



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020
www.epa.ohio.gov

Ineos USA LLC

9/16/2009



CERTIFIED MAIL
91 7108 2133 3931 0972 3318

September 16, 2009

Mr. Patrick M. Conrath
Site Director
Ineos USA, LLC
1900 Fort Amanda Road
Lima, Ohio 45804

Re: Notice of Violation/Return to Compliance – August 3, 2009 WDW #4 MIT Report

Dear Mr. Conrath:

On August 26, 2009, Ohio EPA queried Ineos USA, LLC (Ineos) concerning why the WDW #4 mechanical integrity test (MIT) report had not been submitted. The WDW #4 MIT was completed on June 4, 2009 and the report due within sixty (60) days, as required by Part II (E) (3) of Ineos' Class I Hazardous Underground Injection Control (UIC) permit to operate (PTO). Ineos stated that the report had not been submitted because a third party contractor had not completed the analysis of the logging program for the report despite repeated requests from Ineos. Nevertheless, Ineos is in violation of the MIT reporting requirement of their PTO by not submitting the report within the require timeframe.

Based upon the UIC reporting requirements, Ohio EPA is citing a Notice of Violation (NOV) for not submitting the 2009 WDW #3 MIT report within the required timeframe. Ohio EPA received the MIT report on August 27, 2009, minus the logging program analysis section. Ohio EPA will attach this section to the report when Ineos is able to provide a copy. With receipt of this Notice of Violation, Ineos is considered to be Returned to Compliance (RTC) for the August 3, 2009, violation.

If you have any questions regarding this letter, please contact me at (614) 644-2752.

Sincerely,

E. Charles Lowe, Jr.
Geologist, UIC Section
Division of Drinking and Ground Waters

MITNov9-09let

cc: Eric Getz, Assistant Chief, NWDO
Lindsay C. Taliaferro III, UIC Manager, DDAGW
Central File--Correspondence

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

