



State of Ohio Environmental Protection Agency  
Southwest District

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Dayton, Ohio 45402-2911

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Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Chris Korleski, Director

September 3, 2009

Mr. Richard Novak  
Cognis Corporation  
4900 Este Avenue  
Cincinnati, Ohio 45232

Re: **Cognis Corporation – OH0137812;1IF00017\*BD – RI**

**NOTICE OF VIOLATION**

Dear Mr. Novak:

On August 21, 2009, Marianne Piekutowski of this office met with Bruce Tolson and conducted a Reconnaissance Inspection (RI), and verified the three outfalls noted in the settlement of the facility's NPDES permit appeal had been sealed with concrete as required. Please note that the report, by its format, tends to highlight negative areas.

As indicated in the attached RI report, the only area that was evaluated was the "Effluent/Receiving Waters". This received a rating of Marginal because of the Oil & Grease violation. Additional details on this rating are provided in the attached report.

If you would have any questions regarding this inspection, please contact Ms. Piekutowski at this office at 937.285.6108.

Sincerely,

  
Martyn G. Burt  
Environmental Supervisor  
Division of Surface Water

Enclosures

Cc: Bruce Tolson, Cognis  
Raul Rosado, Cognis  
Lauren Angell, OAG





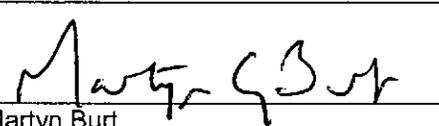
State of Ohio Environmental Protection Agency  
Southwest District Office

NPDES Compliance Inspection Report

Section A: National Data System Coding					
Permit #	NPDES#	Month/Day/Year	Inspection Type	Inspector	Facility Type
11F00017*BD	OH0137812	08/21/2009	R	S	1

Section B: Facility Data		
Name and Location of Facility Inspected	Entry Time	Permit Effective Date
Cognis Corporation 4900 Este Avenue Cincinnati, Ohio 45232	10:00 am	3/1/2008
	Exit Time	Permit Expiration Date
	10:30 am	2/28/2013
Name(s) and Title(s) of On-Site Representatives	Phone Number(s)	
Bruce Tolson, SHE Manager	513.482.3813	
Name, Address and Title of Responsible Official	Phone Number	
Richard Novak Cognis Corporation 4900 Este Avenue Cincinnati, Ohio 45232		

Section C: Areas Evaluated During Inspection					
(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)					
N	Permit	N	Flow Measurement	N	Pretreatment
N	Records/Reports	N	Laboratory	N	Compliance Schedule
N	Operations & Maintenance	M	Effluent/Receiving Waters	N	Self-Monitoring Program
N	Facility Site Review	N	Sludge Storage/Disposal	N	Other
N	Collection System				

Section D: Summary of Findings (Attach additional sheets if necessary)	
<p>The facility was rated as Marginal for Effluent/Receiving Waters because the facility has Oil &amp; Grease and pH violations. This report will serve as the Notice of Violation.</p> <p>Additional information is provided on the following pages.</p>	
Inspector	Reviewer
 Marianne Piekutowski Division of Surface Water Southwest District Office Date: 9/3/09	 Martyn Burt Compliance & Enforcement Supervisor Division of Surface Water Southwest District Office Date: 9/3/09

### EFFLUENT LIMIT VIOLATIONS

Parameter	Outfall	Code	Date	Reported	Limit
Oil & Grease	021	00552	9/5/2008	10.3 mg/L	10 mg/L (D)
pH	010	00400	10/8/2008	6.28 SU	6.5 SU (Min)
Oil & Grease	010	00552	10/8/2008	15.2 mg/L	10 mg/L (D)
Oil & Grease	014	00552	10/8/2008	16.7 mg/L	10 mg/L (D)
Oil & Grease	021	00552	10/8/2008	10.1 mg/L	10 mg/L (D)
Oil & Grease	040	00552	10/8/2008	10.6 mg/L	10 mg/L (D)
Oil & Grease	020	00552	12/9/2008	10.4 mg/L	10 mg/L (D)
Oil & Grease	021	00552	12/9/2008	14.3 mg/L	10 mg/L (D)
pH	021	00400	1/6/2009	9.94 SU	9.0 SU(Max)
Oil & Grease	021	00552	1/6/2008	25.5 mg/L	10 mg/L (D)
Oil & Grease	026	00552	2/10/2009	39 mg/L	10 mg/L (D)
Oil & Grease	021	00552	3/8/2009	17.1 mg/L	10 mg/L (D)
Oil & Grease	010	00552	4/2/2009	17.4 mg/L	10 mg/L (D)
pH	014	00400	4/2/2009	9.55 SU	9.0 SU(Max)

Please be advised that failure to comply with the effluent limitations, or to satisfy monitoring or reporting requirements of your NPDES permit may be cause for enforcement action pursuant to the Ohio Revised Code Chapter 6111.

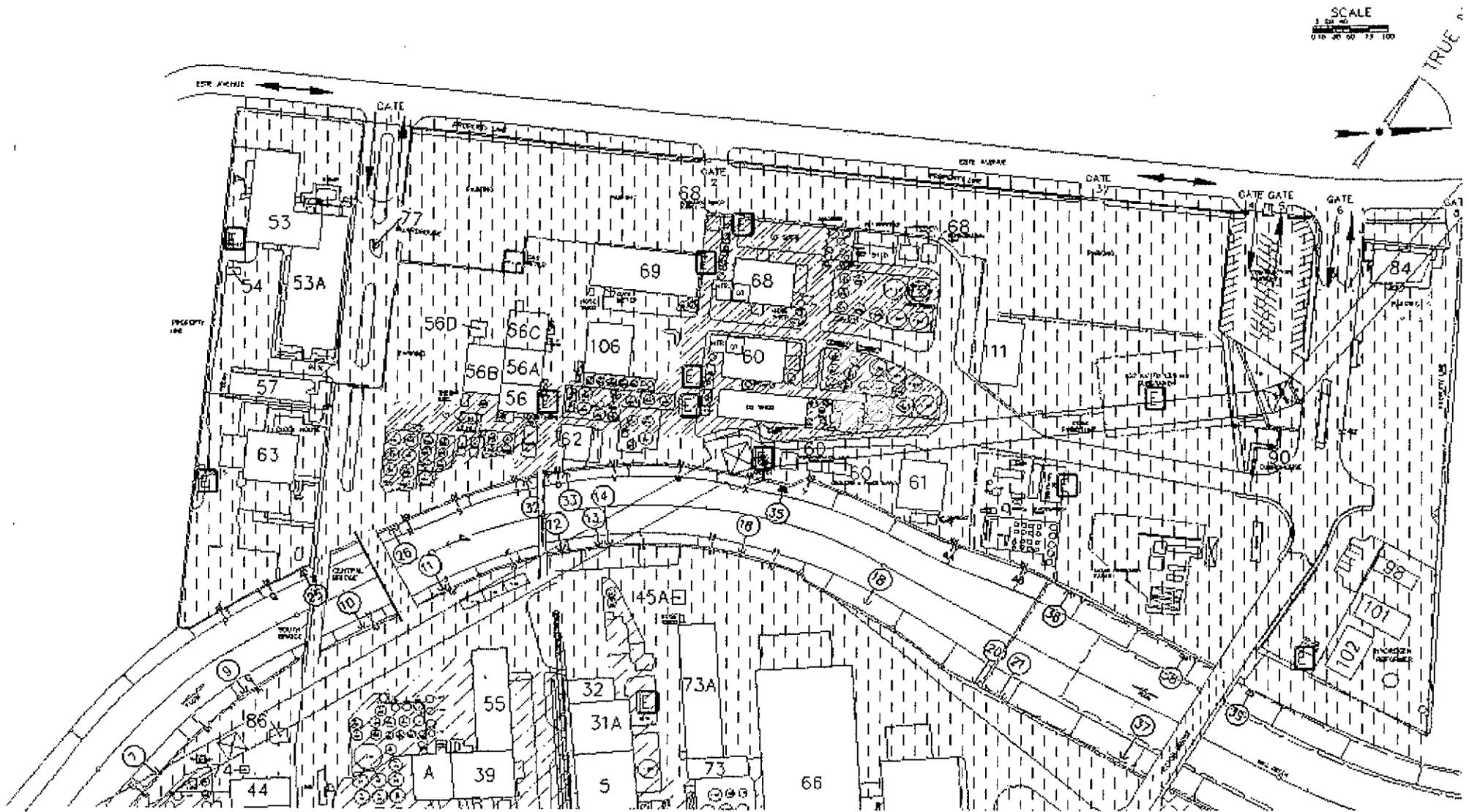
The steps being taken to resolve these violations were in the 24 notification documentation. The facility should continue to update Ohio EPA on the status of the line replacements and other action items.

#### Permit Appeal Settlement

As part of the settlement negotiations from the facility's NPDES permit appeal, Cognis has requested three outfalls be deleted from the permit since there is no discharge associated with them. These outfalls are 11F00017012, 11F00017032, and 11F00017037. This reconnaissance inspection was to verify the elimination of the outfalls. Each of the three outfalls has been sealed with concrete and can no longer discharge. Photographs documenting this have been provided to Ohio EPA.

10/10/10







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