



State of Ohio Environmental Protection Agency

STREET ADDRESS:

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

CERTIFIED MAIL

December 10, 2004

**Re: Lanxess Corporation**  
f.k.a. Bayer Polymers LLC  
EPA ID No: OHD 004 233 003  
Ohio ID No: 05-31-0604  
Modified Hazardous Waste Permit

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

Dear Mr. Townsend:

On April 2, 2004, Ohio EPA received Bayer Polymers LLC's request to change the facility owner and operator name to Lanxess Corporation. For this modification, Bayer Polymers LLC submitted a Class 3 modification application<sup>1</sup>. The Agency did not receive written comments concerning this Class 3 modification application. I have enclosed 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 Please note that the modified Permit remains in effect until it is renewed, withdrawn, suspended or revoked.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 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 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.

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<sup>1</sup>Ohio EPA assigned tracking # 040402-3A-1 to this modification application.

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

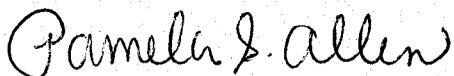


Mark Townsend  
Lanxess Corporation  
December 10, 2004  
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If you have any questions, please contact Debora Depweg of the Southwest District Office at (937) 285-6357.

Sincerely,



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

cc: Jeremy Carroll/Jennifer Rockhold, ERAS, DHWM  
Harriet Croke, U.S. EPA, Region V  
Harold O'Connell/Inspector, SWDO, DHWM  
Carol Hester, Ohio EPA, PIC

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## PUBLIC NOTICE

Hamilton County

### OHIO EPA ISSUES FINAL MODIFIED HAZARDOUS WASTE PERMIT

On December 10, 2004, Ohio EPA issued a final 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 Bayer Polymers, LLC modifying its Permit?**

Bayer Polymers, LLC (Bayer) 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, Bayer needs a Permit. Bayer wishes to change its owner and operator from Bayer Polymers LLC to Lanxess Corporation. 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 January 9, 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: ***Christopher Jones, Director of Ohio EPA***, P.O. Box 1049, Columbus, Ohio 43216-1049.

**OHIO ENVIRONMENTAL PROTECTION AGENCY**

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

Date of Issuance: December 10, 2004  
Effective Date: December 10, 2004

U.S. EPA ID No.: OHD 004 233 003  
Ohio Permit No.: 05-31-0604

**Name of Permittee:** Bayer Polymers LLC  
**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

OHIO E.P.A.  
DEC 10 2004  
ENTERED DIRECTOR'S JOURNAL

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.

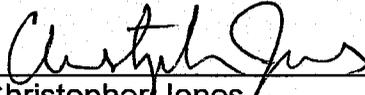
This modification of the permit shall remain in effect until such time as the Ohio Hazardous Waste Facility Installation and Operation Permit is renewed, modified, withdrawn, suspended or revoked.

The Permittee shall comply with all requirements of the modified Part B permit application as amended or supplemented on April 2, 2004 and April 27, 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  
Ohio Environmental Protection Agency's records of the Ohio  
Environmental Protection Agency.

By: *Michael A. Shroyer* dated 12/10/04

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 July 11, 2003 renewal permit.



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Christopher Jones  
Director

OHIO EPA DHWM

DEC 10 2004

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

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

**Bayer Polymers LLC**  
U.S. EPA ID #: OHD 004 233 003  
Ohio ID #: 05-31-0604

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

**Class 3 Modification:**

Ownership and operator change from Bayer Polymers LLC to Lanxess Corporation. Lanxess Corporation is a wholly owned subsidiary of Lanxess GmbH, which itself is a wholly owned subsidiary of Bayer AG, who is Bayer Polymers LLC's ultimate parent. Lanxess GmbH is a spin-off independent company from Bayer AG and thus indirectly, Lanxess Corporation is considered a new entity.

OHIO EPA DHWM

DEC 10 2004

**OHIO ENVIRONMENTAL PROTECTION AGENCY**  
**OHIO HAZARDOUS WASTE FACILITY**  
**INSTALLATION AND OPERATION PERMIT RENEWAL**

**Permittee:** Lanxess Corporation

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

**Owner:** Lanxess Corporation  
356 Three Rivers Parkway  
Addyston, Ohio 45001-0039

**Operator:** Lanxess Corporation  
356 Three Rivers Parkway  
Addyston, Ohio 45001-0039

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

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

**AUTHORIZED ACTIVITIES**

In reference to the application of **Lanxess 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:

- ◆ **Container Storage of Hazardous Waste**
- ◆ **Tank Storage of Hazardous Waste**
- ◆ **Corrective Action**

OHIO EPA DHWM

DEC 10 2004