

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103

FILED

Oct 23, 2025

12:40 pm

U.S. EPA REGION 3
HEARING CLERK

In the Matter of:	:	
	:	
Covestro LLC	:	U.S. EPA Docket No. CWA-03-2026-0032DN
17595 Energy Road	:	
Proctor, West Virginia 26055	:	ADMINISTRATIVE ORDER ON CONSENT
	:	PURSUANT TO SECTION 309(a) OF THE CLEAN
Respondent.	:	WATER ACT, 33 U.S.C. § 1319(a)
	:	
Covestro LLC	:	
17595 Energy Road	:	
Proctor, West Virginia 26055	:	
	:	
Facility.	:	
	:	
	:	
	:	
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I. STATUTORY AUTHORITY AND JURISDICTION

1. This Administrative Order on Consent (“AOC” or “Order”) is issued to Covestro LLC (“Respondent”), under the authority vested in the United States Environmental Protection Agency (“the EPA”) (hereinafter, the “Parties”) by Section 309(a) of the Clean Water Act, 33 U.S.C. § 1319(a) (“CWA” or “Act”). The Administrator delegated this authority to the Regional Administrator of EPA Region 3, who further delegated it to the Director of the Enforcement & Compliance Assurance Division, EPA Region 3.
2. Section 309(a) of the Act provides that whenever, on the basis of any information available to him, the Administrator finds that any person is in violation of any permit condition or limitation implementing certain sections of the CWA, in a permit issued under Section 402 of the CWA, 33 U.S.C. § 1342, he shall issue an order requiring such person to comply with such section or requirement.
3. The EPA has jurisdiction over the above-captioned matter, as described in Paragraphs 1 and 2, above.
4. The EPA has consulted with the West Virginia Department of Environmental Protection (“WVDEP”) regarding this action and, subsequent to the Effective Date, the EPA will mail a copy of this fully executed AOC to the appropriate WVDEP representative.

II. GENERAL PROVISIONS

5. For purposes of this proceeding only, the Respondent admits to the jurisdictional allegations set forth in this AOC.
6. Except as provided in Paragraph 5, above, the Respondent neither admits nor denies the specific factual allegations set forth in this Order.
7. The provisions of this AOC shall apply to and be binding upon the Respondent and the officers, directors, employees, contractors, agents, trustees, successors, and assigns of the Respondent.
8. The Respondent shall bear its own costs and attorney's fees in connection with this proceeding and associated with the implementation or enforcement of this AOC, including any costs related to resolution of any dispute arising regarding this AOC.
9. The EPA reserves the right to commence an action against any person, including the Respondent, in response to any condition which the EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. The EPA reserves all existing rights and remedies available to it under the CWA, 33 U.S.C. § 1251 - 1389, the regulations promulgated thereunder, and any other federal laws or regulations for which the EPA has jurisdiction, including enforcement of this AOC.
10. This AOC does not constitute a waiver or modification of the terms or conditions of any permit issued to the Respondent. Nothing in this Order shall relieve the Respondent of its obligation to comply with all applicable provisions of federal, state, or local laws and regulations, nor shall it restrict the EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on the validity of any federal, state, or local permit. This Order does not constitute a waiver, suspension, or modification of the requirements of the Act, 33 U.S.C. § 1251 - 1389, or any regulations promulgated thereunder.
11. The Respondent waives any and all remedies, claims for relief, and otherwise available rights to judicial or administrative review that the Respondent may have with respect to any issue of fact or law set forth in this AOC, including any right of judicial review pursuant to Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701-706.
12. The EPA reserves all existing inspection authority otherwise available to the EPA pursuant to Section 308 of the CWA, 33 U.S.C. § 1318, or pursuant to any other statute or law.
13. The undersigned representative(s) of the Respondent certify that they are fully authorized by the Respondent to enter the terms and conditions of this AOC and to execute and legally bind the Respondent.

14. By signing this AOC, the Respondent acknowledges that this AOC may be available to the public and represents that, to the best of the Respondent's knowledge and belief, this AOC does not contain any confidential business information or personally identifiable information from the Respondent.
15. The Respondent certifies that any information or representation it has supplied or made to the EPA concerning this matter was, at the time of submission, true, accurate, and complete and that there has been no material change regarding the truthfulness, accuracy, or completeness of such information or representation. The EPA shall have the right to institute further actions to recover appropriate relief if the EPA obtains evidence that any information provided and/or representations made by the Respondent to the EPA regarding matters relevant to this AOC are false or, in any material respect, inaccurate. This right shall be in addition to all other rights and causes of action that the EPA may have, civil or criminal, under law or equity in such event. The Respondent and its officers, directors, and agents are aware that the submission of false or misleading information to the United States government may subject a person to separate civil and/or criminal liability.

III. STATUTORY AND REGULATORY BACKGROUND

16. Section 301(a) of the Act, 33 U.S.C. § 1311(a), prohibits the discharge of any pollutant by any person into waters of the U.S. except in compliance with sections 301, 302, 306, 307, 318, 402, and 404 of the Act, 33 U.S.C. §§ 1311, 1312, 1316, 1317, 1328, 1342, and 1344.
17. Section 402(a) of the Act, 33 U.S.C. § 1342(a), provides that the Administrator of the EPA may issue permits under the National Pollutant Discharge Elimination System ("NPDES") program for the discharge of pollutants from point sources to waters of the United States. The discharges are subject to specific terms and conditions as prescribed in the permit. Section 402(b) of the Act, 33 U.S.C. § 1342(b), provides for the authorization of state programs to issue NPDES permits.
18. Pursuant to Section 402(b) of the Act, 33 U.S.C. § 1342(b), the EPA authorized the State of West Virginia's NPDES program on May 10, 1982. WVDEP administers the NPDES program in the State of West Virginia.
19. "Discharge of a pollutant" means "[a]ny addition of any 'pollutant' or combination of pollutants to 'waters of the United States' from any 'point source.'" 40 C.F.R. § 122.2. *See also* 33 U.S.C. § 1362(12).
20. "Pollutant" is defined as "dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water." 40 C.F.R. § 122.2. *See also* 33 U.S.C. § 1362(6).

21. Pursuant to Section 402(i) of the CWA, 33 U.S.C. § 1342(i), the EPA retains its authority to take enforcement action within West Virginia for NPDES permit violations.

IV. FINDINGS OF FACT, JURISDICTIONAL ALLEGATIONS, AND CONCLUSIONS OF LAW

22. As a corporation, the Respondent is a “person” within the meaning of Section 502 (5) of the Act, 33 U.S.C. § 1362(5) and 40 C.F.R. § 122.2.
23. The Respondent performs manufacturing operations at 17595 Energy Road, in Proctor, Marshall County, West Virginia (“the Facility”).
24. The Respondent operates an industrial wastewater treatment plant (the “WWTP”) at the Facility.
25. At all times relevant to this AOC, the operation of the Facility, including the discharge of wastewater and stormwater, has been subject to WV/NPDES Permit No. WV0005169 and WV/NPDES Permit No. WV0005169 Modification No. 1, collectively, the “Permit”, pursuant to the laws of the State of West Virginia, and within the meaning of Section 502(5) of the Act, 33 U.S.C. § 1362(5), and 40 C.F.R. § 122.2.
26. WV/NPDES Permit No. WV0005169 was issued to the Respondent on January 19, 2021, effective March 1, 2021, and expires on January 18, 2026. Subsequent to the issuance of WV/NPDES Permit No. WV0005169, the Respondent conducted background water quality sampling of the Ohio River and was issued NPDES Permit No. WV0005169 Modification No. 1 on March 20, 2023.
27. The WWTP is designed to treat up to five (5) million gallons of industrial wastewater per day (“MGD”) from the Facility.
28. The Facility discharges treated wastewater and stormwater through outfalls to the Ohio River:
 - a. The WWTP at the Facility discharges treated cooling water, stormwater generated in the plant manufacturing area, process water, sanitary wastewater and groundwater remediation well water through Outlet 001 to the Ohio River.
 - b. Onsite stormwater that is not generated in the plant manufacturing areas of the Facility discharges through Outlet 005 to the Ohio River.
29. The Ohio River is a traditional navigable water and a “water of the United States” within the meaning of Section 502(7) of the Act, 33 U.S.C. § 1362(7).
30. The Respondent is authorized to discharge wastewater and stormwater from the Facility to waters of the United States only in accordance with the terms and conditions of the Permit.

31. At all times relevant to this AOC, the Facility discharged treated wastewater and stormwater into the receiving waters identified in Paragraphs 28.a.-b. through a “point source” at the Facility, as that term is defined at Section 502(14) of the Act, 33 U.S.C. § 1362(14).
32. From June 27 to June 29, 2023, inspectors from the EPA and the WVDEP conducted a Compliance Evaluation Inspection (“Inspection”) at the Facility to determine the Respondent’s compliance with the Permit.
33. The EPA sent a Notice to Show Cause to the Respondent on August 21, 2024, pursuant to Section 308 of the Act, 33 U.S.C § 1318.
34. On September 18, 2024, the Respondent submitted additional information to the EPA in response to the Notice to Show Cause.
35. On October 3, 2024, the Respondent, with counsel, met and conferred with the EPA regarding the Facility’s compliance in response to the Notice to Show Cause. On October 24, 2024, the Respondent submitted further information in response to the Notice to Show Cause. On December 9, 2024, the EPA provided proposed measures to be included in a proposed AOC. On December 18, 2024, February 13, 2025, and June 11, 2025, the EPA and the Respondent, with counsel, additionally met to discuss the proposed measures for this AOC.

Count 1
Effluent Exceedances

36. Sections A.001 and A.005 of the Permit establish the effluent limitations and monitoring requirements for discharges from Outlets 001 and 005, respectively.
37. During the period from October 31, 2021, to May 31, 2025, the Facility experienced eighteen (18) effluent limit exceedances from Outlet 001, which it reported in its Discharge Monitoring Reports (“DMRs”). The effluent limits exceeded include total residual chlorine, total suspended solids (“TSS”), biological oxygen demand (“BOD”), fecal coliform and pH, as indicated in Table 1 below:

Table 1 Outlet 001 DMRs Reported Effluent Exceedances (October 2021 to March 2024)

Monitoring Period End Date	Parameter Description	Limit Type	Permit Limit	DMR Value
10/31/2021	Solids, total suspended	Monthly Average	809 lb/day	1750 lb/day
10/31/2021	Chlorine, total residual	Daily Max	789 µg/L	960 µg/L
11/30/2021	Solids, total suspended	Monthly Average	809 lb/day	1424 lb/day
12/31/2021	Solids, total suspended	Monthly Average	809 lb/day	982 lb/day

1/31/2022	BOD, 5-day, 20 deg. C	Monthly Average	701 lb/day	907 lb/day
1/31/2022	Solids, total suspended	Monthly Average	809 lb/day	2090 lb/day
6/30/2022	Solids, total suspended	Monthly Average	809 lb/day	1410 lb/day
9/30/2022	Solids, total suspended	Monthly Average	809 lb/day	3277 lb/day
9/30/2022	Solids, total suspended	Monthly Average	2605 lb/day	3277 lb/day
12/31/2022	BOD, 5-day, 20 deg. C	Monthly Average	701 lb/day	1722 lb/day
2/28/2023	Solids, total suspended	Monthly Average	809 lb/day	998 lb/day
4/30/2023	Solids, total suspended	Monthly Average	809 lb/day	928 lb/day
4/30/2023	Chlorine, total residual	Daily Max	789 µg/L	920 µg/L
10/31/2023	Chlorine, total residual	Daily Max	789 µg/L	880 µg/L
1/31/2024	BOD, 5-day, 20 deg. C	Monthly Average	701 lb/day	701 lb/day
7/31/2024	Coliform, fecal general	Daily Max	400 coliforms/100mL	546 coliforms/100mL
1/31/2025	pH range excursions, >60 minutes	Monthly Max	0 occurrences/month	1 occurrence/month
5/31/2025	Chlorine, total residual	Daily Max	789 µg/L	1000 µg/L

38. Based on the allegations above, the EPA concludes that the Respondent violated Sections A.001 and A.005 of the Permit and the CWA on the dates identified in Table 1 above.

Count 2
Failure to Submit Discharge Monitoring Reports

39. Appendix A, Part III.2(a) requires that the Respondent “shall submit . . . a Discharge Monitoring Report (DMR) indicating in terms of concentration, and/or quantities, the values of the constituents listed in [in the Permit] analytically determined to be in the plant effluent(s).”
40. From April 30, 2021, to February 28, 2025, the Respondent failed to submit eight (8) discharge monitoring reports (“DMRs”) for Outlets 001 and 005:

Table 2 Outfalls 001 and 005 Missing DMRs (April 2021 to February 2024)

Monitoring Period Date	Outlet	Parameter	Unit Type	Limit Type
4/30/2021	001	2,4-Dinitrotoluene	µg/L	Monthly Average
4/30/2021	001	2,4-Dinitrotoluene	µg/L	Daily Max
4/30/2021	001	2,4-Dinitrotoluene	lb/day	Monthly Average
4/30/2021	001	2,4-Dinitrotoluene	lb/day	Daily Max
8/31/2022	005	pH	Standard Units	Inst Min
8/31/2022	005	pH	Standard Units	Inst Max
2/28/2025	005	pH	Standard Units	Inst Min
2/28/2025	005	pH	Standard Units	Inst Max

41. Based on the allegations above, the EPA concludes that the Respondent violated Appendix A, Part III.2(a) of the Permit and the CWA on the dates identified in Table 2 above.

Count 3

Failure to Ensure Compliance Sampling is Conducted in accordance with the Permit

42. Section A.001 of the Permit requires samples to “...be taken at the following location(s): Outlet 001 – sample after treatment and prior to discharge to the Ohio River.”
43. During the Inspection, the EPA observed that the pH monitor used to verify compliance with the Permit was not located after treatment and was located prior to the Facility’s dechlorination unit.
44. Based on the allegations above, the EPA concludes that the Respondent violated Section A.001 of the Permit and the CWA.

Count 4

Failure to Ensure Trailers are Drained Properly Before Cleaning

45. Section C.05.a.4 of the Permit requires that the “wastewater approved for acceptance from Slay and New River Transportation consists of process wastewater (cleaning wastewater) from the cleaning of trailers containing [Covestro’s] products. [Covestro] shall ensure the trailers are drained properly before cleaning. Any heels of materials drained from the trailer shall not be dumped into the Outlet 001 wastewater system.”
46. During the Inspection, the EPA observed that the Facility did not have a mechanism to ensure that Slay Transportation and New River Transportation drained the trailers properly before cleaning.
47. Based on the allegations above, the EPA concludes that the Respondent violated Section C.05.a4 of the Permit and the CWA.

Count 5

Failure to Properly Perform Operation and Maintenance of All Facilities and Systems of Treatment and Control

48. Appendix A, Part II.1 of the Permit states, “[t]he permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances), which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures. Unless otherwise required by Federal or State law, this provision requires the operation of back-up auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with conditions of the permit.”
49. During the inspection, the EPA observed the following related to operation and maintenance of the Facility’s wastewater treatment plant:
- a. Suspended solids that were not properly settling in the secondary clarifier;
 - b. Excessive algae growth over the weirs and in the trough of the clarifier; and
 - c. Excessive sediment in the formerly permitted “Outlet 002” basin.
50. Based on the allegations above, the EPA concludes that the Respondent violated Appendix A, Part II.1 of the Permit and the CWA.

Count 6

Failure to Submit Prior Notice to WVDEP of a Bypass at the Treatment Facility

51. Appendix A, Part II.3.a.1 of the Permit defines a “bypass” as “[t]he intentional diversion of waste streams from any portion of a treatment facility.” Further, Appendix A, Part II.3.c.1 of the Permit states, “[i]f the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten (10) days before the date of the bypass.”
52. During the Inspection, the EPA observed four (4) Frac tanks onsite that are used during annual outages of the fluidized bed incinerator to divert sludge from the secondary clarifier to the Frac tanks and back to the primary clarifier. The Respondent stated that it does not submit prior notice to WVDEP when utilizing the Frac tanks to divert sludge from the treatment system.
53. Based on the allegations above, the EPA concludes that the Respondent violated Appendix A, Part II.3.c.1 of the Permit and the CWA.

Count 7

Failure to Maintain a Stormwater Pollution Prevention Plan

54. Section C, Part 12 of the Permit states, “[t]he Groundwater Protection Plan (GPP), Best Management Plan (BMP) and Storm Water Pollution Prevention Plan (SWPPP) shall be maintained at the plant site and shall be available for inspection by the [West Virginia Department of Environmental Protection, Division of Water and Waste Management].”
55. During the Inspection, the EPA observed the following:
 - a. Section 3.6 of the Respondent’s SWPPP states “[t]he Rainwater Basin is tested a minimum of once per day, 5 days per week for pH and TOC [Total Organic Carbon] to alert against potential contamination/problems. Also, a gas chromatograph equipped with an FID [Flame Ionization Detector] is also used to scan for potential contaminants.” At the time of the Inspection, the Facility’s representatives stated that the Rainwater Basin is tested once per week for pH and TOC.
 - b. The boneyard area of the Facility that discharges to Outlet 005 is not incorporated into the Respondent’ SWPPP.
56. Based on the allegations above, the EPA concludes that the Respondent violated Section C, Part 12 of the Permit and the CWA.

V. COMPLIANCE ORDER

Therefore, based on the foregoing, Respondent is hereby ORDERED, pursuant to Section 309(a) of the CWA, 33 U.S.C. § 1319(a), to conduct, and consents to conduct, the following activities:

57. The Respondent shall take any and all steps necessary to return to compliance with its Permit as soon as practicable. Such steps include, but are not limited to, the activities outlined in this section. The Respondent will accomplish any activity outlined in this section sooner than the timeframes set forth in this Order where it determines it can do so.
58. The Respondent shall develop and submit via email to EPA within thirty (30) calendar days of the effective date of this Order procedures for determining the cause of and responding to any future effluent limit exceedances. Such procedures shall include an assessment to determine the cause of any such parameter exceedance and the identification of appropriate corrective action(s). The Respondent may also consult with the Respondent’s engineering and consulting firm throughout the duration of the AOC to determine the cause of any such exceedance. The Respondent shall incorporate such procedures into the Facility’s existing Operations and Maintenance Plan.
59. For the duration of this Order, the Respondent shall notify the EPA via email within five (5) calendar days of receiving samples analysis data that indicates a parameter exceedance at the Facility. The Respondent shall perform the procedures in Paragraph 58 and submit a written summary via email to the EPA within forty-five (45) calendar days of the initial notification. The Respondent shall submit to the EPA via email a certification of the corrective action(s) taken to address the exceedance or report of noncompliance, including but not limited to, the nature and scope of corrective action taken, date of such

corrective action, and evidence of the work performed to undertake such corrective action(s) within thirty (30) calendar days of the completion of work.

60. The Respondent shall conduct annual audits of Slay Transportation in accordance with the Respondent's "Tank Wash Assessment" protocol (Attachment A). The Respondent shall submit to the EPA via email the results of any such audits by December 31st of each calendar year for twelve (12) months from the effective date of this Order.
61. The Respondent shall incorporate its Sediment Inspection and Removal Schedule for the formerly permitted Outfall 002 into the Facility's existing Operations and Maintenance Plan. The Respondent shall submit to the EPA via email a Quarterly Completion Log of such inspections and removal activities on a quarterly basis (i.e. by December 31st, March 30th, June 30th, and September 30th) for twelve (12) months from the effective date of this Order.
62. The Respondent shall submit to the EPA via email results of its weekly sampling of the Facility's Rainwater Basin in accordance with its SWPPP (Attachment B). The Respondent shall submit any such results on a quarterly basis (i.e. by December 31st, March 30th, June 30th, and September 30th) for twelve (12) months from the effective date of this Order.
63. The Respondent shall:
 - a. Within 120 days of the effective date of this Order, discontinue use of the boneyard area of the Facility and place any remaining materials in a location where precipitation that comes into contact with the materials can be collected and treated at the Facility's wastewater treatment plant.
 - b. Upon completion of the actions described in Subparagraph 63a, provide to the EPA photographic documentation of the boneyard area of the Facility and update the Facility's SWPPP as applicable.

VI. PROCEDURES FOR SUBMISSIONS

64. All documents required to be submitted by this Order and any Request for Termination shall be accompanied by a certification signed by a responsible officer, as defined in 40 CFR § 122.22(d), that reads as follows:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signed: _____

Title: _____

Date: _____

65. Unless otherwise directed in writing, Respondent shall submit any submission or written communication, including any accompanying data, relating to this AOC via email to:

Allison Gieda
gieda.allison@epa.gov
Environmental Engineer
Enforcement and Compliance Assurance Division
U.S. EPA, Region 3

Any information submitted electronically shall be submitted in a widely recognized electronic format.

66. The Respondent may assert a business confidentiality claim covering part or all the information which this Order requires it to submit to the EPA, but only to the extent and only in the manner described in Part 2 Subpart B of Title 40 of the C.F.R. The EPA will disclose information submitted under a confidentiality claim only as provided in Part 2 Subpart B of Title 40 of the C.F.R. If, at the time any information is submitted to the EPA, the Respondent submitting such information do not assert a confidentiality claim, the EPA may make the submitted information available to the public without further notice to the Respondent.

VII. CERTIFICATION OF COMPLIANCE AND TERMINATION OF AOC

67. Upon completion of all items required by this AOC, the Respondent shall submit to the EPA a Certification of Compliance and Request for Termination of this AOC. Such certification and request shall include
- a. a certification that the Respondent has maintained compliance with this AOC for the term of this AOC; and
 - b. all necessary documentation, including photo documentation as appropriate, to support a finding that the Respondent has complied with Section V (Compliance Order) of this AOC.
68. If, following review of any Certification of Compliance and Request for Termination of this Order, the EPA determines that any requirement has not been completed and implemented in accordance with this Order, the EPA will notify the Respondent in writing, provide a written summary of such deficiencies, and require Respondent to modify its actions as appropriate to correct such deficiencies. If so required, the EPA may also require the Respondent to submit a revised Certification of Compliance and Request for Termination of this Order.
69. If, following review of any Certification of Compliance and Request for Termination of this AOC, the EPA agrees that the Respondent has adequately complied with all

requirements of this AOC, then the EPA will provide written notification of termination of this AOC.

70. The EPA, at all times, reserves the right to unilaterally terminate this Order in its unreviewable discretion.

VIII. AOC MODIFICATIONS

71. Any request to modify the terms of, or parties to, this AOC shall be submitted, in writing, by the Respondent to the EPA and shall be subject to review and approval by the EPA, in its sole and unreviewable discretion. The Respondent's submission of a written request for modification of this AOC shall not relieve the Respondent of any obligation under this AOC and shall have no effect on the EPA's statutory or regulatory authority to enforce the terms of this AOC, in its sole and unreviewable discretion.

IX. CHANGE OF OWNERSHIP OR OPERATION OF THE FACILITY

72. Until or unless this AOC is modified or terminated, in accordance with the terms of this AOC, the Respondent shall remain responsible for compliance with the terms of this AOC following any transfer of ownership or operation of the Facility.
73. At least ninety (90) days prior to any transfer of ownership or operation of any of the WWTPs, the Respondent shall submit a written notification to the EPA of any such anticipated change in ownership or operation which shall include, at a minimum, a detailed summary of the anticipated change in ownership or operation, contact information for the proposed new owner or operator of the Facility, and a schedule for such anticipated change.
74. The Respondent shall condition any sale or transfer of ownership or operation of the Facility, in whole or in part, upon the execution by such Prospective Third-Party Purchaser, or Transferee, of an agreement, which creates an obligation that shall survive the closing of such sale or transfer of the Facility, whereby such Prospective Third-Party Purchaser or Transferee agrees to comply with and be bound by the terms of this AOC.

X. EFFECTIVE DATE

75. This Order shall become effective upon the Respondent's receipt of a fully executed copy of this AOC.

AGREED TO:

FOR RESPONDENT COVESTRO LLC

Date: 06-Oct-2025

By: 
Atul Khettry (Oct 6, 2025 14:59:20 EDT)
Atul Khettry
Site Head
Covestro LLC

SO ORDERED:

FOR U.S. ENVIRONMENTAL PROTECTION AGENCY

By: _____

[Digital Signature and Date]

Acting Director

Enforcement and Compliance Assurance Division

U.S. EPA – Region 3

Attachment A

Tank Wash Assessment (Follow up visit)

SECTION I. GENERAL INFORMATION

Name of Site _____

Date of Assessment _____

Facility Contact _____

Title _____

Telephone Number _____

Facility Address _____

Mailing Address _____

Facility Telephone Number _____

1. How many employees does the company have at this terminal? _____
2. How long has this facility been in operation? _____
3. What is the facility's operating schedule? _____
4. Does the facility have an on-site tank truck scale (y/n): _____
5. If no, where is the tank truck scale located (in miles)? _____

	Yes	No	N/A
6. Has the facility received any complaints from the local residents within the past three years or since the last assessment?	_____	_____	_____
7. Is there a documented procedure to address complaints from the local community?	_____	_____	_____
8. Is the Local Emergency Planning Committee (LEPC) or local fire department supplied with information on products cleaned?	_____	_____	_____
9. Has the facility had any regulatory inspections within the last three years or since the last assessment?	_____	_____	_____
10. Has the facility received any other regulatory agency violation notices, citations, compliance orders, complaints or other administrative action within the last three years, or since the last assessment?	_____	_____	_____
11. Have corrective actions and follow-up been taken as a result of the inspection(s), violation notices, citations, compliance orders, complaints or other administrative actions?	_____	_____	_____
12. Is the company an American Chemistry Council or CCPA Responsible Care® Partner?	_____	_____	_____
13. Does the facility have an emergency response plan?	_____	_____	_____
14. Is the plan reviewed periodically?	_____	_____	_____
15. Is hazardous waste generated at the facility?	_____	_____	_____
16. If yes, does the facility have an EPA Waste Generator number?	_____	_____	_____
17. What is the generator status- Large, small, conditionally exempt?	_____	_____	_____
18. Does the facility's hazardous waste storage or accumulation area meet regulatory requirements, e.g., ignitable/reactive wastes at least 50 ft. from property line, required aisle space, secondary containment?	_____	_____	_____
19. Are hazardous waste containers/tanks/etc. properly labeled in accordance with applicable requirements, including DOT, and clearly dated?	_____	_____	_____

	Yes	No	N/A
20. Are routine inspections of the hazardous waste storage or accumulation areas conducted?	_____	_____	_____
21. Does this facility have a NPDES permit?	_____	_____	_____
22. Is the facility subject to groundwater monitoring requirements?	_____	_____	_____
23. Does the facility have a documented procedure for reporting spills and accidental discharges regardless of the size of the spill or discharge?	_____	_____	_____
24. Does the facility have a process in place to keep Material Safety Data Sheets current?	_____	_____	_____
25. Does the facility have documented programs/procedures in place for periodic safety equipment inspections (eyewash/safety showers, alarms, etc.)?	_____	_____	_____
26. Does the facility have documented programs/procedures in place for hazard communication?	_____	_____	_____
27. Does the facility have documented programs/procedures in place for use of personal protective equipment?	_____	_____	_____

Operations

28. Are there documented procedures for cleaning each product?	_____	_____	_____
29. Are there documented procedures for Heal removal?	_____	_____	_____
30. Observe tank cleaning. Are the cleaning and heal removal procedures being followed?	_____	_____	_____
31. Is there a documented training program provided for terminal operating procedures for tank cleaning operations?	_____	_____	_____
32. Is there a documented training program provided for hazard communication?	_____	_____	_____
33. Is there a documented training program provided for hazardous waste operations and emergency response (HAZWOPER)?	_____	_____	_____

	Yes	No	N/A
34. Are there documented training records that include a certification statement that the Hazmat employees have been trained and tested?	_____	_____	_____

Pumps, Manifolds and Transfer Lines

35. Is containment provided for all pumps	_____	_____	_____
36. Are there visible leaks (fittings, valves, pumps, etc.)?	_____	_____	_____
37. Are spill containment materials available? (overpack drums, pigs, spill pads, etc.)	_____	_____	_____

Safety

38. Is housekeeping well maintained in this area?	_____	_____	_____
39. Is an eyewash/safety shower in areas where potential for exposure to corrosives exists?	_____	_____	_____
40. Are the eyewash/safety showers operational?	_____	_____	_____

Comments/observations noted by the assessor:

Recommendations for follow up:

TERMINAL'S COMMENTS

This section is to allow the terminal to respond to any issues arising out of the assessment.

Signature of Covestro Assessor(s)_____

Date_____

Attachment B

Covestro, New Martinsville, WV
Storm Water Pollution Prevention Plan

COVESTRO

NEW MARTINSVILLE, WV

STORM WATER POLLUTION PREVENTION PLAN

June 2025

Covestro, New Martinsville, WV

Storm Water Pollution Prevention Plan

REVISION LOG SWPPP

December 2005	Revised Map 4 of Appendix W to delete Construction fuel stg Revised Appendices G, H, I, J, K, N to reflect updated procedures
November 2006	Updated Appendix B to remove Iron Oxide and TDI Revised Appendices G, H, I, J, K to reflect updated procedures
December 2007	Revised Appendices G, I, L, N to reflect updated procedures
December 2008	Updated Bayer to Bayer MaterialScience Revised Appendices A, B, C, G, I, J, K, M, N, P, Q, S, V, W to reflect updated procedures Deleted references to Appendix H Revised Attachment 4 Added Attachment 8
October 2009	Revised Appendices to reflect updated procedures and practices
September 2011	Revised Appendices (B, C, J, K, M, N, P) to reflect updates. Also revised Attachment 8
June 2013	Revised Appendices (G, I, J, L, M, N, O, P, S, W) to reflect updated procedures and practices
November 2014	Revised Appendices B and C to include topo map and tank ID numbers. Updated Appendices G, I, J, K, M, N, Q to reflect current document revisions
October 2015	Reorganized so format conforms to EPA 833-B-09-002. Updated Appendices A, C, G, I, K, M, N, P, Q and S to reflect current document revision and changed the name to Covestro where applicable.
November 2016	Updated Appendices C-1, G, I, J, K, L, M, P, and Q to reflect current document revision
October 2017	Updated Appendices C-1, G, I, K, M, N, Q and S to reflect current document revisions
October 2018	Updated Appendices A, C-1, J, M, N, Q and V to reflect current document revisions

Covestro, New Martinsville, WV Storm Water Pollution Prevention Plan

December 2019	Updated Appendices A, B, C, J, K, L, M, N, O, and Q
June 2023	Updated Appendices A, G, I, J, K, L, M, N, O, P, and Q.
March 2025	Updated Appendices G, I, J, K, L, M, and N to the corresponding Electronic Procedures. Erosion Control inspection updated. Appendix O updated to CBT. Inspections/monitoring frequencies and personnel updated. Updated required attachments.
June 2025	Updated Rain Basin collection information.

Covestro, New Martinsville, WV
Storm Water Pollution Prevention Plan

Plan Review and Amendment History

Although not required by law, Covestro reviews, evaluates and amends this SWPPP (Storm Water Pollution Prevention Plan) whenever any changes in the facility design, construction, operation or maintenance materially affect the potential for storm water contamination.

Upon completion, Covestro documents the review and evaluation, and signs the following statement as to whether or not they will amend the Plan:

"I have completed review and evaluation of the SWPPP for the Covestro, New Martinsville, West Virginia Facility on (date), and (will / will not) amend the Plan as a result."

Review Date	Will / will not amend Plan	Signature
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Covestro has maintained a SWPPP at the facility since 1993. The SWPPP was evaluated and substantially edited in 2004. As such, the Plan amendment page was new at that time.

Storm Water Pollution Prevention Plan

This document is arranged and organized to follow the numbering sequence “Developing Your Stormwater Pollution Prevention Plan, A guide for Industrial Operators, dated February 2009 (EOA 833-B-09-002) The guidance manual provides step-by-step guidelines and accompanying worksheets that walk a person through the process of developing and implementing a SWPPP.

This document is also arranged such that Attachments are specific to this document and are included with it, while Appendices are maintained separate from this document because they are common to various plans at the facility.

1 Planning and Organization

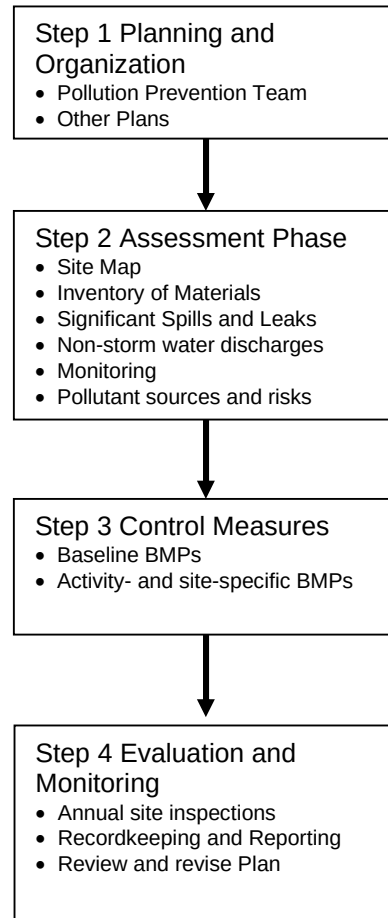
1.1 Pollution Prevention Team

The Pollution Prevention Team members are listed in **Attachment 1** to this Plan. These individuals are familiar with the facility and its operations and are able to provide structure and direction to the facility's storm water management program.

At least one member of the team has a clear line of communication with plant management to assist plant management in fulfilling their responsibility to carry out this plan. Because the facility is subject to reporting under EPCRA, Section 313, at least one of the team members is accountable for spill prevention and setting up the necessary spill emergency procedures and requirements to isolate, contain and clean up spills and releases of section 313 water priority chemicals before a discharge can occur. The Spill Prevention Control and Countermeasure coordinator has this responsibility, and this person's name is provided in **Appendix P**.

Additional roles and responsibilities of this team are as follows:

- Site assessment
- Identification of pollutant sources and risks
- Decision making on appropriate BMP's
- Directing the implementation of the BMP's
- Regular evaluations to measure the effectiveness of the SWPPP



1.2 Existing Environmental Management Plans

The facility has a SPCC (Spill Prevention Control and Countermeasures) plan in operation for various above ground oil storage containers. In addition, the facility has a GWPP (Ground Water Pollution Prevention), Spill Response Plan for AST, contingency plan and BMP as required by the State of West Virginia. The plans overlap with each other and with the SWPPP. Relevant portions of these other documents are referenced in this plan, and this SWPPP should be reviewed with consideration for the other existing plans.

2.1 Assessment

The activities at this site include:

Category One	Facility is subject to OCPSF guidelines (NPDES WV00005169)
Category Two	Chemical Manufacturing
Category Four	Hazardous Waste Treatment (RCRA WVD056866312)
Category Nine	Treatment works treating domestic sewage

Industrial activities include material storage, material manufacturing, material loading/unloading, equipment fueling, maintenance, cleaning and manufacturing

Significant materials" as defined in 40 CFR 122.26(b)(12), are substances related to industrial activities such as process chemicals, raw materials, fuels, pesticides and fertilizers. These materials are identified in **Appendices B and C**, which describe structural ground water protection measures specific to discrete areas throughout the facility. Most of these chemicals are handled in tanks, drum, totes and other containers. Many of these measures also serve to ensure that storm water is directed to the facility wastewater treatment unit for treatment prior to discharge to the receiving water body. These materials are in the facility such that storm water run-off is collected via the storm sewer or process sewer systems (**Appendix W, Maps 2 & 3**) for treatment in the wastewater treatment unit.

In addition, significant materials have been treated, stored, or disposed on the Equipment Cleaning Pad and Extension that is in block 21 of the facility (**Appendix W, Map 4**).

The Equipment Cleaning Pad Extension is a Resource Conservation and Recovery Act (RCRA) permitted waste pile that consists of an impervious pad and wastewater collection system. A canopy and steel pan were added to the Extension in 1994. The canopy prevents storm water from contacting materials stored on the pad. The pad is sloped (1/4" per foot) to a collection sump that is equipped with an agitator, level indicator and submersible pump for run-off control. Any water collected in the sump is transferred to the beginning of the wastewater treatment and is treated appropriately.

The Cleaning Pad and Extension have concrete barrier walls on the East, South and West sides to prevent run-on from reaching the pad and to confine contaminated water to the pad itself. These walls are integral with the pad foundation and vary in height from less than 6 inches at the North end to about 200 inches at the South end. A drainage trench at entrance on the North end to the pad area prevents storm water run-on to the pad. Additional details can be found in Section #3 of the RCRA Permit Application submitted to WVDEP on May 31, 1996.

This pad is used for the storage of by-product materials and trench sludge, in preparation for disposal.

Currently, the site is configured so that all stormwater falling on the site where industrial activity is taking place has the stormwater conveyed to the Rain Basin (1.4 MM gallons) from which it is combined with the process water and is

discharged from Outfall 001. This outfall is monitored per conditions in our NPDES permit. Some parameters (flow and pH) are monitored continuously; others (TRC) are monitored daily, while other organic and metals are sampled and analyzed monthly or quarterly.

The only area where stormwater is not captured and treated is the south end, which was formally capped in 2013. Additional groundwater monitoring and pumping wells were also installed at that time. This southern portion of the site is listed as Outfall 005 in the NPDES permit.

2.2 Evaluation of Sampling Data

Outfall 005 is monitored semi-annually, and the results are reported with the electronic Discharge Monitoring Report (eDMR) to the WVDEP.

2.3 Site Maps

Because of the size and complexity of the facility, multiple maps (Maps 1-4) are provided in **Appendix W** to adequately depict important information.

In addition, maps are provided in **Appendix B** and augmented with a container identification spreadsheet that is provided in **Appendix C** to adequately depict the elements required by EPA's General Permit.

A partial listing of the information provided in the maps is listed below:

Information	Location
• Discharge points (outfalls)	App. W, Map 1
• Drainage patterns	App. W, Maps 1, 2 & 3
• Identification of pollutants likely to be discharged for each drainage area	App. B & C
• Direction of flow	App. B & C
• Surface water bodies	App. W, Map 1
• Structural control measures	App. B, C & W
• Locations of significant materials exposed to storm water	App. W, Maps 2&3
• Locations of industrial activities (i.e. fueling stations, loading/unloading, vehicle or equipment maintenance areas, waste disposal areas, storage areas)	App. B & C
	App. W, Map 4

Discharge points (outfalls) / Drainage patterns

East and North sides of the facility (Areas 1 and 2) - These areas do not discharge into the waters of the United States either directly or through a separate municipal storm sewer system. Rather, the storm water collects in the facility storm sewer system (**Map 2 in Appendix W**) and is treated in the facility NPDES permitted wastewater treatment unit before discharge to the receiving water.

West side of the facility (Area 3) - In most areas along the river the storm water discharges in a natural sheet flow from the property. Those few areas, which may be construed as discernable, confined or part of a discrete conveyance, are not directly related to manufacturing, processing or raw material storage areas at the facility. The area indicated by the designation 'Outfall 002' is a formerly permitted outfall. This area is no longer permitted. Any discharge from 'Outfall 002' is a by-pass situation according to NPDES Permit WV0005169 and reported as such.

South side of the facility (Areas 4 and 5) - These two areas discharge from the southwest portion of the property - one located along the fence line at the eastern edge and one on the south side. These points referred to as Outfall 005 in the NPDES permit

Surface Water Body (Receiving Water)

The receiving water for treated process wastewater and treated or untreated storm water is the Ohio River. The facility is situated on the eastern bank of this river. Outfall 005 discharges into a sediment pond of an unnamed tributary of the Ohio River (formerly Beaver Run prior to its rerouting in 2004)

Structural Control Measures

Structural storm water pollution control measures are used extensively throughout the facility. Diking and curbing within the process areas are used to direct the flow of water to the process trench, overhead wastewater line, or storm water sewer system as appropriate. Drawings of the storm sewer and process trench (sewer) systems are included in **Appendix W**, as **maps 2** and **3** respectively.

A list of containers greater than 55 gallons throughout the facility is provided as **Appendices B** and **C**. These lists also describe structural ground water protection measures specific to discrete areas throughout the facility. Many of these measures also serve to ensure that storm water is directed to the facility wastewater treatment unit for treatment prior to discharge to the receiving water body.

3 Control Measures

3.1 Minimization of Exposure

As a matter of practice, manufacturing at this facility occurs within closed processing vessels and often within closed structures. Loading and unloading operations are the responsibility of the Site Logistics Department, which has specific procedures in place to minimize the risk of spills and releases. These include preloading inspections, checklists and specific procedures for loading certain products

3.2 Good Housekeeping

Good housekeeping is the responsibility of the individual process units. In addition, it is an integral part of the Safety Performance Improvement Process. Section V of the Safety Performance Improvement Process is stored electronically.

3.3 Maintenance

Preventive maintenance (PM) programs are active within the Covestro site. These include PM on pumps, compressors, transfer lines, etc. PM programs are varied and are directly dependent upon Unit operation history.

3.4 Spill Prevention and Response Procedures

Covestro maintains a comprehensive spill prevention and response program. Aspects of this are provided in the following site procedures:

- Facility Site Procedure: S-17 Safety/Environmental Reporting & Incident Investigation
- Emergency Event Notification: S-17 Attachment 1
- Facility Emergency Procedure: E-1 Emergency Action Plan
- Facility Site Procedure: E-2 In-Plant Emergency Notification/Evacuation
- Facility Site Procedure: S-9 Chemical Equipment/Piping Repair Authorization
- Electronic Procedure Module: Emergency Communications Manual
- **Appendix N** Emergency Coordinator

All spills must be reported in the Covestro IIMS system for tracking, root cause analysis and follow-up. A listing of significant spills (internal definition) is found in **Appendix Q**. These are discussed weekly by the site leadership team.

3.5 Erosion and Sediment Controls

The one aspect of the facility where this is applicable is the southernmost portion of the facility where a closed disposal site is located. This area was capped, and vegetation was planted in 2003-04 time frame to ensure proper

erosion control. It is inspected by a 3rd party as a part of the annual SWMU inspection.

3.6 Management of Runoff

As stated above, all the stormwater that falls on the industrial portion of the plant is captured in the Rainwater Basin and then treated in the NPDES permitted wastewater treatment system.

The Rainwater Basin is tested on a weekly basis for pH and TOC. Also, testing is performed to scan for potential contaminants.

The weekly sample process for the Rain Basin is as follows:

1. The Covestro New Martinsville LIMS system (Sample Manager) is programmed to auto-generate a required sample each week on Tuesday. This is in addition to a printed copy of the sample collection schedule posted in the control room.
2. When the sample is generated, the system will print a label in the control room for the sample bottle. The label is an indication to the technician that the sample needs to be collected.
3. The sample is collected, labeled, and delivered to the Covestro Plant Laboratory Services department.
4. The lab will run the analysis on the sample and the results are logged in Sample Manager, as well as printed automatically to the E&U department.

In addition to the collection of stormwater the site operates a series of five groundwater pumping wells. These wells, whose locations are shown in **Appendix E**, are pumped at a minimum combined total of 350 gpm with the water also being treated in the NPDES permitted wastewater system. These wells serve to provide a cone of depression to ensure that any contaminated groundwater remains on-site.

The south end of the plant discharges through Outfall 005. Monitoring and analysis for Outfall 005 is included in the NPDES permits.

3.7 Salt Storage Piles

There is a storage building for road salt located at the southwest corner of Block 22, which provides cover for the road salt and keeps it out of the weather.

3.8 Training

The basic structure of employee training is found on file in the electronic Computer Based Training. In addition, each individual unit incorporates Environmental Awareness training in their operating procedures. All site employees are required to take a CBT (Computerized Training) entitled Environmental awareness annually. This course discusses pollution prevention, waste handling and reviews recent spills and releases.

3.9 Non-Stormwater Discharge

The Covestro New Martinsville site collects all of their process and cooling water and maintains a wastewater collection and treatment system in blocks 11, 12 and 20 that consists of, excluding ancillary equipment, the following:

- Neutralization Basin and Tanks
- Primary Clarifier
- Equalization Tanks
- Biological Reactors
- Secondary Clarifier
- Carbon Adsorption Towers
- Disinfection and Dechlorination

This system is originally designed to process up to 6.5 MGD of industrial wastewater, although current normal operations are around 2.0 MGD. Water entering the treatment system is treated to meet current NPDES permit requirements.

Storage capacity for wastewater (or spills and releases), is provided by two Equalization Tanks, which hold 2.5 million gallons each.

Storm water is collected from the plant site is stored in the Rainwater Basin and/or Old Equalization Basin. From there the storm water flows to the NPDES permitted wastewater treatment system. It is combined with process water prior to treatment. For storm water, Covestro utilizes a 1.38 million gallon Rainwater Basin, for primary storage and a 5 million gallon basin (Old Equalization Basin) as secondary storage. All storm water is treated in the NPDES permitted wastewater treatment system

3.10 Waste, Garbage and Floatable Debris

Five Resource Conservation and Recovery Act (RCRA) units are managed at this Treatment, Storage and Disposal (TSD) unit. These include a Fluidized Bed Incinerator, Wastewater Storage Tank, Container Storage Building, Solid Organic Residue Silo, Liquids Storage Tank and pad, and Equipment Cleaning Pad and Extension. These are all managed according to requirements set forth in the RCRA Part B permit WVD056866312. The hazardous waste that cannot be treated on-site are sent to off-site RCRA permitted facilities, not under the control of Covestro.

Non-hazardous garbage collection is performed at the individual units. The trash is then sent to a local landfill.

3.11 Dust Generation and Vehicle Traffic

The Solid Organic Residue Silo, a permitted RCRA Part B tank, has the potential for buildup of dust just outside of the structure. This is due to loading and unloading operations around the silo. This situation was addressed by concreting the area immediately around the silo and incinerator and sloping all water to the process trench.

Most roadways at the site are constructed of asphalt or concrete.

3.12 Numeric Effluent Limitations

NPDES permit WV00005169 has report only requirements for Stormwater Outfall 005. The parameters listed on flow, Total Suspended Solids (TSS), pH, Arsenic, Mercury, Cadmium, Copper, Antimony, Zinc, Iron, and Chemical Oxygen Demand (COD)

4 Inspections and Monitoring

4.1 Routine Facility Inspections

Routine inspections are conducted in a variety of ways:

- Units walk through their units daily to monitor their process and to look for spills and other unusual occurrences are documented in the Integrated Information Management System. (IIMS)
- Weekly walk-throughs are conducted by the Compliance Coordinator to assure accurate labeling and container storage of hazardous wastes.
- RCRA checklists are performed as outlined in our RCRA permit (WVD056866312) by HSE&U operations
- Quarterly groundwater inspections are done by outside inspectors. The inspection includes measuring the well elevations, verifying flow from the pumps, and a visual inspection.
- The review of spills/releases are conducted by the Site Leadership Team, in the weekly meetings, all spills/releases are discussed, and are entered in the IIMS.

4.2 Visual Assessment

Per NPDES Permit WV00005169, Condition C.13 sampling, Outfall 005, must be conducted during storm events on a semi-annual basis. These are to be reported as part of the Discharge Monitoring Report during the months of February and August and will be documented in IIMS.

4.3 Annual Comprehensive Site Inspections

NPDES permit WV00005169 no longer requires an annual comprehensive site inspection. However, on an annual basis the south end near Outfall 005 is inspected as part of the O&M monitoring. The inspection is performed by a third party, as part of the annual SWMU inspection. This includes:

- Inspecting storm water drainage for evidence of pollutants entering the drainage system.
- Observing structural measures and sediment controls to ensure proper operation.
- In addition, the spill response plan is updated annually.

4.4 Reports and Revisions

Plan Revisions

The plan will be amended when there is significant change in design, construction, operation, or maintenance, which impacts the potential of pollutants to be discharged. All improvements will be implemented in a timely manner

SWPP PLAN MANAGEMENT APPROVAL

I am familiar with the requirements included in the SWPP Plan and acknowledge that the SWPP Plan will be implemented as described therein with full management approval.

Name and location of facility:

Covestro
New Martinsville Facility
17595 Energy Road
Proctor, Marshall County
West Virginia, 26055

Name: Jay Leep

Title: Assistant General Plant Manager

Signature: _____

Date: _____

Name: Dana Crumm

Title: Regulatory Affairs

Signature: _____

Date: _____

Attachment 1
Pollution Prevention Team Members

Leader:

	Dana Crumm
Title:	Regulatory Affairs
Office Phone:	304-451-2013
Responsibilities:	Organize and assemble submittal information, and Spill Prevention Control and Countermeasures coordinator

Members:

(1)	Russ Heil
Title:	Safety / IH and HazMat Expert
Office Phone:	304-451-2005
Responsibilities:	Assist in implementation of plan

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103

In the Matter of:	:	
	:	
Covestro LLC	:	
17595 Energy Road	:	
Proctor, West Virginia 26055	:	U.S. EPA Docket No. CWA-03-2026-0032DN
	:	
Respondent.	:	ADMINISTRATIVE ORDER ON CONSENT
	:	PURSUANT TO SECTION 309(a) OF THE CLEAN
Covestro LLC	:	WATER ACT, 33 U.S.C. § 1319(a)
17595 Energy Road	:	
Proctor, West Virginia 26055	:	
	:	
Facility.	:	
	:	

CERTIFICATE OF SERVICE

I certify that the foregoing ***Administrative Order on Consent*** was filed with the EPA Region 3 Regional Hearing Clerk on the date that has been electronically stamped on the ***Administrative Order on Consent***. I further certify that on the date set forth below, I caused to be served a true and correct copy of the foregoing ***Administrative Order on Consent*** to each of the following persons, in the manner specified below, at the following addresses:

Copies served via email to:

Atul Khettry, Site Head
Covestro LLC
atul.khettry@covestro.com
17595 Energy Road
Proctor, West Virginia 26055

Dave Wagner, Senior Counsel
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Pittsburgh, Pennsylvania 15205

Ryan Knapick
Assistant Regional Counsel
U.S. EPA, Region 3
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Allison Gieda
Environmental Engineer
U.S. EPA, Region 3
gieda.allison@epa.gov

In the Matter of: Covestro LLC

Docket No. CWA-03-2026-0032DN

By: _____
[*Digital Signature and Date*]
Regional Hearing Clerk
U.S. EPA – Region 3