



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

May 24, 2013

CERTIFIED MAIL

Mr. Eric Cassisa
INEOS ABS (USA) Corporation
356 Three Rivers Parkway
Addyston, Ohio 45001

**RE: INEOS ABS (USA) Corporation, OH0009946;1IF00001*KD,
NOTICE OF VIOLATION**

Dear Mr. Cassisa:

On May 20, 2013, the office received a phone call notifying Ohio EPA of an unauthorized spill of catalyst and fire water through outfalls 1IF00001005 and 1IF00001007 to Crystal Creek. This was followed up with a Non-Compliance Notification for Bypasses and Upsets the same day. The spill occurred on May 18, 2013, but no notification was made at that time. The failure to notify Ohio EPA within 30 minutes of a spill is a violation of Part III.12.B.2 which states:

The permittee shall report noncompliance that is the result of any spill or discharge which may endanger human health or the environment within thirty (30) minutes of discovery by calling the 24-Hour Emergency Hotline toll-free at (800) 282-9378. The permittee shall also report the spill or discharge by e-mail or telephone within twenty-four (24) hours of discovery in accordance with B.1 above.

In addition, a five (5) day completed non-compliance report with a confirmation report is also needed. It should be noted these are storm water only outfalls, and process/contaminated waste water is not permitted to be discharged through these outfalls.

Please note, the reporting requirement in your NPDES permit is not the same as the NRC/CERCLA reportable spills. Any time an unauthorized spill or release to waters of the State occurs, you are required to notify Ohio EPA within 30 minutes. Failure to comply with the terms and conditions of your NPDES permit is a violation of Ohio Revised Code 6111, and may result in additional enforcement.

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INEOS must provide the five day non-compliance report. In addition, any internal investigation as to the cause(s) of the release must be included. The Storm Water Pollution Prevention Plan (SWP3) must be updated to reflect this event, and the corrective measures put in place to prevent it from recurring. The emergency contact notifications must be updated to ensure any additional unauthorized spills are reported to Ohio EPA in a timely manner. A copy of the updated documents and the root causes for the release must be provided to Ohio EPA by June 10, 2013.

If you have any additional questions, please contact me at (937) 285-6108.

Sincerely,



Marianne Piekutowski
Environmental Specialist 2
Division of Surface Water

cc: Tim Benter, INEOS
Mark Townsend, INEOS
Jessica Reece, INEOS

MP\bp

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Sent To MR ERIC CASSISA
Street, Apt. No., or PO Box No. INEOS ABS USA CORPORATION
356 THREE RIVERS PARKWAY
City, State, ZIP ADDYSTON OH 45001

PS Form 3800, June 2002 See Reverse for Instructions

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MR ERIC CASSISA
INEOS ABS USA CORPORATION
356 THREE RIVERS PARKWAY
ADDYSTON OH 45001

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