



State of Ohio Environmental Protection Agency

**Northwest District Office**

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Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468  
www.epa.state.oh.us

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korteski, Director

Re: Williams County  
0386010003  
Continental Tire/North America  
**Notice of Violation/HPF GC1**

June 26, 2009

**CERTIFIED MAIL**

Mr. Keith Pearson, Manager Environmental Affairs  
Continental Tire North America  
11525 North Illinois Highway 142  
P. O. Box 1029  
Mt. Vernon, Illinois 62864-0022

Dear Mr. Pearson:

On December 2, 2005, the United States Environmental Protection Agency (USEPA), Region 5 issued a Notice of Violation to Continental Tire North America's (CTNA) facility in Bryan, alleging the modification of air contaminant sources in the tire assembly area without obtaining the proper permits. CTNA met with, had numerous phone conversations and submitted a study entitled "Potential Reduction of Solvent Emissions" to Region 5 in an attempt to resolve the matter. In July of 2006, Titan Tire purchased the facility in Bryan.

During the second quarter of 2007, the USEPA referred the NOV to the Northwest District Office (NWDO) of the Ohio EPA to resolve. On July 24, 2007, the Ohio EPA requested the potential to emit for five separate projects in the following years: 1983, 1988, 1990, 1999, and 2001. On February 15, 2008, our office received CTNA's response to this request. Due to the complexity of the issues and the need to thoroughly review and discern what actually occurred at this facility, our response to CTNA has been delayed.

The company's response describes tire assembly as a process which includes the use of solvents to build a tire. The letter states that "tire building machines cannot and have not been classified as emissions sources by federal and state environmental agencies." We disagree with this assertion. Based on our observations, the tire building activities conducted at each tire building machine result in the emissions of VOC's. Each tire building machine constitutes an air contaminant source.

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Although Ohio EPA previously permitted the "tire building area" as one emissions unit, we now believe this permitting approach was incorrect and prevented us from being aware of numerous plant expansions that occurred over a long period of time. It is very clear that the installation of additional tire building machines and/or curing presses at this facility has a direct impact on the facility's potential-to-emit (PTE) for VOC's. A recent PSD PTI issued to Titan Tire permitted each tire building machine as a separate emissions unit and it is our intention to re-permit the entire facility in this manner.

CTNA's letter included a table showing the number of tire building machines added and removed and the theoretical tire production increases as a result of the added machines. Another table covered the same years, from 1978 through 2004, and presented the company's potential to emit (PTE) analysis for the facility. CTNA's assertions that "if the increase (of VOC) over every five-year period is less than 40 tons per year, the facility is not subject to PSD requirements, including but not limited to any BAT requirements" are incorrect interpretations of both PSD and Ohio EPA rules in effect at the various times these expansions took place.

This facility is an existing "major stationary source." As such, PSD is triggered by any modification classified as a "major modification." The PSD regulations define a major modification as "any physical change or change in the method of operation of a stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under the Act" (40 CFR 52.21(b)(2)). Based on the PSD rules in effect during the various projects, the proper analysis to determine if the project triggered Major New Source Review requirements is to compare "past actual emissions" to "future potential emissions."

Based on the information CTNA's has provided to both the Ohio EPA and USEPA, we believe each of the projects in 1983, 1988 and 1990 resulted in potential VOC increases at the facility in excess of 40 TPY and constituted "major modifications". The company's failure to comply with Major New Source Review requirements and obtain the proper Permits To Install (PTI) for these projects are violations of the PSD rules in 40 CFR 52.21, OAC rule 3745-31-02, and ORC 3704.05. In addition, there are several other instances where new tire building machines were installed but did not result in a significant net emissions increase at the facility. In these cases, CTNA violated OAC rule 3745-31-02 and ORC 3704.05 for its failure to obtain the proper permits.

We request a meeting as soon as possible with the company to discuss these matters in more detail and to that end also request that CTNA propose several dates that would be acceptable. Following the meeting, a written response submitted within 30-days is required.

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The written response must include a detailed compliance plan and anticipated dates for the submittal of complete permit applications. Also, please note that in reviewing the applicable PSD permitting requirements, Ohio EPA adheres to USEPA's "Appropriate Injunctive Relief Policy".

Please be advised that the submission of the requested information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek civil penalties pursuant to ORC section 3704.06. The Ohio EPA will make a decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

Should the company have any questions regarding this letter, please feel free to contact me directly at (419) 373-3136.

Sincerely,



Jay P. Liebrecht  
Division of Air Pollution Control

//lr

pc: Don Waltermeyer, DAPC-NWDO  
Jan Tredway, DAPC-NWDO  
Jim Orlemann, DAPC-CO  
Tom Kalman, DAPC-CO  
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 1325 ROAD ILLINOIS Highway 142  
 P.O. Box 1025  
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