

**AKRON REGIONAL
AIR QUALITY MANAGEMENT DISTRICT**

*Division of the Summit County
Age and Summit Counties*

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August 29, 2012

CERTIFIED MAIL

Lad Hudac
FBC Chemical Corp.
P.O. Box 599
Mars, PA 16046

**Re: NOTICE OF VIOLATION: 2012 Full Compliance Evaluation
Facility ID: 1652050190; Facility Address: 900 W. Smith Rd., Medina, OH 44256**

Dear Lad Hudac:

On August 22, 2012 the Akron Regional Air Quality Management District (ARAQMD) conducted a Full Compliance Evaluation (FCE) of the FBC Chemical facility located in Medina, Ohio. The purpose of the site visit was to evaluate compliance with the terms and conditions of the facility's air permits along with state and federal rules and regulations. I would like to thank you for your cooperation during the inspection.

Compliance was assessed based upon an examination of each non-insignificant emissions unit at the facility, a review of the monitoring and record keeping files maintained at the facility, and a review of the reports filed with Ohio EPA. Below is a summary of the inspection findings, violations (if any), and action items that need to be addressed.

Finding #1:

Monthly records of chemical throughput and volatile organic compound (VOC) emissions were not maintained for emissions units J001 (Truck Loading Rack), J002 (Drum Loading Rack), and T001 (Tank T-18). Monthly records were also not maintained for total VOC emissions from all chemicals used at the facility, and the rolling, 12-month summation of the facility-wide VOC emissions.

Violation #1:

The permittee did not perform monthly record keeping in accordance with Part II.C. of federally enforceable state operating permit (FESOP) #P0101755.

Finding #2:

The amounts of chemicals used (as identified on annual fee emission reports and calculations provided during the inspection) exceeded the synthetic minor annual chemical throughput restrictions for emissions units J001, J002, and T001.

Violation #2:

The permittee did not comply with the annual chemical throughput operational restrictions listed in Part II.B. of FESOP #P0101755.

Finding #3:

Quarterly deviation reports did not identify actual exceedances of the annual chemical throughput operating restrictions for emissions units J001, J002, and T001.

Violation #3:

The permittee did not perform quarterly reporting in accordance with Part II.D. of FESOP #P0101755.

Violations of the terms and conditions of an issued permit are also considered violations of Ohio Revised Code (ORC) 3704.05(C), which states: "*No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions.*"

Requested Action:

The permittee shall submit a compliance plan to address the record keeping, operational restriction, and reporting violations identified above. The compliance plan shall be submitted to the ARAQMD no later than October 5, 2012. It shall include milestones with projected dates for completion of monthly records of chemical throughput and VOC emissions for the past four years (on an individual emissions unit and facility-wide basis). In addition, an updated synthetic minor strategy with potential to emit calculations using the facility's current chemical inventory and maximum annual chemical throughput is expected with the permit renewal application due by September 28, 2012.

Please note this determination is based upon a site visit and preliminary review of available records. It does not preclude Ohio EPA's authority from seeking civil penalties pursuant to ORC section 3704.06 for these violations. The decision on whether to pursue or decline to pursue such penalties regarding this matter is dependent on several factors, one of which is the company's future compliance with applicable Ohio EPA requirements.

If you have any questions concerning this letter or the enclosed report, please contact me at 330-812-3954 or email: kkanoza@schd.org.

Sincerely,



Kelly Kanoza

Enc: Ohio EPA/DAPC - Facility Inspection Forms

Cc: Bruce Weinberg, DAPC
John Paulian, DAPC
Bryan Zima, Legal Office