



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 29 2014

REPLY TO THE ATTENTION OF:

Mr. Joseph Bianco
SHE Manager
INEOS USA LLC
1900 Fort Amanda Road
Lima, Ohio 45802

Re: Draft Federal RCRA Permit, INEOS USA LLC
Lima, Ohio, OHD 042 157 644

Dear Mr. Bianco:

Enclosed is the draft Federal Resource Conservation and Recovery Act (RCRA) permit for INEOS USA LLC, Lima, Ohio.

The draft Federal RCRA permit will be publicly noticed in the Lima News newspaper and local radio station on and about September 29, 2014. A copy of the draft Federal RCRA permit is available for review at the Lima Public Library, 650 West Market Street, Lima, Ohio. The public comment period lasts from September 29 to November 26, 2014. A public meeting will be held to receive comments on November 20, 2014, at 6:00 p.m. at Lima City Council Chambers, 50 Town Square, Lima, Ohio 45801.

During the public comment period, you or any interested party may submit comments to the U.S. Environmental Protection Agency on the draft Federal RCRA permit set forth above. At the close of the comment period, EPA will prepare a response to all significant comments. Comments on the draft Federal RCRA permit may be submitted to:

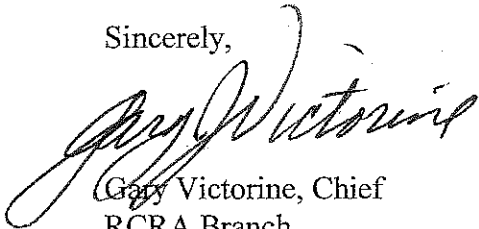
U.S. Environmental Protection Agency, Region 5
RCRA Branch (LR-8J)
77 West Jackson Boulevard
Chicago, Illinois 60604

Attention: Jae B. Lee

Following review of any comments received on the draft federal RCRA permit, EPA will issue a final permit decision in accordance with the requirements of Title 40 of the Code of Federal Regulations (40 CFR) Section 124.19.

If you have questions concerning the draft Federal RCRA permit, please contact Jae Lee, of my staff at (312) 886-3781.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gary Victorine".

Gary Victorine, Chief
RCRA Branch

Enclosure

cc: Jeremy Carroll, OEPA

DRAFT

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

RESOURCE CONSERVATION AND RECOVERY ACT PERMIT

Facility Name and Location: INEOS USA LLC
1900 Fort Amanda Road
Lima, Ohio 45804

Owner: INEOS USA LLC
2600 South Shore Boulevard
League City, Texas 77573

Operator: INEOS USA LLC
2600 South Shore Boulevard
League City, Texas 77573

U.S. EPA Identification Number: OHD 042 157 644

Effective Date: 30 Days from Issuance Date of the Final Permit

Expiration Date: 10 Years from the Effective Date of the Final Permit

Authorized Activities:

The U.S. Environmental Protection Agency hereby issues a Resource Conservation and Recovery Act permit (hereinafter referred to as the "permit") to INEOS USA LLC (hereinafter referred to as the "Permittee" or addressed in the second person as "you") in connection with the hazardous waste management operations at your facility located at 1900 Fort Amanda Road in Lima, Ohio.

This permit is issued under the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, and the Hazardous and Solid Waste Amendments (HSWA) of 1984 (42 USC § 6901 *et seq.*) (collectively referred to as "RCRA") and EPA's regulations promulgated thereunder (codified, and to be codified, in Title 40 of the Code of Federal Regulations (40 CFR)).

Specifically, this permit addresses: air emission for equipment leaks at 40 CFR Part 264 Subpart BB; and air emission standards for tanks and containers at 40 CFR Part 264 Subpart CC.

This permit contains the applicable federal RCRA requirements for the facility. The Permittee also has a state RCRA permit which contains requirements issued by the State of Ohio's RCRA program, authorized under 40 CFR Part 271.

The State RCRA permit was issued on December 5, 2002, which had an expiration date of December 5, 2012. The State RCRA permit remained in effect because the Permittee submitted a timely, complete application (40 CFR § 270.10 and §§ 270.13 through 270.29). (This paragraph will be updated with a new date when the State issues a final RCRA permit to the Permittee.)

Any hazardous waste activity which requires a RCRA permit and is not included in either this permit or the State RCRA permit is prohibited.

Permit Approval:

On June 28, 1989, the State of Ohio received final authorization according to Section 3006 of RCRA, 42 USC § 6926, and 40 CFR Part 271, to administer the pre-HSWA RCRA hazardous waste program. The State of Ohio also received final authorization to administer certain additional RCRA requirements on several occasions since then.

However, EPA has not yet authorized the State of Ohio to administer certain regulations, including the air emission standards for equipment leaks, tanks and containers, codified at 40 CFR Part 264, Subparts BB and CC. Therefore, EPA Region 5 is issuing the RCRA permit requirements for operations at your facility which fall under these regulations.

You must comply with all terms and conditions contained in this permit. This permit consists of all the conditions contained herein, the documents attached hereto, all documents cross-referenced in these documents, approved submittals (including plans, schedules and other documents), the applicable regulations in 40 CFR Parts 124, 260, 261, 262, 264, 268, 270, and applicable provisions of RCRA.

This permit is based on the assumptions that: (1) the information submitted in your RCRA Part B Permit Application dated June 15, 2012, and all other modifications to that application (hereinafter referred to as the "Part B Permit Application") including the addendum to your Part B Permit Application dated December 13, 2012 is accurate; and (2) that the facility is configured, operated and maintained as specified in the Part B Permit Application and other relevant documents.

Any inaccuracies in the submitted information may be grounds for EPA to terminate, revoke and reissue, or modify this permit in accordance with 40 CFR §§ 270.41, 270.42 and 270.43; and for enforcement action. You must inform EPA of any deviation from, or changes in, the information in the Part B Permit Application and other pertinent documents that might affect your ability to comply with the applicable regulations or conditions of this permit.

Opportunity to Appeal:

Petitions for review must be submitted within 30 days after EPA serves notice of the final permit decision. Any person who filed comments on the draft permit or participated in the public hearing may petition the Environmental Appeals Board to review any condition of the permit decision. Any person who failed to file comments or failed to participate in the public hearing on the draft permit may file a petition for review only to the extent of the changes from the draft to the final permit decision. The procedures for permit appeals are found in 40 CFR § 124.19.

Effective Date:

This permit is effective as of **(30 Days from Issuance Date of the Final Permit)** and will remain in effect until **(10 Years from the Effective Date of the Final Permit)**, unless revoked and reissued under 40 CFR § 270.41, terminated under 40 CFR § 270.43, or continued in accordance with 40 CFR § 270.51(a).

By: _____ Date: _____
Margaret M. Guerriero, Director
Land and Chemicals Division

**OHD 042 157 644
INEOS USA LLC**

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SECTION I—STANDARD PERMIT CONDITIONS

I.A EFFECT OF PERMIT

This permit contains the applicable federal permit conditions for the facility. The Permittee also has a state RCRA permit. You are hereby allowed to manage hazardous waste at the facility in accordance with this permit. Under this permit, the storage and treatment of RCRA hazardous waste must comply with all terms and conditions in this permit. Other aspects of the storage and treatment of RCRA hazardous wastes are subject to the conditions in the state-issued RCRA permit. Any hazardous waste activity which requires a RCRA permit and is not included either in this permit or the state RCRA permit is prohibited.

Subject to 40 CFR § 270.4, compliance with the RCRA permit during its term generally constitutes compliance, for purposes of enforcement, with Subtitle C of RCRA, except for those requirements not included in the permit which: (1) become effective by statute; (2) are promulgated under 40 CFR Part 268 restricting the placement of hazardous waste in or on the land; (3) are promulgated under 40 CFR Part 264 regarding leak detection systems; or (4) are promulgated under 40 CFR Part 264 Subpart AA, BB or CC limiting air emissions. (40 CFR § 270.4)

This permit does not: (1) convey any property rights or any exclusive privilege; (2) authorize any injury to persons or property, or invasion of other private rights; or (3) authorize any infringement of state or local law or regulations. Compliance with the terms of this permit does not constitute a defense to any order issued, or any action brought, under: (1) Sections 3008(a), 3008(h), 3013, or 7003 of RCRA; (2) Sections 104, 106(a), or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 USC §§ 9601 *et seq.* (commonly known as CERCLA); or (3) any other law protecting public health or the environment from any imminent and substantial endangerment to human health, welfare, or the environment. (40 CFR §§ 270.4 and 270.30(g))

I.B PERMIT ACTIONS

I.B.1 Permit Review, Modification, Revocation and Reissuance, and Termination

EPA may review, modify, or revoke and reissue this permit, or terminate it for cause, as specified in 40 CFR §§ 270.41, 270.42, and 270.43. EPA may also review and modify this permit, consistent with 40 CFR § 270.41, to include any terms and conditions it determines are necessary to protect human health and the environment under Section 3005(c)(3) of RCRA. The filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated

noncompliance on your part will not stay the applicability or enforceability of any permit condition. (40 CFR § 270.30(f))

You may request a modification of this permit under the procedures specified in 40 CFR § 270.42. A class 1 modification is generally allowed without prior approval by EPA except under certain conditions as described in 40 CFR § 270.42(a)(2). A class 2 modification requires prior approval by EPA as described in 40 CFR § 270.42(b).

You must not perform any construction associated with a Class 3 permit modification request until such modification request is granted and the modification becomes effective. You may perform construction associated with a Class 2 permit modification request beginning 60 days after submission of the request, unless the Director establishes a later date. (40 CFR § 270.42(b)(8)) Pursuant to Chapter 8-6 of the Region 5 Delegation Manual, the authority assigned to the Regional Administrator as Director under 40 CFR § 270.42(b)(8) has been delegated to the Director of the Land and Chemicals Division of the EPA, Region 5. Thus, for the purposes of this permit, the term Director shall refer to the Division Director of EPA Region 5's Land and Chemicals Division. Procedures for a class 3 modification are specified in 40 CFR § 270.42(c).

I.B.2 Permit Renewal

This permit may be renewed as specified in 40 CFR § 270.30(b) and Section I.E.2 of this permit. In reviewing any application for a permit renewal, EPA will consider improvements in the state of control and measurement technology, and changes in applicable regulations. (40 CFR § 270.30(b) and RCRA Section 3005(c)(3))

I.C SEVERABILITY

This permit's provisions are severable. If any permit provision, or the application of any permit provision to any circumstance, is held invalid, such provision's application to other circumstances and the remainder of this permit will not be affected. Invalidation of any statutory or regulatory provision on which any condition of this permit is based does not affect the validity of any other statutory or regulatory basis for that condition. (40 CFR § 124.16(a))

I.D DEFINITIONS

The terms used in this permit will have the same meaning as in 40 CFR Parts 124, 260 through 266, 268 and 270, unless this permit specifically provides otherwise. Where neither the regulations nor the permit define a term, the term's definition will be the standard dictionary definition or its generally accepted scientific or industrial meaning.

I.E DUTIES AND REQUIREMENTS

I.E.1 Duty to Comply

You must comply with all conditions of this permit, except to the extent and for the duration for which an emergency permit authorizes such noncompliance (40 CFR § 270.61). Any permit noncompliance, except under the terms of an emergency permit, constitutes a violation of RCRA and will be grounds for: enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. (40 CFR § 270.30(a))

I.E.2 Duty to Reapply

If you wish to continue an activity this permit regulates after its expiration date, you must apply for and obtain a new permit. You must submit a complete application for a new permit at least 180 days before the permit expires, unless the Director grants permission for a later date. The Director will not grant permission to submit the complete application for a new permit later than the permit's expiration date. (40 CFR §§ 270.10(h) and 270.30(b))

I.E.3 Permit Expiration

Unless revoked or terminated, this permit and all conditions herein will be effective for 10 years from this permit's effective date. This permit and all conditions herein will remain in effect beyond the permit's expiration date if you have submitted a timely, complete application (40 CFR § 270.10 and §§ 270.13 through 270.29), and, through no fault of your own, the Director has not made a final determination regarding permit reissuance. (40 CFR §§ 270.50 and 270.51)

I.E.4 Need to Halt or Reduce Activity Not a Defense

In an enforcement action, you are not entitled to a defense that it would have been necessary to halt or reduce the permitted activity to maintain compliance with this permit. (40 CFR § 270.30(c))

I.E.5 Duty to Mitigate

In the event of noncompliance with this permit, you must take all reasonable steps to minimize releases to the environment resulting from the noncompliance and must implement all reasonable measures to prevent significant adverse impacts on human health or the environment. (40 CFR § 270.30(d))

I.E.6 Proper Operation and Maintenance

You must always properly operate and maintain all facilities and treatment and control systems (and related appurtenances) that you install or use to comply with this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance/quality control procedures. This provision requires you to operate back-up or auxiliary facilities or similar systems only when necessary to comply with this permit. (40 CFR § 270.30(e))

I.E.7 Duty to Provide Information

You must provide the Director, within a reasonable time, any relevant information that the Director requests to determine whether there is cause to modify, revoke and reissue, or terminate this permit, or to determine permit compliance. You must also provide the Director, upon request, with copies of any records this permit requires. The information you must maintain under this permit is not subject to the Paperwork Reduction Act of 1995, 44 USC §§ 3501 *et seq.* (40 CFR §§ 264.74(a) and 270.30(h))

I.E.8 Inspection and Entry

Upon the presentation of credentials and other legally required documents, you must allow the Director or an authorized representative to:

I.E.8.a Enter at reasonable times upon your premises where a regulated activity is located or conducted, or where records must be kept under the conditions of this permit;

I.E.8.b Have access to and copy, at reasonable times, any records that you must keep under the conditions of this permit;

I.E.8.c Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

I.E.8.d Sample or monitor any substances at any location at reasonable times, to assure permit compliance or as RCRA otherwise authorizes.

Notwithstanding any provision of this permit, EPA retains the inspection and access authority which it has under RCRA and other applicable laws. (40 CFR § 270.30(i))

I.E.9 Monitoring and Records

I.E.9.a Samples and measurements taken for monitoring purposes must be representative of the monitored activity. The methods used to obtain a representative sample of the feed streams, treatment residues, or other hazardous wastes to be analyzed must be the appropriate methods from Appendix I of 40 CFR Part 261, or the methods specified in the Waste Analysis Plan which is Section C of the Part B Permit Application, or an equivalent method approved by the Director. Laboratory methods must be those specified in *Test Methods for Evaluating Solid Waste: Physical/Chemical Methods* (SW-846, latest edition), *Methods for Chemical Analysis of Water and Wastes* (EPA 600/4-79-020), or an equivalent method, as specified in the referenced Waste Characteristics. (40 CFR § 270.30(j)(1))

I.E.9.b You must retain, at the facility, records of all monitoring information as specified in 40 CFR § 264.74.

I.E.9.c You must retain all reports, records, or other documents, required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the reports, records, or other documents, unless a different period is specified in this permit. These periods may be extended by request of the Director at any time and are automatically extended during the course of any unresolved enforcement action regarding this facility. (40 CFR §§ 270.30(j) and 270.31)

I.E.10 Reporting Planned Changes

You must notify the Director as soon as possible of any planned physical alterations or additions to the permitted facility. (40 CFR § 270.30(l)(1))

I.E.11 Reporting Anticipated Noncompliance

You must notify the Director, in advance, of any planned changes in the permitted facility or activity that may result in permit noncompliance. Advance notice will not constitute a defense for any noncompliance. (40 CFR § 270.30(l)(2))

I.E.12 Certification of Construction

Subject to the requirements of 40 CFR § 270.32(b)(2) and § 270.42 of Appendix I, you must not operate any RCRA air emission control devices completed after the effective date of this permit until you have submitted to the Director, by certified mail or hand-delivery, a letter signed both by your authorized representative and by a registered professional engineer. That letter must state that the portions of the facility covered by this permit have been constructed in compliance with the applicable conditions of this permit. In addition, you must not operate the permitted control devices until either (40 CFR § 270.30(1)(2)):

I.E.12.a The Director or his/her representative has inspected those portions of the facility and finds them in compliance with the conditions of the permit; or

I.E.12.b Within 15 days of the date of submission of the letter in I.E.12, the Permittee has not received notice from the Director of his or her intent to inspect, prior inspection is waived and the Permittee may commence, treatment, storage, or disposal of hazardous waste. (40 CFR 270.30(1)(2)(ii)(B))

I.E.13 Transfer of Permits

This permit is not transferable to any person, except after notice to the Director. You must inform the Director and obtain prior approval from the Director before transferring ownership or operational control of the facility (40 CFR § 270.42, Appendix I). Under 40 CFR § 270.40, the Director may require permit modification, or revocation and reissuance to change your name and incorporate other RCRA requirements. Before transferring ownership or operation of the facility during its operating life, you must notify the Director and obtain prior approval and notify the new owner or operator in writing of the requirements of 40 CFR Parts 264, 266, 268, and 270, and must provide a copy of the RCRA permit to the new owner or operator. (40 CFR §§ 264.12(c), 270.30(1)(3), and 270.40(a))

I.E.14 Twenty-Four Hour Reporting

I.E.14.a You must report to the Director any noncompliance with this permit that may endanger human health or the environment. Any such information must be promptly reported orally, but no later than 24 hours after you become aware of the circumstances.

I.E.14.b The report must include the following information (40 CFR § 270.30(1)(6)): (1) release of any hazardous waste that may endanger public drinking water supplies; (2) a release or discharge of hazardous waste; or (3) fire

or explosion from the hazardous waste management facility that could threaten the environment or human health outside the facility. You must include the following information:

- (1) Name, title and telephone number of the person making the report;
- (2) Name, address and telephone number of the facility owner or operator;
- (3) Facility name, address and telephone number;
- (4) Date, time and type of incident;
- (5) Location and cause of incident;
- (6) Identification and quantity of material(s) involved;
- (7) Extent of injuries, if any;
- (8) Assessment of actual or potential hazards to the environment and human health outside the facility, where applicable;
- (9) Description of any emergency action taken to minimize the threat to human health and the environment; and
- (10) Estimated quantity and disposition of recovered material that resulted from the incident.

I.E.14.c In addition to the oral notification required under Sections I.E.14.a and I.E.14.b of this permit, a written report must also be provided within 5 calendar days after you become aware of the circumstances. The written report must include, but is not limited to, the following:

- (1) Name, address and telephone number of the person reporting;
- (2) Incident description (noncompliance and/or release or discharge of hazardous waste), including cause, location, extent of injuries, if any, and an assessment of actual or potential hazards to the environment and human health outside the facility, where applicable;

- (3) Period(s) in which the incident (noncompliance and/or release or discharge of hazardous waste) occurred, including exact dates and times;
- (4) Whether the incident's results continue to threaten human health and the environment, which will depend on whether the noncompliance has been corrected and/or the release or discharge of hazardous waste has been adequately cleaned up; and
- (5) If the noncompliance has not been corrected, the anticipated period for which it is expected to continue and the steps taken or planned to reduce, eliminate, and prevent the recurrence of the noncompliance.

The Director may waive the requirement that written notice be provided within 5 calendar days; however, you will then be required to submit a written report within 15 calendar days of the day on which you must provide oral notice, in accordance with Sections I.E.14.a and I.E.14.b of this permit. (40 CFR §§ 270.30(1)(6) and 270.30(h))

I.E.15 Other Noncompliance

You must report all instances of noncompliance not reported under Section I.E.14 of this permit, when any other reports this permit requires are submitted. The reports must contain the information listed in Section I.E.14 of this permit. (40 CFR § 270.30(1)(10))

I.E.16 Other Information

I.E.16.a Whenever you become aware that you failed to submit or otherwise omitted any relevant facts in the Part B Permit Application or other submittal, or submitted incorrect information in the Part B Permit Application or other submittal, you must promptly notify the Director of any incorrect information or previously omitted information, submit the correct facts or information, and explain in writing the circumstances of the incomplete or inaccurate submittal. (40 CFR §§ 270.30(1)(11) and 270.30(h))

I.E.16.b All other requirements contained in 40 CFR § 270.30 not specifically described in this permit are incorporated into this permit and you must comply with all those requirements.

I.F SIGNATORY REQUIREMENT

You must sign and certify all applications, reports, or information this permit requires, or which are otherwise submitted to the Director, in accordance with 40 CFR § 270.11. (40 CFR § 270.30(k))

I.G REPORTS, NOTIFICATIONS AND SUBMITTALS TO THE DIRECTOR

Except as otherwise specified in this permit, all reports, notifications, or other submittals that this permit requires to be sent or given to the Director should be sent by certified mail or express mail, or hand-delivered to the U.S. Environmental Protection Agency Region 5, RCRA Branch, at the following address:

RCRA Branch, LR-8J
Land and Chemicals Division
U.S. EPA Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

I.H CONFIDENTIAL INFORMATION

In accordance with 40 CFR Part 2, Subpart B, you may claim any information this permit requires, or otherwise submitted to the Director, as confidential. You must assert any such claim at the time of submittal in the manner prescribed on the application form or instructions or, in the case of other submittals, by stamping the words "Confidential Business Information" on each page containing such information. If you made no claim at the time of submittal, the Director may make the information available to the public without further notice. If you assert a claim, the information will be treated in accordance with the procedures in 40 CFR Part 2. (40 CFR § 270.12)

I.I DOCUMENTS TO BE MAINTAINED AT THE FACILITY

You must maintain at the facility, until closure is completed and certified by an independent registered professional engineer, the following documents and all amendments, revisions, and modifications to them.

I.I.1 Operating Record

You must maintain in the facility's operating record the documents required by this permit, and by the applicable portions of 40 CFR §§ 266.102, 264.13, and 264.73 (as they apply to the equipment used to comply with this permit).

I.I.2 Notifications

If you receive hazardous waste(s) from off-site generator(s), you must maintain notifications from generators accompanying initial incoming shipment of wastes subject to 40 CFR Part 268 Subpart C that specify treatment standards, as required by 40 CFR §§ 264.73, 268.7, and this permit.

I.I.3 Copy of Permit

You must keep a copy of this permit on site, and you must update it as necessary to incorporate any official permit modifications.

I.J ATTACHMENTS AND DOCUMENTS INCORPORATED BY REFERENCE

I.J.1 All attachments and documents that this permit requires to be submitted, if any, including all plans and schedules are, upon the Director's approval, incorporated into this permit by reference and become an enforceable part of this permit. Since required items are essential elements of this permit, failure to submit any of the required items or submission of inadequate or insufficient information may subject you to enforcement action under Section 3008 of RCRA. This may include fines, or permit suspension or revocation.

I.J.2 This permit also includes the documents attached hereto, all documents cross-referenced in these documents, and the applicable regulations contained in 40 CFR Parts 124, 260, 261, 262, 264, 266, 268, and 270, and applicable provisions of RCRA, all of which are incorporated herein by reference.

I.J.3 Any inconsistency or deviation from the approved designs, plans and schedules is a permit noncompliance. The Director may grant written requests for extensions of due dates for submittals required in this permit.

I.J.4 If the Director determines that actions beyond those provided for, or changes to what is stated herein, are warranted, the Director may modify this permit according to procedures in Section I.B of this permit.

I.J.5 If any documents attached to this permit are found to conflict with any of the conditions in this permit, the condition will take precedence.

I.K COORDINATION WITH THE CLEAN AIR ACT

You must comply fully with the requirements contained in this permit. To demonstrate compliance with Subparts BB and CC of RCRA under this federal RCRA permit, you must document and certify compliance with all applicable CAA requirements and regulations.

This permit does not affect your responsibility to comply with the CAA or other applicable federal state or local laws. Compliance with this permit will not be a defense to any CAA permitting or enforcement action.

**SECTION II -- AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS
(40 CFR PART 264 SUBPART BB)**

The air emission standards for equipment leaks, 40 CFR Part 264 Subpart BB (Subpart BB), at 40 CFR § 264.1064(m) provides:

The owner or operator of a facility with equipment that is subject to Subpart BB and to Clean Air Act regulations at 40 CFR Parts 60, 61, or 63 may elect to determine compliance with Subpart BB either by documentation pursuant to 40 CFR § 264.1064 of Subpart BB, or by documentation of compliance with the regulations at 40 CFR Parts 60, 61, or 63 pursuant to the relevant provisions of the regulations at 40 CFR Parts 60, 61 or 63. The documentation of compliance under the regulations at 40 CFR Parts 60, 61, or 63 shall be kept with or made readily available with the facility operating record.

The Permittee submitted an addendum to its RCRA Part B Application by letter dated December 13, 2012 ("Addendum"). The Addendum provides that in accordance with 40 CFR § 264.1064(m), the Permittee has elected to determine compliance with Subpart BB by documenting compliance with 40 CFR Part 63, Subpart H, National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks. The Addendum further states that the documentation of compliance under 40 CFR Part 63, Subpart H is kept in on-site hard copy and electronic files that are a part of the facility operating records.

For purposes of this permit, EPA considers the information in the Addendum as a determination that you must determine compliance with Subpart BB by documenting compliance with 40 CFR Part 63, Subpart H. The documentation of compliance with the regulations at 40 CFR Part 63, Subpart H must be kept with or made readily available with the facility operating record.

Within twelve months of the effective date of this permit and annually thereafter, you must update the determination by describing and certifying your compliance with Subpart BB by documenting compliance with 40 CFR Part 63, Subpart H. The determination must be retained at the facility and be provided to EPA representatives, or its designees, upon request. For any changes in your determination of compliance under 40 CFR § 264.1064(m), you must inform the EPA Region 5 RCRA program, in writing, about such changes.

**SECTION III – AIR EMISSION STANDARDS FOR TANKS AND CONTAINERS
(40 CFR PART 264 SUBPART CC)**

The air emission standards for tanks and containers, 40 CFR Part 264, Subpart CC (Subpart CC) at 40 CFR § 264.1080(b)(7) provides:

The requirements of Subpart CC do not apply to the following waste management units at the facility: a hazardous waste management unit that the owner or operator certifies is equipped with and operating air emission controls in accordance with the requirements of an applicable Clean Air Act regulation codified under 40 CFR Parts 60, 61 or 63. For the purpose of complying with this paragraph, a tank for which the air emission control includes an enclosure, as opposed to a cover, must be in compliance with the enclosure and control device requirements of 40 CFR § 264.1084(i), except as provided in 40 CFR § 264.1082(c)(5).

The Permittee's Part B Permit Application and Addendum provide that, pursuant to 40 CFR § 264.1080(b)(7), the requirements of RCRA Subpart CC do not apply to the waste management containers and tanks, including the filter press unit, at the facility as they are equipped with air emission controls operated in accordance with the requirements of 40 CFR Part 63, Subpart G, the National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry for Press Vents, Storage Vessels, Transfer Operations and Wastewater ("HON"). The Addendum further states that the compliance operation of the air emission controls is documented and certified under the Clean Air Act Title V operating permit program.

However, the facility contains a roll-off box which is stored in the deepwell building below the filter press and receives compacted solid hazardous waste from the filter press. This roll-off box does not have an adequate control device to capture and control the emitted organic vapors generated during the waste transfer process from the filter press to the roll-off box. Therefore, the roll-off box is subject to Subpart CC and the Permittee must comply with Section IV, Compliance Schedule for Exposure Minimization Plan.

For purposes of this permit, EPA considers the information in the Addendum as a certification by the Permittee that the hazardous waste management units subject to Subpart CC are equipped with and operating air emission controls in accordance with 40 CFR Part 63 Subpart G. Therefore, in accordance with 40 CFR § 264.1080(b)(7), the requirements of Subpart CC are not applicable to the hazardous waste management units at the facility except for the roll-off box as described in Section IV below. The tanks and containers described in the Permittee's Part B Permit Application must be equipped with and operating air pollution controls in accordance with the requirements of 40 CFR Part 63, Subpart G.

Within twelve months of the effective date of this permit and annually thereafter, you must certify that all of the tanks and containers subject to Subpart CC are equipped with and operating air emission controls in accordance with 40 CFR Part 63, Subpart G. The certification must be retained at the facility and be provided to EPA representatives, or its designees, upon request.

For any changes in your certification or the compliance status of the tanks and containers with 40 CFR Part 63, Subpart G, you shall inform the EPA Region 5 RCRA program, in writing, about the changes no later than 30 days prior to any such changes. In the event that any of the tanks and containers specified in the Part B Permit Application are no longer equipped with and operating air emission controls according to 40 CFR Part 63, Subpart G, such tanks and/or containers shall be subject to and comply with all applicable requirements of 40 CFR Part 264, Subpart CC, and you must submit a class 2 permit modification request providing for the application of 40 CFR Part 264, Subpart CC to those hazardous waste tanks and/or containers.

SECTION IV – SCHEDULE FOR SUBMITTAL AND IMPLEMENTATION OF EXPOSURE MINIMIZATION PLAN

The facility contains one metal roll-off box stored in the deep-well building below the filter press. The volume of the roll-off box is 30 cubic feet (ft³) and contains hazardous waste that is in light materials service as defined in 40 CFR § 265.1081. Therefore, the roll-off box is considered as a Level 2 container in accordance with 40 CFR § 264.1086(b)(iii) and must comply with Level 2 container requirements of Subpart CC at 40 CFR § 264.1086(d).

You must transfer hazardous waste into or out of a Level 2 container in such a manner as to minimize exposure of the hazardous waste to the atmosphere to the extent practical, considering the physical properties of the hazardous waste and good engineering and safety practices for handling hazardous materials, as required by 40 CFR § 264.1086(d)(2). The roll-off box must be kept closed except when the addition of filter cake occurs. No waste stabilization process, as defined in 40 CFR § 265.1081, shall be conducted in the roll-off box (40 CFR § 264.1086(b)(2)).

In accordance with the schedule provided below, you must prepare and implement a plan to minimize emissions from the transfer of the filter cake to the roll-off box, consistent with 40 CFR § 264.1086(d)(2). The plan must include, but not be limited to: estimation of the total emissions from the transfer process; proposal of physical or chemical modification to the operation; proposal of venting and/or control devices; control efficiency of the proposed venting and control device; and any other proposed actions to minimize the exposure of the hazardous waste to the atmosphere to the extent practical. The Plan should also describe any actions required by the Clean Air Act to minimize emissions from the transfer process.

Submittal of Exposure Minimization Plan

Within 45 days of Effective Date of
Final Permit

Submittal of Revised Exposure Minimization
Plan

Within 45 days of your receipt of EPA's
Review and Comment

Implementation of the Approved
Exposure Minimization Plan

Within 45 days of your receipt of EPA's
Approval of the Exposure Minimization
Plan

Administrative Record Index (Draft RCRA PERMIT)

INEOS USA LLC
Lima, Ohio
OHD 042 157 644

<u>Title</u>	<u>Date</u>	<u>Prepared by</u>
1. Part A Permit Application	June 15, 2012	INEOS
2. Part B Permit Application	June 15, 2012	INEOS
3. Title 5 Air Permit	August 31, 2012	OEPA
4. RCRA Subparts BB and CC	December 13, 2012	U.S. EPA
5. EJ Analysis	January 2014	U.S. EPA
6. Fact Sheet	September 2014	OEPA and U.S. EPA
7. State Draft RCRA Permit	September 2014	OEPA
8. Federal Draft RCRA Permit	September 2014	U.S. EPA
9. E-mail correspondences	2012-2014	INEOS and U.S. EPA

U.S. EPA: United States Environmental Protection Agency

OEPA: Ohio Environmental Protection Agency

RCRA: Resource Conservation Recovery Act

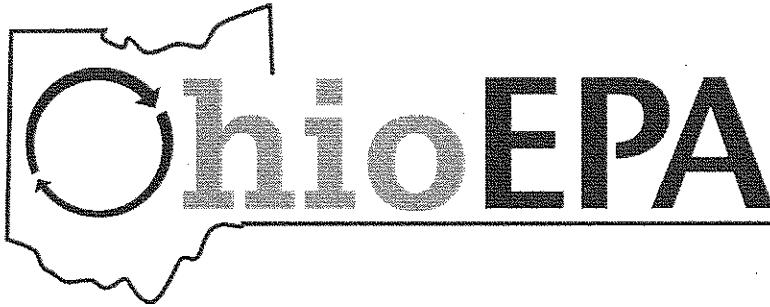
EJ: Environmental Justice

Subpart BB: Air Emission Standards for Equipment

Subpart CC: Air Emission Standards for Tanks and Containers



September 2014



Draft

Hazardous Waste Permit Renewal and Comment Period

Facility Name: INEOS USA LLC

U.S. EPA I.D.: OHD 042 157 644

Location:

1900 Fort Amanda Road
Lima, Ohio 45804

Facility Owner:

INEOS USA LLC
2600 South Shore Boulevard
League City, Texas 77573

Facility Operator:

INEOS USA LLC
P.O. Box 628
Lima, Ohio 45802

Activity:

Permit renewal for container storage, tank storage,
tank treatment, miscellaneous unit treatment,
Closure/Post-Closure and Corrective Action.

Comment Period:

(9/29/2014 - 11/26/2014)

Submit Comments to:

Ohio EPA
John Nyers
Division of Materials and Waste Management
P.O. Box 1049
Columbus, Ohio 43216-1049
(614) 644-2621
john.nyers@epa.ohio.gov

U.S. EPA, Region 5

Jae Lee
RCRA Branch (LR-8J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
lee.jae@epa.gov

Ohio Environmental Protection Agency and U.S. Environmental Protection Agency are issuing a joint (State and Federal portions) Hazardous Waste Permit to INEOS USA LLC.

What is the history of the hazardous waste program?

The Resource Conservation and Recovery Act (RCRA), an amendment to the Solid Waste Disposal Act, was passed in 1976. The main reason for the amendment was to address the growing volume of municipal and industrial solid waste generated across the United States. A few goals established by RCRA include: to protect human health and the environment from potential hazards of waste disposal, to reduce the amount of waste generated and to ensure that wastes produced are managed in an environmentally sound manner.

When RCRA was written, U.S. Congress' intent was for the states to assume primary responsibility for implementing the hazardous waste regulations with oversight from the United States Environmental Protection Agency (U.S. EPA). U.S. EPA must approve each state as an authorized state. To become an authorized state, each must demonstrate that the state program is at least equivalent to and consistent with federal laws, provides adequate enforcement authority and provides availability of information similar to the federal program. Since 1989, the State of Ohio has been an authorized state by U.S. EPA for the majority of the hazardous waste program.

Currently, the State of Ohio is not authorized by U.S. EPA to issue a permit for organic air emissions (40 CFR Part 264, Subparts BB and CC) from hazardous waste storage units. U.S. EPA has drafted a RCRA permit to address organic air emissions from hazardous waste storage units. U.S. EPA's draft permit and the State of Ohio's draft permit have been issued concurrently and both share the same comment period.

How can I become more involved?

A public meeting will be held to receive comments on Thursday, November 20, 2014 at 6:00 p.m. at Lima City Council Chambers, 50 Town Square, Lima, Ohio 45801. Oral comments will be received during the public meeting. All persons, including the applicant, may submit written comments relating to this draft action. Written comments may be submitted before the end of the comment period to the address in the box on the front page.

The comment period begins on September 29, 2014, and ends on November 26, 2014. Copies of the permit application and the draft permit are available for review by the public at the following locations:

Ohio EPA, Northwest District Office
347 North Dunbridge Road
Bowling Green, Ohio 43402
(419) 352-8461

Ohio EPA, Central Office

Division of Materials and Waste Management
Lazarus Government Center
50 West Town St., Suite 700
Columbus, Ohio 43215
(614) 644-2621

U.S. EPA, Region 5
RCRA Branch, LR-8J
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
(312) 886-3781

Copies of the Ohio draft permit and the federal draft permit are available for review by the public at:

Lima Public Library
650 West Market Street
Lima, Ohio 45801
(419) 228-5113

A copy of the draft permit is available for review by the public online at the following locations:

The Ohio draft permit is available for review by the public online under the "Stakeholder Input" tab at: epa.ohio.gov/dmwm/.

The federal draft permit is available for review by the public at: epa.gov/region5/waste/permits/actions.htm.

Within sixty (60) days of the close of the public comment period, Ohio EPA will, without prior hearing, issue the permit (or deny the request) in accordance with Chapter 3734 of the Ohio Revised Code (ORC). If Ohio EPA approves the application, taking into account public comments, a renewal permit will be issued with terms and conditions as are necessary to ensure compliance with hazardous waste rules.

What does the facility do?

Ineos USA LLC owns and operates an industrial chemical manufacturing plant. Ineos USA LLC manufactures acrylonitrile, acetonitrile, hydrogen cyanide, acrylonitrile catalyst, and a resin product.

What would this hazardous waste permit allow the facility to do?

This permit allows Ineos USA LLC to conduct the following activities: 1) store 27,000 gallons of hazardous waste in various sized containers at the container storage building in the barrel yard, 2) store 6,875 gallons of hazardous waste in a roll-off box in the deepwell building container storage area, 3) store 2,128,040 gallons of hazardous waste in 14

hazardous waste tanks, 4) treat hazardous waste in 7 hazardous waste tanks, 5) treat hazardous waste in a miscellaneous unit (filter press), 6) conduct Corrective Action activities on-site, and 7) conduct closure/post-closure activities on-site. Hazardous waste codes associated with these activities are D001, D002, D003, D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D035, D038, F039, K011, K013, K014, P003, P005, P030, P063, P069, P098, P101, P106, P120, U001, U002, U003, U007, U008, U009, 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.

What is the regulatory basis to support this permit renewal?

The Director of Ohio EPA has determined that INEOS USA LLC submitted an application for renewal one hundred eighty (180) days prior to the expiration date of its present permit, which was issued by Ohio EPA on December 20, 2002. The Director has considered the application, inspection reports, a report regarding the facility's compliance with the present permit, and the rules adopted under ORC Section 3734. The Director has found that the Part B permit application meets the Director's performance standards and that the facility has a history of compliance with this chapter, rules adopted under it, the existing permit, and orders entered into, which demonstrates reliability, expertise, and competency to subsequently operate the facility under this chapter, the rules, and the permit.

Who can I contact for more information?

For additional information, please contact Kara Reynolds at (419) 373-3065, Ohio EPA, Northwest District Office at (419) 352-8461 or Jae Lee of the U.S. EPA Regional Office in Chicago, Illinois at (800) 621-8431 ext. 63781.

PUBLIC NOTICE

Allen County

ISSUANCE OF A DRAFT RENEWAL PERMIT

On September 29, 2014, Ohio EPA and U.S. EPA issued a draft renewal Hazardous Waste Facility Installation and Operating Permit (Permit) to INEOS USA LLC (INEOS), U.S. EPA ID Number OHD 042 157 644, for its facility located at 1900 Fort Amanda Road, Lima, Ohio 45804. INEOS owns and operates a hazardous waste treatment and storage facility. The purpose of this permit is to allow INEOS to continue the following hazardous waste management activities: container and tank storage, treatment in tanks and a miscellaneous unit, closure/post-closure and corrective action. To issue this permit, Ohio EPA and U.S. EPA determined that the permit application is complete and meets appropriate standards and that the applicant has a history of compliance with relevant environmental laws and demonstrates sufficient reliability, expertise and competency to operate a hazardous waste facility. You may send written comments or email concerning the state portion of the permit to Ohio EPA, Division of Materials and Waste Management, Attn: John Nyers, P.O. Box 1049, Columbus, Ohio 43216 or John.Nyers@epa.ohio.gov. For the federal portion of the permit, you can send your written comments or email to U.S. EPA RCRA Branch (LR-8J), 77 West Jackson Blvd, Chicago, IL 60604 or Lee.Jae@epa.gov. The written comments or email should be submitted no later than the close of business on November 26, 2014. A public meeting will be held to receive comments on November 20, 2014 at 6:00 p.m. at Lima City Council Chambers, 50 Town Square, Lima, Ohio 45801. A copy of the state and federal portions of the permit can be viewed at Lima Public Library, 650 West Market Street, Lima, Ohio 45801, (419) 228-5113. The copy of the state portion of the permit and part B permit application can be viewed at Ohio EPA Central Office, Division of Materials and Waste Management, 50 West Town Street, Suite 700, Columbus, Ohio 43215, (614) 644-2621 and at Ohio EPA Northwest District Office, 347 North Dunbridge Road, Bowling Green, Ohio 43402, (Contact: Kara Reynolds (419) 373-3065). The copy of the federal portion of the permit and documents listed in the Administrative Record index can be viewed at Ohio EPA and at U.S. EPA office, U.S. EPA, Region 5, RCRA Branch, 77 West Jackson Blvd, Chicago, IL 60604, (Contact: Jae Lee (800) 621-8431 ext. 63781). The state portion of the permit can also be viewed on-line under the "Stakeholder input" tab at: epa.ohio.gov/dmwm/. The federal portion of the permit can be viewed on-line at epa.gov/region5/waste/permits/actions.htm.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 29 2014

Reference Desk Librarian
Dayton & Montgomery County Public Library
Wilmington Stroop Branch
3980 Wilmington Pike
Dayton, Ohio 45429

REPLY TO THE ATTENTION OF:

Re: Draft Federal RCRA Per
INEOS USA LLC, Lima, Ohio
OHD 042 157 644

Dear Madam or Sir:

The U. S. Environmental Protection Agency intends to issue a draft hazardous waste management permit to INEOS USA LLC, Lima, Ohio.

In accordance with the public involvement procedures in Title 40 Code of Federal Regulations (40 CFR) Part 124, the draft Federal RCRA permit will be publicly noticed in the Lima News newspaper and local radio station on and about September 29, 2014. A copy of the draft Federal RCRA permit is available for review at the Lima Public Library, 650 West Market Street, Lima, Ohio. The public comment period lasts from September 29 to November 26, 2014. A public meeting will be held to receive comments on November 20, 2014, at 6:00 p.m. at Lima City Council Chambers, 50 Town Square, Lima, Ohio 45801.

Please make available for public examination this letter and the enclosed documents for at least seventy-five (75) days under "Reference Materials - INEOS USA LLC". The following items are enclosed.

- Draft Permit
- Fact Sheet
- Public Notice

Thank you for your assistance. If you have any questions, please call me at 312-886-3781.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jae B. Lee".

Jae B. Lee, Permit Writer
RCRA Branch
Land and Chemicals Division



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 29 2014

REPLY TO THE ATTENTION OF:

Mr. Jeremy Carroll
Ohio Environmental Protection Agency
Division of Hazardous Waste Management
Post Office Box 1049
Columbus, Ohio 43266-0149

Re: Draft Federal RCRA Permit
INEOS USA LLC, Lima, Ohio
OHD 042 157 644

Dear Mr. Carroll:

Enclosed please find a copy of the draft Federal Resource Conservation and Recovery Act permit and cover letter to the above-referenced facility.

If you have any questions, please contact Jae Lee of my staff at (312) 886-3781.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary S. Setnicar".

Mary S. Setnicar, Chief
RCRA/TSCA Programs Section
Land and Chemicals Division

Enclosure

