



PHASE 0 AD-HOC BARCODE SHEET

11/9/2011 9:25 AM

Department:   
DAPC

Subdepartment:   
<NONE>

Office Location:   
NEDO

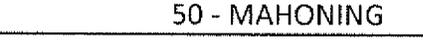
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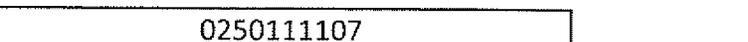
Doc Type:   
NOV

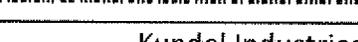
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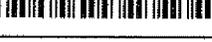
Program:   
<NONE>

County:   
50 - MAHONING

Facility ID:   
0250111107

Facility Name:   
(Optional) Kundel Industries, Inc. (Auto Load)

Date:   
11/9/2011

Record ID:   
(Optional)





**Environmental  
Protection Agency**

John Kasich, Governor  
Andrew D. Roser, Lt. Governor  
Michael R. Hall, Director

November 9, 2011

**CERTIFIED MAIL**

Mr. James J. Meehan  
Kundel Industries, Inc.  
3710 Hendricks Rd.  
Youngstown, Ohio 44515

**RE: NOTICE OF VIOLATION FOR PERMIT VIOLATIONS  
KUNDEL INDUSTRIES, INC.  
DAPC FACILITY ID # 02 50 11 1107**

Dear Mr. Meehan:

On October 25, 2011, an inspection of Kundel Industries, Inc. (Kundel) was performed to determine compliance with the facility's air pollution permit and with Ohio's air pollution control laws. The purpose of this letter is to provide a written follow-up to the inspection and to notify you that the facility is operating in violation of permit-to-install (PTI) #02-22968, issued April 22, 2008, and Ohio Revised Code (ORC) 3704.05(C).

**Current Issues**

Based upon the inspection and the subsequent submittal of daily records, the following items need to be addressed:

- 1) Per Part II, section A.1 of the PTI, the volatile organic compound (VOC) emissions shall not exceed 5.26 lbs/hr from all coatings used in the coating booth. Based on a review of the daily records submitted for 4/19/10 through 10/28/11, there were eight exceedences of the average hourly VOC emissions during this timeframe:

- 4/24/10 = 5.56 lbs VOC/hr
- 5/15/10 = 6.89 lbs VOC/hr
- 7/23/10 = 5.82 lbs VOC/hr
- 7/28/10 = 6.85 lbs VOC/hr
- 8/19/10 = 5.48 lbs VOC/hr
- 10/6/10 = 8.16 lbs VOC/hr
- 10/7/10 = 8.16 lbs VOC/hr
- 10/8/10 = 9.44 lbs VOC/hr

Since the allowable was based on an estimate of the hourly coating usage (1.5 gallons per hour) and the actual usage appears to be slightly higher (2.75 gallons per hour), the limit can be modified to a value more indicative of actual hourly production. This change can be made during the permitting of the booth at your new facility, as long as the move is made in a timely manner.

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- 2) Per Part II, section C.2 of the PTI, annual records of the coating and cleanup material usage and volatile organic compound (VOC) emissions from the coating booth are required. Please update your records to summarize this information. Please provide a copy of these completed annual records since issuance of the PTI. This information can be submitted electronically via e-mail or hard copy.
- 3) Per Part II, sections C.7 through C.11 of the PTI, the dry particulate filters on the spray booth are required to be inspected periodically and a comprehensive inspection shall be performed annually. Records of these inspections and the manufacturer's recommendations are also required. No records were available during the inspection. Please provide a copy of these completed records since issuance of the PTI. This information can be submitted electronically via e-mail or hard copy.
- 4) Per Part II, sections D.2 and D.3 of the PTI, an annual report specifying the total VOC emissions from the spray booth, along with a summary of any changes that have been made to the unit or stack, is required. No reports have been submitted. Please provide a copy of these completed annual reports since issuance of the PTI. This information can be submitted electronically via e-mail or hard copy.
- 5) Per Part II, section D.4 of the PTI, quarterly reports of any deviations from the dry particulate filter operation in the coating booth are required. No reports have been submitted. Please provide a copy of these completed quarterly reports since issuance of the PTI. This information can be submitted electronically via e-mail or hard copy.

Please submit the above-requested information **within 30 days of receipt** of this letter.

In addition to the air permit, your company appears to be subject to 40 CFR Part 63 Subpart XXXXXX, the National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Nine Metal Fabrication and Finishing Source Categories. This subpart applies to sources that perform welding and use materials that contain cadmium, chromium, lead, manganese or nickel. Since the material safety data sheet for your welding wire lists manganese as an ingredient, this rule may apply to your facility. The compliance date for this rule was July 25, 2011. Please review the standards and management practices for welding under section 63.11516(f), and the monitoring requirements under section 63.11517. Also, the Initial Notification per section 63.11519(a)(1) was due July 25, 2011, and the Notification of Compliance Status per section 63.11519(a)(2) is due November 22, 2011. In addition, an annual certification and compliance report per section 63.11519(b) and records per section 63.11519(c) are required. Since Ohio has not been delegated the authority for these regulations, the completed forms should be sent to the U.S.EPA's Region V office. See the attached forms which can be used for these notifications, and a list containing the mailing address.

#### **Past issues**

Kundel was issued a Notice of Violation on February 13, 2008, for failure to obtain a permit prior to installation of the spray booth, and also for the use of noncompliant coatings. In order to determine the usage rates of the noncompliant coatings, our office had requested in 2010

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that Kundel submit records of the coatings purchased from the startup of the booth. On May 14, 2010, Kundel submitted the purchasing records from the beginning of 2008 until April 2010, but never responded with the records prior to that date. Please submit any purchasing records that you have for the coatings that were used between installation of the booth in fall 2006 and the beginning of 2008. Please submit this information **within 30 days of receipt** of this letter.

The submission of the above information does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in Section 3704.06 of the Ohio Revised Code. The determination to pursue or decline such penalties in this case will be made by the Ohio EPA at a later date. Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. Failure to respond within the specified time frame can result in further enforcement action, up to and including a referral to Ohio EPA's Central Office.

**Conclusion**

Finally, please be reminded that a new permit will be needed for the spray booth prior to starting operation at the new location. Please allow approximately two months for processing of this permit. Should you have any questions regarding this matter, please feel free to contact me at (330) 963-1261.

Sincerely,



Jana L. Gannon  
Environmental Specialist  
Division of Air Pollution Control

JLG:bo

enclosures

ec: Ed Fasko, DAPC-NEDO

pc: Tim Fischer, DAPC, NEDO  
Tom Kalman, DAPC-CO  
Bob MacDowell, USEPA Region V

