



BDS

TO: DIVERSITECH POLYMERS DIVISION

ATTENTION: H. S. Wheeler

FROM: R. W. Frase

DATE: September 20, 1985

SUBJECT: Ashtabula Plant
Fundamentally Different Factors (FDF)**MEMO**

On Friday, September 13, 1985, I had an hour long conversation with Mr. Hugh Wise of the Federal EPA. Mr. Wise is a technical consultant in the effluent guideline division of the EPA. Mr. Wise is the person who ultimately makes a decision on an application for variance based upon a FDF argument.

I called Mr. Wise after Hank Graff of Ashtabula told me about a conversation that he had with Mr. Wise. Hank said that Mr. Wise had not seemed favorable to our arguments. I got the same response during my conversation. Mr. Wise listened carefully as I enumerated the many differences between the Ashtabula Plant and other PVC manufacturing facilities. He readily agreed with my points and told me he was cognizant of all the information. What he didn't agree to was my contention that these differences constitute FDF. His response was: we use the same reaction process to make suspension PVC as the rest of the industry, and consequently we are not fundamentally different in his eyes.

This amounts to a no win situation. I tell him of all the differences specifically allowed in the FDF guidelines and he simply says no. The bottom line is, even if the State of Ohio is willing to issue a permit with an effluent limit that will allow us to operate the plant as is, Mr. Wise probably won't give it the federal blessing!

Ronald W. Frase

sms:38

cc: H. B. Thompson
W. J. Henrick
H. Graff - Ashtabula

GENC 26192