



**Environmental
Protection Agency**

John R. Kasich, **Governor**
Mary Taylor, **Lt. Governor**
Scott J. Nally, **Director**

CERTIFIED MAIL

July 18, 2012

Ms. Marcelyn Boone
Ineos USA, LLC
1900 Fort Amanda Road
Lima, Ohio 45804-0628

Re: Ineos USA, LLC
EPA ID No: OHD 042 157 644
Modified Hazardous Waste Permit

Dear Ms. Boone:

On March 21, 2102, Ohio EPA received Ineos USA, LLC (Ineos) Class 2 permit modification request to increase the overall permitted container storage of the facility up to 25% of the current 27,500 gallon capacity. For this modification, Ineos submitted a Class 2 modification application.¹ Enclosed is 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 Please note that the modified Permit remains in effect until it is renewed, withdrawn, suspended or revoked.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 are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

¹ Ohio EPA assigned tracking number OHD042157644-#120321-2-1

Ms. Marcelyn Boone
Ineos USA, LLC
Page 2

Environmental Review Appeals Commission
77 South High Street, 17th Floor
Columbus, OH 43215

If you have any questions, please contact Kara Reynolds of Ohio EPA's Northwest District Office at (419) 352-8461.

Sincerely,

A handwritten signature in cursive script that reads "Georgia Frakes".

Georgia Frakes, Management Analyst
Division of Materials & Waste Management

cc: Dustin Tschudy, DMWM, CO
Todd Anderson, Legal
Scott Hester, DMWM, CO
Kara Reynolds, DMWM, NWDO
Dina Pierce, PIC

OHIO E.P.A.

JUL 18 2012

ENTERED DIRECTOR'S JOURNAL

OHIO ENVIRONMENTAL PROTECTION AGENCY

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

Date of Issuance: July 18, 2012
Effective Date: July 18, 2012

U.S. EPA ID No.: OHD 042 157 644

Name of Permittee: Ineos USA LLC
Mailing Address: Ineos USA LLC
1900 Fort Amanda Road
Lima, Ohio 45804-0628
Facility Location: Ineos USA LLC
1900 Fort Amanda Road
Lima, Ohio 45804-0628
Person to Contact: Marcelyn Boone

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

By: John Lasser Date: 7-18-12

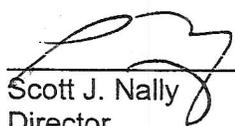
This Modified Ohio Hazardous Waste Facility Installation and Operation Permit is issued pursuant and subject to Section 3734.05(I) of the Ohio Revised Code and Rule 3745-50-51(D) of the Ohio Administrative Code.

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 December 20, 2002, 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 March 21, 2012, May 2, 2012, May 21, 2012, and June 11, 2012. 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.

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 December 20, 2002 renewal permit.



Scott J. Nally
Director

MODULE C - CONTAINER STORAGE AND MANAGEMENT

C. CONTAINER STORAGE AND MANAGEMENT

The container storage building ~~is and the deepwell storage building are~~ centrally located at the Ineos USA LLC facility. The facility plot plan contained in Appendix D-1 of the approved Part B permit application shows the location of the container storage building and the deepwell storage building. The container storage building ~~exists and the deepwell storage building both consist~~ of a concrete base and steel metal building structure.

C.1. Process Capacity/Annual Quantity Limitation OAC Rules 3745-50-43(A)(7)

- (a) The Permittee shall not store more than 27,500 gallons of containerized waste at any given time in the permitted container storage building located in the barrel yard. The Permittee shall not exceed a maximum container storage inventory of 500 fifty-five gallon drums in the container storage building. The Permittee shall not store more than 6,875 gallons of containerized waste at any given time in the permitted filter cake room of the deepwell storage building. The Permittee shall store hazardous waste in the types of containers (size and type) described in Section D of the approved Part B application.
- (b) For the purpose of compliance with the capacity limitation of this permit, each container will be considered to be storing an amount of hazardous waste equal to its capacity, regardless of the actual quantity stored in the container.
- (c) The provision of Conditions C.1(a) and C.2 shall not apply to the Permittee's activities as a generator accumulating hazardous waste on-site in compliance with the provisions of OAC Rule 3745-52-34(A).

However, when accumulating waste within the permitted container storage area and deepwell storage building, in accordance with OAC Rule 3745-52-34(A), the Permittee shall not, for the total amount of hazardous waste stored and accumulated, exceed the maximum container storage inventory established under this Condition.

- (d) The Permittee shall not store hazardous waste for a period which exceeds one year, except that upon good cause shown, the Ohio EPA may extend such time period. Each container stored must be clearly marked to identify its contents, including hazardous waste stream identification, and must also be marked with the words "Hazardous Waste" and the date each period of storage begins.

C.2. Waste Identification

ORC Sections 3734.02(F) and 3734.05(H); and OAC Rule 3745-50-43

- (a) The Permittee shall store in containers only the hazardous waste codes specified below:

EPA Hazardous Waste #	Description
K011, K013, K014 D002, D007	Liquid bottom streams from acrylonitrile production
D001, D002, D003 D004, D007, D018 D038	Waste generated from acrylonitrile production
D003, D004, D005, D006, D008 D009, D010, D011, D019, D035 F039, P003, P005, P030, P069 P098, P101, P106, P120, U001 U002, U003, U007, U008, U019 U044, U053, U056, U057, U080 U112, U122, U123, U124, U125 U129, U140, U147, U149, U151 U152, U154, U159, U161, U169 U188, U191, U196, U211, U213 U219, U220, U239	Possible purified product

- (b) During any calendar year, Permittee shall not manage, through container storage, any individual hazardous waste in quantities in excess of the maximum annual quantities specified in Attachment IV, located in Part A of the approved permit application.

C.3 Condition of Containers

OAC Rule 3745-55-71

If a container holding hazardous waste is not in good condition (e.g., severe rusting, apparent structural defects) or if it begins to leak, the Permittee shall transfer the hazardous waste from such container to a container that is in good condition or otherwise manage the waste in a manner that complies with the terms and conditions of this Permit or the hazardous waste facility chapters of the OAC.

C.4 Compatibility of Waste with Containers
OAC Rule 3745-55-72

The Permittee shall use containers that are compatible with the hazardous waste to be stored.

C.5. Management of Containers
OAC Rule 3745-55-73

- (a) All container storage shall be conducted within the container storage containment ~~systems~~systems described in Condition C.1. of this permit and Section D-1 of the approved Part B permit application.
- (b) The Permittee shall keep all containers closed during storage, except when it is necessary to add or remove waste, and shall not open, handle, or store containers in a manner which may rupture the container or cause it to leak.
- (c) In the event lab-pack wastes are generated they shall be handled in compliance with applicable storage requirements.
- (d) In the event lab-pack wastes are generated they shall be packaged in drums containing absorbent material that is compatible with the waste.

C.6. Containment Systems.
OAC Rule 3745-55-75; ORC 3734.05(H)

- (a) The Permittee shall maintain the containment ~~systems~~systems in accordance with the plans and specifications contained in Section D of the approved Part B permit application.
- (b) The Permittee shall maintain the containment ~~systems~~systems as described in the approved Part B permit application, designed with sufficient capacity to contain ten percent of the total volume of the containers or the volume of the largest container, whichever is greater. The containment ~~systems~~systems shall be free of cracks and gaps and sufficiently impervious to contain leaks and spills and accumulated precipitation until the collected material is detected and removed. The Permittee shall ensure that the ~~coating(s)~~coatings utilized in lining the secondary containment ~~system(s)~~systems are compatible with each waste stored in containers situated at the permitted Container Storage Area and the deepwell storage building. For those hazardous wastes that are deemed incompatible with the liner material, the Permittee shall install a separate secondary containment structure, located within the existing structure, possessing the appropriate liner in order to withstand any degrading effects imposed through initial and/or prolonged contact (e.g., 24 hours) with released waste materials.

- (c) Spilled or leaked waste and accumulated precipitation shall be removed from the sump or collection area in a timely manner. This time period is not to exceed twenty-four (24) hours from the time spilled and/or leaked waste is discovered.

C.7. Prohibition of Container Storage
ORC 3734.02(F)

The Permittee shall not store any container of hazardous waste received from any off-site source.

C.8. Inspection Schedules and Procedures
OAC Rule 3745-54-15, and 3745-54-73

As required by OAC Rule 3745-54-15, the Permittee shall inspect the container storage area and deepwell storage building weekly, in accordance with the approved inspection schedule contained in Section F-2 of the approved Part B permit application, to detect leaking containers and deterioration of containers and the containment systems caused by corrosion or other factors. The Permittee shall note the results of these inspections in the inspection log along with any remedial action taken.

On days when containerized wastes are added or removed to and/or from any of the permitted areas for storage, the Permittee shall conduct an inspection as described in Section F-2 of the approved Part B permit application, and maintain the inspection results in the facility operating record.

C.9. Recordkeeping
OAC Rule 3745-54-73

The Permittee shall comply with all recordkeeping requirements of OAC Rule 3745-54-73 as part of the facility operating record.

C.10. Special Container Provisions for Ignitable or Reactive Waste
OAC Rules 3745-54-17 and 3745-55-76

- (a) The Permittee shall not locate containers holding ignitable or reactive waste within 15 meters (50 feet) of the facility's property line.
- (b) The Permittee shall take precautions to prevent accidental ignition or reaction of ignitable or reactive waste and shall follow the storage procedures specified in Section D of the approved Part B permit application.

C.11. Special Container Provisions for Incompatible Waste
OAC Rule 3745-55-77 and 3745-54-17

- (a) The Permittee shall not store incompatible waste except in accordance with OAC Rules 3745-54-17(B) and 3745-55-77.
- (b) The Permittee shall not place hazardous waste in an unwashed container that previously held an incompatible waste or material.
- (c) The Permittee shall separate containers of incompatible wastes from each other period.

C.12. Reserved.

C.13. Closure and Post-Closure
OAC Rules 3745-55-10, 3745-55-11, 3745-55-78

- (a) At closure of the container areastorage area and the deepwell storage building, the Permittee shall remove all hazardous waste and hazardous waste residues from the containment systemsystems, in accordance with the procedures in the Closure Plan set forth in Section I of the approved Part B permit application.
- (b) If the Permittee demonstrates that not all contaminated soils can be practically removed or decontaminated in accordance with the Closure Plan, Section I of the approved Part B permit application, the Permittee shall close the unit and perform post-closure care following a plan approved by the director of Ohio EPA.

Ineos Permit T&C's Redline Version.v3.doc

OHIO ENVIRONMENTAL PROTECTION AGENCY
DIVISION OF MATERIALS AND WASTE MANAGEMENT

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

Ineos USA LLC
U.S. EPA ID #: OHD042157644
Ohio ID #: 03-02-0450

Modification of the Hazardous Waste Facility Installation and Operation Permit will authorize Ineos USA LLC to make the following change:

Class 2 Modification:

- 1) This permit modification will increase the overall permitted container storage capacity of the facility up to 25% of the current 27,500 gallon total. Ineos currently stores hazardous filter cake for less than 90 days in a roll-off box in the deepwell storage building. In order to store the hazardous filter cake for greater than 90 days the facility has requested to increase their permitted hazardous waste storage capacity. This permit modification will allow Ineos USA LLC to store the hazardous filter cake in the deepwell building for greater than 90 days. The storage of hazardous filter cake in the deepwell storage building for greater than 90 days was the basis for an escalated enforcement action against Ineos USA LLC in 2009.

Ineos C2 modification summary.doc
DT/jm