



State of Ohio Environmental Protection Agency

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CERTIFIED MAIL # 91 7108 2133 3932 4449 7907

July 29, 2009

Mr. Larry Jones
Liberty Casting Company
550 Liberty Road
Delaware, OH 43015

Re: Notice of Violation based on Compliance Stack Testing Conducted May 21, 2009 by Liberty Casting Company (Facility I.D. 012010003)

Dear Mr. Jones:

On May 21, 2009, Liberty Casting Company performed air emissions testing to demonstrate compliance with the requirements of Ohio EPA Final Permits to Install (PTI) 01-01287 and 01-12033, as well as the requirements of NSPS Subpart UUU. Ohio Environmental Protection Agency (EPA), Central District Office (CDO), Division of Air Pollution Control (DAPC) was present on the site for the emissions testing and received the results from this compliance demonstration on June 30, 2009 in the form of a report compiled by Air Compliance Testing, Inc. CDO personnel reviewed the report, and the results indicate that the facility failed to comply with the particulate emission (PE) and volatile organic compound (VOC) emissions limitations in PTI 01-01287 for emissions unit P038 (fluidized-bed sand dryer). Specific findings, violations, and action items are listed below.

Finding 1:

Liberty Castings Company failed to demonstrate compliance with the allowable hourly particulate emission rate for emission unit P038.

According to the compliance demonstration report, the average filterable particulate matter emission rate for P038 was measured during the test to be 1.33 pounds per hour, which is above the allowable particulate matter emission rate of 1.1 pounds per hour contained in Part III.A.1.1 of Permit No. 01-01287.

Violation:

Failure to demonstrate compliance with the allowable particulate emission rate is a violation of the terms and conditions of Liberty Casting Company's effective permit No. 01-01287 (Part III.A.1.1). Failure to comply with the terms and conditions of a PTI is also considered a violation of Ohio Revised Code (ORC) 3704.05(C).

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

Mr. Larry Jones
Liberty Casting Co.
Page -2-

Requested Action:

Ohio EPA requests that Liberty Casting Company submit a compliance plan and schedule to bring emission unit P038 into compliance with the PE limitation in PTI 01-01287 within forty-five (45) days of receipt of this letter. The plan should include a timeline that identifies when the facility will submit the necessary ITT forms and conduct the required performance tests.

Finding 2:

Liberty Castings Company failed to demonstrate compliance with the allowable hourly volatile organic compound (VOC) emission rate for emission unit P038.

According to the compliance demonstration report, the VOC emission rate was determined during the test to be 2.77 pounds per hour (as propane), which is above the allowable VOC emission rate of 0.02 pounds per hour contained in Part III.A.1.1 of Permit No. 01-01287.

Violation:

Failure to demonstrate compliance with the allowable VOC emission rate is a violation of the terms and conditions of Liberty Casting Company's effective permit No. 01-01287 (Part III.A.1.1).

Requested Action:

Ohio EPA requests that Liberty Casting Company submit a compliance plan and schedule within forty-five (45) days of receipt of this letter to bring emission unit P038 into compliance with the emissions limitations in PTI 01-01287. The plan should include the following:

1. an explanation of the factors that led to the exceedance of the allowable VOC emission rate of 0.02 pounds per hour; or if not immediately known, then a detailed explanation of the course of action that Liberty Castings Company plans to take to determine the cause of the exceedance, and
2. a detailed description of the measures the facility intends to take to address the cause of the exceedance.

Please note that Ohio Environmental Protection Agency has the authority to seek civil penalties as provided in section 3704.06 of the ORC. This letter or information submitted pursuant to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in the ORC. The decision on whether or not to seek such penalties will be made by Ohio Environmental Protection Agency at a later date.

Mr. Larry Jones
Liberty Casting Co.
Page -3-

If you have any questions, please contact Kelly Saavedra of my staff at (614) 728-3811.

Sincerely,



John McGreevy
Supervisor, Permits and Compliance
Division of Air Pollution Control
Central District Office

c: Kelly Saavedra, DAPC/CDO
John Paulian, DAPC/CO
Adam Ward, District Air Unit Manager, DAPC/CDO
e: John McGreevy, DAPC/CDO
Olen Ackman, DAPC/CDO