



**Environmental
Protection Agency**

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

CERTIFIED MAIL

91 7108 2133 3932 1839 5642

May 2, 2012

Mr. W. J. Kandel
Solvay Specialty Polymers USA, LLC
P.O. Box 446
Marietta, OH 45750

Re: **Solvay Specialty Polymers USA, LLC**
EPA ID No: OHD 981 529 688
Final Class 2 Hazardous Waste Permit Modification

Dear Mr. Kandel:

On January 3, 2012, Ohio EPA received a request from Solvay Specialty Polymers USA, LLC, for an addendum to the Equalization Basin Closure Plan to replace the current cover for this waste in place closure with an engineered asphalt cap. For this modification, Solvay Specialty Polymers USA, LLC submitted a Class 2 modification application¹. Enclosed is the final modified Ohio Hazardous Waste Facility Installation and Operation Permit (Permit) that was issued by the director today, May 2, 2012. Please note that the modified Permit remains in effect until it is renewed, withdrawn, suspended or revoked.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

¹Ohio EPA assigned tracking # 120103-2-1 to this modification application.

Mr. W. J. Kandel
Solvay Specialty Polymers USA, LLC
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General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

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

If you have any questions, please contact Elizabeth Herron of Ohio EPA's Southeast District Office at (740) 385-8501.

Sincerely,

A handwritten signature in black ink that reads "Georgia Frakes". The signature is written in a cursive, flowing style.

Georgia Frakes, Management Analyst
Division of Materials and Waste Management

Enclosure

cc: Dustin Tschudy, DMWM, CO
Elizabeth Herron, DMWM, SEDO
Scott Hester, DMWM, SEDO
Brad Hauser, DMWM, CO
Todd Anderson, Legal, CO
Ed Lim, DERR, CO
Don Vogel, DERR, CO
Scott Bergreen, DMWM, SEDO
Erin Strouse, PIC, CO
Amber Finkelstein, PIC, CO



PUBLIC NOTICE RECORD

Notification Type: HAZARDOUS WASTE FACILITY PERMIT ACTION

Entity Info	Notice Info
<p>Name: Solvay Specilatly Polymers USA, LLC</p> <p>Address: P.O. Box 446</p> <p>City/Township/Zip: Marietta, OH 45750 County: Washington</p> <p>Description: Hazardous Waste</p>	<p><input checked="" type="checkbox"/> Weekly Review</p> <p><input checked="" type="checkbox"/> Public Notice</p> <p>Date Of Action: 05/02/2012</p> <p>Notification Number: OHD981529688</p>

Receiving Waters:

Meeting Details:

Standard Remark:

Other Remark:

On May 2, 2012, Ohio EPA issued a modified Hazardous Waste Facility Installation and Operation Permit (Permit) to Solvay Specialty Polymers USA, L.L.C. (Solvay) for its facility located at 17005 State Route 7, Marietta, Ohio 45750. The EPA Identification Number for this facility is OHD981529688. Solvay operates a specialty polymer manufacturing facility and is permitted for container storage, treatment (surface impoundment), corrective action, and post-closure care. Solvay is requesting an addendum to the Equalization Basin Closure Plan to replace the current cover for this waste in place closure with an engineered asphalt cap. As a result of the permit modification review, vapor intrusion from a soil/soil gas source will require further evaluation. The modified permit will be issued with the condition that the Permittee must submit for approval an updated plan for the evaluation of vapor intrusion from lateral migration of soil vapors from the Former Equalization Basin.

OHIO ENVIRONMENTAL PROTECTION AGENCY

MODIFIED OHIO HAZARDOUS WASTE FACILITY
INSTALLATION AND OPERATION PERMIT

OHIO E.P.A.

MAY -2 2012

ENTERED DIRECTOR'S JOURNAL

Date of Issuance: May 2, 2012

Effective Date: May 2, 2012

U.S. EPA ID No.: OHD 981 529 688

Name of Permittee: Solvay Specialty Polymers USA, L.L.C.
Mailing Address: P.O. Box 446
Marietta, OH 45750-0446
Facility Location: 17005 State Route 7
Marietta, OH 45750-0446
Person to Contact: W. J. Kandel

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.

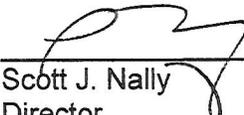
The Ohio Hazardous Waste Facility Installation and Operation Permit with the above-referenced permit number as issued by the Ohio Environmental Protection Agency and journalized on November 1, 2011, is hereby incorporated by reference in its entirety, except as it may be modified herein.

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 January 3, 2012 and April 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 November 1, 2011 renewal permit.

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.


Scott J. Nally
Director

By:  Date: 5-2-12

- (ii) An updated mechanism(s) which demonstrates compliance with the financial assurance requirement of OAC Rule 3745-55-43 and the liability requirements of OAC Rule 3745-55-47. These updated mechanisms must include the specific wording as required by OAC Rule 3745-55-51 and must include current cost estimates where appropriate.
- (b) The Permittee must submit for approval within one hundred eighty (180) days after the effective date of the Equalization Basin Closure Plan Addendum Class 2 modification, the following information to be incorporated into the Part B permit application's post closure plan governing the FEQB in accordance with OAC Rule 3745-55-18(D):
- (i) An updated plan for evaluation of vapor intrusion (VI) from lateral migration of soil vapors from the FEQB into buildings 61 and 64 after the asphalt cap has been installed including:
1. A sampling and analysis plan (SAP) based on contemporary industry standards and best available technology, for the collection and analysis of a sufficient number of soil gas samples for volatile organic chemicals (including acetone, benzene, chlorobenzene, 1,2-dichlorobenzene, 1,4-dichlorobenzene, methylene chloride) located five to ten feet from the edge of the asphalt cap, capable of evaluating the VI pathways and risk to buildings 61 and 64.
 2. Provisions for determining human health risk values for the VOCs, and notification of Ohio EPA of soil gas monitoring results that exceed these risk values.
 3. Development of a contingency plan for subsequent sampling and analyses and remedial action as needed.
 4. List of criteria for termination of soil gas sampling and analysis.

- (c) Unless specified otherwise, the Permittee shall submit the documents listed above to:

Ohio EPA, Director
c/o DMWM, Remediation and Authorizations Section
P.O. Box 1049
Columbus, Ohio 43216-1049

and

Ohio EPA, Southeast District Office
Division of Materials and Waste Management
2195 Front Street
Logan, Ohio 43138
(740) 385-8501

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

- (a) Unless otherwise specified by the hazardous waste rules, the Permittee must maintain at the facility, until closure is completed and certified by a qualified professional engineer, pursuant to OAC Rule 3745-55-15, and until the Director releases the Permittee from financial assurance requirements pursuant to OAC Rule 3745-55-43, the following documents (including amendments, revisions, and modifications):
- (i) waste analysis plan, developed and maintained in accordance with OAC Rule 3745-54-13 and the terms and conditions of this permit;
 - (ii) contingency plan, developed and maintained in accordance with OAC Rule 3745-54-53 and the terms and conditions of this permit;
 - (iii) closure plan, developed and maintained in accordance with OAC Rule 3745-55-12 and the terms and conditions of this permit;