



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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

December 18, 2009

RE: ASHTABULA COUNTY  
ASHTA CHEMICALS, INC.  
OHIO EPA PERMIT NO. 31E00016  
NPDES PERMIT NO. OH0000752

Mr. John Reese, Vice President  
Environmental, Health, and Safety  
ASHTA Chemicals, Inc.  
3509 Middle Road  
P.O. Box 858  
Ashtabula, Ohio 44005

Dear Mr. Reese:

On November 17, 2009, an inspection was conducted at the above referenced facility by the undersigned and Suzanne Prusnek of the Division of Hazardous Waste Management (DHWM). In addition to you, the facility was represented by Mr. Tyce Workman and Ms. Barb Knecht. The purpose of the inspection was to evaluate the facility's compliance status with respect to the terms and conditions of the NPDES permit and the Consent Order. As such, evaluations were conducted of the facility's treatment processes and equipment, effluent discharge quality, and general compliance status. Pictures taken during the inspection were provided to you at the completion of the visit.

At the time of the inspection, the following observations and comments were noted:

1. Construction activities within Region 2 had been discontinued for the season due to inclement weather conditions.
2. The drainage improvements at Outfall 002 were complete.
3. Outfall 004 had been eliminated as part of the ongoing site improvements.
4. The general operation and maintenance of the process water recycle system appeared to be satisfactory.
5. You indicated that facility's Storm Water Pollution Prevent Plan (SWPPP) is scheduled to be updated in 2010.

A review of the facility's discharge monitoring reports (eDMRs) received by Ohio EPA for the period, January 2008 - October 2009, was performed. The review indicated the following:

- The "No Discharge" reporting code, "AL", has been reported for Outfalls 002, 003, and 004 since February 2008. This data is inconsistent with other information submitted to Ohio EPA. Please confirm that the eDMR data is correct.
- The facility's DMRs are currently being submitted and certified by Ms. June Ruth. While e-DMR allows permitted facilities to electronically enter and submit DMRs, federal and

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state regulations specify who can legally sign and certify the reports. Pursuant to Part III of the NPDES permit, DMRs can **only** be signed and certified by a facility's responsible official, i.e. corporate officer, or by a duly authorized representative of said official. Pursuant to Title 40 Code of Federal Regulations (40 CFR) 122.22 (b):

***A person is a duly authorized representative only if:***

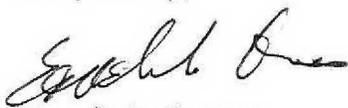
- (1) The authorization is made in writing by a person described in paragraph (a) of this section;***
- (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and,***
- (3) The written authorization is submitted to the Director.***

The PIN, or Personal Identification Number, uniquely identifies and serves as the electronic signature of the responsible or duly-authorized official. PIN assignments must be consistent with USEPA's Cross Media Electronic Reporting Regulation (CROMERR). Please confirm that Ms. Ruth meets the signatory requirement.

Under the e-DMR program, the PIN holder can delegate staff with the privilege to view, create and edit DMRS...but not certify eDMR data. These individuals must have an eBusiness Center account, but do not need a PIN. Since they do not have the privilege of actually certifying the data, the law does not require them to have a PIN. Once these users perform the data entry or review the data, the DMR is saved and the PIN holder can log on and submit the DMR.

Should you have any questions or comments regarding this letter, please contact this office.

Respectfully,

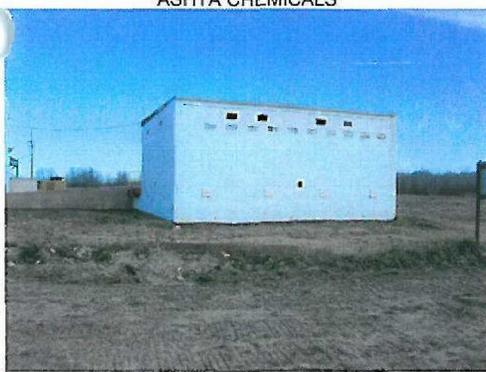


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Environmental Engineer  
Division of Surface Water

EG/mt



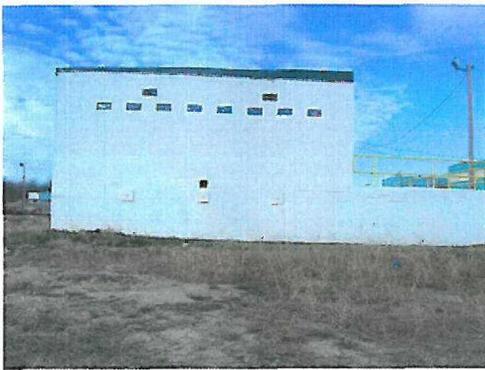
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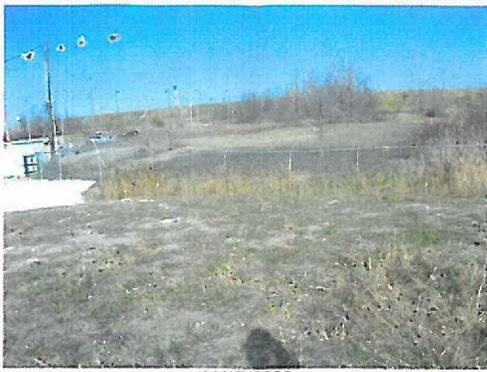
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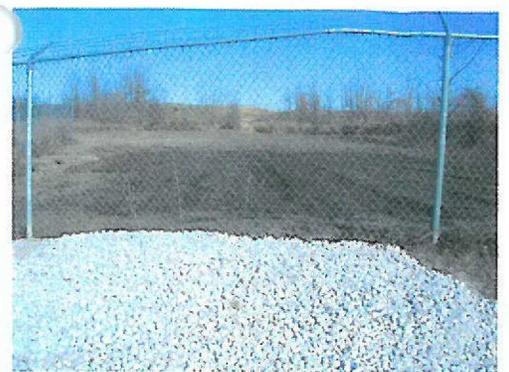
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