



State of Ohio Environmental Protection Agency

Northeast District Office

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

April 27, 2009

CERTIFIED MAIL
7008 1830 0003 9584 2101

Mr. Ramin Ansari
Project Manager
Chemtura Corporation
P.O. Box 2200
West Lafayette, IN 47996-2200

Re: March 2009 Progress Report – Dartron Site – Lake County – Ohio EPA ID # 243-0230

Dear Mr. Ansari:

Chemtura Corporation has failed to submit the March 2009 Progress Report to the Ohio Environmental Protection Agency (Ohio EPA) in accordance with the requirements specified in the 2005 Federal Judicial Consent Order (Consent Order). Section XII, Progress Reports and Notice, Paragraph 47, states, "unless otherwise directed by Ohio EPA, Defendant Crompton [nka Chemtura Corporation] shall submit a written progress report to Ohio EPA by the tenth (10th) day of every month except upon mutual written agreement of the Site Coordinators during periods of little activity, when progress reports may be submitted quarterly." The March 2009 Progress Report was not submitted until April 13, 2009 – three (3) days past the day it was due to be received by Ohio EPA.

Failure to provide this required submittal within the agreed to time frame constitutes a violation of the Consent Order noted above. Since the March 2009 Progress Report was submitted on April 13, 2009, Chemtura Corporation has cured the violation of the Consent Order. In addition, since the monthly report was submitted within three (3) days of the due date, stipulated penalties did not accrue for days one (1) and two (2), per Section XIX, Stipulated Penalties, Paragraph 68, or the Consent Order.

Please note that in July 2006, Chemtura Corporation was reminded by Ohio EPA that monthly progress reports must be received by the Agency on or before the tenth (10th) of each month. The e-mail provided by Conestoga-Rovers & Associates to the Agency on July 11, 2006, which accompanied the June 2006 monthly progress report, acknowledged that the June monthly report was submitted "a day late." Copies of these e-mails have been attached to this Notice of Violation (NOV).

MR. RAMIN ANSARI, PROJECT MANAGER
CHEMTURA CORPORATION
APRIL 27, 2009
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If you have any questions, you may contact me at (330) 963-1168.

Sincerely,



Teri R. Heer
Site Coordinator
Division of Emergency and Remedial Response

TRH/kss

enclosures

cc: Ann Fischbein, Ohio EPA, Legal, CO
Mark Rickrich, Ohio EPA, DERR, CO

ec: Rod Beals, Ohio EPA, DERR, NEDO
Steve Love, Ohio EPA, DERR, NEDO