(L)(1)

The Permittee must give notice to the Director as soon as possible of any planned physical alterations or additions to the facility. All such changes must be made in accordance with OAC Rule 3745-50-51.

A.16 Waste Shipments
OAC Rules 3745-52-12 and 3745-53-11 and ORC Section 3734.15(C)

The Permittee must only use properly registered transporters of hazardous waste to remove hazardous waste from the facility, in accordance with all applicable laws and rules.

A.17 Anticipated Noncompliance
OAC Rule 3745-50-58(L)(2)

The Permittee must give advance notice to the Director of any planned changes in the permitted facility or operations which may result in noncompliance with the terms and conditions of this permit. Such notification does not waive the Permittee's duty to comply with this permit pursuant to Permit Condition A.5.

A.18 Transfer of Permits
OAC Rules 3745-50-52, 3745-50-58(L)(3), and 3745-54-12

(a) The permit may be transferred to a new owner or operator only if such transfer is conducted in accordance with ORC Chapter 3734 and the rules adopted thereunder. This permit may be transferred by the Permittee to a new owner or operator only if the permit has been modified under OAC Rule 3745-50-51. Before transferring ownership or operation of the facility, the Permittee must notify the new owner or operator in writing of the requirements of ORC Chapter 3734 and the rules adopted thereunder (including all applicable Corrective Action requirements).

(b) The Permittee's failure to notify the new owner or operator of the requirements of the applicable Ohio law or hazardous waste rules does not relieve the new owner or operator of its obligation to comply with all applicable requirements.

A.19 Compliance Reports
OAC Rules 3745-50-58(L)(5) and 3745-50-50

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule (developed in accordance with OAC Rule 3745-50-50) of this permit must be submitted to the Director no later than fourteen (14) days following each scheduled date.

A.20 Immediate Reporting of Noncompliance
OAC Rule 3745-50-58(L)(6)

(a) The Permittee must report orally to Ohio EPA's Division of Environmental Response and Revitalization within twenty-four (24) hours from the time the Permittee becomes aware of any noncompliance with this permit, ORC Chapter 3734, or the rules adopted thereunder, which may endanger human health or the environment, including:

(i) information concerning the release of any hazardous waste that may cause an endangerment to public drinking water supplies; and

(ii) any information of a release or discharge of hazardous waste or a fire or explosion from the hazardous waste facility, which could threaten the environment or human health outside the facility.

(b) The report must consist of the following information (if such information is available at the time of the oral report):

(i) name, address, and telephone number of the owner or operator;

(ii) name, address, and telephone number of the facility;

(iii) date, time, and type of incident;

(iv) name and quantity of material(s) involved;

(v) the extent of injuries, if any;

(vi) an assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable; and

(vii) estimated quantity and disposition of recovered material that resulted from the incident.

A.21 Follow-Up Written Report of Noncompliance
OAC Rule 3745-50-58(L)(6)(c)

(a) A written report must also be provided to Ohio EPA's Division of Environmental Response and Revitalization and the Division of Materials and Waste Management Southwest District Office within five (5) days of the time the Permittee becomes aware of the circumstances reported in Permit Condition A.20.

(b) The written report must address the items in Permit Condition A.20 and must contain a description of such noncompliance and its cause; the period(s) of noncompliance (including exact dates and times); whether the noncompliance has been corrected; and, if not, the anticipated time it is expected to continue; and steps taken or planned to minimize the impact on human health and the environment and to reduce, eliminate, and prevent recurrence of the noncompliance.

(c) The Permittee need not comply with the five (5) day written report requirement if the Director, upon good cause shown by the Permittee, waives that requirement and the Permittee submits a written report within fifteen (15) days of the time the Permittee becomes aware of the circumstances.

A.22 Other Noncompliance
OAC Rules 3745-50-58(L)(10) and 3745-50-58(L)(4)

The Permittee must report to the Director all other instances of noncompliance not provided for in Permit Conditions A.19 and A.20. These reports must be submitted within thirty (30) days of the time at which the Permittee is aware of such noncompliance. Such reports must contain all information set forth within Permit Condition A.20.

A.23 Reserved

A.24 Other Information
OAC Rule 3745-50-58(L)(11)

If at any time the Permittee becomes aware that it failed to submit any relevant facts, or submitted incorrect information to the Director, the Permittee must promptly submit such facts, information, or corrected information to the Director.

A.25 Confidential Information
OAC Rules 3745-49-03 and 3745-50-30

In accordance with ORC Chapter 3734 and the rules adopted thereunder, the Permittee may request confidentiality for any information required to be submitted by the terms and conditions of this permit, or any information obtained by the Director, or an authorized representative, pursuant to the authority provided under Permit Condition A.11.

A.26 Reserved

A.27 Reserved

A.28 Information to be Maintained at the Facility
OAC Rule 3745-54-74

(a) Corrective Action reports and records, as required by Conditions E.5, E.8, E.9, E.10, and E.11 of this permit, must be maintained for at least 3 years after all Corrective Action Activities have been completed.

A.29 Reserved

DRAFT

MODULE B - GENERAL FACILITY CONDITIONS

B. GENERAL FACILITY CONDITIONS

B.1 Design and Operation of Facility
OAC Rule 3745-54-31

(a) The Permittee must design, construct, maintain, and operate the facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, ground water, or surface waters which could threaten human health or the environment.

(b) The Permittee shall not accept any hazardous waste from off-site sources.

B.2 Reserved

B.3 Reserved

B.4 Security
OAC Rule 3745-54-14

The Permittee must comply with the security provisions of OAC Rule 3745-54-14(B)(1) or (2) and (C)

B.5 Reserved

B.6 Reserved

B.7 Reserved

B.8 Reserved

B.9 Reserved

B.10 Reserved

B.11 Reserved

DRAFT

B.12 Reserved

B.13 Reserved

B.14 Reserved

B.15 Reserved

B.16 Reserved

B.17 Reserved

B.18 Reserved

B.19 Reserved

B.20 Reserved

B.21 Reserved

B.22 Reserved

B.23 Reserved

B.24 Manifest System
OAC Rules 3745-54-70, 3745-54-71, 3745-54-72, and 3745-54-76

In managing waste at the facility, the Permittee must comply with OAC Chapter 3745-52 and OAC Rules 3745-54-71, 3745-54-72, and 3745-54-76 with regard to the manifest system.

DRAFT

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

The Permittee must comply with the 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 Reserved

B.27 Reserved

B.28 Reserved

B.29 Reserved

B.30 Reserved

B.31 Reserved

B.32 Reserved

B.33 Reserved

B.34 Reserved

B.35 Reserved

B.36 Reserved

B.37 Reserved

B.38 Reserved

DRAFT

B.39 Incapacity of Owners or Operators, Guarantors, or Financial Institutions
OAC Rule 3745-55-48

The Permittee must comply with the requirements set forth in OAC Rule 3745-55-48 regarding the incapacity of owners or operators, guarantors, or financial institutions.

B.40 General Requirements for Land Disposal Restrictions
OAC Chapter 3745-270

The Permittee must comply with all applicable regulations regarding land disposal prohibitions and restrictions as required by OAC Chapter 3745-270.

DRAFT

MODULE C – RESERVED

DRAFT

MODULE D - RESERVED

DRAFT

MODULE E - CORRECTIVE ACTION REQUIREMENTS

The facility's hazardous waste container and tank storage activities underwent closure on December 19, 2005. In correspondence dated May 25, 2006, Ohio EPA concurred that the hazardous waste container storage area and both hazardous waste storage tanks had been closed in accordance with the approved closure plan and OAC rules 3745-55-11 through 3745-55-15. There is no hazardous waste storage of greater than 90 days at this facility effective December 19, 2005. The site currently operates as a large quantity generator (LQG). The sole purpose of this permit is to address Corrective Action under OAC Rule 3745-54-101. The facility submitted an RFI workplan on June 29, 2005. As a result of these investigations, it was determined that a Phase 2 RFI workplan was warranted. Revisions to this workplan are currently pending.

E.1 Corrective Action at the Facility
OAC Rules 3745-50-10 and 3745-54-101

In accordance with OAC Rule 3745-50-10, "waste management unit" means any discernible unit at which solid waste, hazardous waste, infectious waste (as those terms are defined in ORC Chapter 3734), construction and demolition debris (as defined in ORC Chapter 3714), industrial waste, or other waste (as those terms are defined in ORC Chapter 6111) has been placed, at any time, irrespective of whether the unit was intended for the management of waste or hazardous waste. Such units include any area at a facility at which wastes have been routinely and systematically released. For the purpose of Corrective Action, "facility" is defined as all contiguous property under the control of the owner or operator seeking a permit under Subtitle C of RCRA. The terms Interim Measure (IM), RCRA Facility Investigation (RFI), Corrective Measures Study (CMS), and Corrective Measure Implementation (CMI) are defined in U.S. EPA's Corrective Action Plan (CAP) (OSWER Directive 9902.3-2A, May 1994).

The Permittee must institute Corrective Action as necessary to protect human health and the environment for all releases of hazardous wastes or hazardous constituents from any waste management units (WMUs) at the Facility, regardless of the time at which waste was placed in such units.

E.2 Corrective Action Beyond the Facility Boundary
OAC Rule 3745-54-101

The Permittee must implement Corrective Action beyond the Facility property boundary, where necessary to protect human health and the environment, unless the Permittee demonstrates to the satisfaction of Ohio EPA that, despite the Permittee's best efforts, the Permittee was unable to obtain the necessary permission to undertake such actions. The Permittee is not relieved of all

responsibility to clean up a release that has migrated beyond the Facility boundary where off-site access is denied. On-site measures to address such releases will be addressed under the RFI, CMS, and CMI phases, as determined to be necessary on a case-by-case basis.

E.3 Identification of WMUs
OAC Rules 3745-50-44(D) and 3745-54-101

Please see Section J of the approved permit application.

E.4 Reserved

E.5 RCRA Facility Investigation (RFI)
OAC Rule 3745-54-101

The Permittee must conduct an RFI to thoroughly evaluate the nature and extent of the release of hazardous wastes and hazardous constituents from all applicable WMUs identified in Permit Condition E.3 above and Permit Condition E.10. The major tasks and required submittal dates are shown below. The scope of work for each of the tasks is found in U.S. EPA's CAP.

(a) Phase 2 RFI Workplan

The Permittee must submit a written Phase 2 RFI Workplan to Ohio EPA within 90 days after the effective date of this permit or, in the case of a newly discovered waste management unit, on a time frame established by Ohio EPA.

(i) Within 45 days of receipt of any Ohio EPA comments on the Phase 2 RFI Workplan, the Permittee must submit either an amended or new Phase 2 RFI Workplan that incorporates Ohio EPA's comments.

(ii) Ohio EPA will approve or modify and approve, in writing, the amended or new Phase 2 RFI Workplan. The Phase 2 RFI Workplan, as approved or as modified and approved, shall be incorporated into this permit and become an enforceable condition of this permit. Subsequent changes to the approved Phase 2 RFI Workplan must be authorized by Ohio EPA.

(b) RFI Implementation

The Permittee must implement the Phase 2 RFI Workplan according to the terms and schedule in the approved Phase 2 RFI Workplan.

(c) RFI Final Report

Within 60 days after the completion of the RFI, the Permittee must submit an RFI Final Report to Ohio EPA. The RFI Final Report must describe the procedures, methods, and results of the RFI. The Final Report must contain adequate information to support further decisions concerning Corrective Action at the Facility.

(i) Within 45 days of receipt of any Ohio EPA comments on the RFI Final Report, the Permittee must submit either an amended or new RFI Final Report that incorporates Ohio EPA's comments.

(ii) Ohio EPA will approve or modify and approve, in writing, the amended or new RFI Final Report. The RFI Final Report, as approved or as modified and approved, shall be incorporated into this permit and become an enforceable condition of this permit. Subsequent changes to the approved RFI Final Report must be authorized by Ohio EPA.

E.6 Interim Measure (IM)

Based on the RFI Final Report or other information documenting a release of hazardous waste or constituents to the environment, Ohio EPA may require (or the Permittee may propose) the development and implementation of an IM (this may include an IM Workplan) at any time during the life of the permit to mitigate or eliminate a threat to human health or the environment. The Permittee must implement the IM upon a time frame established by Ohio EPA.

E.7 Determination of No Further Action

(a) Permit Modification

Based on the results of the completed RFI and other relevant information, the Permittee may submit an application to Ohio EPA for a permit modification under OAC Rule 3745-50-51 to terminate the Corrective Action tasks of the Schedule of Compliance. Other tasks identified in the Schedule of Compliance shall remain in effect. This permit modification application must conclusively demonstrate that there are no releases of

hazardous waste or constituents from WMUs at the Facility that pose an unacceptable risk to human health and the environment.

If, based upon review of the Permittee's request for a permit modification, the results of the completed RFI, and other information, Ohio EPA determines that releases or suspected releases which were investigated either are nonexistent or do not pose an unacceptable risk to human health and the environment, Ohio EPA will approve the requested modification. Decisions regarding the completion of RCRA Corrective Action and no further action may be made for the entire Facility, for a portion of the Facility, or for a specific unit or release.

(b) Periodic Monitoring

A determination of no further action shall not preclude Ohio EPA from requiring continued or periodic monitoring of air, soil, ground water, or surface water, if necessary to protect human health and the environment, when site-specific circumstances indicate that a potential or an actual release of hazardous waste or constituents exists.

(c) Further Investigations

A determination of no further action shall not preclude Ohio EPA from requiring further investigations, studies, or remediation at a later date, if new information or subsequent analysis indicates that a release or potential release from a WMU at the Facility may pose an unacceptable risk to human health or the environment. In such a case, Ohio EPA shall initiate a modification to the terms of the permit to rescind the determination made in accordance with Permit Condition E.7(a). Additionally, in the event Ohio EPA determines that there is insufficient information on which to base a determination, the Permittee, upon notification, is required to develop a Work Plan and, upon Ohio EPA approval of that Work Plan, perform additional investigations as needed.

E.8 Corrective Measures Study (CMS)

If Ohio EPA determines, based on the results of the RFI and any other relevant information, that corrective measures are necessary, Ohio EPA will notify the Permittee in writing that the Permittee must conduct a CMS either as described below or as described in Ohio EPA's notification to the Permittee. The purpose of the CMS will be to develop and evaluate the corrective action alternative(s) and to outline one or more alternative corrective measure(s) that will satisfy the performance objectives specified in Permit Condition E.9.

(a) CMS Workplan

The Permittee must submit a written CMS Workplan to Ohio EPA within 90 days from the notification by Ohio EPA of the requirement to conduct a CMS.

(i) Within 45 days of receipt of any Ohio EPA comments, the Permittee must submit either an amended or new CMS Workplan that incorporates Ohio EPA's comments.

(ii) Ohio EPA will approve or modify and approve, in writing, the amended or new CMS Workplan. The CMS Workplan, as approved or as modified and approved, must be incorporated into this permit and become an enforceable condition of this permit. Subsequent changes to the approved CMS Workplan must be authorized by Ohio EPA.

(b) CMS Workplan Implementation

The Permittee must implement the CMS Workplan according to the terms and schedule in the approved CMS Workplan.

(c) CMS Final Report

Within 90 days after the completion of the CMS, the Permittee must submit a CMS Final Report to Ohio EPA. The CMS Final Report must summarize the results of the investigations for each remedy studied and must include an evaluation of each remedial alternative.

(i) Within 45 days of receipt of any Ohio EPA comments, the Permittee must submit either an amended or new CMS Final Report that incorporates Ohio EPA's comments.

(ii) Ohio EPA will approve or modify and approve, in writing, the amended or new CMS Final Report. The CMS Final Report, as approved or as modified and approved, must be incorporated into this permit and become an enforceable condition of this permit. Subsequent changes to the approved CMS Final Report must be authorized by Ohio EPA.

E.9 Corrective Measures Implementation (CMI)

Based on the results of the CMS, the Permittee must implement one or more of the Corrective Measures authorized by Ohio EPA. Ohio EPA will authorize one or more of the Corrective Measures in the CMS, and will notify the Permittee in writing of the decision. The Corrective Measure selected for implementation must: (1) be protective of human health and the environment; (2) attain media cleanup standards; (3) control the source(s) of releases so as to reduce or eliminate further releases of hazardous waste(s) (including hazardous constituent[s]); and (4) comply with all applicable standards for management of wastes.

If two or more of the Corrective Measures studied meet the threshold criteria set out above, Ohio EPA will authorize the Corrective Measures Implementation by considering remedy selection factors including: (1) long-term reliability and effectiveness; (2) the degree to which the Corrective Measure will reduce the toxicity, mobility, or volume of contamination; (3) the Corrective Measure's short-term effectiveness; (4) the Corrective Measure's implementability; and (5) the relative cost associated with the alternative.

(a) Permit Modification

Ohio EPA will initiate a permit modification, as provided by OAC Rule 3745-50-51, to require implementation of the corrective measure(s) authorized.

The Permittee must not implement the corrective measure(s) until the permit is modified pursuant to OAC Rule 3745-50-51.

(b) Financial Assurance
OAC Rule 3745-54-101

As part of the modification of this permit to incorporate CMI, the Permittee shall provide financial assurance in the amount necessary to implement the corrective measure(s) as required by OAC Rule 3745-54-101(b) and (c).

Within 30 days after receiving approval of the CMI Work Plan, the Permittee must provide a third party, itemized cost estimate which outlines the tasks required to implement the corrective measure(s). Within 30 days of Ohio EPA approval of the cost estimate, the Permittee shall provide financial assurance in the amount equal to the approved cost estimate. A financial assurance mechanism which meets the requirements of OAC

Rules 3745-55-47 through 3745-55-51 is sufficient to comply with this financial assurance requirement. With prior approval by Ohio EPA, the Permittee may, on any date, reduce the amount of financial assurance maintained so that the amount is equal to the estimated costs of completing the corrective measure(s).

E.10 Newly Identified WMUs or Releases
OAC Rule 3745-54-101

(a) General Information

The Permittee must submit to Ohio EPA, within 30 days of discovery, the following information regarding any new WMU identified at the Facility by Ohio EPA or the Permittee:

(i) The location of the unit on the site topographic map;

(ii) Designation of the type of unit;

(iii) General dimensions and structural description, including any available drawings; and

(iv) When the unit was operated.

(b) Release Information

The Permittee must submit to Ohio EPA, within 30 days of discovery, all available information pertaining to any release of hazardous waste(s) or hazardous constituent(s) from any new or existing WMU.

E.11 Corrective Action for Newly Identified WMUs and Releases
OAC Rule 3745-54-101

If Ohio EPA determines that an RFI is required for newly identified WMUs, the Permittee must submit a written RFI Workplan to Ohio EPA upon a time frame established in written notification by Ohio EPA in accordance with Permit Condition E.5. This determination will be made based on the information submitted in accordance with Permit Condition E.10.

Further investigations or corrective measures will be established by Ohio EPA.

The Permittee must make such submittal in accordance with time frames established by Ohio EPA.

E.12 Completion of Corrective Action
OAC Rule 3745-54-101

After completing Corrective Action as necessary to protect human health and the environment for all releases of hazardous wastes or hazardous constituents from any WMUs at the Facility, the Permittee shall submit a Corrective Measures Completion of Work (CMCW) Report. The CMCW Report shall document that Corrective Action construction is complete, cleanup objectives and standards have been met, and any releases of hazardous waste or constituents no longer pose an unacceptable risk to human health and the environment. The CMCW Report may be submitted for any part of the Facility for which corrective measures are complete, or for the entire Facility. The CMCW Report must be submitted as a request for permit modification pursuant to OAC Rule 3745-50-51.

E.13 Documents Requiring Professional Engineer Stamp
ORC Section 4733.01

Preparation of the following Corrective Action documents constitutes the "practice of engineering" as defined by ORC Section 4733.01:

(i) Final Interim Measures Report;

(ii) Corrective Measures Final Design;

(iii) Corrective Measures Construction Completion Report;

(iv) Corrective Measures Attainment of Groundwater Performance Standards Report; and

(v) Corrective Measures Completion of Work Report.

As such, the Permittee must ensure that these documents, as submitted to Ohio EPA, are stamped by a Professional Engineer licensed to practice in the State of Ohio.

DRAFT

RECEIVED
OHIO EPA
JUN 18 2013

Corrective Action Summary Sheet (CASS) (ver 1/25/2013)

DERR-CA Section Staff: Fill in information appropriate to the application being processed.

☐ NOD x Draft Action ☐ Final Action ☐ Resp to Public Comments

DERR CA Project Manager: Tim Hull

*DMWM-Permits Project Manager: ~~Southwest Distric~~

*US EPA ID No: OHD004233003

Application/General Information

*Facility Name: Ineos ABS (USA) Corporation

*Application Type: x Renewal ☐Director-Initiated ☐Class 3A mod ☐Class 3B ☐Class 2 ☐Class 1-A

*Date(s) of application: January 9, 2013

*Summary of changes/purpose of appl (3 sentences max):
Permit renewal for CA activities only.

☐ Remedy Selection-statement of basis with permit terms and conditions

☐ Legal issues involved with application. DERR to notify Legal.

☐ Comments attached for: ☐ DMWM-NOD; x Draft permit package ; or ☐ Response to Public Comments and Final STC for CA

☐ Technical/Executive Summary language (for briefing memo) attached (Draft or Final package)

☐ Other

Information for Draft Action on Remedy Selection Statement of Basis –Draft ST&C-Fact Sheet

☐ Description of site background, site characteristics, and summary of site risks.

☐ Remedial action objectives (RAO)

☐ Summary of proposed alternatives , evaluation of alternatives (threshold/balancing), and preferred alternative

☐ Draft Permit Terms and Conditions, performance standard by remedy element, redline-strikeout format

☐ Description of draft CA for DMWM Fact Sheet

Information for Final Action- Remedy Selection

☐ Final Permit Terms and Conditions, performance standard by remedy element, final format

☐ Response to Comments document

☐ Technical/Executive Summary language (for DMWM to put into Dir. briefing memo) attached

Monitoring/Corrective Action System Information

Type of CA System (e.g., MNA, Pump & Treat, etc.):

Are NAPLs present? ☐ Yes ☐ No Are NAPLs being recovered? ☐ Yes ☐ No

Sampling Frequency: ☐ Quarterly ☐ Semiannually ☐ Annually

DERR District Office	***DERR Central Office***
Timothy C Hull 6/4/13	E.J. Lim 6/10/13
Michael Hamilton 6/5/13	Peter W. Schlather Asst Chief, DERR 6/10/2013