Ohio | Environmental Protection Agency

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

February 8, 2011

Certified Mail 7009 1410 0001 1839 9713

Mr. Tim Schuette
Operations Manager
Alpha Coatings, Inc.
622 South Corporate Drive
Fostoria, Ohio 44830

Re: Notice of Violation (NOV)/Non-HPV

Dear Mr. Schuette:

This letter shall serve as follow-up to the information that was submitted by Alpha Coatings, Inc. (herein referred to as ACI) consultant, Dine Comply, Inc., in response to the August 9, 2010, post-inspection letter.

After having reviewed the information submitted, it has been determined that ACI is currently in violation of several terms and conditions of various permits that have been issued to the company. This conclusion is based upon the following findings:

1. ACI was issued a Permit to Install (PTI) #03-17121 issued final on June 5, 2003, (and modified March 13, 2007) that required stack testing of emission units P002, P003, P005 and P006 within 180 days after start-up. In a letter to ACI dated April 1, 2004, this testing was delayed due to production levels. This testing has yet to be completed and the requirements have not been satisfied. In the post-inspection letter, a compliance plan and schedule were required for submittal to bring ACI into compliance with the testing requirement, yet no information was submitted. Therefore, ACI is in violation of not conducting testing in compliance with PTI #03-17121 and Ohio Revised Code (ORC) 3704.05.

2. During the inspection, toluene-filled cans (called plungers) were seen being used on a number of lines. After having reviewed the information submitted regarding the plunger usage, it is apparent that the use of this cleanup solvent is a violation of the operational restrictions in PTI #03-1721, PTI #03-17388 and Permit to Install and Operate (PTIO) P0104078 and ORC 3704.05.

3. The Permit Evaluation Report (PER) that is required by PTIO P0104078 and issued final on January 27, 2009, did not report any violations of the operating restrictions and emission limitations. This report was submitted on January 20, 2010, for calendar year 2009. However, based on the information in #2, the prohibition of using cleanup operations that are not photochemically reactive materials was violated. Therefore, this report will need to be resubmitted as well as any subsequent report that contains this error.

ACI is required to submit a formal response to the violations noted above, including, but not limited to a compliance plan for stack testing emissions units P002, P003, P005 and P006, and a revised 2009 PER, by no later than March 11, 2011. The submission of information to respond to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties pursuant to ORC section 3704.06. The Ohio EPA will make the decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

If you have any questions regarding this letter, you may contact me at (419) 373-3118 or by e-mail at mohammad.smidi@epa.state.oh.us.

Sincerely,

Mohammad Smidi
Environmental Specialist
Division of Air Pollution Control

/cs

ec: Andrea Odendahl, DAPC-NWDO
Ed Cortez, Alpha Coatins
Jennifer Jolliff, DAPC-NWDO
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Tim Schuette, Alpha Coatings
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pc: DAPC-NWDO Facility File