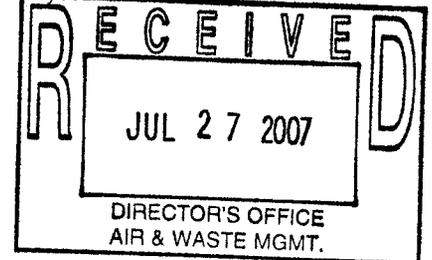




**FORMOSA PLASTICS CORPORATION DELAWARE**  
P.O. BOX 320 • DELAWARE CITY, DELAWARE 19706 • TEL (302) 836-2200

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

July 25, 2007



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. Progress Report on the Implementation of the Supplemental Environmental Project
  - The S2 reactor valve automation is complete.
  - The E2 plant drop and drain valve installation is complete.
  - The site is planning a shut down of the E2 reactor building during September to facilitate the completion of the reactor automation.
  
- ii.
  - a. There is one operator currently training for the stripping position. The enhanced stripping training module will be completed prior to certification of the operator.
  - b. An FPC-DE process engineer completed layer of protection analysis training in May. The layer of protection analysis will be completed in August or September.
  - c. There is one new quality control technician currently training in the lab, and the Method 107 training module will be completed prior to the technician certification.
  - d. The cleaning of the west aerator is complete. Leak checks conducted during June 2007 indicated that the repairs required as a result of damage during cleaning have not been successfully repaired. Accordingly, subsequent to an on-site inspection by EPA and correspondence between the parties, FPC-DE decided to proceed with replacing the top liner and submitted an alternative action plan on July 9, 2007, describing its implementation schedule and requesting an additional six month period to facilitate replacement .
  
- iii. In preparing this quarterly report, FPC-DE became aware on 7/19/07 that there was no documentation of a shift performance check on 7/7/07 for the minirac photoionizer in the E2 reactor building. Based on an interview with the involved operator, FPC-DE believes that the check was completed. The weekly calibration,

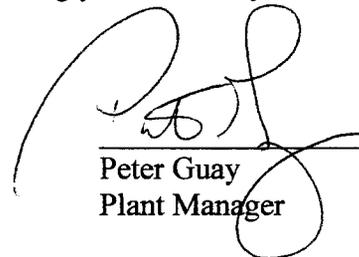
as well as the previous and following shift performance checks, met the calibration specifications.

From 6/23/07 to 6/27/07, one of the Vinyl Chloride Continuous Monitoring System's Omni antennae failed, resulting in intermittent recordkeeping for the system. FPC-DE identified the communication problem during the shift on which the problem arose, and worked to resolve the problem in the minimum amount of time necessary. During the four day period, FPC-DE verified daily the system's chromatographs and area leak indicators (i.e. the blue lights) to be in proper working order.

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.



Peter Guay  
Plant Manager

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.

<b>12 Month Rolling average</b>				
RVCM Based on Production				
Month	Monthly Avg RVCM	Monthly Production	RVCM * Production	
Dec 2004	658	4367.675	2873930.15	
Jan 2005	688	3551	2443088	
Feb	774	4614.725	3571797.15	
March	599	5202.475	3116282.525	
April	526	4985.434	2622338.284	
May	549	4673.81	2565921.69	
June	477	4059.125	1936202.625	
July	466	5002.625	2331223.25	
August	431	5115.45	2204758.95	
September	525	5380.35	2824683.75	
October	590	4458.2	2630338	12 Month
November	506	5049.95	2555274.7	
December	504	5380.35	2711696.4	549
January 2006	356	4530.342	1612801.752	525
February	437	4210.9	1840163.3	499
March	504	3442.325	1734931.8	490
April	449	3426.945	1538698.305	484
May	385	3348.03	1288991.55	472
June	457	4049.77	1854787.36	471
July	439	3010.15	1320673.22	469
August	466	3061.6	1427109.28	473
September	384	3336.023	1282043.79	461
October	380	3575.025	1357360.32	442
November	368	3785.225	1392564.48	428
December	363	2806.325	1020025.49	415
January 2007	446	3040.993	1355069.69	424
February	556	3050.885	1694951.59	432
March	433	3546.928	1534643.97	426
April	395	3062.373	1209637.335	422
May	315	3436.097	1082370.555	416
June	373	3649.949	1361430.977	407
12 Month Average			<b>407.4501976</b>	

<b>12 Month Rolling average</b>			
	RVCM Based on Production		
Month	Monthly Avg RVCM	Monthly Production	RVCM * Production
Dec 2004	658	4367.675	2873930.15
Jan 2005	688	3551	2443088
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November	368	3785.225	1392564.48
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January 2007	446	3040.993	1355069.69
February	556	3050.885	1694951.59
March	433	3546.928	1534643.97
April	395	3062.373	1209637.335
May	315	3436.097	1082370.555
12 Month Average			<b>415.7610038</b>

12 Month

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**12 Month Rolling average**

RVCN Based on Production			
Month	Monthly Avg RVCN	Monthly Production	RVCN * Production
Dec 2004	658	4367.675	2873930.15
Jan 2005	688	3551	2443088
Feb	774	4614.725	3571797.15
March	599	5202.475	3116282.525
April	526	4985.434	2622338.284
May	549	4673.81	2565921.69
June	477	4059.125	1936202.625
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July	439	3010.15	1320673.22
August	466	3061.6	1427109.28
September	384	3336.023	1282043.79
October	380	3575.025	1357360.32
November	368	3785.225	1392564.48
December	363	2806.325	1020025.49
January 2007	446	3040.993	1355069.69
February	556	3050.885	1694951.59
March	433	3546.928	1534643.97
April	395	3062.373	1209637.335
12 Month Average			<b>421.8919698</b>

12 Month

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