

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

March 28, 2013

CERTIFIED MAIL

Mr. Dennis DeLaat
Operations Manager
RMC USA, INC.
149 S. Cucumber St., PO Box 127
Jefferson, OH 44047

RE: RESOLUTION OF VIOLATION - Emission Limitation Exceedences, Failure to Report
Deviations
Facility ID: 0204000423
Facility: RMC USA, INC.
Location: Ashtabula County

Dear Mr. DeLaat

This letter is in response to the Notice of Violation (NOV) issued to the above referenced facility on January 28, 2013. In the NOV, a compliance plan and schedule for achieving compliance was requested from the facility. The subsequent plan was received on February 13, 2013 and the appropriate steps were taken to bring the source(s) into compliance. The following information summarizes the violations cited, and the resolution of each.

- Violation: Emissions unit P902, Acetone Cold Cleaning, exceeded the monthly acetone emission limitation of 2,667 pounds per month for June 2012.
 - a) Facility resolution statement received by this office on 2/13/13: *"Acetone Cold Cleaning exceed 2667 monthly limits in June of 2012. Please note that this information was presented on a hand written inventory sheet with a cumulative total of 3333# in June with no entry for April and May. This number is for the quarter use and not a single month. Therefore, there is no exceedence during this quarter/month of June 2012."*
 - b) Upon review of the revised acetone usage attachment provided by the facility, it appears that 1648 pounds of acetone was used and an exceedence did not occur.
- Violation: Emissions unit R010, paint booth, exceeded the OC emission limitation of 6.0 pounds per hour on 5/22/12 and 5/31/12.
 - a) Facility resolution statement received by this office on 2/13/13: *"Emission unit R010 exceeded the OC emission levels of 6# per hour on 5/22/12 and 5/13/12. These emissions paint OC do not exceed the 6# per hour limits. You are looking at the total OC column which includes the acetone which was required prior to the permitting of P902 clean-up acetone use, OC from paint use is compliant; therefore, there is no exceedence."*

- b) Upon review of the attachment and revised pounds per hour calculations provided by the facility, it appears that there are no exceedences of the emission limitation.
- Violation: Emissions unit R011, paint booth, exceeded the OC emission limitation of 9.1 pounds per hour on 9/13/12.
 - a) Facility resolution statement received by this office on 2/13/13: "R011 on 9/13/12 exceeds the OC emissions of 9.1# per hour. We must apologize for a data entry error on this date. It appears that the solvent content was entered as 42.6 #/gal and not the correct weight 4.26 #/gal. Therefore there is no exceedence."
 - b) Upon review of the attachment and revised pounds per hour calculations provided by the facility, it appears that there are no exceedences of the emission limitation.
 - Violation: Emissions unit R019, Gelcoat spray booth (stage 1), exceeded the OC emission limitation of 32.44 pounds per day on 5/23/12, 5/24/12, 5/29/12, 6/4/12, 6/13/12, 6/20/12, 6/27/12, 7/2/12, 7/3/12, 7/11/12, 7/12/12, 7/16/12, 8/30/12, 9/4/12, 9/7/12, 9/17/12, 9/19/12, 10/1/12, 10/8/12, 10/11/12, 10/15/12, 10/16/12, 10/17/12, 10/18/12, 10/30/12, 11/5/12, 11/6/12, 11/7/12, 11/8/12, 11/12/12, 11/13/12, 11/16/12, 11/26/12, 11/27/12, 11/28/12, 11/29/12, and 11/30/12.
 - a) Facility resolution statement received by this office on 2/13/13: "Emission unit R019 gel coat spray booth exceeded 32.44 # styrene emissions per day. I have re-examined the work sheets given you for R019 and under the column styrene emissions find several exceedences of 32.44 #/day. However as a point of confusion under 2f 1b the emission limitations shall not exceed 40# per day for each photochemical reactive material employed at each emission unit. This does not include clean-up material since 2G2 OC emissions from clean-up is attributed to unit P902. The annual data report accurately reports the styrene emissions for the P019 emission unit. The basis for this reporting is the 40 #/day threshold for styrene a photochemical reactive material. NOTE: it appears that 2b2b of the permit voids the per hour restrictions but does not specify daily emissions. However we must conclude that the more restrictive emissions limitations pertain which are more restrictive than the previous 3745-21-07 G2 and 3745-21-25. See corrective action plan."
 - b) Corrective action plan provided by the facility and received by this office on 2/13/13 indicates the following: "Beginning Jan. 1, 2013 RMC will comply with the 32.44 # OC emissions/day or less at R019. This will be accomplished by using to a greater extent the emission units R020 stage 2, R021 stage 3 and R022 stage 4. These emission units were not used previously to their maximum capabilities. RMC will comply with the permit rule 2B2d at each of these emission units."

This compliance plan and schedule satisfies the associated NOV requirement.

MR. DENNIS DELAAT
MARCH 28, 2013
PAGE 3

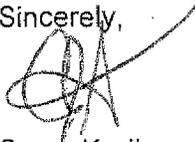
- Failure to report these emission limitation exceedences is in violation of OAC rule 3745- 15-06 and OAC rule 3745-77-07(A)(3)(c). In addition, any violation of a term and condition of any Title V permit issued by the Ohio EPA is also a violation of the Ohio Revised Code (ORC) 3704.05(J)(2).
- a) The facility submitted the following reports on 2/13/13:
- i. Title V Deviation Report Q4 10/1/12 - 12/31/12 – Due 1/31/13, Second half 7/1/12-12/31/12 Due 1/31/13 - Revision 1;
 - ii. Title V Deviation Report Q3 7/1/12 - 9/30/12 - Due 10/31/12 - Revision 1; and
 - iii. Title V Deviation Report Q2 4/1/12 - 6/30/12 - Due 7/31/12, First half 1/1/12 - 6/30/12 - Due 7/31/12 - Revision 1.

The submittal of the above referenced reports satisfies the associated NOV requirement.

With the corrective actions taken to bring the source(s) into compliance as indicated above, the referenced violations are considered resolved. Please note, however, that this 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.

Should you have any questions pertaining to the information presented in this letter, please contact me at (330) 963-1216 or corey.kurjian@epa.ohio.gov.

Sincerely,



Corey Kurjian
Environmental Specialist
Division of Air Pollution Control
Northeast District Office

CK:bo

ec: Tim Fischer, DAPC-NEDO
Bruce Weinberg, DAPC-CO
Brian Dickens, U.S.EPA, Region V