



State of Ohio Environmental Protection Agency

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DIV. OF HAZARDOUS
WASTE MGT.

Southwest District

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

CERTIFIED MAIL

January 10, 2008

Mr. Clinton Herring, V.P., Manufacturing
Site Manager, Addyston
INEOS ABS (USA) Corporation
356 Three Rivers Parkway
Addyston, Ohio 45001

**Re: Hazardous Waste Permit Modifications
Class 1A Approval
Class 1 Acknowledgement
LANXESS Corporation
OHD 004 233 003/ Ohio Permit No. 05-31-0604**

Dear Mr. Herring :

On July 24, 2006, Ohio EPA received a request for both a Class 1A (Class 1 requiring prior approval (tracking number -OHD 004233003-071228-1A-1) and Class 1 (tracking number -OHD 004233003-071228-1-1) hazardous waste permit modification. With this letter, Ohio EPA hereby approves the above referenced Class 1A modification and acknowledges receipt of the Class 1, both of which were submitted pursuant to Ohio Administrative Code Rule 3745-50-51.

FOR APPROVAL

The following modification has been performed to LANXESS Corporation's July 11, 2003 Ohio Hazardous Waste Facility Installation and Operation Permit:

The facility's permit expiration date has been extended until July 11, 2013.

Attached are copies of the pertinent pages of the permit which have been revised to reflect the approved modification. This information has been included to ensure that all involved parties have written confirmation of the changes*.

Mr. Clinton Herring, V.P., Manufacturing
Site Manager, Addyston
INEOS ABS (USA) Corporation
January 10, 2008
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Furthermore, In reference to the Class 1 permit modification request, with this letter Ohio EPA acknowledges receipt of the addendum dated January 7, 2008, containing the requested supplemental information updates to Section J of the permit application and has revised the permit application within our files accordingly.

If you have any questions concerning this action, please contact Harold O'Connell at the Southwest District Office.

Sincerely,



Thomas A. Winston, P.E.
Chief, Southwest District

*Also, in accordance with Ohio Administrative Code Rule 3745-50-51(D)(1)(a)(ii), *LANXESS Corporation* 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 Lonnie Terry at (614) 644-2942, or by e-mail at Lonnie.Terry@epa.state.oh.us.

cc: Dave Sholtis, Assistant Chief, DHWM, CO
Jeremy Carroll, Supervisor, Engineering Unit, DHWM, CO
Harold O'Connell, DHWM, SWDO

TAW/plh

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**
111RIDIC Park West Drive
Pittsburgh, Pennsylvania 15275-1112

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

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

| | |
|------------------|------------------------|
| US EPA ID: | OHD 004 233 003 |
| Issue Date: | July 11, 2003 |
| Effective Date: | July 11, 2003 |
| Expiration Date: | July 11, 2013 |

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 activity:

- Address Corrective Action Requirements per OAC 3745-54-101**

MODULE A - GENERAL PERMIT CONDITIONS

A. GENERAL PERMIT CONDITIONS

A.1. Effect of Permit

ORC Sections 3734.02 (E) and (F) and 3734.05
OAC Rule 3745-50-58(G)

- (a) The Permittee is authorized to proceed with Corrective Action activities in accordance with the terms and conditions of this permit, ORC Chapter 3734, all applicable Ohio hazardous waste rules, and all applicable regulations promulgated under the Resource Conservation and Recovery Act (RCRA). The approved Part B permit application as submitted to Ohio EPA on June 26, 2002, and any subsequent amendment thereto, and last updated on March 30, 2007, is hereby incorporated into this permit. In the instance of inconsistent language or discrepancies between the above, the language of the more stringent provision shall govern.
- (b) Any management of hazardous waste not authorized by this permit is prohibited, unless otherwise expressly authorized or specifically exempted by law. Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, or invasion of other private rights. Compliance with the terms and conditions of this permit does not obviate Permittee's obligation to comply with other applicable provisions of law governing protection of public health or the environment including but not limited to the Community Right to Know law under ORC Chapter 3750.

A.2. Permit Actions

OAC Rule 3745-50-58(F)

This permit may be modified, revoked, suspended, or renewed as specified by Ohio law. The filing of a request for a permit modification, revision, revocation, suspension, or renewal or the notification of planned changes or anticipated noncompliance on the part of the Permittee, does not stay the applicability or enforceability of any permit term or condition.

A.3. Permit Effective/Expiration Date

OAC Rule 3745-50-54

The expiration date of this permit is July 11, 2013.

A.4. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

A.5. Duty to Comply
OAC Rule 3745-50-58(A)

The Permittee shall comply with all applicable provisions of ORC Chapter 3734, all applicable Ohio hazardous waste rules, and all terms and conditions of this permit, except to the extent and for the duration such noncompliance is authorized by the laws of the State of Ohio. Any permit noncompliance, other than noncompliance authorized by the laws of the State of Ohio, constitutes a violation of ORC Chapter 3734 and the rules adopted thereunder and is grounds for enforcement action, suspension, revocation, modification, revision, denial of a permit renewal application or other appropriate action.

A.6. Duty to Reapply and Permit Expiration
OAC Rules 3745-50-40(E); 3745-50-58(B); 3745-50-56 and ORC Section 3734.05(H)

- (a) If the Permittee wishes to continue an activity allowed by this permit after the expiration date of this permit, the Permittee must submit a completed application for a hazardous waste facility installation and operation permit renewal and any necessary accompanying general plans, detailed plans, specifications, and such information as the Director may require, to the Director no later than one hundred eighty (180) days before the expiration date of this permit or upon approval of the Director a later date prior to the expiration date if the Permittee can demonstrate good cause for late submittal.
- (b) The Permittee may continue to operate in accordance with the terms and conditions of the expired permit until a renewal permit is issued or denied if:
 - (i) the Permittee has submitted a timely and complete application for a renewal permit under OAC Rule 3745-50-40; and