

**Environmental
Protection Agency**

Commissioner **Governor**
Deputy Commissioner **Lt. Governor**
Regional Administrator **Director**

October 21, 2011

RE: NPDES PERMIT 3IE00050
CP CHEMICALS GROUP, LP
LAKE COUNTY
INDUSTRIAL

Dennis Spring, Plant Manager
CP Chemical Group, LP
28960 Lakeland Boulevard
Wickliffe, OH 44092

Dear Mr. Spring:

On September 29, 2011, this writer conducted a compliance evaluation inspection of the process water treatment system serving the CP Chemicals Group facility. The purpose of the inspection was to evaluate the operation and maintenance condition of the process water treatment system, and to evaluate the facility's compliance with National Pollutant Discharge Elimination System (NPDES) permit effluent limits. You accompanied this writer during the inspection.

The CP Chemicals Group is a producer of nickel sulfate solutions and crystal; nickel carbonate and hydroxide; cobalt sulfate solutions and crystal; and cobalt carbonate. The raw materials used consist of reclaimed cobalt and nickel feedstocks/byproducts from other companies as well as virgin cobalt and nickel metal sources. There are 60 employees at the Wickliffe facility. The facility has two shifts and operates 24 hours a day, seven days per week.

Sanitary wastewater, process water and storm water discharges are generated at this facility. Sanitary wastewater is treated at the Euclid Wastewater Treatment Plant. Process water and storm water are discharged directly to waters-of-the-state via storm sewers. One process water outfall and four storm water outfalls are permitted through the existing NPDES permit. Outfall 001 is the process effluent that is discharged via Outfall 004, the eastern most storm sewer on Lakeland Boulevard. Storm water associated with industrial activity is discharged through all of the permitted storm water outfalls. All of the outfalls are located on the northern section of the property, tie into the city's storm sewers on Lakeland Boulevard, and discharge to Lake Erie.

Outfall 001 was discharging at the time of inspection. The discharge was clear with no observed visual impacts.

NPDES PERMIT 3IE00050
 CP CHEMICALS GROUP, LP
 LAKE COUNTY
 OCTOBER 21, 2011
 PAGE 2 OF 3

The Storm Water Pollution Prevention Plan was updated June 1, 2011.

A review of the Discharge Monitoring Reports from March 2010 through September 2011 revealed the following permit limitation violations:

Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
001	61941	pH, Maximum	1D Conc	9.0	9.2	10/27/2010
001	61941	pH, Maximum	1D Conc	9.0	10.9	11/13/2010
001	61942	pH, Minimum	1D Conc	6.0	5.4	11/26/2010
001	61941	pH, Maximum	1D Conc	9.0	10.8	11/29/2010
001	61941	pH, Maximum	1D Conc	9.0	9.7	1/14/2011
001	61941	pH, Maximum	1D Conc	9.0	9.1	1/31/2011
001	61941	pH, Maximum	1D Conc	9.0	9.3	2/2/2011
001	61941	pH, Maximum	1D Conc	9.0	9.7	2/4/2011
001	61942	pH, Minimum	1D Conc	6.0	3.6	2/4/2011
001	61941	pH, Maximum	1D Conc	9.0	9.2	2/14/2011
001	61941	pH, Maximum	1D Conc	9.0	11.1	2/26/2011
001	61941	pH, Maximum	1D Conc	9.0	10.	2/28/2011
001	61941	pH, Maximum	1D Conc	9.0	9.3	3/1/2011
001	61941	pH, Maximum	1D Conc	9.0	9.2	3/2/2011
001	61942	pH, Minimum	1D Conc	6.0	3.91	6/8/2011
001	61942	pH, Minimum	1D Conc	6.0	4.03	6/9/2011
001	61941	pH, Maximum	1D Conc	9.0	9.05	6/26/2011
001	61941	pH, Maximum	1D Conc	9.0	12.19	6/29/2011
001	01067	Nickel, Total (Ni)	30D Conc	360	2636.2	7/1/2011
001	01067	Nickel, Total (Ni)	30D Qty	0.323	.75601	7/1/2011
001	01067	Nickel, Total (Ni)	1D Qty	0.931	3.55271	7/8/2011
001	01067	Nickel, Total (Ni)	1D Conc	1040	12190.	7/8/2011
001	61942	pH, Minimum	1D Conc	6.0	3.76	7/20/2011
001	61941	pH, Maximum	1D Conc	9.0	9.38	8/16/2011
001	61941	pH, Maximum	1D Conc	9.0	9.26	8/18/2011
001	61942	pH, Minimum	1D Conc	6.0	4.02	8/19/2011
001	61942	pH, Minimum	1D Conc	6.0	4.92	8/23/2011
001	01067	Nickel, Total (Ni)	30D Conc	360	941.	9/1/2011
001	61942	pH, Minimum	1D Conc	6.0	5.65	9/17/2011
001	61942	pH, Minimum	1D Conc	6.0	3.89	9/19/2011
001	01067	Nickel, Total (Ni)	1D Conc	1040	2303.	9/23/2011
001	61942	pH, Minimum	1D Conc	6.0	2.53	9/29/2011

The DMRs show that storm water sampling was not performed in September 2010, as required by Part V of the NPDES permit. This is a violation of the NPDES permit.

NPDES PERMIT 3IE00050
CP CHEMICALS GROUP, LP
LAKE COUNTY
OCTOBER 21, 2011
PAGE 3 OF 3

A review of the DMRs shows that when various pollutant parameter concentrations are below the method detection limit of the pollutant, the AA data substitution code is reported on the DMRs, as required. However the method detection limit used for the test is reported in the comment section of the DMR as zero. Method detection limits are typically some number greater than zero. The specific procedures for determining method detection limits are found in Appendix B of Chapter 40, Part 136 of the Code of Federal Regulations.

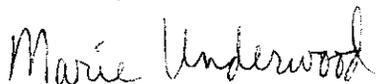
Also, Part III, 12 of the NPDES permit requires all permittees to report noncompliance that is the result of any violation of a daily maximum discharge limit for any of the pollutants that are listed in the permit by e-mail or telephone within 24 hours of discovery. This office has no record that notification was made for the daily maximum violations listed above. Please refer to Part III, Item 12 of the NPDES permit for specific information on noncompliance notification.

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

Within 10 days of the date of this letter, you are required to notify this office, in writing, outlining the corrective action, either actual or proposed, that will be taken to eliminate the above highlighted deficiencies.

Should you have questions regarding this letter, please contact the undersigned at (330)963-1183.

Sincerely,



Marie Underwood, P.E.
Environmental Engineer
Division of Surface Water

MU/cs