



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

→ Paul Foster  
What are the column titles?  
F

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, 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). The information provided in Section iii reports violations of the Consent Decree that FPC-DE identified during the preparation of this report. For these violations, FPC-DE submits this report, in part, as the notification and report required under paragraph 51.b of the Consent Decree.

- i. Progress Report on the Implementation of the Supplemental Environmental Project:

The Supplemental Environmental Project has been completed and the completion report was submitted on June 30, 2008.

- ii. There are no items to be addressed in this section.

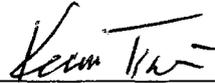
iii. During the preparation of this quarterly report, two deviations from the Vinyl Chloride Continuous Monitoring System Program, attached as Appendix C to the Consent Decree were identified on July 22, 2008. The calibration standards used for shift performance checks and weekly calibration of the photoionizers in the tank farm and the S2 plant were not replaced before they expired on June 6, 2006. (The S2 plant has been down since July 3, 2008). The cylinders were replaced immediately with available on-site replacements and the certification date will now be verified weekly. This verification will be performed once by the Safety Assistant during the weekly calibration and once by the operators during a shift performance check.

- 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

July	567	3095.576	1755191.592
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
12 Month Average			516.2156037

12 MONTH ROLLING AVERAGE

June	373	3649.949	1361430.977
July	567	3095.576	1755191.592
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
12 Month Average			494.5278609

12 MONTH ROLLING AVERAGE

May	315	3436.097	1082370.555
June	373	3649.949	1361430.977
July	567	3095.576	1755191.592
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
12 Month Average			476.3229911