



**Environmental  
Protection Agency**

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

Re: Erie County  
Akro-Mils  
Premise No. 0322020271  
Notice of Violation (NOV/non-HPV)

June 14, 2012

**CERTIFIED MAIL**

Mr. Ty Shirley, Plant Manager  
Akro-Mils  
4101 Venice Road  
Sandusky, Ohio 44870

Dear Mr. Shirley:

This letter shall serve as a follow-up to the inspection conducted on May 30, 2012, of Akro-Mils by Miranda Garlock and Mohammad Smidi of the Division of Air Pollution Control. Because a review of the facility files indicated that no annual compliance report had been received from Akro-Mils since 2006, the Ohio EPA, DAPC conducted an unannounced inspection.

Based upon our inspection of the facility and our discussion with you on May 30, 2012, the following was noted:

1. Akro-Mils no longer utilizes previously permitted emission units K001 (east hand paint spray booth with dry filtration) or K002 (west hand paint spray booth with dry filtration). According to you, these emission units were removed in approximately 2006 and were replaced by one electrostatic powder coating line with an associated burn off oven.
  - a. The Ohio EPA requests the approximate shutdown dates of the former emission units K001 and K002. These shutdown dates will be reflected in the facility profile and the current Permit to Install (PTI) 03-13919 associated with these emission units will be revoked.
  - b. Because the former emission units were permanently shutdown in 2006, the former reporting obligations associated with these units under PTI 03-13919 would not apply; therefore, the facility would not be required to provide annual compliance reports after the removal date of the emission units.

- c. It is our understanding that the facility had a third party (ERM) conduct an Air Emission Source Inventory for Akro-Mils which is documented in a report dated May 5, 2009. This report provides calculations that indicate emissions from the current electrostatic powder coating line are de minimis (or less than 10 lbs./day). In accordance with OAC 3745-15-05, the Ohio EPA requests that emission calculations for this powder coating line be supplied. It is assumed Akro-Mils could provide a copy of the May 2009 report which would satisfy this request.

As a requirement of OAC 3745-15-05(E), the "de minimis" exemption discussed above, would require Akro-Mils to maintain records that show that emissions of any air contaminant from the source did not exceed ten pounds per day on each day the source emitted air contaminants, and that the source in any one year did not emit more than one ton of hazardous air pollutants as defined in division (1) of section 3704.03 of the Revised Code, and that the emissions from the source, in combination with similar air contaminant from the facility did not result in excess of 25 tons during the preceding calendar year.

2. During the site visit on May 30, 2012, one additional emission unit, the burn off oven (PCP model #PRC 240 5322), was identified. After review of the facility's files, this emission unit is not currently permitted. Information supplied by Akro-Mils on this unit, indicates that the unit was installed in 2006. Emissions from burn off ovens are not exempt from permitting under OAC 3745-31-03; therefore, the Ohio EPA considers this to be a permissible emission unit.

The installation and operation of this emission unit prior to obtaining a Permit is a violation of OAC rule 3745-31-02 and Ohio Revised Code 3704.03. Therefore, Akro-Mils is required to submit a Permit to Install/Operate (PTIO) application, emissions Activity Category (EAC) form, a process flow diagram, and emission calculations for this emissions unit in order to correct this administrative violation. This application will be treated as an initial installation and will be assessed applicable fees. A permit application and EAC form can be downloaded from the following link on Ohio EPA's website:  
<http://www.epa.ohio.gov/dapc/fops/eacforms.aspx>.

Please note that the Ohio EPA has an Office of Compliance Assistance and Pollution Prevention (OCAPP) that may be able to assist you in coming into compliance with the rules and regulations of DAPC. Additional information about this office can be found at <http://www.epa.ohio.gov/ocapp> or by calling OCAPP at 1-800-329-7518.

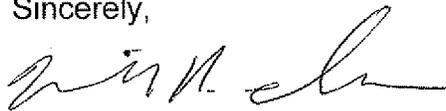
Mr. Ty Shirley, Plant Manager  
June 14, 2012  
Page 3

The OCAPP representative at the Northwest District Office is Mr. Ron Nabors and he can be reached at (419) 373-3147 or at [ron.nabors@epa.state.oh.us](mailto:ron.nabors@epa.state.oh.us).

Akro-Mils is required to submit the information detailed above no later than July 16, 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 Section 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.

Should you have any questions or comments concerning this letter, please feel free to contact me at (419) 373-3069 or electronically at [Miranda.Garlock@epa.ohio.gov](mailto:Miranda.Garlock@epa.ohio.gov).

Sincerely,



Miranda R. Garlock  
Division of Air Pollution Control

/llr

pc: DAPC-NWDO File  
Certified Mail Receipt Number 7009 1410 0001 1834 3488

ec: Miranda Garlock, NWDO, DAPC  
Mohammad Smidi, NWDO, DAPC  
Jennifer Jolliff, NWDO, DAPC  
Bruce Weinberg, CO, DAPC  
William MacDowell, US EPA, Region 5