

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

Re: Erie County
Premise No. 032200003
Akzo Nobel Coatings, Inc.
Notice of Violation (NOV/non-HPV)

June 19, 2013

CERTIFIED MAIL

Mr. Dennis Allen
Americas HSES & Sustainability Manager
Akzo Nobel Industrial Coatings
300 Sprowl Road
Huron, Ohio USA 44839

Dear Mr. Allen:

As you are aware, the Division of Air Pollution Control (DAPC) requested missing quarterly deviation reports (3rd and 4th quarters 2012 and 1st quarter 2013) for the thermal oxidizer (TO) via email on April 30, 2013. The DAPC received the requested quarterly deviation reports and the 2012 Annual Emissions Summary Report on May 22, 2013 via Air Services. DAPC reviewed the reports submitted on May 23, 2013. On May 24, 2013, via email, DAPC requested the reports provided be revised for the following reasons:

- Inability to read reasons listed when the TO went off line on each monthly form provided;
- TO downtime due to a malfunction reported from November 18-21, 2012 was not reported in the 4th quarter 2012 deviation report; and
- The facility conducted stack tests on March 14 and 15, 2013 on the TO and the backup scrubber system, respectively. The monthly emission calculations should be revised for each report submitted utilizing the current stack test data collected.

The facility supplied the revised reports via email on June 6, 2013 and uploaded the revised reports to Air Services on June 11, 2013. As you are aware, results of the March 2013 stack testing of the TO and backup scrubber system are currently under review by our office and a formal response to the review of these tests has not yet been made. However, based on the results of this recent testing, the facility utilized the most recent stack test emission data of 0.89 lbs organic compounds (OC)/hour for the TO and 9.47 lbs OC/hour for the backup scrubber system, with no control efficiency, to recalculate monthly emissions. With the revision of the monthly emission calculations, the facility exceeded its annual OC emission limit of 2.32 tons OC/year, which is a violation of the Terms and Conditions of Permit to Install (PTI) 03-10744 issued June 27, 2002 and ORC §3704.05.

The facility submitted a letter dated June 6, 2013 via email which indicated that based on the performance of the backup scrubber system during the March 15, 2013 testing event, an internal investigation was conducted which discovered that the backup scrubber system had malfunctioned due to plugged nozzles and valves that were not operating properly.

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The facility anticipated completing repairs to the backup scrubber system on June 7, 2013 and conducting a one run retest of the backup scrubber system as soon as it can be coordinated with the Ohio EPA and the testing subcontractor.

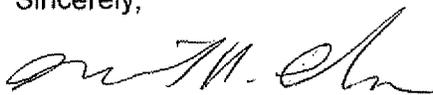
Ohio EPA is requesting that the facility submit a written response to this letter which includes at a minimum, a compliance plan outlining the revised maintenance plan for the scrubber system and a proposed schedule for the retesting of this system. The facility is required to submit this information by no later than **July 19, 2013**.

The facility has been working on the submittal of Permit to Install/Operate (PTIO) renewal applications. The stack tests were conducted as part of the preparation of the renewal permit application as well as compliance with the testing requirements of PTI 03-10744. As indicated, the facility will retest the backup scrubber since the system has been repaired and will provide a revised potential to emit analysis and any necessary amendments to the PTIO application based upon the results of the retest. In an email correspondence dated June 10, 2013, DAPC requested the PTIO renewal applications be submitted as soon as possible to start the review process. To date, these applications have not yet been received.

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.

Please feel free to contact this me at (419) 373-3069 or Miranda.Garlock@epa.ohio.gov if you have any questions or comments.

Sincerely,



Miranda R. Garlock
Environmental Specialist

/cg

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