



FORMOSA PLASTICS CORPORATION DELAWARE
P.O. BOX 320 • DELAWARE CITY, DELAWARE 19706 • TEL (302) 836-2200

Chief, Environmental Enforcement Section
Environment and Natural Resources Division
U.S. Department of Justice
Box 7611 Ben Franklin Station
Washington, D.C. 20044-7611

October 27, 2008

Re: USA et al v. Formosa Plastics Corporation, Delaware
Quarterly Consent Decree Report

Pursuant to paragraph 51.a of the Consent Decree, the following is the quarterly consent decree report submitted by Formosa Plastics Corporation, Delaware (FPC-DE).

- i. The Supplemental Environmental Project has been completed and the completion report was submitted on June 30, 2008. Representatives of USEPA and DNREC visited the facility on October 15, 2008 to review the project.
- ii. One new Quality Control Lab Technician has been trained on the Method 107 procedure.
- iii.
 - a. On August 5, 2008 process wastewater >3ppm VCM was drained to the ground when a mechanic removed a pump from service without the proper permit. To prevent this type of incident from occurring in the future, FPC-DE has modified its permitting procedure to require both an operator and mechanic to walk the job and verify that the equipment is properly prepared prior to a permit being issued. All affected personnel have been trained on the modified procedure.
 - b. The Vinyl Chloride NESHAP quarterly report due on September 15, 2008 was submitted to the agencies by FPC-DE on September 30, 2008. FPC-DE submitted its Subpart UU periodic report as part of this report pursuant to Consent Decree. Corrective action was taken to add the Vinyl Chloride NESHAP quarterly report to the monthly environmental activities checklist.
- iv. The twelve month rolling average RVCM data is attached.

Should you have any questions or require further information please contact Kimberly Bennett at (302) 836-2256.

I certify under penalty of law that I have examined and am familiar with the information submitted in this document and all attachments and that this document and its attachments were prepared either by me personally or under my direction or supervision in a manner designed to ensure that qualified and knowledgeable personnel properly gather and present the information contained therein. I further certify, based on my personal knowledge or on my inquiry of those individuals immediately responsible for obtaining the information, that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowingly and willfully submitting a materially false statement.



Kevin Tsai
Operations Director SPVC Division

Cc: Civil Chief, District of Delaware
Joyce Howell USEPA Region III
Jeffrey Boylan USEPA Region III
James Werner DNREC DAWM
Kevin Maloney Deputy Attorney General
Bob Chou, FPC SPVC VP/GM
Robert W. Whetzel, Esq.

12 MONTH ROLLING AVERAGE

August	409	3218.95	1316550.55
September	388	2962.133	1149307.604
October	442	3179.92	1405524.64
November	516	2872.075	1481990.7
December	644	4037.75	2600311
January 2008	527	3716.15	1958411.05
February	454	4072.325	1848835.55
March	545	3956.985	2156556.825
April	503	2926.179	1471868.037
May	529	3822.9	2022314.1
June	614	3861.024	2370668.736
July	486	3000.125	1458060.75
12 Month Average			510.2612849

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December	644	4037.75	2600311
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July	486	3000.125	1458060.75
August	583	4024.744	2346425.752
12 Month Average			524.8423841

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October	442	3179.92	1405524.64
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December	644	4037.75	2600311
January 2008	527	3716.15	1958411.05
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June	614	3861.024	2370668.736
July	486	3000.125	1458060.75
August	583	4024.744	2346425.752
September	506	4001.15	2024581.9
12 Month Average			532.4325397