

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

----- X
In the Matter of :
 :
ACuPowder International, LLC :
 :
Respondent :
 :
Proceeding under Section 325(c) of Title III :
of the Superfund Amendments and Reauthorization :
Act and Section 16(a) of the Toxic Substances Control Act. :
----- X

CONSENT AGREEMENT
AND
FINAL ORDER

DOCKET NUMBERS:
EPCRA-02-2012-4102
TSCA-02-2012-0142

APR 14 2012
REGIONAL HEARING
CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II

PRELIMINARY STATEMENT

This administrative proceeding for the assessment of a civil penalty was instituted pursuant to Section 325(c) of Title III of the Superfund Amendments and Reauthorization Act, 42 U.S.C. §11001 et seq. [also known as the Emergency Planning and Community Right-to-Know Act of 1986 (hereinafter, "EPCRA")] and Section 16(a) of the Toxic Substances Control Act ("TSCA"), 15 U.S.C. § 2615(a). The "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Etc." (40 C.F.R. Part 22 (July 1, 2000)) provide in 40 C.F.R. § 22.13(b) that when the parties agree to settle one or more causes of action before the filing of an Administrative Complaint, a proceeding may be simultaneously commenced and concluded by the issuance of a Consent Agreement and Final Order pursuant to 40 C.F.R. §§ 22.18(b)(2) and (3).

The Director of the Division of Enforcement and Compliance Assistance of the United States Environmental Protection Agency, Region 2, ("EPA or Complainant") alleges that ACuPowder International, LLC ("ACuPowder or Respondent"), located at 901 Lehigh Avenue in Union, New Jersey 07083-7632, violated the requirements of Section 313 of EPCRA (42 U.S.C. § 11023) and the regulations promulgated pursuant to that Section, codified at 40 C.F.R. Part 372. ACuPowder also violated Section 8 of TSCA, (15 U.S.C. § 2607), and the regulations promulgated pursuant to the provisions of this section as set forth at 40 C.F.R. Part 710 Subpart C, Inventory Update Reporting for 2006 and Beyond ("TSCA 2006 IUR"). The Complainant further alleges that ACuPowder thereby violated Section 15 of TSCA, 15 U.S.C. § 2614.

Under Section 313 of EPCRA and 40 C.F.R. §372.22, owners or operators of a facility subject to the requirements of Section 313(b) are required to submit annually, no later than July 1 of each year, a Toxic Chemical Release Inventory Reporting Form R, EPA Form 9350-1 (hereinafter, "Form R") for each toxic chemical listed under 40 C.F.R. § 372.65 and/or 40 C.F.R. § 372.28 that was manufactured, imported, processed, or otherwise used during the preceding calendar year in quantities exceeding the established toxic chemical thresholds. A complete and correct Form R is required to be submitted to the Regional Administrator of the Environmental Protection Agency and to the State in which the subject facility is located.

EPA and ACuPowder agree that settling this matter by entering into this Consent Agreement and Final Order ("CAFO"), pursuant to 40 C.F.R. § 22.13(b) and 40 C.F.R. § 22.18(b)(2) and (3), is an appropriate means of resolving this case without further litigation. This CAFO is being issued pursuant to said provisions of 40 C.F.R. Part 22. No formal or adjudicated Findings of Fact or Conclusions of Law have been made. The following constitutes EPA's Findings of Fact and Conclusions of Law based upon information EPA obtained through September 30, 2011.

**FINDINGS OF FACT
AND CONCLUSIONS OF LAW**

1. Respondent is ACuPowder International, LLC (TRI Facility No.: 07083LCNPW901LE).
2. At all times relevant hereto, Respondent has owned, operated and/or controlled the facility located at 901 Lehigh Avenue in Union, New Jersey 07083-7632, which is the subject of this Consent Agreement and Final Order (hereinafter, "Respondent's facility").
3. On March 22, 2011 EPA conducted an inspection at Respondent's facility under the authority of Section 11 of TSCA, 15 U.S.C. §2610. (hereinafter, "the inspection") At that time, regulatory compliance under EPCRA Section 313 was also explored.
4. Respondent is a "person" within the meaning of Section 329(7) of EPCRA (42 U.S.C. § 11049).
5. Respondent is an owner of a "facility" as that term is defined by Section 329(4) of EPCRA (42 U.S.C. § 11049(4)) and by 40 C.F.R. § 372.3.
6. Respondent is an operator of a "facility" as that term is defined by Section 329(4) of EPCRA (42 U.S.C. § 11049(4)) and by 40 C.F.R. § 372.3.
7. Respondent's facility has ten (10) or more "full time employees" as that term is defined by 40 C.F.R. § 372.3.

8. Respondent's facility is in the North American Industry Classification System (NAICS) Code 331423 (secondary smelting, refining and alloying of copper).

9. Respondent's facility is subject to the requirements of Section 313(b) of EPCRA (42 U.S.C. § 11023(b)) and 40 C.F.R. § 372.22.

10. Zinc (fume or dust) (CASRN.: 7440-66-6) is listed under 40 C.F.R. § 372.65.

11. Respondent was required to submit a complete and correct Form R report for zinc (fume or dust) for calendar year 2010 to the Administrator of the EPA and to the State of New York by July 1, 2011.

12. Respondent submitted a Form R report for zinc fume or dust) to the EPA for calendar year 2010 on October 5, 2011. The Form R report was 96 days late.

13. Respondent's failure to submit a timely, complete and correct Form R report for zinc (fume or dust) for calendar year 2010 constitutes a failure to comply with Section 313 of EPCRA, 42 U.S.C. § 11023, and with 40 C.F.R. Part 372.

14. Respondent was required to submit a complete and correct Form R report for zinc (fume or dust) for calendar year 2009 to the Administrator of the EPA and to the State of New York by July 1, 2010.

15. Respondent submitted a Form R for zinc fume or dust) to the EPA for calendar year 2009 on October 6, 2011. The Form R report was more than one year late.

16. Respondent's failure to submit a timely, complete and correct Form R report for zinc (fume or dust) for calendar year 2009 constitutes a failure to comply with Section 313 of EPCRA, 42 U.S.C. § 11023, and with 40 C.F.R. Part 372.

17. During the course of the inspection in paragraph 3, above, EPA found that Respondent failed to report the chemical substance, copper (CASRN 7440-50-8), for the 2006 TSCA Section 8 Inventory Update, as required by 40 C.F.R. § 710 Subpart C.

18. EPA alleges that Respondent failed to submit 2006 TSCA IUR information for Copper (CASRN 7440-50-8), as is required by Section 8 of TSCA and the regulations established under the authority of TSCA at 40 C.F.R. § 710 Subpart C.

19. Respondent is a "person" and an "importer" as these terms are defined by the regulations established under the authority of TSCA at 40 C.F.R. §§ 704.3 and 710.3.

20. Respondent is an importer of chemical substances and is subject to the requirements of Section 8(a) of TSCA and the regulations promulgated pursuant to Section 8 of TSCA as set forth at 40 C.F.R. Part 710 Subpart C.

21. Importers of chemical substances are required to report the import of chemical substances by using the "Partial Updating of the Inventory Data Base Production and Site Report" (hereinafter "Form U") in accordance with the regulations established under the authority of TSCA at 40 C.F.R. § 710 Subpart C.

22. Failure to submit information on Form U during a required reporting period as required by 40 C.F.R. § 710 Subpart C is a violation of TSCA Sections 8(a) and 15 U.S.C. §§ 2607(a) and 2614.

TERMS OF CONSENT AGREEMENT

Based on the foregoing, and pursuant to Section 325(c) of EPCRA and TSCA, 15 U.S.C. § 2615(a), and in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Etc., 40 C.F.R. § 22.18 (hereinafter, "Consolidated Rules"), it is hereby agreed by and between the parties, and Respondent voluntarily and knowingly agrees as follows:

1. Respondent certifies herein that any and all EPA Toxic Chemical Release Inventory Forms submitted for the above-described violations comply with the requirements of Section 313 of EPCRA and the regulations set forth at 40 C.F.R. Part 372.

2. For the purpose of this proceeding, Respondent: (a) admits the jurisdictional allegations of this Consent Agreement as applied to the facility as set forth in paragraphs 1 through 17, inclusive; and (b) neither admits nor denies the Findings of Fact and Conclusions of Law section, above.

3. Respondent shall pay a civil penalty totaling **FOURTEEN THOUSAND SIX HUNDRED FIFTY DOLLARS (\$14,650)**. Payment shall be made by cashier's or certified check or by electronic fund transfer (EFT). If the payment is made by check, then the check shall be made payable to the "**Treasurer, United States of America,**" and shall be mailed to:

U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000

The check shall be identified with a notation thereon listing the following: **In The Matter of ACuPower International, LLC**, and shall bear thereon the **Docket Numbers EPCRA-02-2012-4102 and TSCA -02-2012-9142**. Payment must be received at the above address on or before 45 calendar days after the date of signature of the Final Order at the end of this document (the date by

which payment must be received shall hereafter be referred to as the "due date"). If Respondent chooses to make the payment by EFT, then Respondent shall provide the following information to its remitter bank:

- 1) Amount of Payment.
- 2) SWIFT address: FRNYUS33, 33 Liberty Street, New York, NY 10045.
- 3) Account Code for Federal Reserve Bank of New York receiving payment: 68010727.
- 4) Federal Reserve Bank of New York ABA routing number: 021030004.
- 5) Field Tag 4200 of the Fedwire message should read "D 68010727 Environmental Protection Agency."
- 6) Name of Respondent: **ACuPower International, LLC.**
- 7) Case Numbers: **EPCRA-02-2012-4102 and TSCA-02-2012-9142.**

Such EFT must be received on or before 45 calendar days after the date of signature of the Final Order at the end of this document. Whether the payment is made by check or by EFT, the Respondent shall promptly thereafter furnish reasonable proof that such payment has been made to both:

Karen Maples, Regional Hearing Clerk
Office of the Regional Hearing Clerk
U.S. Environmental Protection Agency - Region 2
290 Broadway, 16th Floor (1631)
New York, New York 10007-1866

and

John Gorman, Chief
Pesticides and Toxic Substances Branch
U.S. Environmental Protection Agency - Region 2
2890 Woodbridge Avenue (Bldg. 10, MS-105)
Edison, New Jersey 08837

a. Failure to pay the penalty in full according to the above provisions will result in the referral of this matter to the U.S. Department of Justice for collection.

b. Further, if payment is not received on or before the due date, interest will be assessed, at the annual rate established by the Secretary of the Treasury pursuant to 31 U.S.C. §3717, on the overdue amount from the due date through the date of payment. In addition, a late payment handling fee of \$15 will be assessed for each 30 day period (or any portion thereof) following the due date in which the balance remains unpaid.

c. A 6% per annum penalty also will be applied on any principal amount not paid within 90 days of the due date.

SUPPLEMENTAL ENVIRONMENTAL PROJECT

4. Respondent agrees to complete the following Supplemental Environmental Project ("SEP"), (Final EPA Supplemental Environmental Projects Policy Issued," 63 Federal Register 86 (May 5, 1998), pp.24796-24804), which the parties agree is intended to secure significant environmental or public health protection and improvements:

a. Project Summary – Pollution Reduction

ACuPowder commits to implementing a Pollution Reduction SEP to better reduce the metal dust particulates that are generated during the manufacture of metal powders in several of their production buildings. ACuPowder intends to install a Central Particulate Dust Vacuum Collection System supplemented by two mobile particulate dust collectors.

ACuPowder manufactures metal powders and alloys that are used in the manufacture of mechanical components, including gears and self-lubricating bearings. The powders include primarily copper, tin, bronze, and brass. The company's current emission capture rates are within the limits allowed by the company's air permit issued by the New Jersey Department of Environmental Protection, but near the upper PEL limits of those metals set by OSHA. The high efficiency HEPA filters to be installed in the dust vacuum collection system as part of this SEP have a removal efficiency of 99.9%. Improving the rates of removal would benefit both the worker's health at work and home and the surrounding community by substantially minimizing the amount of dust that is inhaled or escapes the building through traffic in and out of the building by production workers and fork lift trucks entering and leaving the building. The metal dust that accumulates on the floor, walls, equipment, ceilings and piping from each manufacturing process line is currently manually swept and collected in a container to be recycled.

The total capital expenditure for the SEP shall not be less than \$83,000 to purchase the equipment and \$30,519 to operate the equipment during a five-year project period, in accordance with the criteria set forth in the Project Summary. Respondent shall include documentation of the expenditures made in connection with the SEP as part of the SEP Completion Report.

b. Respondent hereby certifies that, as of the date of this Consent Agreement and Final Order, Respondent was not required to perform or develop the SEP by any federal, state, or local law or regulation; nor is Respondent required to perform or develop the SEP by agreement, grant, or as injunctive relief in this or any other case or in compliance with state or local Requirements. Respondent further certifies that Respondent has not received, and is not presently negotiating to receive, credit in any other enforcement action for the SEP, and that it will not receive reimbursement for any portion of the SEP from any other person.

c. Respondent will purchase and install a central particulate dust vacuum collection system in building 17-B within (36) weeks of the date of signature of the Final Order at the end of this document.

d. Respondent will purchase two mobile particulate dust vacuum within (24) weeks of the date of signature of the Final Order at the end of this document.

e. Whether Respondent has complied with the terms of this Consent Agreement and Final Order through implementation of the SEP project, as herein required, shall be the sole determination of EPA.

5. Respondent shall submit a SEP Reports to EPA as follows: The reports shall contain the following information:

- (i) A SEP progress report will be submitted within one (1) month of completion of each of c and d, described above. Each report will include documentation of monies spent and an explanation the project status.
- (ii) Respondent shall submit a SEP Completion report to EPA on or by one year months of the date the Regional Administrator signed the Consent Agreement and Final Order at the end of this document.
- (iii) The Completion Report will include a description of all activities conducted regarding implementation of the proposed SEP, monies spent and any quantifiable results of the proposed SEP such as pounds of metal recycled or diminished PEL rates.

6. Respondent agrees that failure to submit the SEP Completion Report or any Periodic Report required by paragraph 5, above, shall be deemed a violation of this Consent Agreement and Final Order, and Respondent shall become liable for stipulated penalties pursuant to paragraph 9, below.

7. Respondent shall maintain legible copies of documentation for any and all documents or reports submitted to EPA pursuant to this Consent Agreement and Final Order, and Respondent shall provide the documentation of any such data to EPA within seven (7) days of a request for such information. In all documents or reports, including, without limitation, the SEP Completion Report, submitted to EPA pursuant to this Consent Agreement and Final Order, Respondent shall, by its officers, sign and certify under penalty of law that the information contained in such document or report is true, accurate, and not misleading by signing the following statement: "I certify under penalty of law that I have examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is

true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.”

8. a. Following receipt of the SEP Completion Report described in paragraph 5, above, EPA will do one of the following:

- (i) Accept the report;
- (ii) Reject the SEP Completion Report, notify Respondent in writing of deficiencies in the SEP Completion Report and grant Respondent an additional thirty (30) days in which to correct any deficiencies; or
- (iv) Reject the SEP Completion Report and seek stipulated penalties in accordance with paragraph 9 herein.

b. If EPA elects to exercise option (ii) or (iii) above, EPA shall permit Respondent the opportunity to object in writing to the notification of deficiency or disapproval given pursuant to this paragraph within ten (10) days of receipt of such notification. EPA and Respondent shall have an additional thirty (30) days from the receipt by EPA of the notification of objection to reach agreement. If agreement cannot be reached on any such issue within this thirty (30) day period, EPA shall provide a written statement of its decision to Respondent, which decision shall be final and binding upon Respondent. Respondent agrees to comply with any requirements imposed by EPA as a result of any such deficiency or failure to comply with the terms of this Consent Agreement and Final Order. In the event that the SEP is not completed as contemplated herein, as determined by EPA, stipulated penalties shall be due and payable by Respondent to EPA in accordance with paragraph 9, herein.

9. a. In the event that Respondent fails to comply with any of the terms or provisions of this Consent Agreement and Final Order relating to the performance of the SEP described in paragraph 5, above, and/or to the extent that the actual expenditures for the SEP do not equal or exceed the cost of the SEP as described in paragraph 5, above, Respondent shall be liable for stipulated penalties according to the provisions set forth below:

- (i) Except as provided in subparagraph (ii) immediately below, for a SEP which has not been completed satisfactorily pursuant to paragraph 9, Respondent shall pay a stipulated penalty to the United States in the amount of **\$43,950**.
- (ii) If the SEP is not completed satisfactorily, but Respondent: a) made in good faith and timely efforts to complete the project; and b) certifies, with supporting documentation, that at least 90% of the amount of money which was required to be spent was expended on the SEP, Respondent shall not pay any stipulated penalty.

- (iii) If the SEP is satisfactorily completed, but Respondent spent less than 90 percent of the amount of money required to be spent for the project, Respondent shall pay a stipulated penalty to the United States in the amount determined as follows:
- (iv) Stipulated penalty =
$$\left[1 - \frac{\text{\$ amount SEP cost expended}}{\$43,950}\right] \times \$43,950$$
- (iv) If the SEP is satisfactorily completed, and Respondent spent at least 90% of the amount of money which was required to be expended on the SEP, Respondent shall not pay any stipulated penalty.

b. The determination of whether the SEP has been satisfactorily completed, whether Respondent has made a good faith timely effort to implement the SEP, whether specific expenditures that have been made are creditable toward the required SEP expenditures and/or whether the reason for submitting a late completion report is acceptable shall be the sole discretion of EPA.

c. A stipulated penalty under subparagraph a.(iii), shall begin to accrue on the day after the completion report is due.

d. Respondent shall pay any stipulated penalties within fifteen (15) days of receipt of a written demand by EPA for such penalties. The method of payment shall be in accordance with the provisions of paragraph 3, herein. Interest and late charges shall be paid as stated in paragraph 3, herein.

10. Complainant, at her discretion, may waive any stipulated penalties specified above.

11. Any public statement, oral or written, made by Respondent making reference to this SEP shall include the following language, “This project was undertaken in connection with the settlement of an enforcement action taken by the U.S. Environmental Protection Agency for violations of Section 313 of EPCRA, 42 U.S.C. § 11023 and regulations pursuant to that Section, 40 C.F.R. Part 372.”

12. a. If any event occurs, which causes or may cause delays in the completion of the SEP as required under this Consent Agreement and Final Order, Respondent shall notify EPA in writing within ten (10) days of the delay or Respondent's knowledge of the anticipated delay, whichever is earlier. The notice shall describe in detail the anticipated length of delay, the precise cause of delay, the measures taken by Respondent to prevent or minimize delay, and the timetable by which those measures will be implemented. Respondent shall adopt all reasonable measures to avoid or minimize any such delay. Failure by Respondent to comply with the notice requirements

of this paragraph shall render this paragraph void and of no effect as to the particular incident involved and constitute a waiver of Respondent's right to request an extension of its obligation under this Agreement based on such incident.

b. If the parties agree that the delay, or anticipated delay, in compliance with this Consent Agreement and Final Order has been, or will be, caused by circumstances entirely beyond the control of Respondent, the time for performance of the SEP may be extended for a period no longer than the delay resulting from such circumstances. In such an event, the parties shall negotiate the extension of time.

c. In the event that EPA does not agree that a delay in achieving compliance with the requirements of this Consent Agreement and Final Order has been, or will be, caused by circumstances beyond the control of Respondent, EPA will notify Respondent in writing of its decision, and any delays in completion of the SEP shall not be excused.

d. The burden of proving that any delay is caused by circumstances entirely beyond the control of Respondent shall rest with Respondent. Increased cost or expenses associated with the implementation of actions called for by this Consent Agreement and Final Order shall not, in any event, be a basis for changes in this Consent Agreement and Final Order or extensions of time under section (b) of this paragraph. Delay in achievement of one interim step shall not necessarily justify or excuse delay in achievement of subsequent steps.

13. For federal income tax purposes, Respondent agrees that it will neither capitalize into inventory or basis, nor deduct any costs or expenditures incurred, in the performance of the SEP.

14. This Consent Agreement and Final Order is being voluntarily and knowingly entered into by the parties in full and final settlement of all civil liabilities under the Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. §11001 *et seq.*) and the regulations promulgated thereunder, 40 C.F.R. Part 372; and the Toxic Substances Control Act, 15 U.S.C. § 2601 *et seq.*, and the regulations promulgated thereunder, 40 C.F. R. Part 761, that attach, or might have attached, as a result of the Findings of Fact and Conclusions of Law set out above.

15. Respondent explicitly and knowingly consents to the assessment of the civil penalty, as set forth in this Consent Agreement and Final Order, and agrees to pay the penalty in accordance with the terms of this Consent Agreement and Final Order.

16. Respondent has read the Consent Agreement, understands its terms, and voluntarily consents to its issuance and to abide by its terms and conditions, including payment of the full amount of the civil penalty in accordance with the terms set forth above. Respondent consents to the issuance of the accompanying Final Order. Respondent agrees that all terms of settlement are set forth herein.

17. Respondent waives any right it may have pursuant to 40 C.F.R. §22.08 to be present during discussions with or to be served with and to reply to any memorandum or communication addressed to the Regional Administrator or the Deputy Regional Administrator where the purpose of such discussion, memorandum, or communication is to discuss a proposed settlement of this matter or to recommend that such official accept this Consent Agreement and issue the attached Final Order.

18. This Consent Agreement and Final Order does not waive, extinguish, or otherwise affect respondent's obligation to comply with all applicable provisions of EPCRA and the regulations promulgated there under.

19. Each undersigned signatory to this Consent Agreement and Final Order certifies that he or she is duly and fully authorized to enter into and ratify this Consent Agreement and Final Order and all the terms and conditions set forth in this Consent Agreement and Final Order.

20. Each party hereto agrees to bear its own costs and fees in this matter.

21. Respondent consents to service upon Respondent by a copy of this Consent Agreement and Final Order by an EPA employee other than the Regional Hearing Clerk.

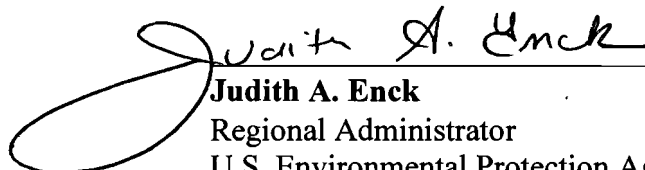
RESPONDENT:**ACuPowder International, LLC.**BY: *Edul Daver.*
Authorizing SignatureNAME: EDUL DAVER
(PLEASE PRINT)TITLE: PRESIDENTDATE: Dec. 28, 2011**COMPLAINANT:***[Signature]*
Dore LaPosta, Director
Division of Enforcement and Compliance Assistance
U.S. Environmental Protection Agency - Region 2
290 Broadway
New York, New York 10007DATE: MARCH 23, 2012

In the Matter of ACuPowder International, LLC.
Docket Number EPCRA-02-2012-4102
Docket Number TSCA-02-2012-9142

FINAL ORDER

The Regional Administrator of the United States Environmental Protection Agency, Region 2, concurs in the foregoing Consent Agreement (including Attachment A) in the case of **In the Matter of ACuPowder International, LLC.**, bearing **Docket Nos. EPCRA-02-2012-4102 and TSCA-02-2012-9142**. Said Consent Agreement, having been duly accepted and entered into by the parties, is hereby ratified, incorporated into and issued, as this Final Order, which shall become effective when filed with the Regional Hearing Clerk of the United States Environmental Protection Agency, Region 2. 40 C.F.R. § 22.31(b). This Final Order is being entered pursuant to the authority of 40 C.F.R. §§ 22.13(b) and 22.18(b)(3) and shall constitute an order issued under authority of Section 325(c) of EPCRA 42 U.S.C. § 11045(c).

DATE: 3/29/12



Judith A. Enck
Regional Administrator
U.S. Environmental Protection Agency - Region 2
290 Broadway
New York, New York 10007

ACuPowder International, LLC.
Docket No.: EPCRA-02-2012-4102
Docket No. TSCA-02-2012-9142

ATTACHMENT 1

PROPOSED SEP's

SEP- 1: Central Particulate Dust Vacuum Collection System (Central Vacuum System)

Currently, the containment of non-point source fugitive dust particulates accumulated on the floor and other areas in building 17-B, is accomplished by manually sweeping the particulate dust and collected in a container. When the container fills up, the fugitive dust sweepings are returned to the process.

ACuPowder would like to substantially improve the collection of the fugitive dust by installing a Central Vacuum System with very high collection efficiency. This system will effectively help prevent and reduce particulate fugitive dust pollution during production, and prevent and/or reduce the amount of fugitive dust from escaping the production building. Particulate fugitive dust may potentially escape the building through traffic in and out of the building brought about by production workers & fork lift trucks entering & leaving the building.

The complete Central Vacuum System will consist of the vacuum unit shown below as Model 3997 HEPA vacuum unit, presented in detail in the Attachment. In addition, a piping system running along the length of the building will be installed. There will be a minimum of five (5) pick-up points, each branching out from the main piping header. This will allow the operator in the building to reach several areas in the plant by going and connecting the specially supplied flexible hose equipped with a sweeping device.

Since the filter employed in this system is HEPA (DOP tested) type filter and has a removal efficiency of 99.999 %, it is expected that the fugitive dust on the floor will be almost completely removed leaving a negligible amount of fugitive dust on the floor.

The Central Vacuum System has the following specifications, and shown in the attachment:

- Model 3997 HEPA vacuum unit
- CFM= 780
- Amps/Voltage= 42/440
- Power= 23,000 W; 30.83 Hp
- W.L.= 177 inches of water
- Tank capacity= 46 gallons
- Filter Removal Efficiency= > 99.97 % @ 0.3 microns
- Cost for this vacuum unit= \$48,840.00
- Additional Cost for installing the piping system= \$10,000.00 (estimate)

Estimated Particulate Dust to be Collected= cannot be quantified at this time. However, because of the very high removal efficiency of the filter being employed, the residual amount of fugitive dust remaining on the floor after vacuuming with the proposed system, will be substantially less than the current method of manual sweeping. Therefore, it will result in substantial improvement in fugitive particulate dust pollution prevention and pollution reduction.

Annual Operating & Maintenance Cost (O & M)

- | | |
|--|-----------|
| • KWH= 22,045 | ----- |
| • Cost @ \$0.12/KWH= | \$2645.00 |
| • Filter Replacement @ \$1,540.00/2 years= | \$ 770.00 |
| • Labor | \$4800.00 |

Completion Schedule: 24 Weeks

Attachment









SEP-1

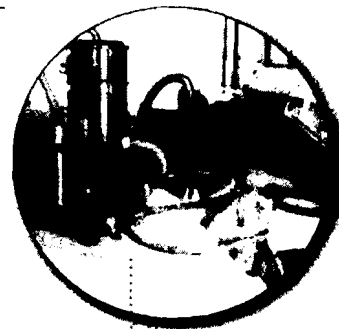


CFM 3997

		3997	3997W
Voltage @ 60 Hz.	volts	440-480	440-480
Type of power	no. of phases	three	three
Current draw	amps	46	46
Power	watts	26,800	24,200
Waterlift, max.	inches H ₂ O/inches Hg	250/18.4	196/14.4
Airflow, max.	cfm	736	1442
Filter area, main	sq. ft.	70	70
Filter area, HEPA*, downstream	sq. ft.	301	301
Protection	IP	55	55
Insulation	class	F	F
Tank capacity	gallons	46	46
Machine inlet	inches	4	5
Dimensions	inches	75.59 x 35.43 x 85	75.59 x 35.43 x 86.61
Weight	lbs.	1438	1537
Cord length	ft.	30	30
Filter efficiency, HEPA (DOP-tested)	% @ 0.3 microns	99.999	99.999

CFM 3997

-  Maintenance-free, direct drive eliminates couplings and belts and their associated alignment and wear problems.
-  Oversized main filter provides more surface area for filtering. Guarantees extended filter life and resists premature clogging.
-  Efficient filter cleaning system maintains the vacuum's maximum suction power and filtration capabilities by means of an electrical filter shaker.
-  Very high performance levels ensure easy collection of large quantities of heavy debris from a distance.
-  Manometer monitors the suction performance and turns off the machine if the filter becomes ineffective.
-  Unique release lever lowers the container bottom for easy access to the collection container.
-  Convenient on-board tool storage keeps accessories handy.
-  Cartridge filter version offers a unique electro-pneumatic filter purging system for continuous fine powder collection.



Cleaning of debris from discharge pits.

OPTIONAL ACCESSORIES

- Stainless steel container and components.
- Bracket and strap for emptying the container with a fork lift.
- Various filter materials are available for special applications, including NOMEX®, PVC Membrane.

*HEPA - High Efficiency Particulate Air - Retains 99.999% of particles down to 0.3 microns.

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Nilfisk
cfm

Powerful vacuums. Proven solutions.

Nilfisk-Advance America, Inc. / 300 Technology Drive / Malvern, PA 19355 / 1-800-645-3475 / www.pa.nilfisk-advance.com

Nilfisk-Advance Canada Company / 396 Watline Avenue / Mississauga, Ontario L4Z 1X2 / Canada / (905) 712-3260

Since this product is continually being improved, these specifications may change without notice.

Nilfisk Industrial Vacuum Division



Nilfisk-Advance America, Inc.
740 Hemlock Road
Suite 100
Morgantown, PA 19543

Phone: (800) 645-3475
Fax: (888) 624-8141
www.NilfiskIndustrialVacuums.com
questions@nilfisk.com

November 10, 2011

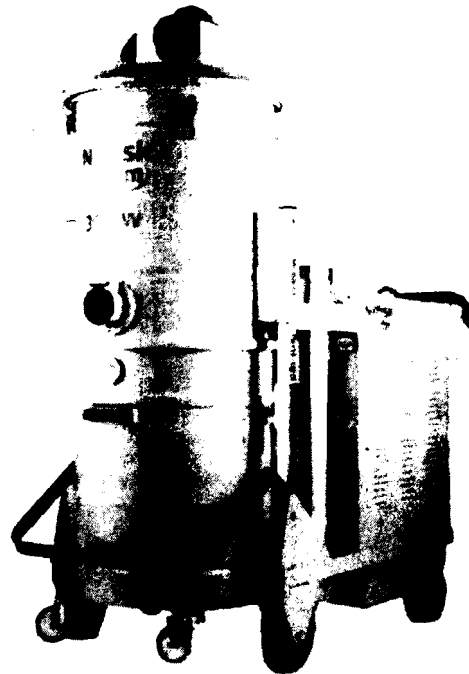
Rey S. Morales, P.E.
Acupowder International
901 Lehigh Avenue
Union, NJ 07083

Dear Rey:

Thank you for your continued interest in Nilfisk Industrial Vacuums.



Tank Capacity	46	gallons
Main Filter Area (standard)	37.67	ft ²
Main Filter Area, Oversized	61.35	ft ²
Cartridge Filter Area (1) cartridge	18.84	ft ²
Cartridge Filter Area (4) cartridges total	75.36	ft ²
Upstream HEPA Area	129.17	ft ²
Downstream HEPA Area	186.22	ft ²
Orifice Diameter	100	mm
Dimensions without cartridge filter (LxWxH)	63 x 31.5 x 71.3	in x in x in
Cord Length	30	ft
Protection Class	IP55	-
Power @ 60 Hz	12600	W
	16.89	HP
Waterlift controlled	185	in H ₂ O
Airflow max	365	CFM
Current max (440V)	29	amps
Current max (575V)	n/a	amps
Weight w/o cartridges	906	lb.
Sound Level @ 3' 3"	78	dB(A)



3907W Depicted

QTY	PART #	DESCRIPTION	UNIT PRICE	EXT
1	3-3907N4A	3907 440V HEPA Vacuum	\$18,788.33	\$18,788.33
1	8-17246	560MM PVC Poly Main Filter	\$1,024.85	\$1,024.85
1	5-60111	560MM SS Cyclone Filter Protector	\$394.95	\$394.95
1	01758500	08 To 3997 Remote St/Stp Conn	\$64.16	\$64.16
3	7-22232	100MM SS Inlet Coupler	\$150.97	\$452.91
4	7-24113F	100MM Poly Food Grade Hose - Per Meter	\$119.15	\$476.60
4	7-20311	100MM Antistatic Cuff	\$102.28	\$409.12
1	7-21041	100MM Metal Hose Coupler	\$55.12	\$55.12
1	7-22181	560MM Separator	\$1,384.65	\$1,384.65
1	PS00493	Includes all galvanized steel tube and fittings in 11-gauge and Instalok couplings; price is non-discountable and does not include tube hangers, installation hardware, or labor	\$3,832.44	\$3,832.44
1	8-34025	3" Pressure Relief Valve	\$124.79	\$124.79
1	10-40279	3" Threaded PRV Coupler	\$42.43	\$42.43
5	01759000	3707 To 3997 Wall Inlet Conn	\$96.24	\$481.20
5	57-80081	50MM Central Vacuum Inlet	\$140.01	\$700.05
1	57-83001	50MM Inlet Tube	\$51.03	\$51.03
2	01716420	50MM 20' Antistatic Hose W/Cuffs	\$303.83	\$607.66
1	7-21002	50MM Hose Coupler	\$21.99	\$21.99
1	7-22025	50MM Double Curved Aluminum Wand	\$169.93	\$169.93
3	01769320	50MM 54" Aluminum Food Grade Wand	\$69.62	\$208.86
1	01769330	50MM 54" Aluminum Food Grade Wand	\$87.58	\$87.58
3	80652700	50MM 39" Etronite Straight Wand	\$62.94	\$188.82
1	10643200	50MM 3" Dust Brush	\$35.57	\$35.57
1	22434202	50MM 12" ESD Wall Nozzle	\$213.29	\$213.29
1	22433702	50MM 4" ESD Pipe Nozzle	\$213.29	\$213.29
1	22433802	50MM 8" ESD Pipe Nozzle	\$213.29	\$213.29
1	22433902	50MM 12" ESD Pipe Nozzle	\$213.29	\$213.29
1	7-22029	50MM 16" Wheeled Floor Nozzle	\$146.01	\$146.01
1	7-21026	50MM 20" Metal Crevice Nozzle	\$64.01	\$64.01
1	7-21012	50MM Curved Steel Tube	\$58.53	\$58.53
1	7-21010	50MM Rubber Cone	\$29.76	\$29.76
1	7-22141	50MM Tapered Nozzle	\$100.26	\$100.26
		SUB TOTAL		\$30,854.77
		DISCOUNT 15% off total less pipes		(\$4,533.35)
		NET		\$26,801.42

CleanLease LEASING OPTION:

Our Dollar Buyout Lease offers a convenient way for you to purchase the equipment you need now without having budget dollars ready to spend. We offer several payment options, listed in a separate document (if you did not get additional details with your quote and are interested in leasing, please ask your District Manager). At the end of the term, you pay a dollar for total ownership. We ask that you complete a one-page application fax it to our leasing office. We can usually respond to the application within a few hours. You will be asked to pay a \$95.00 documentation fee at the time of delivery. You will be billed monthly for sales tax if applicable. Freight will be billed separately if applicable.

These prices are quoted FOB Morgantown, PA. They do not include applicable state and local sales tax, if any. They will remain firm for sixty days, after which they are subject to change without notice. Net thirty day payment terms apply. All equipment is covered by a two year warranty. If this is a quote for an explosion-proof vacuum, a Nilfisk-Advance America EXP Survey Form must be completed, submitted and approved prior to acceptance of explosion-proof vacuum orders by Nilfisk-Advance America, Inc.

Sincerely,

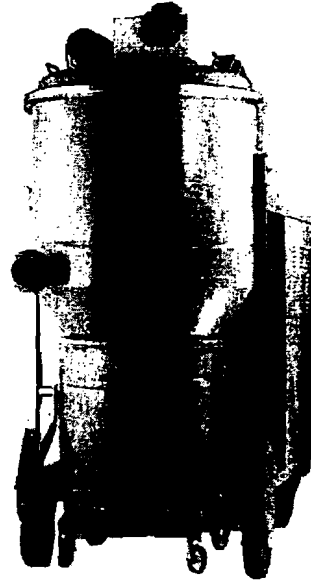

District Sales Manager

Nilfisk Industrial Vacuum Division
Direct: (609)964-8605
mike.piscetelli@nilfisk.com
www.nilfiskindustrialvacuums.com



Member of the Nilfisk-Advance Group

Nilfisk Industrial Vacuums



Tank Capacity	46	gallons
Main Filter Area (standard)	71.04	ft ²
Main Filter Area, Oversized	94.72	ft ²
Cartridge Filter Area, (1) cartridge	29.6	ft ²
Cartridge Filter Area, (4) cartridges total	118.4	ft ²
Upstream HEPA Area	129.17	ft ²
Downstream HEPA Area	312.15	ft ²
Orifice Diameter	70	mm
Dimensions without cartridge filter (LxWxH)	75.59 x 35.43 x 85	in. x in. x in.
Cord Length	30	ft.
Protection Class	IP55	-
Power @ 60 Hz	23000	W
	30.83	HP
Waterlift, controlled	176	in. H ₂ O
Airflow, max.	780	CFM
Current, max. (440V)	42	amps
Current, max. (575V)		amps
Orifice Diameter	100	mm
Weight w/o cartridges	1438	lb.
Sound Level @ 3' 3"	79	dB(A)
Power @ 60 Hz	23000	W
	30.83	HP
Waterlift, controlled	76	in. H ₂ O
Airflow, max.	1440	CFM
Current, max. (440V)	42	amps
Current, max. (575V)		amps
Orifice Diameter	120	mm
Weight w/o cartridges	1537	lb.
Sound Level @ 3' 3"	78	dB(A)

Vacuums	Upstream HEPA	Downstream ULPA	Cartridge Filter System	304SS Combsizer	304SS Filter Chamber	304SS Enclosure & Filter	Volts	Part #	Price
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Shipping Dimensions (LxWxH)*	79 x 40 x 91	in. x in. x in.	3997W: Base Vacuum is painted w/ Electric Filter Shaker & Standard Polyester Star Filter	•	•	•	•	•	•	440 3-3997N4	\$40,019.52
Shipping Weight* (w/o cart.)	1500	lb.	Filter Shaker &	•	•	•	•	•	•	440 3-3997N4A	\$42,226.24
Shipping Weight* (w/ cart.)	1603	lb.	Standard Polyester Star Filter	•	•	•	•	•	•	440 3-3997N4AC	\$45,840.15
Shipping Carrier*	Common carrier			•	•	•	•	•	•	440 3-3997WN4	\$43,162.23
				•	•	•	•	•	•	440 3-3997WN4A	\$45,371.09
				•	•	•	•	•	•	440 3-3997WN4AC	\$48,985.00
				•	•	•	•	•	•	440 3-3997WN4ACXXX	call
				•	•	•	•	•	•	440 3-3997WN4C	\$46,772.95

*Accessories add additional weight and boxes to the order.

Filtering Medium	Description	Notes	Part #	Price
Main	Standard Polyester Star Filter	For general-purpose use; 99.1% @ 1.5 microns	8-17160	\$859.02
	Oversized Standard Polyester Star Filter	For general-purpose use; 99.1% @ 1.5 microns	8-17160/1	\$1,127.85
	Antistatic Polyester Star Filter	For materials prone to static buildup; 99.7% @ 1.5 microns	8-17164	\$1,539.85
	Oversized Antistatic Polyester Star Filter	For materials prone to static buildup; 99.7% @ 1.5 microns	8-17164/1	\$2,157.85
	Polyester Membrane (PTFE) Star Filter	Food-grade surface filter for sticky material; 99.9% @ 1.5 microns	8-17504	call
	Nomex® Star Filter	For high-temperature materials, up to 464° F; 98.4% @ 1.5 microns	8-17161	\$2,157.85
	Polypropylene Star Filter	Has broad chemical compatibility & repels liquids	8-17794	call
	Polyester & Polyurethane Star Filter	Abrasive materials	8-17247	\$1,951.85
Cartridge	Oversized Polyester & Polyurethane Star Filter	Abrasive materials	8-17247/1	\$2,054.85
	(1) Antistatic Polyester Cartridge: (4) required	For continuous filter cleaning without the need for shut-down; each cartridge has 94 pleats & is 215mm Ø x 500mm long	8-33141	\$689.05
	(1) Antistatic Poly-Membrane Cartridge: (4) required	Continuous filter cleaning; surface filter for fine, non-abrasive dust; each cartridge has 94 pleats & is 215mm Ø x 500mm long	8-33169	call

Nilfisk Industrial Vacuums

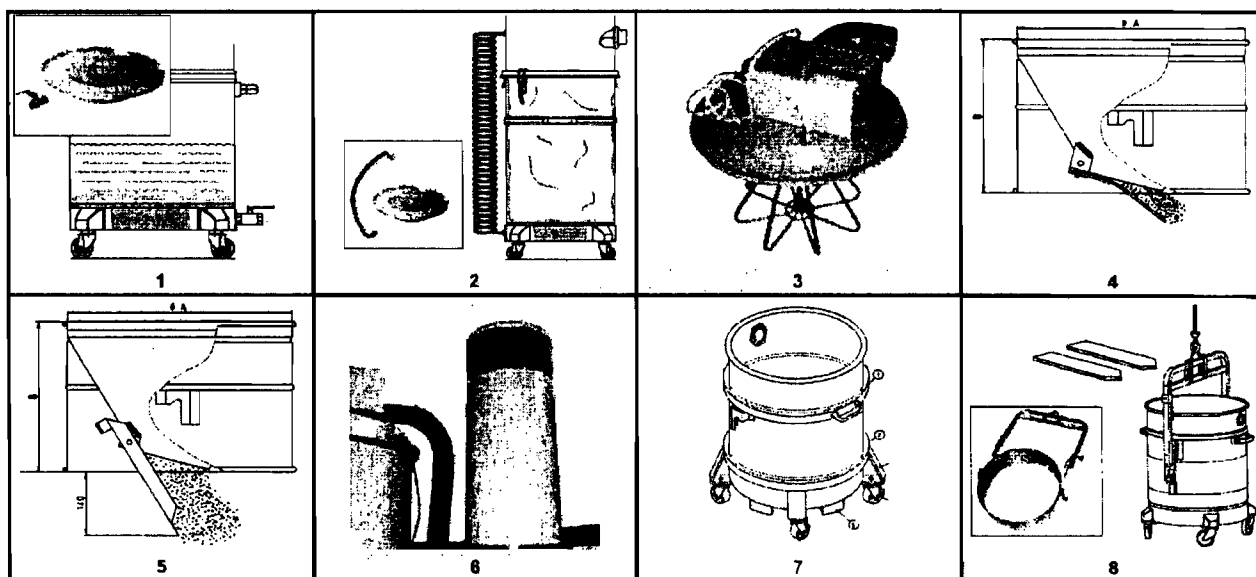


Upstream HEPA Filter	99.97% @ 0.3 microns	8-17264	\$1,531.83
Downstream HEPA Filter	99.97% @ 0.3 microns	8-17053	\$2,799.16
3997 Downstream HEPA Filter Kit (painted)	Painted Gray RAL 7001; 99.97% @ 0.3 microns	5-60097	\$2,209.15
3997W Downstream HEPA Filter Kit (painted)	Painted Gray RAL 7001; 99.97% @ 0.3 microns	5-60098	\$2,882.59
Activated Carbon Filter	Chemical filter for minimizing bad odors; call for install details	8-17266	call
3997 Regenerative Motor Blower	3-Ph / 60Hz / 240V or 440V	4-55300HP30	call
3997W Regenerative Motor Blower	3-Ph / 60Hz / 240V or 440V	4-55300WHP30	call

Refer to "100mm Accessories - Inlet Fittings & Reducers" NOTE: 3997W inlet will not accept 100mm accessories without an adapter. Call Customer Service for assistance.

Accessories will depend upon the diameter of the working hose, the customer's needs, and compatibility with the material(s) being collected. Please consult the appropriate MAAG pages.

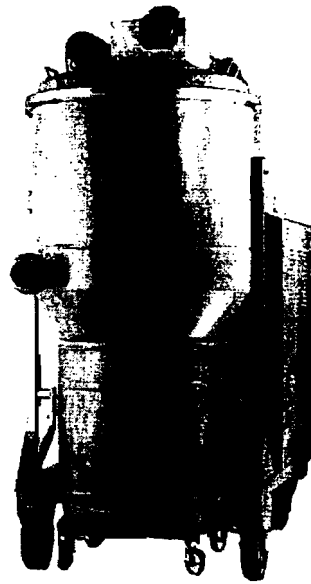
1	Drain Valve & Separator Assembly (Galvanized Steel)	For separating solids from liquids within the container.	5-60035	\$348.30
	Drain Valve & Separator Assembly (304SS)		5-60037	\$634.09
2	Polyliner Adapter Kit (PAK) (Galvanized Steel)	Prevents a polyliner from being sucked up when vacuum is on.	5-60039	\$335.00
	Polyliner Adapter Kit (PAK) (304SS)	Connecting hose is 19mm-diameter.	5-60043	\$688.54
	(1) Container Polyliner	Used in conjunction with the Polyliner Adapter Kit (PAK)	01720200	\$5.73
3	Complete Electric Filter Shaker (filter not included)	Agitates a star filter once the vacuum is shut down. Painted Gray RAL 7001.	5-60083	\$4,534.03
4	Gravity Discharge with Rubber Flap (painted)	Installs in place of collection container; Use when dumping into another receptacle or on a conveyor belt. Dump occurs upon vacuum shut-down or when material weight on flap exceeds level of suction keeping it closed. Painted Gray RAL 7001.	5-80091	\$628.02
5	Gravity Discharge with Metal Flap (painted)		5-60274	\$764.89
6	Exhaust Diffuser Kit	Reduces the air speed of the exhausted air to be no more than 1 m/s (or 3.28 ft/s). Painted Gray RAL 7001.	8-32197	call
	46-Gallon Collection Container (painted)		8-30090	\$879.12
	46-Gallon Collection Container (304SS)		8-30126	\$1,984.48
7	46-Gallon Collection Container (Reinforced)	For handling heavier materials; accepts forklift forks	8-30215	\$1,896.97
8	Clamp for Bin Emptying System	Aids in transporting & emptying the container with use of a forklift or hook & chain. The clamp can remain on the container.	5-36075	\$389.59
	Bracket for Bin Emptying System		5-36076	\$375.13



Nilfisk Industrial Vacuums



Tank Capacity	46	gallons
Main Filter Area (standard)	71.04	ft ²
Main Filter Area, Oversized	94.72	ft ²
Cartridge Filter Area, (1) cartridge	29.6	ft ²
Cartridge Filter Area, (4) cartridges total	118.4	ft ²
Upstream HEPA Area	129.17	ft ²
Downstream HEPA Area	312.15	ft ²
Orifice Diameter	70	mm
Dimensions without cartridge filter (LxWxH)	75.59 x 35.43 x 85	in. x in. x in.
Cord Length	30	ft.
Protection Class	IP55	-
Power @ 60 Hz	23000	W
	30.83	HP
Waterlift, controlled	176	in. H ₂ O
Airflow, max.	780	CFM
Current, max. (440V)	42	amps
Current, max. (575V)		amps
Orifice Diameter	100	mm
Weight w/o cartridges	1438	lb.
Sound Level @ 3' 3"	79	dB(A)
Power @ 60 Hz	23000	W
	30.83	HP
Waterlift, controlled	78	in. H ₂ O
Airflow, max.	1440	CFM
Current, max. (440V)	42	amps
Current, max. (575V)		amps
Orifice Diameter	120	mm
Weight w/o cartridges	1537	lb.
Sound Level @ 3' 3"	78	dB(A)



Shipping Information		
Shipping Dimensions (LxWxH)*	79 x 40 x 91	in. x in. x in.
Shipping Weight* (w/o cart.)	1500	lb.
Shipping Weight* (w/ cart.)	1603	lb.
Shipping Carrier*	Common carrier	

Vacuums	Upstream HEPA	Downstream ULPA	Cartridge Filter System	304SS Container	304SS Filter Chambers	304SS Enclosure & Frame	Wheels	Part #	Price
3997: Base Vacuum is painted w/ Electric Filter Shaker & Standard Polyester Star Filter	•							440 3-3997N4	\$40,019.52
	•							440 3-3997N4A	\$42,226.24
		•						440 3-3997N4AC	\$45,840.15
			•					440 3-3997WN4	\$43,162.23
			•					440 3-3997WN4A	\$45,371.09
			•					440 3-3997WN4AC	\$48,985.00
				•	•	•		440 3-3997WN4C00X	call
								440 3-3997WN4C	\$46,772.95

*Accessories add additional weight and boxes to the order.

Filter Options	Description	Notes	Part #	Price
Main	Standard Polyester Star Filter	For general-purpose use; 99.1% @ 1.5 microns	8-17160	\$859.02
	Oversized Standard Polyester Star Filter	For general-purpose use; 99.1% @ 1.5 microns	8-17160/i	\$1,127.85
	Antistatic Polyester Star Filter	For materials prone to static buildup; 99.7% @ 1.5 microns	8-17164	\$1,539.85
	Oversized Antistatic Polyester Star Filter	For materials prone to static buildup; 99.7% @ 1.5 microns	8-17164/i	\$2,157.85
	Polyester Membrane (PTFE) Star Filter	Food-grade surface filter for sticky material; 99.9% @ 1.5 microns	8-17504	call
	Nomex® Star Filter	For high-temperature materials, up to 464° F; 98.4% @ 1.5 microns	8-17181	\$2,157.85
	Polypropylene Star Filter	Has broad chemical compatibility & repels liquids	8-17794	call
	Polyester & Polyurethane Star Filter	Abrasive materials	8-17247	\$1,951.85
Cartridge	Oversized Polyester & Polyurethane Star Filter	Abrasive materials	8-17247/i	\$2,054.85
	(1) Antistatic Polyester Cartridge: (4) required	For continuous filter cleaning without the need for shut-down; each cartridge has 94 pleats & is 215mm Ø x 500mm long	8-33141	\$689.05
	(1) Antistatic Poly-Membrane Cartridge: (4) required	Continuous filter cleaning; surface filter for fine, non-abrasive dust; each cartridge has 94 pleats & is 215mm Ø x 500mm long	8-33169	call

Nilfisk Industrial Vacuums

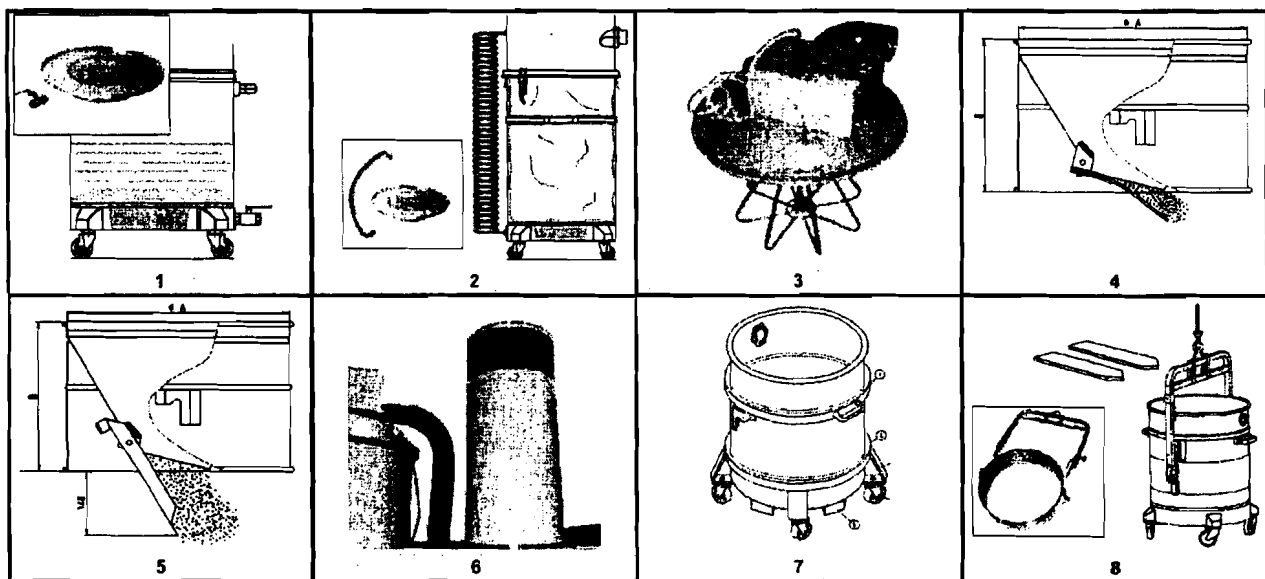


Upstream HEPA Filter	99.97% @ 0.3 microns	8-17264	\$1,531.83
Downstream HEPA Filter	99.97% @ 0.3 microns	8-17053	\$2,799.16
3997 Downstream HEPA Filter Kit (painted)	Painted Gray RAL 7001; 99.97% @ 0.3 microns	5-60097	\$2,209.15
3997W Downstream HEPA Filter Kit (painted)	Painted Gray RAL 7001; 99.97% @ 0.3 microns	5-60098	\$2,882.59
Activated Carbon Filter	Chemical filter for minimizing bad odors; call for install details	8-17266	call
3997 Regenerative Motor Blower	3-Ph / 60Hz / 240V or 440V	4-55300HP30	call
3997W Regenerative Motor Blower	3-Ph / 60Hz / 240V or 440V	4-55300WHP30	call

Refer to "100mm Accessories - Inlet Fittings & Reducers" NOTE: 3997W inlet will not accept 100mm accessories without an adapter. Call Customer Service for assistance.

Accessories will depend upon the diameter of the working hose, the customer's needs, and compatibility with the material(s) being collected. Please consult the appropriate MAAG pages.

1	Drain Valve & Separator Assembly (Galvanized Steel)	For separating solids from liquids within the container.	5-60035	\$348.30
	Drain Valve & Separator Assembly (304SS)		5-60037	\$634.09
2	Polyliner Adapter Kit (PAK) (Galvanized Steel)	Prevents a polyliner from being sucked up when vacuum is on. Connecting hose is 19mm-diameter.	5-60039	\$335.00
	Polyliner Adapter Kit (PAK) (304SS)		5-60043	\$688.54
	(1) Container Polyliner	Used in conjunction with the Polyliner Adapter Kit (PAK)	01720200	\$5.73
3	Complete Electric Filter Shaker (filter not included)	Agitates a star filter once the vacuum is shut down. Painted Gray RAL 7001.	5-60083	\$4,534.03
4	Gravity Discharge with Rubber Flap (painted)	Installs in place of collection container. Use when dumping into another receptacle or on a conveyor belt. Dump occurs upon vacuum shut-down or when material weight on flap exceeds level of suction keeping it closed. Painted Gray RAL 7001.	5-60091	\$626.02
5	Gravity Discharge with Metal Flap (painted)		5-60274	\$764.89
6	Exhaust Diffuser Kit	Reduces the air speed of the exhausted air to be no more than 1 m/s (or 3.28 ft./s). Painted Gray RAL 7001.	8-32197	call
7	48-Gallon Collection Container (painted)	Painted Gray RAL 7001.	8-30090	\$879.12
	48-Gallon Collection Container (304SS)		8-30128	\$1,984.48
7	48-Gallon Collection Container (Reinforced)	For handling heavier materials; accepts forklift forks	8-30215	\$1,896.97
8	Clamp for Bin Emptying System	Aids in transporting & emptying the container with use of a forklift or hook & chain. The clamp can remain on the container.	5-36075	\$389.59
	Bracket for Bin Emptying System		5-36076	\$375.13



SEP-2: Mobile Particulate Dust Collectors

Currently, the containment of non-point source fugitive dust particulates accumulated on the floor and other areas in the Buildings 1 and 11, is accomplished by the same method as in Building 17-B, presented in SEP-1 above. Likewise, the manually swept particulate dusts are collected in a container. When the container fills up, the dust sweepings are returned to the process.

Since these two buildings are much smaller than that of building 17-B, ACuPowder would like to purchase two Mobile Particulate dust Collectors to change the practice of collecting and containing the particulate fugitive dust from manual sweeping to vacuum sweeping. The mobile vacuum unit will substantially improve the collection of the process and fugitive dust collected in several areas of these two buildings. This system will effectively help prevent and reduce particulate fugitive dust pollution during production, and prevent or reduce fugitive dust from escaping the production building. As in the case of Building 17-B, particulate dust may potentially escape building 1 and building 11 through traffic in and out of the building brought about by production workers & fork lift trucks entering & leaving the building.

The Mobile vacuum cleaner will allow the operator to go around the building employing an extended flexible tubing to reach hard to reach ground floor and elevated areas. Specification for each of the mobile vacuum unit is shown below, and shown in the attachment:

Since the filter employed in this system has a removal efficiency of 99.97 %, it is expected that the fugitive dust on the floor will be almost completely removed leaving a negligible residual amount on the floor.

- Model A17EXP
- Manufacturer: Nilfisk Industrial Vacuum Division
- CFM= 240
- Amps/Voltage= N/A
- Power= Pneumatically operated from an air compressor providing sufficient CFM of air @ 90 psi
- W.L.= 177 inches of water
- Tank capacity= 26 gallons
- Filter Removal Efficiency= 99.97 % @ 0.3 microns
- Cost for this vacuum unit= \$12,500 /unit

Estimated Particulate Fugitive Dust to be Collected= Cannot be determined at this time. However, because of the very high removal efficiency of the filter being employed, the residual amount of fugitive dust remaining on the floor after vacuuming with the proposed mobile system, will be substantially less than the current method of manual sweeping. Therefore, it will result in substantial improvement in fugitive particulate dust pollution prevention and pollution reduction.

Annual Operating & Maintenance Cost (O & M)

- | | |
|--|----------------|
| • KWH= 19605 | ----- |
| • Cost @ 0.12/KWH= | \$2352.60 |
| • Filter Replacement @ \$752.14/2 years= | \$ 376.07/unit |
| • Labor | \$1000.00 |

Completion Schedule: 12 Weeks

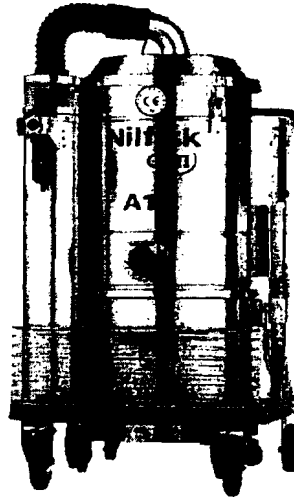
Attachment

SEP-2

Nilfisk Industrial Vacuums



Suitable for use in: Class I, Group D; Class II, Groups E, F, and G



Air Consumption @ 90 psi (under STP conditions)	58.5	CFM
Waterlift, max.	177	in. H ₂ O
Airflow, max.	240	CFM
Airline Diameter	0.75	in.
Required Air Pressure	60 - 130	psi
Tank Capacity	26	gallons
Main Filter Area	20.99	ft ²
Main Filter Area, Oversized	31.22	ft ²
Upstream HEPA Area	60.28	ft ²
Orifice Diameter	70	mm
Dimensions (LxWxH)	34 x 27 x 54	in. x in. x in.
Weight	150	lb.
Airline Length	20	ft.
Protection Class	N/A	-
Sound Level @ 3' 3"	78	dB(A)
Shipping Dimensions (LxWxH)	34 x 28 x 70	in. x in. x in.
Shipping Weight*	177	lb.
Shipping Carrier*	Common carrier	

*Accessories add additional weight and boxes to the order.

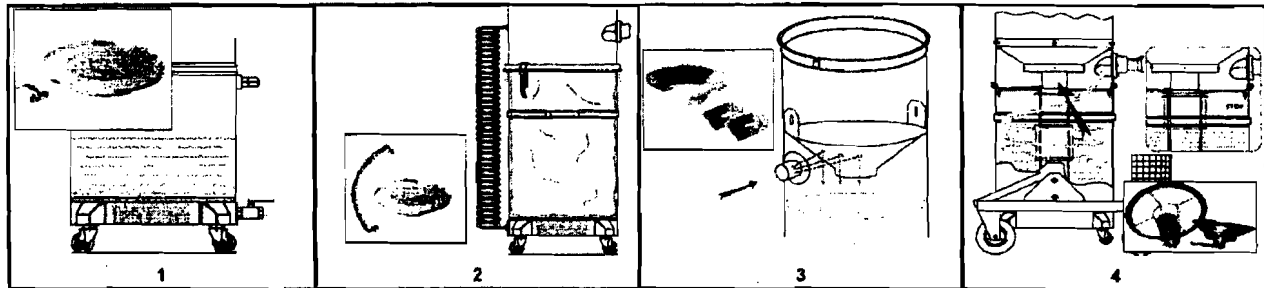
	Description	Material					Part #	Price
		Up Stream HEPA	304SS 65mm Airline	104SS Chamber	304SS Frame	304SS 3/4" Airline		
Vacuums	A17EXP: Base Vacuum	-	•	•	•	-	3-A17/100DXXX	\$7,333.60
	Features:							
	• Antistatic Polyester Star Filter	•	•	•	•	-	3-A17/100DAXXX	\$8,028.85
	• Side-mounted manual filter shaker	•	•	•	•	••	3-A17/100DAXXX50KT	\$9,239.10
	• Anti-static 3/4" air line	•	•	•	•			
	• Air regulator	•	•	•	•			
	•• The 50mm Accessory Kit Includes: 7-22225 Inlet Reducer (304SS) 40000221 Conductive rubber cone 7-24118 10' Conductive PU hose 7-20309F Antistatic cuffs 40000222 304SS Double curved wand 7-22241 Accessory Coupler (in 304SS) 40000223 16" SS Wheeled floor nozzle							

		Description	Notes	Part #	Price	
Filter	Main	Antistatic Polyester Star Filter (standard on A17EXP)	For materials prone to static buildup; 99.7% @ 1.5 microns	8-17141	\$427.45	
		Antistatic Polyester Star Filter (M Class)	For materials prone to static buildup; 99.9% @ 1.5 microns	8-17509	\$530.45	
HEPA		Upstream HEPA Filter Cartridge	99.97% @ 0.3 microns	8-17263	\$752.14	
		Upstream HEPA Filter Housing (304SS)	Filter not included	8-11073	\$408.85	
Inlet Coupler		Refer to "70mm Accessories - Inlet Fittings & Reducers" - use only EXP-suitable couplers!			-	-
Accessories		Only accessories that are listed as suitable for use in EXP-type applications can be considered. Accessories will depend upon the diameter of the working hose, the customer's needs, and compatibility with the material(s) being collected. Please consult the appropriate MAAG pages.			-	-

Nilfisk Industrial Vacuums



1	Drain Valve & Separator Assembly (304SS)	For separating solids from liquids within the container can be used with Mechanical Wet Float Shutoff Kit	5-60036	\$612.06
2	Polyliner Adapter Kit (PAK) (304SS)	Prevents a polyliner from being sucked up when vacuum is on. Connecting hose is 19mm-diameter.	5-60344	\$623.27
3	Conductive Container Polyliner (1 each)	Used in conjunction with the Polyliner Adapter Kit (PAK)	01769500	\$23.06
4	Cyclone Filter Protector (304SS)	Protects the filter from coming in direct contact with incoming liquids or sharp objects. It is not as effective w/ dusty materials.	5-60116	\$294.00
	Mechanical Wet Shutoff Kit (304SS)	When recovering liquids, prevents overflowing of the collection container; does NOT shut down the vacuum. Constructed in 304SS. Use only with 26-gallon container.	4056000530	\$991.17
	26-Gallon Collection Container (304SS)		8-30295	\$1,038.50



SEP- 3: Broken Bag Filter Detector& Annunciator System

Installation of a Broken Bag Filter complete with an annunciator system is being proposed. The purpose of the leak detector is to detect if a rupture has occurred in one or more filters in the baghouse. With this system, appropriate corrective action can be immediately taken before an accidental discharge of particulate dust into the environment. The leak detector system will substantially improve and help in ACuPowder's Pollution Prevention and Pollution Reduction Programs. Initially, three (3) leak detector systems will be installed in three separate BH discharge line. The installation of the leak detectors will further improve the current ΔP (pressure differential control) which is set to control the automatic cleaning cycle of each particulate dust control Baghouse System.

- Model 201 LP
- Manufacturer: Data Test
- Electrostatic Dust Monitor/ Triboelectric Broken Bag
- Delivers 4-20 mA Signal
- Cost for 3 Detectors= \$8250.00 (includes a spare sensor circuit board)
- Installation Cost= \$3750.00

Annual Operating & Maintenance Cost (O & M)

- Sensor circuit replacement @ 800.00/3 years for each detector = \$ 800 per year for three units
- Labor= \$600.00

Completion Schedule: 10 weeks (contingent upon post completion of SEP-1 and SEP-2)

Rey Morales

From: John Leonard [pennvint.john@gmail.com]
Sent: Thursday, November 17, 2011 12:18 PM
To: Rey Morales
Subject: Re: DataTest Baghouse monitors
Attachments: US-69065 Acupowder 2011 Datatest Price List.pdf; PENN DataTest 201LP monitor[1].pdf; Baghouse Monitoring SystemPENN[1].pdf

Rey,

Thank you for your call today. Please see attached the quotation # US-69065 for the **Model 201 LP** broken bag monitor. This unit delivers a 4-20 mA signal to monitor your baghouse for broken bags and monitor the cleaning cycles for energy efficiency and performance.

Also on the price list are the O2 monitors which we can discuss during our walk through. I would like to have the Datatest engineer come with us for this walk through to evaluate your requirements and the use of the ambient O2 monitor.

I have also attached information on our baghouse monitoring software package which we can supply with a dedicated PC. We can discuss if this would be beneficial to your process.

I confirmed an appointment for Tuesday 11/22 at 10 AM for a walk through with one of the DataTest owners Eng. John Jannone. Datatest is located here in Hillsborough NJ and John is one of the leading engineers and developers of high technology emission monitoring and combustion monitoring equipment. This is a great opportunity to have him in your facility to make recommendations. Please confirm with Andrew Shogoski if Tuesday at 10 AM works for him. I think it would be a good idea to have Mr. Edul Daver meet with us as well if he has time.

We look forward to answering any questions you may have in the meantime.

Prices are net to Acupowder with terms of Net 30 days.

I look forward to seeing you Tuesday.

Thank you,

Best regards,

John Leonard

Director - International Groups

PENNVINT

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Union, New Jersey 07083 USA

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The Finest of North American Engineering

Est. 1984 <http://www.PENNVINT.com>



Please consider the environment before printing this e-mail

On Tue, Nov 15, 2011 at 10:47 AM, Rey Morales <morales@acupowder.com> wrote:

John,

Tuesday, 11/22/11 is OK with me. Please send me the quotation for the Broken Bag Detector ASAP.

Thanks.

Rey Morales

ACuPowder International, LLC

SEP- 3: Broken Bag Filter Detector& Annunciator System

Installation of a Broken Bag Filter complete with an annunciator system is being proposed. The purpose of the leak detector is to detect if a rupture has occurred in one or more filters in the baghouse. With this system, appropriate corrective action can be immediately taken before an accidental discharge of particulate dust into the environment. The leak detector system will substantially improve and help in ACuPowder's Pollution Prevention and Pollution Reduction Programs. Initially, three (3) leak detector systems will be installed in three separate BH discharge line. The installation of the leak detectors will further improve the current ΔP (pressure differential control) which is set to control the automatic cleaning cycle of each particulate dust control Baghouse System.

The leak detector will monitor the baghouse for rupture bags/filters and monitor the cleaning cycles for energy efficiency and performance. The specification for each leak detector is shown below and in the attachment:

- Model 201 LP
- Manufacturer: Data Test
- Electrostatic Dust Monitor/ Triboelectric Broken Bag
- Delivers 4-20 mA Signal
- Cost for 3 Detectors= \$8250.00 (includes a spare sensor circuit board)
- Installation Cost= \$3750.00

Annual Operating & Maintenance Cost (O & M)

- Sensor circuit replacement @ 800.00/3 years for each detector = \$ 800 per year for three units
- Labor= \$600.00

Completion Schedule: 10 weeks (contingent upon post completion of SEP-1 and SEP-2)

In the Matter of ACuPowder International, Inc.

Docket Numbers:
EPCRA-02-2012-4102
TSCA-02-2012-9142

CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent the foregoing fully executed CONSENT AGREEMENT and FINAL ORDER, bearing the above-referenced Docket Number, in the following manner to the respective addressees below:

Original and One Copy
by Interoffice Mail:

Ms. Karen Maples, Regional Hearing Clerk
Office of the Regional Hearing Clerk
U.S. Environmental Protection Agency -Region 2
290 Broadway, 16th Floor (1631)
New York, New York 10007-1866

Copy by Certified Mail,
Return Receipt Requested:

Mr. Edul M Davers, President
ACuPowder International, LLC
901 LeHigh Avenue
Union, New Jersey 07083-7632

Copy by Mail:

Mr. Andrew Oppermann, EPCRA Section 313
New Jersey Department of Environmental Protection
Division of Environmental Safety and Health
Office of Pollution Prevention and Right-To-Know
22 S. Clinton Avenue, 3rd Floor
P.O. Box 443
Trenton, New Jersey 08625-0443

Mr. Rey Morales, P.E.
ACuPowder International, LLC
901 LeHigh Avenue
Union, New Jersey 07083-7632

Dated: 4/3/12



Pesticides and Toxic Substances Branch
U.S. Environmental Protection Agency - Region 2
2890 Woodbridge Avenue (MS-105)
Edison, New Jersey 08837-3679