



State of Ohio Environmental Protection Agency

Northwest District Office

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Bob Taft, Governor
Bruce Johnson, Lieutenant Governor
Joseph P. Koncelik, Director

July 6, 2006

Mr. Larry J. Burke, Plant Manager
Innovene USA LLC
1900 Fort Amanda Road
Lima, Ohio 45804

Re: **Hazardous Waste Permit Modification
Class 1 Acknowledgment
BP Chemicals, Inc.
OHD042157644 / 03-02-0450**

RECEIVED
OHIO EPA
JUL 10 2006
DIV. OF HAZARDOUS
WASTE MGT.

Dear Mr. Burke:

On May 11, 2006, Ohio EPA received a notification for a Class 1 hazardous waste permit modifications from BP Chemicals, Inc.. With this letter, Ohio EPA acknowledges the above referenced Class 1 modification submitted pursuant to Ohio Administrative Code (OAC) Rule 3745-50-51, and accordingly has updated the facility's Part B permit application and permit.

The permit modification to remove Firewater Pond No. 2 (SWMU #2) and Process Pond No. 2 (SWMU #3) from the facility property boundary was assigned a permit information tracking system (PITS) ID number of 060511-1-2.

Enclosed is a copy of the revised permit terms and conditions and permit application revisions. This has been included to ensure that all involved parties have written confirmation of the changes. If you have any questions concerning this action, please contact Gary Deutschman at the Ohio EPA Northwest District Office (419)373-3056.

Sincerely,

John Pasquarette
Manager
Division of Hazardous Waste Management

*In accordance with Ohio Administrative Code Rule 3745-50-51(D)(1)(a)(ii), Innovene USA LLC shall send a notice within 90 days of replacement of the permit application pages 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.

/cs

Enclosure

- pc: Pamela Allen, ITTSS, DHWM, CO
- ~~James Carroll, Engineering Unit, DHWM, CO~~
- Kiet Chung, Engineering Unit, DHWM, Co
- DHWM, NWDO BP Chemicals Permit File
- Elissa Miller, Legal
- ec: Melissa Boyers, DHWM, NWDO
- Eric Getz, DHWM, NWDO
- Gary Deutschman, DHWM, NWDO

MODULE E - CORRECTIVE ACTION REQUIREMENTS

Corrective Action Summary

On September 22, 1987 a RCRA Facility Assessment (RFA) for the BP Chemicals, Inc. facility was completed by U.S. EPA. Based on the RFA the U.S. EPA required BP Chemicals, Inc. to conduct a RCRA Facility Investigation (RFI) for the following units:

Firewater Pond No. 2 (SWMU #2)
V-2 Pond (SWMU #32)
Old Catalyst Wastewater Settler (SWMU #98)
CERCLA Landfill (SWMU #102)
Dewatering Surge Tank (SWMU #15)

Process Pond No. 2 (SWMU #3)
Outfall Pond (SWMU #38)
Drum Marshalling Area (SWMU #99)
Barex Wastewater Spill Area (AOC "A")

The RFI Workplan was approved by U.S. EPA on September 30, 1994 and subsequently the RFI Report was approved by U.S. EPA on December 5, 1996. The findings of the RFI Report required BP to submit a Corrective Measures Study (CMS) which was also approved by U.S. EPA on June 3, 1997. Based on the results of the CMS, U.S. EPA modified BP Chemicals, Inc.'s federal permit on September 30, 1998 and selected a remedy for implementation. Ohio EPA, in accordance with permit condition E.9 of this module, is requiring BP to continue with this implementation.

On December 15, 2005, BP Amoco Chemical Company entered into an Environmental Covenant for Firewater Pond No. 2 (SWMU #2) and Process Pond No. 2 (SWMU #3). This Environmental Covenant fulfills BP Amoco Chemical Company's requirement to restrict the use of the property for SWMU #2 and SWMU #3.

Four other units identified in the 1987 RFA are also considered "regulated units" as that term is defined in 40 CFR 264.90 (a) (2) and OAC Rule 3745-54-90. These units were closed in accordance with OAC Rules 3745-66-12, 3745-55-12 and Condition B.26 of this permit. Ohio EPA issued a closure certification letter to the permittee on November 22, 2004. The units are as follows:

Celite Pond (SWMU #34)
Burn Pond (SWMU #36)

V-1 Pond (SWMU #35)
Deepwell Pond (SWMU #39)

Lastly, the Permittee currently operates four on-site Class I Hazardous Waste Injection Wells at the Lima facility. The Underground Injection Control (UIC) units were not a part of the RFI conducted under the Federal permit. However, in accordance with the requirements of OAC Rule 3745-50-46 (B), the Permittee must include and evaluate the UIC units under OAC Rule 3745-55-011. Therefore, Ohio EPA has identified these UIC units as waste management units. The Permittee is being requested to provide information confirming that no contamination due to leaks, equipment, ancillary valves and piping associated with the well have