



**Environmental
Protection Agency**

John R. Kasich, **Governor**
Mary Taylor, **Lt. Governor**
Scott J. Nally, **Director**

Re: Marion County
Union Tank Car Company
939 Holland Road
Marion, OH 43302
Premise #0351010025
Inspection Letter
Notice of Violation (NOV/non-HPV)

August 3, 2012

CERTIFIED MAIL

Mr. David Modrowski, Environmental Specialist
Union Tank Car Company
175 West Jackson Boulevard
Chicago, Illinois 60604

Dear Mr. Modrowski:

This letter shall serve as the follow-up to the inspection conducted on July 18, 2012 at the above referenced facility. The purpose of this inspection was to determine the compliance status of all air contaminant sources located at Union Tank Car Company (herein referred to as UTLX) this facility with the rules and regulations of the Division of Air Pollution Control (DAPC).

The following are conclusions based on discussions during the inspection with Mr. Richard Flake (Plant Manager), my observations during the inspection, a review of the company files at the Northwest District Office (NWDO) and at the facility, and subsequent phone conversations with you.

1. UTLX operates a paint spray booth with dry filtration identified as emissions unit K001. The sequence of permits issued for K001 have all been based upon a maximum potential to emit of five gallons per hour and a maximum volatile organic compound (VOC) content of 3.50 pounds per gallon. During the inspection, it was noticed that the potential to emit of 5.0 gallons per hour is exceeded. As confirmation of this determination, on June 18, 2012 when only one shift was operating (10-12 hours of work that day), UTLX used 135 gallons of PPG Black coating. Based on that usage rate, this would also be a violation of the hourly emission limitation as well. These exceedances are a violation of Permit to Install and Operate (PTIO) P0087313 issued final on September 6, 2011 and Ohio Revised Code (ORC) §3704.05.

Since these violations have a direct consequence on the air toxics modeling performed previously, new air toxics modeling is to be performed based on the maximum coating usage per hour and the maximum allowable VOC density of the coating. This information can be submitted separate of, or along with, a PTIO modification application to begin correction of this violation. A PTIO modification to P0087313 is necessary in order to rectify these violations and as such, a permit application is required to begin that process.

2. In addition to the violations noted above, it was noticed that the clean-up solvent being used in K001 is methyl ethyl ketone (MEK) which was delisted as a hazardous air pollutant on December 19, 2005. MEK usage in June 2012, was 158 gallons per month. UTLX is limited to 751.7 pounds of VOC per month. Based on June 2012, usage, the emissions from cleanup operations amounts to 1,061 pounds VOC.

It was explained during our phone conversation on July 26, 2012, that the facility uses MEK and disposes of it once it is spent in the same barrel that contains coatings and therefore it is indiscernible as to how much of the MEK is taken offsite as waste and can be used as recovery. Currently, UTLX does not have sufficient information to demonstrate compliance with the emission limitation requirement in the PTIO and as such (based on the solvent usage for June 2012), UTLX is in violation of this emission limitation. It would be necessary that UTLX submit a compliance plan and revise, if necessary, previous deviation reports documenting compliance where compliance could not be determined.

3. The rail car cleaning operation with a flare (identified as emissions unit P002) was also discussed during the phone conversation and you mentioned that this unit was completely enclosed during the flash-off of vapors. There are a few concerns about the permit limitations for this process. The only criteria pollutant mentioned in the permit as being emitted from this emissions unit is VOC. However, there would undoubtedly be emissions of nitrogen oxide (NO_x) and carbon monoxide (CO) that are not indicated in the permit. In addition, ammonia emissions may need to be evaluated. A thorough evaluation of all pollutants emitted from this process is necessary. In addition, there needs to be an evaluation of fugitive emissions from P002 similar to that indicated in <http://files.harc.edu/Projects/AirQuality/Projects/H051A/H51AExecutiveSummary.pdf>. An application for a permit modification may likely be the result because of these two issues. Since both K001 and P002 were issued under PTIO P0087313, that permit can be modified with one application/submittal.

Mr. David Modrowski, Environmental Specialist

August 3, 2012

Page 3

The information requested above should be submitted to my attention by no later than September 7, 2012. 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 §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.

Thank you for your assistance during and after the inspection. I would also like to thank Mr. Flake as well as Gary Robinson, Plant Superintendent, and Jim, Chemtron Environmental Coordinator, for taking the time during the inspection to explain the process in detail and answer all of my questions. If you have any questions or comments, please feel free to contact me at (419) 373-3118 or e-mail mohammad.smidi@epa.state.oh.us.

Sincerely,



Mohammad Smidi
Environmental Specialist
Division of Air Pollution Control

/llr

ec: Andrea Moore, DAPC-NWDO
Bruce Weinberg, DAPC-CO
David Modrowski
Jennifer Jolliff, DAPC-NWDO
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