



Environmental
Protection Agency

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

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CERTIFIED MAIL # 91 7108 2133 3392 1838 390

February 15, 2012

Tom McCormick
Wasserstrom Holdings, Incorporated
1305 Refugee Road
Columbus, OH 43207

Re: **Notice of Violation** based upon site visits and Voluntary Audit Disclosure

Dear Mr. McCormick:

Ohio EPA Central District Office (CDO) inspector Barbara Walker conducted inspections at Wasserstrom/Amtekco on March 29, 2011, and May 5, 2011.

Listed below are "Findings" based upon CDO observations and conversations with facility personnel. The findings are followed by "Violation(s)" (if applicable) and "Requested Action(s)" necessary to address stated findings and violations.

1. **Finding:** Unpermitted installation of air contaminant sources

CDO personnel observed the installation and operation of several coating and wood furniture manufacturing emission units. The N. Wasserstrom paint booth was installed and operational on January 1, 2001. The N. Wasserstrom wood furniture adhesive coating operations were installed and operational on January 1, 2005. No installation permit applications were submitted for these emission units until August 12, 2010.

Violations:

The installation of an air contaminant source without first obtaining a permit-to-install (PTI) is considered a violation of Ohio Administrative Code (OAC) 3745-31-02(A) which states:

"No person shall cause, permit, or allow the installation, or modification of any new source ... without first obtaining a permit-to-install from the director."

Violation of OAC 3745-31-02 is also considered a violation of Ohio Revised Code (ORC) 3704.05(G), which states:

"No person shall violate any order, rule, or determination of the director issued, adopted, or made under this chapter."

Action Performed:

Wasserstrom/Amtekco submitted a permit-to-install and operate (PTIO) application on June 15, 2011, including all emission units located at the facility. Upon issuance of a final permit, the violations will be resolved.

2. **Finding:** Operation of a Title V facility

Prior to the installation of Amtekco emission units in 2006, the potential to emit of volatile organic compounds (VOCs) from the N. Wasserstrom plant was approximately 60 tons per year. In 2006, Amtekco emission units R001 and R002 were installed and issued a permit with allowable VOC emissions of 54.75 tons per year. Therefore, Wasserstrom and Amtekco combined had potential VOC emissions of 114.59 tons per year. In addition, the facility-wide potential to emit exceeded 47 tons per year for individual HAP (toluene) and 58 tons per year of combined HAPs. The combined facility-wide potential to emit exceeded Title V thresholds for VOC, single HAP, and combined HAPs. No Title V permit-to-operate application was submitted.

Wasserstrom/Amtekco submitted a PTIO application to Ohio EPA on June 15, 2011, requesting allowable emissions of 15 tons per year of particulate matter 10 microns in diameter or less (PM10), 144 tons per year of volatile organic compounds (VOCs), 61 tons per year of individual HAP, and 63 tons per year of combine HAPs. As part of the application process, updated potential to emit and allowable emission limitations were submitted to Ohio EPA via e-mail on September 23, 2011, requesting approximately 12 tons per year of PM10, 218 tons per year of VOC, 48 tons per year of individual HAP, and 58 tons per year of combined HAPs.

Due to the significant requested increase in VOC, individual HAP and combine HAPs emissions requested in the PTIO application, on January 31, 2012, CDO requested that a best available technology (BAT) study be performed by Wasserstrom/Amtekco in accordance with Engineering Guide #46. The BAT study should evaluate the cost-effectiveness of VOC control equipment.

Violations:

Wasserstrom/Amtekco does not have the authority to operate under Ohio Administrative Code (OAC) 3745-77-02(A) and OAC 3745-77-04(D). OAC 3745-77-02(A) states:

"the owner or operator of a Title V source shall not operate such source after the date that a timely and complete Title V permit application is required to be submitted."

OAC 3745-77-04(B)(1) requires facilities to submit an application within "twelve (12) months after the source becomes subject to the Title V permit program." Wasserstrom/Amtekco was required to submit a Title V permit application no later than February 1, 2007.

Violations OAC 3745-77-02 and OAC 3745-77-04 are also considered a violation of Ohio Revised Code (ORC) 3704.05(G).

Requested Actions:

The updated June 15, 2011, PTIO application requesting approximately 12 tons per year of PM10, 218 tons per year of VOC, 48 tons per year of individual HAP, and 58 tons per year of combined HAPs is currently being evaluated by CDO staff.

Please submit the BAT study, as requested on January 31, 2012, within sixty (60) days of receipt of this letter.

3. **Finding:** MACT applicability

The combined facility-wide potential to emit for an individual HAP (toluene) is 47.81 tons per year and combined HAP is 58.15 tons per year, which both exceed major thresholds. According to 40 CFR 63.4881 (b) a facility is considered a major source of HAP emissions if it emits or has the potential to emit 10 tons per year of any individual HAP or 25 tons per year of total HAP. Based upon Wasserstrom/Amtekco's status as a major source and onsite operations, the facility is subject to the metal furniture MACT (40 CFR Part 63, Subpart RRRR) and wood furniture MACT (40 CFR Part 63, Subpart JJ). Initial notifications for each of these MACT rules were due on January 1, 2005, due to the beginning of operation of the wood furniture adhesive coating spray guns at N. Wasserstrom. Wasserstrom/Amtekco submitted the initial notification of compliance with the wood furniture and metal furniture MACTs on October 7, 2011.

Violations:

Operation of the wood furniture manufacturing and metal furniture manufacturing emission units without complying with the regulations is a violation of Part 40 Code of Federal Regulations Part 63.4 which states:

"No owner or operator subject to the provisions of this part must operate any affected source in violation of the requirements of this part. ... No owner or operator subject to the provisions of this part shall fail to keep records, notify, report, or revise reports as required under this part."

Requested Actions:

Please submit detailed information regarding steps taken to bring Wasserstrom/Amtekco into compliance with the wood furniture MACT and the metal furniture MACT. In addition, CDO requests Wasserstrom/Amtekco list the differences in all coatings and operations both before and after changes were made to comply with the MACT rules. Also, please specify any remaining non-compliance issues along with a compliance plan and schedule identifying when compliance will be achieved. Please submit this information within sixty (60) days of receipt of this letter.

Tom McCormick
Wasserstrom Holdings, Incorporated
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Additional Information

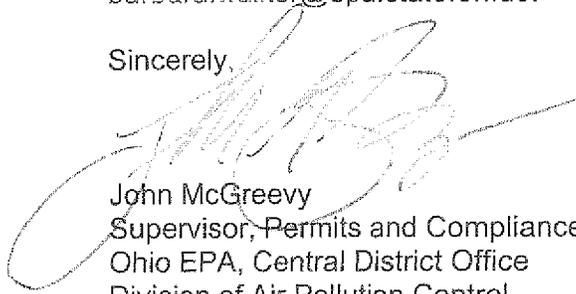
Wasserstrom/Amtekco is a Title V (TV) facility. All TV facilities are required to submit permit applications and certain reports via the eBusiness Center: Air Services, which is accessed through the eBusiness Center. The eBusiness Center may be reached from the Ohio EPA home page at www.epa.state.oh.us or directly at ebiz.epa.ohio.gov.

If at some time in the future this facility plans to install additional air contaminant sources or modify an existing air contaminant source, please contact Ohio EPA, Central District Office to obtain the appropriate forms and discuss the applicability of any rules in question. Ohio EPA endeavors to process all applications in an expeditious manner.

Please note that the Ohio EPA has the authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code (ORC). This letter or information 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 the Ohio EPA at a later date.

If you have any questions, please contact Barbara Walker of my staff at (614) 728-3805 or barbara.walker@epa.state.oh.us.

Sincerely,



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

c: Adam Ward, Manager, CDO/DAPC
Kelly Toth, CDO/DAPC
Barbara Walker, CDO/DAPC
John Paulian, CO/DAPC

e: John McGreevy, CDO/DAPC

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