

**AKRON REGIONAL
AIR QUALITY MANAGEMENT DISTRICT**

*Agent of the Ohio Environmental Protection Agency • Division of the Akron Health Department
Serving Medina, Portage and Summit Counties*

TELEPHONE: (330) 375-2480
FAX: (330) 375-2402

L. M. Malcolm, P.E.
Administrator

January 23, 2009

CERTIFIED MAIL
High Priority Violator
Criterion 7

Mr. Darryl Vaci
3M - Medina
1030 Lake Road
Medina, OH 44256

Dear Mr. Vaci:

RE: NOTICE OF VIOLATION

I must inform you that 3M Medina has been operating emissions units K001 and K005 in violation of section 63.3350(e)(9)(i) of 40 CFR Part 63, subpart JJJJ which requires you to install, calibrate, maintain, and operate temperature monitoring equipment according to the manufacturer's specifications. The calibration of the chart recorder, data logger, or temperature indicator must be verified every 3 months or the chart recorder, data logger, or temperature indicator must be replaced. You must replace the equipment whether you choose not to perform the calibration or the equipment cannot be calibrated properly.

Referring to your October 30, 2008 response to the facility inspection follow-up letter, you stated the thermocouples cannot be calibrated. Should this be the case, the thermocouple would then have to be replaced every 3 months. Currently, you are only replacing the thermocouple on an annual basis. Also, from a December 15, 2008 e-mail from Diane deJolsvay, it appears that the data logger and chart recorder are not being calibrated.

Accurate temperature monitoring is essential to ensure that the oxidizer is operated at the same efficiency as demonstrated during the performance test. If temperature monitoring equipment is not calibrated periodically, it is impossible to ensure continuous compliance with the standard.

Should you wish to monitor an alternative parameter for the oxidizer, then you must apply for and receive approval of an alternative monitoring method under section 63.8(f) of 40 CFR Part 63, Subpart A. Through this procedure, you have the option of selecting monitoring appropriate to your specific facility that is the most efficient for your needs while still assuring that continuous compliance is maintained. Until the approval for the alternative monitoring is granted, you must still comply with 40 CFR Part 63, Subpart JJJJ.

CITICENTER - SUITE 904

146 SOUTH HIGH STREET • AKRON, OHIO 44308

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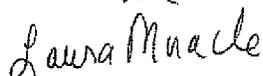
Regarding emissions units K002, K003, and K004, it is not clear what method from the table in section 63.3370(a) of 40 CFR Part 63, Subpart JJJJ is being used to show compliance with section 63.3320(b) of 40 CFR Part 63, Subpart JJJJ. From the facility inspection on August 27, 2008 and September 3, 2008, it appeared that 3M Medina was complying with section 63.3320(b)(2)(iv) of 40 CFR Part 63, Subpart JJJJ which requires a monthly calculation to determine the monthly average organic hazardous air pollutant (HAP) content of all coating materials as-applied is less than the mass fraction of coating solids limit in section 63.3320(b)(3) of 40 CFR Part 63, Subpart JJJJ.

According to the records reviewed at the facility, it appears that the agent-foaming agents, crosslinkers, thickeners, and surfactants are not included in the calculation for the monthly average as-applied organic HAP content. Section 63.3310 of 40 CFR Part 63, Subpart JJJJ defines "coating materials" to mean all inks, varnishes, adhesives, primers, solvents, reducers, and other coating materials applied to a substrate via a web coating line. Materials used to form a substrate are not considered coating materials. All coating material must be included in the monthly calculations as required by section 63.3370(c)(4) of 40 CFR Part 63, Subpart JJJJ. It appears that 3M Medina may be operating emissions units K002, K003, and K004 in violation of section 63.3370(c)(4) of 40 CFR Part 63, Subpart JJJJ.

Please submit a complete compliance plan and time schedule to this agency within fourteen (14) days of the date of receipt of this letter, to bring all of the emissions units mentioned above into compliance and/or submitted a copy of the Director's letter from US EPA stating that your alternative monitoring has been approved. The plan and schedule must contain specific steps that either are or will be taken to bring these sources into compliance along with their corresponding deadlines or milestone dates. If you need additional time, please notify this agency in writing.

The submission of the requested compliance plan and time schedule does not constitute a waiver of either Ohio EPA or US EPA's authority to seek penalties in this matter. The decision to pursue, or decline to pursue, additional enforcement action in this case will be made at a later date.

Sincerely,



Laura Miracle
Air Quality Engineer

cc: Ms. Lisa Holscher - US EPA
Mr. Tom Kalman - Ohio EPA