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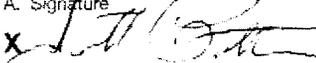
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1. Article Addressed to:

Mr. Mark Patechink
 HSE Manager
 Solvay Advanced Polymers
 P.O. Box 446
 State Route 7 South
 Marietta, OH 45752

2. Article Number 7006 3450 0001 9055 8140
 (Transfer from service ID)

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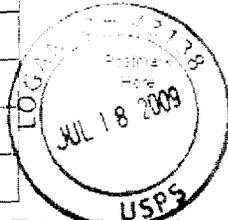
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7006 3450 0001 9055 8140

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Sent to: Mark Patechink, Solvay
 Street Apt. No.: P.O. Box 446
 City State Zip: Marietta, OH 45752

PS Form 3800, August 2006 See Reverse for Instructions



State of Ohio Environmental Protection Agency

Southeast District Office

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

Certified Mail: 7006 3450 0001 9055 8140

July 17, 2009

**WASHINGTON COUNTY
SOLVAY ADVANCED POLYMERS
DHWM/SEDO
ID #OHD981529688
PERMIT # 04-84-0194**

Mr. Mark Potochnik, HSE Manager
Solvay Advanced Polymers, LLC
P.O. Box 446
State Route 7 South
Marietta, Ohio 45750

**Subject: Follow Up on February 19, 2009 Meeting Between Solvay and Ohio EPA
Concerning Solvay's August 28, 2008 Correspondence**

Dear Mr. Potochnik:

On February 19, 2009, Ohio EPA staff from the Division of Hazardous Waste Management and Division of Drinking and Ground Waters met with Solvay to discuss ground water monitoring and closure of the Former Equalization Basin (FEQB) at the facility's waste water treatment plant. During this meeting, Ohio EPA agreed to provide Solvay with a written response to their August 28, 2008 letter regarding the statistical analysis of chlorobenzene concentrations detected in ground water at the FEQB. The purpose of this letter is to provide this response and address remaining ground water monitoring issues at Solvay.

In April 2003, Solvay's Part B Permit was modified to allow shut down of the vacuum barrier system (VBS) installed in lieu of a conventional cap at the FEQB. Permit Condition G.8 required Solvay to collect eight rounds of ground water samples between 2003 and 2006 and statistically analyze the data. The purpose of the sampling and statistical analysis was to determine if shut down of the VBS would cause a significant increase in chlorobenzene concentrations in ground water. As outlined in the permit condition, if no statistically significant increase was identified, then the VBS could remain shutdown. Solvay submitted the statistical analysis of the data in 2007. Ohio EPA requested additional information from Solvay in a letter dated April 14, 2008 and Solvay responded to these comments in a letter dated August 28, 2008.

During the February 19, 2009 meeting, Ohio EPA and Solvay agreed that Permit Condition G.8 had been satisfied and that the VBS can remain permanently off. It was also agreed that Solvay and Ohio EPA would evaluate alternative final cover options for the FEQB in order to meet the closure performance standard of OAC 3745-66-11.

Regarding ground water, Ohio EPA and Solvay discussed several action items that need to be addressed. These include: (1) evaluating background water quality in the uppermost aquifer, (2) updating the statistical methods in the Compliance Monitoring Plan to meet current guidance, and (3) addressing the detection of metals down gradient of the Emergency Basin. In addition, we discussed the results of the Ground Water Monitoring Operation and Maintenance Inspection. Recommendations from this inspection will be relayed to Solvay in a separate letter.

COMMENTS

Response to Solvay's August 28, 2008 Letter

1. **Solvay has adequately responded to Ohio EPA's first three comments that requested additional information regarding the statistical analysis.**

Ohio EPA's April 14, 2008 letter requested additional information to determine compliance with Permit Condition G.8. Specifically, Solvay recalculated the statistics using a corrected value; explained use of the Satterthwaite's t-statistic; and evaluated the data for seasonality. These actions correspond to comments 1, 2 and 3, respectively, in the August 28, 2008 letter from Solvay.

2. **Further evaluation of appropriate background ground water monitoring locations is needed to demonstrate compliance with OAC Rule 3745-54-97(A)(1).**

In response to Ohio EPA comment number 4, Solvay provided additional information regarding background well TW-8CS. Although Solvay raises good points regarding the appropriate use of this well for background, it is not clear that ground water in the silty clay zone monitored by TW-8CS migrates in the sand and gravel aquifer beneath the FEQB and the Emergency Basin. Thus, it may not be reasonable to assume that detections of chlorobenzene at the compliance boundary are related to ground water at TW-8CS.

Ohio EPA suggests that Solvay review existing well logs, potentiometric maps and water quality data followed by a proposal to gather additional data in the WWTP area. Additional data needs in the vicinity of the FEQB include (1) an evaluation of the direction of ground water flow, and (2) additional water quality samples from wells not part of the routine monitoring network. Specifically, Ohio EPA suggests monthly water level measurements for a period of 4 to 6 months and the collection of 2 rounds of water quality samples in this same time period. Notably, Solvay needs to evaluate the source of water quality impacts at monitoring well TW-69. It is important to determine if this area of ground water contamination represents background water quality for the two HWMUs. This determination needs to be completed prior to renewal of the facility's Part B Permit.

3. **Ohio EPA's maintains that Solvay should update the statistical methods in the facility's Compliance Monitoring Plan to meet current guidance and conditions at the facility.**

The prediction limit statistical method is preferred over the Student T-test when conducting interwell analysis according to the 2004 US EPA Unified Guidance Document titled "Statistical Analysis of Ground Water Monitoring Data at RCRA Facilities". However, several different methods may be appropriate as long as they meet the general performance standards outlined in OAC Rule 3745-54-97 (H and G). Ohio EPA maintains that Solvay should evaluate current statistical guidance and plan to update the statistical method prior to renewal of the facility's Part B Permit.

Detection of Metals in Compliance Boundary Wells

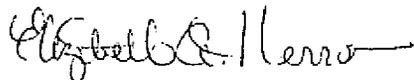
- 4. As discussed in the February 19, 2009 meeting, Solvay needs to respond to Ohio EPA's cited violation of OAC Rule 3745-54-99 (G), Permit Condition F7(e), and Section 4.2 of the CMP.**

Several metals on the appendix to rule 3745-54-98 of the OAC have been found in ground water along the compliance boundary. These metals include: arsenic, barium, chromium, cobalt, copper, lead and selenium. As discussed in the meeting on February 19, Solvay must complete the steps outlined OAC Rule 3745-54-99 (G), Permit Condition F7(e), and Section 4.2 of the CMP. These steps include adding the constituents detected above the practical quantification limit to the compliance monitoring parameter list (Table 4 in the CMP), and determining a concentration limit for each constituent added.

It should be noted that if a parameter detected at the compliance boundary exceeds its concentration limit, Solvay may demonstrate, pursuant to OAC 3745-54-99 (I), that a source other than a regulated unit caused the contamination or that the detection is an artifact caused by error in sampling, analysis, or statistical evaluation or natural variation in ground water. For example, Solvay may make a demonstration that Chromium detected above the MCL at the compliance boundary is from a source other than the HWMUs. Ohio EPA is willing to discuss with Solvay, what is needed to make such a demonstration.

Should you have any questions regarding this letter, please feel free to contact me at (740) 380-5248.

Sincerely,



Elizabeth A. Herron
Environmental Specialist
Division of Hazardous Waste Management

EAH/mlm

NOTICE:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.