

**STANDARD CHLORINE OF DELAWARE, INC. ("SCD") /
METACHEM PRODUCTS, LLC ("METACHEM")
DNREC ENFORCEMENT ACTIONS
1987 THROUGH 5/2002**

Not Available

T A B	ENTITY NAME(S)	DATE OF ISSUANCE AND/OR REFERENCE NUMBER	MEDIA	TYPE OF ACTION	PENALTY AMOUNT PAID	CONTRIBUTION(S) OR SUPPLEMENTAL ENVIRONMENTAL PROJECT(S)	DESCRIPTION OF VIOLATIONS AND FINAL DISPOSITION
	METACHEM PRODUCTS, LLC	11/13/01	AIR	ENFORCEMENT ACTION	NONE	NONE	Enforcement Action brought to the Enforcement Panel in November 2001. The Panel recommended a penalty of approximately \$45,000 for the resolution of enforcement resulting from multiple spills at the facility, including the 8/16/01 spill. At the time of the facility closure, an Order had not yet been issued for these violations.
	METACHEM PRODUCTS, LLC	8/27/01	AIR	NOTICE OF VIOLATION	N/A	N/A	NOV issued for the release of approximately 4482 pounds of benzene to the atmosphere. The release resulted from operator error and equipment failure. Violation corrected 8/16/01
	METACHEM PRODUCTS, LLC	3/31/01	WATER	NOTICE OF VIOLATION	N/A	N/A	NOV issued to provide evidence that company completed and implemented solutions to DMR violations as well as changes to Standard Operating Instructions. Company complied with NOV requirement on 4/17/01
1	METACHEM PRODUCTS, LLC	10/25/00 NOV 00-HW-17	H/W	NOTICE OF VIOLATION	N/A	N/A	NOV issued to remove waste pile (K105 h/w) discovered on-site through an inspection performed on 10/18/00. Company submitted an Action plan on 11/9/00 and completed the work on 3/27/01. Compliance letter issued as of 5/10/01.

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2	METACHEM PRODUCTS, LLC AND GODEL, INC. (f/k/a Standard Chlorine of Delaware, Inc.)	C.A. No. 00-C-10-140- HLA Filed on 10/16/00 Stipulation of Final Judgment ("SOFJ") entered by the Court on 2/1/01.	AIR & WATER	CIVIL ACTION	<u>Primary Penalty</u> - \$400,000.00; Payment of <u>Waived Penalty</u> from Order No. 2002-A-0022 - \$50,000.00; <u>Secondary Penalty</u> - \$1,000,000.00 (See SEP Section)	Through SOFJ, company was allowed to offset, dollar for dollar, against the Secondary Penalty, all direct and indirect costs associated with environmental programs, enhancements, and remediation activities at the facility, as set forth in Exhibit A to the SOFJ.	Complaint was the result of PDCB flaking operation violations, and the resulting SOFJ settled all outstanding violations at the facility. As of the date of closure of the facility, Metachem had paid a total of \$160,000 of the \$400,000 primary penalty. (\$240,000 not paid). Company paid \$50,000 penalty that was waived in Order No. 2000-A-0022 (Tab 4). Company also paid \$25,000.00 to reimburse the Department's investigatory and legal costs related to the action.
3	METACHEM	10/16/00 Order No. 2000-A-0053	H/W	IMMINENT HAZARD ORDER	N/A	N/A	Order was issued as a result of K085 h/w storage violations (Tank T-11 and ancillary equipment). Company provided inspection results to prove tank was structurally sound on 10/19/00. Company complied with the Order on 5/4/01.
4	METACHEM	2000-A-0022 4/14/00	AIR	ADMINISTRATIVE PENALTY ASSESSMENT	\$200,000 (as penalty payments and/or contributions as noted in this section.)	Per Order, Company required to expend \$50,000.00 for a Riparian Corridor Restoration Project in vicinity of facility; Company required to expend \$50,000.00 for the exclusive purpose of developing an emissions and permit database as part of the Department's worldwide web site.	Company paid a direct administrative penalty in the amount of \$50,000. Per Order, \$50,000.00 (of the original \$200,000 assessed) was waived on the condition that the Company is not found to have been in violation of Air Reg #2, or in high priority violation during the period of one year from the date of the execution of this Order. <i>(NOTE: Company paid the waived portion of the penalty as a result of the violations in the Complaint and SOFJ for Civil Action No. 00-C-10-140-HLA; See this case for details).</i>

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5	METACHEM	2000-A-0011 2/2000	AIR	CEASE & DESIST ORDER	N/A	N/A	Company ceased operating its metadichlorobenzene purification process during the time period required by the Order.
6	METACHEM	10/26/99 99-HW-28	HW	NOV	N/A	N/A	Company had the following statutory and regulatory violations: labeling of roll-offs, failure to maintain records, failure to obtain training for Hazmat team members. Company complied with the NOV on 11/17/99.
7	SCD	7/16/98 98-HW-13	HW	NOV	N/A	N/A	Company accumulated and stored hazardous wastes without covering or labeling the drums, in violation of statutory and regulatory requirements. Company complied with NOV on 8/13/98.
8	SCD	8/5/97 97-HW-14	HW	NOV	N/A	N/A	Accumulation and storage of large pieces of contaminated debris in a roll-off container in violation of statutory and regulatory requirements. Company complied with NOV requirements on 9/27/97.
9	SCD	4/11/97 97-A-0012	AIR	ADMINISTRATIVE PENALTY ASSESSMENT	\$100,000.00	N/A	Action concluded and settled through SOFJ, Civil Action No. 00-C-10-140-HLA; See this action for details.
10	SCD	7/9/96 96-HW-06	HW	NOV	N/A	N/A	Labeling, documentation, storage and accumulation violations of statutory and regulatory requirements. Company complied with the NOV on 8/14/96.
11	SCD	C.A.# 14011 COMPLAINT & CO 2/2/95 LEGAL OFC #94-A-68	AIR & HW	COMPLAINT AND CONSENT ORDER	N/A	N/A	Department and Company entered into a Consent Order requiring Company to remove and dispose of wastes in tanks 315A, 326, 327 (tetrachlorobenzenes). Company achieved compliance with the requirements on 2/21/98.

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12	SCD	11/22/94 S.O. #94-A-0048	HW	SECRETARY'S ORDER	N/A	N/A	Per Order, Company was required to replace and close tank T-13A, and submit PE assessment and statement regarding the tank. Company complied on 12/31/94.
13	SCD	10/5/94 94-HW-38	HW	NOV	N/A	N/A	Failure to repair a rupture in tank T-13A in violation of statutory and regulatory violations. Company complied on 12/31/94.
14	SCD	8/4/94 94-HW-34	HW	NOV	N/A	N/A	Use of ruptured tank T-13A, causing leak in violation of statutory and regulatory requirements. Company complied on 9/7/94.
15	SCD	9/23/93 93-HW-44	HW	NOV	N/A	N/A	Storage of hazardous wastes in tanks & tank cars in violation of statutory and regulatory requirements. Company complied on 11/2/93.
16	SCD	3/20/92 92-HW-02	HW	NOV	N/A	N/A	Tank and railcar hazardous waste storage violations. The tanks were addressed through Civil Action No. 114011. Rail car violations were dropped as Company properly removed and disposed of hazardous wastes. Company complied on 4/27/92.
17	SCD	3/23/92 92-HW-03	HW	NOV	N/A	N/A	NOV issued as a result of an EPA NPDES inspector (on a NPDES inspection) finding hazardous waste labeling and accumulation violations (roll-offs and drums). Company complied with NOV on 4/27/92.
18	SCD	C.A. #90C-AU-102-1-CU COMPLAINT filed on 8/10/90. SOFJ entered by Court on 3/3/93.	WATER	COMPLAINT AND STIPULATION OF FINAL JUDGMENT	\$154,640.41 (Total of Penalty Payments and Interest)	Environmental enhancement program with closed loop sampling, product drying and filtration, PDCB flaking system controls, alternative neutralization system, upgrade catch basin, vapor recovery, and vacuum distillation systems.	Company complied on 12/31/96.

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19	SCD	3/5/90 NOV 90-HW-05	HW	NOV	N/A	N/A	Hazardous waste determination, accumulation, labeling, container management, tank management, training, manifest, LDR, and recordkeeping violations noted. Company complied on 3/27/90.
20	SCD	NOTICE OF CONCILIATION ORDER NO. 89-WR-20, issued on 10/24/89	WATER	NOTICE OF CONCILIATION	N/A	Required feasibility report, engineering report and construction of control devices to achieve effluent limitations for 1,2 and 1,4 dichlorobenzene.	Company complied on 9/28/92.
21	SCD	SECRETARY'S ORDER NO. 88-A-3, issued on 2/5/88	AIR	SECRETARY'S ORDER	N/A	N/A	Retention of consultant prior to construction of hydrodechlorination equipment and permitted construction.
22	SCD	CIVIL ACTION NO. 88-11; C.O. entered by Court on 1/22/88.	SIRB	COMPLAINT AND CONSENT ORDER	\$5000 and costs in Consent Order	Monitoring and remediation of groundwater and Red Lion Creek, operational improvements, diking system, RI/FS.	The Company has not complied with the Order with respect to the Red Lion Creek and the ecological risk assessment. They have also not revegetated the wetland areas and need to find a more effective system for groundwater remediation other than pump and treat.

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TAB	ENTITY NAME	DATE OF ISSUANCE AND/OR REFERENCE NUMBER	MEDIA	ACTION	PENALTY AMOUNT PAID	CONTRIBUTION OR SUPPLEMENTAL ENVIRONMENTAL PROJECT	OTHER DISPOSITION
21	SCD	2/5/88 S.O. #88-A-3	AIR	SECRETARY'S ORDER	N/A	N/A	Retention of consultant prior to construction of hydrodechlorination equipment and permitted construction.
22	SCD	12/24/87 C.A. #88-11 C.O. - 1/22/88	SF	COMPLAINT AND CONSENT ORDER	\$5000 and costs in order (need to see if any penalties for failure to meet CO)	Monitoring and remediation of groundwater and Red Lion Creek, operational improvements, diking system, RI/FS.	N/A

KNOWN EPA ACTIONS

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SCD	8/25/98 EPA ORDER NO. TSCA-III-980120	EPA	NOTICE OF NON-COMPLIANCE	N/A	N/A	Non-compliance w/ PCB regulations.