



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*

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L. M. Malcolm, P.E.
Administrator

March 1, 2011

CERTIFIED MAIL

Mr. Alan Sampson
OMNOVA Solutions Inc.
165 South Cleveland Avenue
Mogadore, OH 44260

Dear Mr. Sampson:

RE: NOTICE OF VIOLATION

This is in follow-up to my compliance evaluation conducted on Thursday, February 17, 2011 at your Mogadore, Ohio facility (1667000007) and is intended to summarize findings regarding the general compliance status of your facility with applicable air pollution control requirements. I would like to thank you for your cooperation during my visit to your facility.

I must advise you that OMNOVA Solutions Inc. has been and is still operating emissions units P004, P013, P014, P101, P103, P105, P106, P110, P115 and the facility in violation of Permit to Install and Operate (PTIO) P0101911 and Ohio Administrative Code (OAC) rule 3745-31-05 and emissions units B022, B023, and B024 in violation of OAC rule 3745-31-03(A)(4)(b)(i).

PTIO P0101911 and OAC rule 3745-31-05 requires the permittee to properly install, operate, and maintain a continuous temperature monitor and recorder that measures and records the combustion temperature within the thermal oxidizer when the emissions unit(s) is/are in operation. From April 27, 2009 until April 20, 2010, the combustion temperature was not recorded because the chart recorder was inoperable for emissions units P004, P013, P014, P101, P103, P105, P106, P110, and P115. This constitutes a violation of OAC rule 3745-31-05 and Section C – Emission Unit Terms and Conditions 1.d)(2) and 2.d)(2) of PTIO P0101911. This record keeping deviation was also not reported in the 2009 and 2010 Annual Permit Evaluation Reports (PERs).

PTIO P0101911 and OAC rule 3745-31-05(D) requires the permittee to operate and maintain equipment to continuously monitor and record organic compound (OC) emission from the thermal oxidizer in units of the applicable standard. Such continuous monitoring and record keeping equipment shall comply with the requirements in 40 CFR Part 60.13. The continuous monitoring system, which includes the flow monitoring equipment, shall maintain a minimum 95 percent data capture efficiency. The 2nd and 3rd quarter excess emissions reports (EERs) for 2009 and the 1st, 3rd, and 4th quarter EERs for 2010 for emissions units P004, P013, P014, P101, P103, P105, P106, P110, and P115 indicated that the continuous emissions monitoring

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Mr. Alan Sampson
March 1, 2011
Page 2

system (CEMS) for organic compounds (OC) captured less than the 95 percent of the emission data. This constitutes a violation of OAC rule 3745-31-05(D) and Section C – Emission Unit Terms and Conditions 1.d)(4) and 2.d)(4) of PTIO P0101911.

PTIO P0101911 and OAC rule 3745-31-05 requires a log (date and total time) of the downtime and bypass of the capture (collection) system and the thermal oxidizer, and/or the downtime of the monitoring equipment, when the associated emissions unit(s) was/were in operation. The downtime of the strip chart temperature recorder for the combustion temperature was not logged for emissions units P004, P013, P014, P101, P103, P105, P106, P110, and P115. This constitutes a violation of OAC rule 3745-31-05 and Section C – Emission Unit Terms and Conditions 1.d)(2)b and 2.d)(2)b of PTIO P0101911. This record keeping deviation was not reported in the 2009 and 2010 Annual PERs.

PTIO P0101911 and OAC rule 3745-31-05(D) requires to permittee to maintain monthly records of the total facility emissions for each hazardous air pollutant (HAP) and combined HAPs. The permittee also is required to maintain monthly records of the rolling, 12-month summation of the total facility emissions for each individual HAP and combined HAPs. The permittee is only calculating and maintaining the HAP emissions on an annual basis. The permittee is also not maintaining the rolling, 12-month summations of the monthly emissions. This constitutes a violation of OAC rule 3745-31-05(D) and Section C – Emission Unit Terms and Conditions 1.d)(8) and 2.d)(8) of PTIO P0101911. These record keeping deviations were not reported in the 2009 and 2010 Annual PERs.

PTIO P0101911 and OAC rule 3745-31-05(A)(3) requires the following information be recorded in the leak repair log when a leak is detected: the identification number or the leaking equipment, the basis for detection of the leak, the date on which the leak was detected and the date of each attempt to repair the leaking equipment, the method of repair applied in each attempt to repair the leaking equipment, and one of the following entries within five working day after each attempt to repair the leaking equipment: "not monitored" or the maximum concentration that was measured, in ppm. On March 29, 2010 and November 29, 2010, a leaking valve was found for emissions unit P004 but the above required record keeping was not done. This constitutes a violation of OAC rule 3745-31-05(A)(3) and Section C – Emission Unit Term and Condition 1.d)(7)b of PTIO P0101911. These record keeping deviations were not reported in the 2010 Annual PER.

OAC rule 3745-31-03(A)(4)(b)(i) requires monthly records that contain the rolling, 12-month hours of operation. The rolling, 12-month hours of operation is not being recorded for emissions units B022, B023, and B024. This constitutes a violation of OAC rule 3745-31-03(A)(4)(b)(i). If you do not maintain the above-required records for each emissions unit, the Permit by Rule (PBR) exemption for these emissions units may be revoked thereby requiring you to apply for and obtain a PTIO for emissions units B022, B023, and B024.

For several emissions units, the installation dates in the Facility Profile – Emissions Unit Information of Stars 2 does not match what is in the hard copy files. For emissions units P101, P103, P105, T006, T007, T009, and T011, the installation date is June 1, 1974 in the Facility

Mr. Alan Sampson
March 1, 2011
Page 3

Profile. If these emissions units were installed on the above-mentioned date, you would need to apply and obtain a PTIO for the installation of the above-mentioned emissions units. Additionally, emissions units T015 and T020 installation dates in the Facility Profile do not match what is in the hard copy file. Please verify the installation dates for emissions units P101, P103, P105, T006, T007, T009, T011, T015, and T020 and make in changes necessary to the Facility Profile in Air Services.

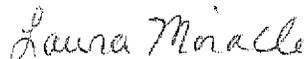
During the inspection, there were several emissions units that the facility considers exempt from permitting. I believe that the two high pressure water jetting units that are powered by diesel engines may not meet OAC rule 3745-15-05 exemption based on their combined potentials to emit. Please verify that these emissions units met the exemption. For any other emissions unit that you consider exempt from permitting, please make sure that you have the exemption rule citation and documentation that the emissions units meet the exemption including if necessary detailed calculations.

No later than fourteen (14 days) from the receipt of this letter, please submit a complete compliance plan and time schedule to this agency to bring the emissions units B022, B023, B024, P004, P013, P014, P101, P103, P105, P106, P110, P115, and the facility into compliance with the regulations and permit requirements. The plan and schedule must contain specific steps that either are or will be taken to bring this facility 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 compliance plan and time schedule does not constitute a waiver of the authority of either the Ohio EPA or US EPA 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.

If you have any questions, please contact me at (330)375-2480 extension 4239.

Sincerely,



Laura Miracle
Air Quality Engineer II

c: Mr. Tom Kalman - Ohio EPA, DAPC