



State of Ohio Environmental Protection Agency
Southwest District

401 East Fifth Street
Dayton, Ohio 45402-2911

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FAX: (937) 285-6249

CERTIFIED MAIL

March 26, 2004

Mr. Mark Townsend
Bayer Polymers, LLC
356 Three Rivers Parkway
Addyston, Ohio 45001

**Re: Hazardous Waste Permit Modification
Class 1A Approval
Bayer Polymers LLC
OHD 004 233 003/ Permit # 05-31-0604**

Dear Mr. Townsend:

On March 17, 2004, Ohio EPA received a request for a Class 1A (Class 1 requiring prior approval) hazardous waste permit modification (tracking number - 040317-1A-1) from Bayer Polymers LLC. With this letter, Ohio EPA approves the above referenced Class 1A modification submitted pursuant to Ohio Administrative Code Rule 3745-50-51.

FOR APPROVAL

The following modification has been made to your July 11, 2003, Ohio Hazardous Waste Facility Installation and Operation Permit. Also, the records of Ohio EPA have been changed accordingly:

The permit modification changed the due date of the amended RFI Workplan from 45 days after receipt of Ohio EPA's comments to 101 days after receipt of Ohio EPA's comments.

Attached is a copy of the permit application revision. This has been included to ensure that all involved parties have written confirmation of the change.

RECEIVED
OHIO EPA

MAR 30 2004

DIV. OF HAZARDOUS
WASTE MGT

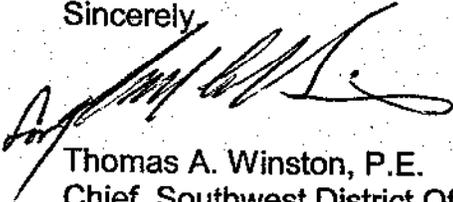


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Jennette Bradley, Lt. Governor
Christopher Jones, Director

If you have any questions concerning this action, please contact Debora Depweg at the Ohio EPA Southwest District Office.

Sincerely,



Thomas A. Winston, P.E.
Chief, Southwest District Office
Ohio EPA

*Also, in accordance with Ohio Administrative Code Rule 3745-50-51(D)(1)(a)(ii), Bayer Polymers shall send a notice within 90 days of an approved Class 1A Modification to all persons on the Agency mailing list. An updated mailing list can be obtained by contacting Pamela Allen at (614) 644-2980, or by e-mail at pamela.allen@epa.state.oh.us.

Enclosure

cc: Pamela Allen, Manager, RIS, DHWM, CO
Jeremy Carroll, Supervisor, Engineering Unit, DHWM, CO
Debora Depweg, DHWM, SWDO
Harold O'Connell, DHWM, SWDO

TW/sdj

E.5 RFI
OAC Rule 3745-55-011

The Permittee shall conduct an RFI to thoroughly evaluate the nature and extent of the release of hazardous waste(s) and hazardous constituent(s) from all applicable WMUs identified in Condition E.3. above and 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 Ohio's Corrective Action Plan, based on U.S. EPA's May 1994 RCRA Corrective Action Plan, OSWER Directive 9902.3-2A.

(a) RFI Workplan

U.S. EPA gave approval with conditions of the September 1997 RFI Workplan on February 21, 2003, as amended by subsequent communications described in U.S. EPA's April 30, 2003 letter. The amended time frame established a deadline of July 3, 2003 for submittal of the final RFI Workplan to U.S. EPA. The Permittee shall submit to Ohio EPA an addendum to the U.S. EPA approved RFI Workplan. The addendum submitted to Ohio EPA shall address activities regarding the current Building #30 spent monomer tank and include a schedule for implementation. The Permittee shall submit the addendum regarding the Building #30 spent monomer tank 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.

- (1) If necessary, Ohio EPA shall provide written comments on the RFI Workplan to the Permittee.
- (2) Within ~~45~~ **101** days of receipt of Ohio EPA's comments, the Permittee shall submit either an amended or new RFI Workplan that incorporates Ohio EPA's comments.
- (3) Ohio EPA shall approve or modify and approve, in writing, the amended or new RFI Workplan. The 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 RFI Workplan must be authorized by Ohio EPA.