



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

DEC 21 2018

REPLY TO THE ATTENTION OF:

VIA E-MAIL

Terrance Adrian, General Manager and Owner  
Hydro-Platers, Inc.  
3525 West Kiehnau Avenue,  
Milwaukee, Wisconsin 53209  
Email: [Terry@hydro-platers.com](mailto:Terry@hydro-platers.com)

Dear Mr. Adrian:

Enclosed is a file-stamped Consent Agreement and Final Order (CAFO) which resolves Hydro-Platers, Inc., docket no. CAA-05-2019-0008. As indicated by the filing stamp on its first page, we filed the CAFO with the Regional Hearing Clerk on 12/21/2018. Pursuant to paragraph 99 of the CAFO, Hydro-Platers, Inc. must pay the civil penalty within 30 days of the filing date. Your check or electronic funds transfer must display the case name and case docket number.

Please direct any questions regarding this case to Terence Branigan, Office of Regional Counsel, (312) 353-4737.

Sincerely,

A handwritten signature in black ink, appearing to read "Sarah Marshall".

Sarah Marshall, Chief  
Air Enforcement and Compliance Assurance Section (MI/WI)

Enclosure

cc: Ann Coyle, Regional Judicial Officer, [coyle.ann@epa.gov](mailto:coyle.ann@epa.gov)  
Regional Hearing Clerk/E-19J  
Donald P. Gallo, Esq., [dgallo@axley.com](mailto:dgallo@axley.com)  
Terence Branigan, [branigan.terence@epa.gov](mailto:branigan.terence@epa.gov)  
Maria Hill, Wisconsin Department of Natural Resources /via email



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

In the Matter of:	)	Docket No.	CAA-05-2019-0008
	)		
Hydro-Platers, Inc.	)	Proceeding to Assess a Civil Penalty	
Milwaukee, Wisconsin,	)	Under Section 113(d) of the Clean Air Act,	
	)	42 U.S.C. § 7413(d)	
Respondent.	)		
_____	)		

Consent Agreement and Final Order

Preliminary Statement

1. This is an administrative action commenced and concluded under Section 113(d) of the Clean Air Act (the CAA), 42 U.S.C. § 7413(d), and Sections 22.1(a)(2), 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (Consolidated Rules), as codified at 40 C.F.R. Part 22.
2. Complainant is the Director of the Air and Radiation Division, U.S. Environmental Protection Agency (EPA), Region 5.
3. Respondent is Hydro-Platers, Inc. (Hydro-Platers), a corporation doing business in Wisconsin.
4. Where the parties agree to settle one or more causes of action before the filing of a complaint, the administrative action may be commenced and concluded simultaneously by the issuance of a consent agreement and final order (CAFO). 40 C.F.R. § 22.13(b).
5. The parties agree that settling this action without the filing of a complaint or the adjudication of any issue of fact or law is in their interest and in the public interest.
6. Respondent consents to the assessment of the civil penalty specified in this CAFO and to the terms of this CAFO.

### Jurisdiction and Waiver of Right to Hearing

7. Respondent admits the jurisdictional allegations in this CAFO and neither admits nor denies the factual allegations in this CAFO.

8. Respondent waives its right to request a hearing as provided at 40 C.F.R. § 22.15(c), any right to contest the allegations in this CAFO and its right to appeal this CAFO.

### Statutory and Regulatory Background

9. Section 112(d) of the CAA, 42 U.S.C. § 7412(d), authorizes EPA to promulgate regulations for particular industrial sources that emit one or more of the hazardous air pollutant (HAPs) listed in Section 112(b) of the CAA, 42 U.S.C. § 7412(b), in significant quantities.

10. Section 112(i)(3) of the CAA, 42 U.S.C. § 7412(i)(3), and 40 C.F.R. § 63.4 prohibit the owner or operator of any source from operating such source in violation of any National Emission Standards for Hazardous Air Pollutant applicable to such source.

11. Pursuant to Section 112(d) of the CAA, 42 U.S.C. § 7412(d), EPA promulgated the National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks, at 40 C.F.R. Part 63, 40 C.F.R. §§ 63.340 through 63.348, Subpart N (Subpart N), on January 25, 1995, and the National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations, 40 C.F.R. Part 63, at 40 C.F.R. §§63.11504 through 63.11513, Subpart WWWWW (Subpart 6W), on July 1, 2008. See 60 Fed. Reg. 4948 (Jan. 25, 1995) and 73 Fed. Reg. 37741 (July 1, 2008), respectively.<sup>1</sup>

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<sup>1</sup> Effective September 19, 2012, EPA amended Subpart N to include, among other things, revised emission limits, with a compliance date for existing sources of September 19, 2014. See 77 Fed. Reg. 58220 (September 19, 2012).

### Regulatory Requirements under Subpart N

12. Pursuant to 40 C.F.R. § 63.340(a), Subpart N applies, in part, to each chromium electroplating tank at facilities performing hard chromium electroplating, each of which is an “affected source” for purposes of Subpart N.

13. Subpart N, at 40 C.F.R. § 63.342(a)(1), states, in part, that at all times, each owner and operator must operate and maintain any affected source subject to the requirements of [Subpart N], including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.

14. Subpart N, at 40 C.F.R. § 63.341(a), defines “existing affected source” in pertinent part as an affected hard chromium electroplating tank ..., the construction or reconstruction of which commenced on or before February 8, 2012.

15. Subpart N, at 40 C.F.R. § 63.341(a), defines “hard chromium electroplating” as the process by which a thick layer of chromium (typically 1.3 to 760 microns) is electrodeposited on a base material to provide a surface with functional properties such as wear resistance, a low coefficient of friction, hardness, and corrosion resistance.

16. Subpart N, at 40 C.F.R. § 63.342(a), provides that each owner or operator of an affected source subject to the provisions of Subpart N shall comply with the requirements of Subpart N on and after the compliance dates specified in 40 C.F.R. § 63.343(a).

17. Subpart N, prior to the revisions that were effective September 19, 2012, at 40 C.F.R. § 63.343(a)(1)(ii), required, in part, that the owner or operator of an existing hard chromium electroplating tank shall comply with the emission limitations set forth in 40 C.F.R. § 63.342 no later than 2 years after January 25, 1995. Effective September 19, 2012, EPA amended Subpart N, at 40 C.F.R. § 63.343(a)(1), to require that the owner or operator of an

existing affected source shall comply with revised emission limits in 40 C.F.R. § 63.342 no later than September 19, 2014.

18. Subpart N, at 40 C.F.R. § 63.342(c)(1)(i),<sup>2</sup> as revised, states, in part, that during tank operation, each owner or operator of an open-surface hard chromium electroplating tank that is an existing affected source located at a large, hard chromium electroplating facility shall control chromium emissions discharged to the atmosphere from that affected source by not allowing the concentration of total chromium in the exhaust gas stream discharged to the atmosphere to exceed 0.011 milligrams of total chromium per dry standard cubic meter (mg/dscm).

19. Subpart N, at 40 C.F.R. § 63.341(a), defines "large, hard chromium electroplating facility" as a facility that performs hard chromium electroplating and has a maximum cumulative potential rectifier capacity greater than or equal to 60 million ampere-hours per year (amp-hr/yr).

20. Subpart N, at 40 C.F.R. § 63.343(b)(1) as revised, requires, in part, that the owner or operator of an affected source conduct an initial performance test as required under § 63.7, using the procedures and test methods listed in §§ 63.7 and 63.344 on or before March 18, 2015.

21. Subpart N, at 40 C.F.R. § 63.347(e)(3), requires that the owner or operator of an affected source that is required to conduct a performance test by § 63.343(b), submit the notification of compliance status no later than 90 calendar days following completion of the compliance demonstration required by §§ 63.7 and 63.343(b).

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<sup>2</sup> 40 C.F.R. § 63.342(c) includes standards applicable to open-surface hard chromium-electroplating tanks, which 40 C.F.R. § 63.341(a) defines as chromium-electroplating tanks that are ventilated at a rate consistent with good ventilation practices for open tanks.

22. Subpart N, at 40 C.F.R. § 63.347(f)(1), requires that the owner or operator of an affected source report the results of any performance test conducted as required by § 63.7 or § 63.343(b).

23. Subpart N, at 40 C.F.R. § 63.347(f)(2), states that reports of performance test results shall be submitted no later than 90 days following the completion of the performance test, and shall be submitted as part of the notification of compliance status required by § 63.347(e).

24. Subpart N, at 40 C.F.R. § 63.342(f), states, in part, that all owners and operators subject to the standards in 40 C.F.R. § 63.342(c) are subject to the operation and maintenance practices of 40 C.F.R. § 63.342(f).

25. 40 C.F.R. § 63.342(f)(3)(i) requires that the owner or operator of an affected source subject to 40 C.F.R. § 63.342(f) prepare an operation and maintenance plan no later than the compliance date, which shall include: (A) operation and maintenance criteria for the affected source, the add-on air pollution control device (if such a device is used to comply with the emission limits), and the process and control system monitoring equipment, and a standardized checklist to document the operation and maintenance of this equipment; (B) for sources using an add-on control device or monitoring equipment to comply with this subpart, the operation and maintenance practices for that device or monitoring equipment, as identified in Table 1 of 40 C.F.R. § 63.342, if the specific equipment used is identified in that table; ... (D) procedures to be followed to ensure that equipment or process malfunctions due to poor maintenance or other preventable conditions do not occur; and (E) a systematic procedure for identifying malfunctions of process equipment, add-on air pollution control devices, and process and control system monitoring equipment and for implementing corrective actions to address such malfunctions.

26. Table 1 of 40 C.F.R. § 63.342 states that for composite mesh-pad systems, the owner or operator of an affected source shall: 1) visually inspect the device to ensure there is

proper drainage, no chronic acid buildup on the pads, and no evidence of chemical attack on the structural integrity of the device; 2) visually inspect the back portion of the mesh pad closest to the fan to ensure there is no breakthrough of chromic acid mist; 3) visually inspect ductwork from the tank to the control device to ensure there are no leaks; and 4) perform washdown of the composite mesh-pads in accordance with manufacturer's recommendations.

27. Subpart N, at 40 C.F.R. § 63.341(a), defines a "composite mesh-pad system" as an add-on pollution control device typically consisting of several mesh-pad stages, where the first stage removes large particles, the second stage, which consists of the composite mesh pad, removes smaller particles, and may include a final stage that removes any re-entrained particles not collected by the composite mesh pad.

28. Subpart N, at 40 C.F.R. § 63.343(c), requires that the owner or operator of an affected source subject to the emission limitations of Subpart N conduct monitoring according to the type of air pollution control technique that is used to comply with the emission limitation.

29. Subpart N, at 40 C.F.R. § 63.343(c)(1)(i), requires that the owner or operator of an affected source, or a group of affected sources under common control, complying with the emission limitations in 40 C.F.R. § 63.342 through the use of a composite mesh-pad system shall determine the outlet chromium concentration using the test methods and procedures in 40 C.F.R. § 63.344(c), and shall establish as a site-specific operating parameter the pressure drop across the system during the initial performance test, setting the value that corresponds to compliance with the applicable emission limitation, using the procedures in 40 C.F.R. § 63.344(d)(5).

30. Subpart N, at 40 C.F.R. § 63.343(c)(1)(ii), requires that, on and after the date on which the initial performance test is required to be completed under 40 C.F.R. § 63.7, the owner or operator of an affected source, or a group of affected sources under common control, shall

monitor and record the pressure drop across the composite mesh-pad system once each day that any affected source is operating.

31. Subpart N, at 40 C.F.R. § 63.346(b)(1), requires that the owner or operator of an affected source subject to the provisions of Subpart N maintain inspection records for the add-on air pollution control device, if such a device is used, and monitoring equipment, to document that the inspection and maintenance required by the work practice standards of 40 C.F.R. § 63.342(f) and Table 1 of § 63.342 have taken place.

32. Subpart N, at 40 C.F.R. § 63.346(b)(11), requires that the owner or operator of an affected source subject to the provisions of Subpart N maintain records of the total process operating time of the affected source during the reporting period.

33. Subpart N, at 40 C.F.R. § 63.347(h)(1), requires that the owner or operator of an affected source that is located at an area source prepare a summary report to document the ongoing compliance status of the affected source that contains the information identified in 40 C.F.R. § 63.347(g)(3).

34. Subpart N, at 40 C.F.R. § 63.347(g)(3)(vi), states that the summary report shall contain the total operating time of the affected source during the reporting period.

#### Regulatory Requirements under Subpart 6W

35. Pursuant to 40 C.F.R. § 63.11504(a), Subpart 6W applies to the owner or operator of a plating and polishing facility that: 1) is an area source of HAP emissions; 2) uses or has emissions of compounds of one or more plating and polishing metal HAPs; and 3) is engaged in one or more of the listed processes, including non-chromium electroplating, electroless plating, and dry mechanical polishing of finished metals and formed products after plating or thermal spraying.



36. Subpart 6W, at 40 C.F.R. § 63.11504(a)(2), defines an “area source of HAP emissions” as any stationary source or group of stationary sources within a contiguous area under common control that does not have the potential to emit any single HAP at a rate of 10 tons per year (tpy) or more and any combination of HAPs at a rate of 25 tpy or more.

37. Subpart 6W, at 40 C.F.R. §§ 63.11504(a)(3) and 63.11511, defines a “plating and polishing metal HAP” as any compound of cadmium, chromium, lead, manganese, and nickel, or any of these metals, other than lead, in the elemental form, with exceptions not relevant here.

38. Subpart 6W, at 40 C.F.R. § 63.11511, defines “electroplating” as an electrolytic process that uses or emits any of the plating and polishing metal HAPs in which metal ions in a solution are reduced onto the surface of the work piece (cathode) via an electrical current.

39. Subpart 6W, at 40 C.F.R. § 63.11511, defines “electroless plating” as a non-electrolytic process that uses or emits any of the plating and polishing metal HAPs in which metallic ions in a plating bath or solution are reduced to form a metal coating at the surface of a catalytic substrate without the use of external electrical energy.

40. Subpart 6W, at 40 C.F.R. § 63.11511, defines “dry mechanical polishing” as a process used for removing defects from and smoothing the surface of finished metals and formed products after plating or thermal spraying with any of the plating and polishing metal HAPs using automatic or manually-operated machines that have hard-faced abrasive wheels or belts and where no liquids or fluids are used to trap the removed metal particles. The affected process does not include polishing with use of pastes, liquids, lubricants, or any other added materials.

41. Pursuant to 40 C.F.R. § 63.11505(a), Subpart 6W applies, in part, to each existing affected source, which includes each tank that contains one or more of the plating and polishing metal HAPs and is used for non-chromium electroplating or electroless plating and each dry mechanical polishing operation that emits one or more of the plating and polishing metal HAPs.

42. Subpart 6W, at 40 C.F.R. § 63.11505(b), states that an affected source is “existing” if construction or reconstruction of the source occurred on or before March 14, 2008.

43. Subpart 6W, at 40 C.F.R. § 63.11506(a), requires that the owner or operator of an existing affected source achieve compliance with the applicable provisions of Subpart 6W no later than July 1, 2010.

44. Subpart 6W, at 40 C.F.R. § 63.11509(a), requires that the owner or operator of an existing affected source submit an Initial Notification that includes the information specified in 40 C.F.R. § 63.9(b)(2)(i) through (iv) of 40 C.F.R. Part 63, Subpart A (General Provisions) and a description of the compliance method for the affected source no later than 120 calendar days after July 1, 2008.

45. Subpart 6W, at 40 C.F.R. §§ 63.11508(a) and 63.11509(b), requires that the owner or operator of an affected source submit a Notification of Compliance Status before the close of business on the compliance date specified in 40 C.F.R. § 63.11506 and that includes: 1) a list of affected sources and the plating and polishing metal HAPs used in, or emitted by, those sources; 2) the methods used to comply with the applicable management practices and equipment standards; 3) a description of the capture and emission control systems used to comply with the applicable emission standards; and 4) a statement by the owner or operator of the affected source as to whether the source is in compliance with the applicable standards or other requirements.

46. Subpart 6W, at 40 C.F.R. §§ 63.11508(d)(2) and 63.11509(c), requires that the owner or operator of an affected source prepare an annual compliance certification to demonstrate continuous compliance in accordance with 40 C.F.R. § 63.11509(c)(1) through (7).

47. Subpart 6W, at 40 C.F.R. § 63.11511, defines “wetting agent/fume suppressant” as any chemical agent that reduces or suppresses fumes or mists from a plating and polishing tank by reducing the surface tension of the tank bath.

48. Subpart 6W, at 40 C.F.R. § 63.11509(c)(1), requires that the owner or operator of an affected electroplating tank that is subject to the requirements of 40 C.F.R. § 63.11507(a)(1) and who uses a wetting agent/fume suppressant in the tank to comply with Subpart 6W state in its annual compliance certification that it has added wetting agent/fume suppressant to the bath according to the manufacturer's specifications and instructions.<sup>3</sup>

49. Subpart 6W, at 40 C.F.R. § 63.11509(c)(2), requires that the owner or operator of a dry mechanical polishing operation that is subject to 40 C.F.R. § 63.11507(e) state in its annual compliance certification that it has operated and maintained the control system according to the manufacturer's specifications and instructions.<sup>4</sup>

50. Subpart 6W, at 40 C.F.R. § 63.11508(d)(8)(ii) and 63.11509(c)(6), requires that the owner or operator of an affected tank or other operation that is subject to the management practices specified in 40 C.F.R. § 63.11507(g) state in its annual compliance certification that it has implemented the applicable management practices specified in 40 C.F.R. § 63.11507(g), as practicable.

51. Subpart 6W, at 40 C.F.R. § 63.11509(c)(7), requires that the owner or operator of an affected source prepare each annual compliance report no later than January 31 of the year immediately following the reporting period, and requires that each annual compliance report be kept in a readily-accessible location for inspector review. The owner or operator is not required to submit these reports unless a deviation from the requirements of Subpart 6W has occurred during the reporting year, in which case, the annual compliance report must be submitted along

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<sup>3</sup> 40 C.F.R. § 63.11507(a)(1) includes standards applicable to affected electroplating tanks for which the owner or operator uses a wetting agent/fume suppressant in the bath of the tank.

<sup>4</sup> 40 C.F.R. § 63.11507(e) includes standards applicable to affected dry mechanical polishing machines.

with the deviation report, and postmarked no later than January 31 of the year immediately following the reporting period.

52. Subpart 6W, at 40 C.F.R. § 63.11509(e) and (f), requires, among other things, that the owner or operator of an affected source keep the records required to show continuous compliance with each applicable management practice, as specified in 40 C.F.R. § 63.11508(d). These records must be kept for a minimum of 5 years following the date of each occurrence, measurement, maintenance, corrective action, or record.

**Applicability of General Provisions to Subparts N and 6W**

53. Subpart N, at 40 C.F.R. § 63.340(b), and Subpart 6W, at 40 C.F.R. § 63.11510, require that owners or operators of affected sources subject to that subpart shall comply with the requirements of the General Provisions, according to the applicability of the General Provisions to such sources, as identified in Table 1 of Subpart N and Table 1 of Subpart 6W, respectively.

54. Table 1 of Subpart N lists 40 C.F.R. §§ 63.4, 63.6(c)(1), and 63.10(b)(1) of the General Provisions as applicable to Subpart N.

55. Table 1 of Subpart 6W lists 40 C.F.R. §§ 63.4, 63.6(c)(1), 63.10(b)(1), and 63.10(d)(1) of the General Provisions as applicable to Subpart 6W.

56. The General Provisions, at 40 C.F.R. § 63.4(a)(1), require that no owner or operator subject to the provisions of 40 C.F.R. Part 63 shall operate any affected source in violation of its requirements.

57. The General Provisions, at 40 C.F.R. § 63.4(a)(2), require that no owner or operator subject to the provisions of 40 C.F.R. Part 63 shall fail to keep records, notify, report, or revise reports as required under 40 C.F.R. Part 63.

58. The General Provisions, at 40 C.F.R. § 63.6(c)(1), require that after the effective date of a relevant standard established under this part pursuant to Section 112(d) or 112(h) of the

CAA, that the owner or operator of an existing affected source comply with such standard by the compliance date established in the applicable subpart(s) of 40 C.F.R. Part 63.

59. The General Provisions, at 40 C.F.R. § 63.10(b)(1), require that the owner or operator of an affected source subject to the provisions of 40 C.F.R. Part 63 maintain files of all information required by 40 C.F.R. Part 63 recorded in a form suitable and readily available for expeditious inspection and review. The files shall be maintained for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

60. The General Provisions, at 40 C.F.R. § 63.10(d)(1), require that the owner or operator of an affected source subject to reporting requirements under 40 C.F.R. Part 63 submit reports in accordance with the reporting requirements in the relevant standard(s).

#### **Statutory and Regulatory Provisions Regarding Civil Penalties**

61. The Administrator of EPA (the Administrator) may assess a civil penalty of up to \$37,500 per day of violation up to a total of \$295,000 for CAA violations that occurred after January 12, 2009 through December 6, 2013, \$37,500 per day of violation up to a total of \$320,000 for CAA violations that occurred after December 6, 2013 through November 2, 2015, and/or \$46,192 per day of violation up to a total of \$369,532 for violations that occurred after November 2, 2015 under Section 113(d)(1) of the CAA, 42 U.S.C. § 7413(d)(1), and 40 C.F.R. Part 19.

62. Section 113(d)(1) limits the Administrator's authority to matters where the first alleged date of violation occurred no more than 12 months prior to initiation of the administrative action, except where the Administrator and the Attorney General of the United States jointly determine that a matter involving a longer period of violation is appropriate for an administrative penalty action.

63. The Administrator and the Attorney General of the United States, each through their respective delegates, have determined jointly that an administrative penalty action is appropriate for the period of violations alleged in this CAFO.

#### Factual Allegations and Alleged Violations

64. Hydro-Platers owns and operates a metal-plating facility at 3525 West Kiehnau Avenue, Milwaukee, Wisconsin, where it conducts "hard chromium electroplating," sulfamate-nickel "electroplating," and nickel "electroless plating," as those terms are defined at 40 C.F.R. §§ 63.341(a) and 63.11511.

65. The facility includes six "open-surface hard chromium-electroplating tanks," as that term is defined at 40 C.F.R. § 63.341(a), that are subject to Subpart N as affected sources, in accordance with 40 C.F.R. § 63.340(a).

66. Hydro-Platers identifies these tanks as Tanks 1- 6.

67. Hydro-Platers installed Tanks 1-6 at the facility before January 25, 1995, making them existing affected sources under Subpart N.

68. The facility has a maximum cumulative potential rectifier capacity greater than 60 million amp-hr/yr, making it a large, hard chromium electroplating facility.

69. Emissions from Tanks 1, 2, and 3 vent to a common "packed-bed scrubber," (System 1) as that term is defined in 40 C.F.R. § 63.341(a). Tanks 4, 5, and 6 vent to their own, similar system (System 2).

70. The facility includes one sulfamate nickel-electroplating tank to which Hydro-Platers adds a "wetting agent/fume suppressant" for emissions control, as that term is defined at 40 C.F.R. § 63.11511, and two electroless nickel-plating tanks, each of which is subject to Subpart 6W as an affected source, in accordance with 40 C.F.R. §§ 63.11504(a) and 63.11505(a).

71. The facility also consists of five “dry mechanical polishing” machines, as that term is defined at 40 C.F.R. § 63.11511, that Hydro-Platers uses both prior to and after plating, each of which is subject to Subpart 6W as an affected source in accordance with 40 C.F.R. §§ 63.11504(a) and 63.11505(a).

72. Chromium and nickel are “plating and polishing metal HAPs,” as that term is defined at 40 C.F.R. §§ 63.11504(a)(3) and 63.11511.

73. The facility does not have the potential to emit chromium, nickel, or any other HAP at a rate of 10 tpy or more or any combination of HAPs at a rate of 25 tpy or more, making it an “area source of HAP emissions,” as that term is defined at 40 C.F.R. § 63.11504(a)(2).

74. The facility is a “plating and polishing facility” within the meaning of 40 C.F.R. § 63.11504(a) and 40 C.F.R. § 63.11511.

75. On November 6, 2013, EPA inspected the facility for compliance with Subparts N and 6W.

76. On November 19, 2014, EPA issued an information request under Section 114 of the CAA, 42 U.S.C. § 7414, to Hydro-Platers, seeking information concerning its compliance with Subparts N and 6W.

77. On December 23, 2014, Hydro-Platers submitted its response to EPA’s information request (Information Request Response).

78. In its Information Request Response, in response to EPA’s request for a copy of its operation and maintenance plan as required by Subpart N, Hydro-Platers provided inspection/maintenance checklists titled “Operation and Maintenance Program Hexmaster Scrubbers” and “Chrome Scrubber Cleaning Schedule,” neither of which includes the information required under 40 C.F.R. § 342(f)(3)(i) for operation and maintenance plans for affected sources subject to 40 C.F.R. Part 63, Subpart N.

79. In a July 31, 2015, email to Ray Cullen of EPA, Terry Adrian of Hydro-Platers admits that Hydro-Platers had monitored and recorded the pressure drop across only the final stages of Systems 1 and 2 instead of the pressure drop across all the stages of each system.

80. In its Information Request Response, Hydro-Platers admits that it had not prepared or maintained records of the inspections of Systems 1 and 2 and associated monitoring equipment that it is required to conduct per the work practice standards of 40 C.F.R. § 63.342(f) and Table 1 of § 63.342.

81. In its Information Request Response, Hydro-Platers admits that it had not maintained records of the total process operating time of the chromium-electroplating tanks at the facility.

82. In its Information Request Response, Hydro-Platers provided EPA with a copy of its Initial Notification, dated October 27, 2008, and Notification of Compliance Status, dated July 1, 2010, for Subpart 6W, neither of which includes the information required under 40 C.F.R. § 63.11509(a) and (b)(2), respectively, for the dry mechanical polishers at the facility.

83. In its Information Request Response, Hydro-Platers admits that it had never prepared an annual certification of compliance report for Subpart 6W.

84. On September 30, 2015, EPA issued a Finding of Violation (FOV) to Hydro-Platers.

85. Hydro-Platers failed to demonstrate initial compliance by not conducting an adequate initial performance test on or before March 18, 2015, in violation of 40 C.F.R. § 63.343(b)(1).

86. Hydro-Platers failed to maintain the emission limit of 0.011 mg/dscm of ventilation air for all open surface hard chromium electroplating tanks of System 1, from March



19, 2015 to February 16, 2016, in violation of the emission standards of 40 C.F.R. § 63.342(c)(1)(i).

87. Hydro-Platers failed to properly monitor and record the pressure drop across Systems 1 and 2 once each day for any day during which any of the chromium-electroplating tanks that are vented to such Systems was operating, in violation of 40 C.F.R. §§ 63.4(a)(1), 63.4(a)(2), 63.10(b)(1), 63.342(a), 63.343(c)(3) and 63.343(c)(1)(ii).

88. Hydro-Platers failed to maintain records of inspections of Systems 1 and 2 and associated monitoring equipment that it is required to conduct per the work practice standards of 40 C.F.R. § 63.342(f) and Table 1 of § 63.342, in violation of 40 C.F.R. §§ 63.4(a)(1), 63.4(a)(2), 63.10(b)(1), 63.342(a), and 63.346(b)(1).

89. Hydro-Platers failed to maintain records of the total process operating time of the chromium-electroplating tanks at the facility, in violation of 40 C.F.R. §§ 63.4(a)(1), 63.4(a)(2), 63.10(b)(1), 63.342(a), and 63.346(b)(1).

90. Hydro-Platers failed to prepare an operation and maintenance plan by January 25, 1997, that includes the information required by 40 C.F.R. § 63.342(f)(3)(i), as in effect prior to September 19, 2012, in violation of 40 C.F.R. §§ 63.4(a)(1), 63.4(a)(2), 63.10(b)(1), 63.342(a), and 63.342(f)(3)(i).

91. Hydro-Platers failed to submit a notification of compliance status on or before 90 calendar days following completion of the compliance demonstration, in violation of 40 C.F.R. § 63.347(e)(3).

92. Hydro-Platers failed to report performance test results on or before 90 calendar days following completion of the compliance demonstration, in violation of 40 C.F.R. § 63.347(f)(2).

93. Hydro-Platers failed to prepare semi-annual summary reports to document the ongoing compliance status of the source that contain the total operating time of the chromium-electroplating tanks at the facility, in violation of 40 C.F.R. §§ 63.4(a)(1), 63.4(a)(2), 63.10(b)(1), 63.342(a), and 63.347(h)(1).

94. Hydro-Platers failed to include the dry mechanical polishing machines at the facility in its Initial Notification and Notification of Compliance Status for Subpart 6W, in violation of 40 C.F.R. §§ 63.4(a)(1), 63.4(a)(2), 63.10(b)(1), 63.10(d)(1), 63.11506(a), 63.11509(a), 63.11508(a), and 63.11509(b).

95. Hydro-Platers failed to prepare annual compliance certifications for Subpart 6W, in violation of 40 C.F.R. §§ 63.4(a)(1), 63.4(a)(2), 63.10(b)(1), 63.11506(a), 63.11508(d)(2), 63.11509(c), 63.11509(e), and 63.11509(f).

96. On November 16, 2015, EPA met with Hydro-Platers to discuss the FOV.

97. In response to the November 16, 2015 meeting, Hydro-Platers hired a third party to assist with bringing the facility into compliance. In addition, Hydro-Platers conducted performance tests of its systems between January 26, 2016 and May 19, 2016 to establish the pressure drop across each system. EPA met with Hydro-Platers to discuss performance tests' results and facility's compliance several times in 2016 and 2017, respectively, and Hydro-Platers has submitted additional information to EPA during this time.

#### Civil Penalty

98. Based on analysis of the factors specified in Section 113(e) of the CAA, 42 U.S.C. § 7413(e), the facts of this case and Hydro-Platers's cooperation, prompt return to compliance, and agreement to perform a supplemental environmental project, Complainant has determined that an appropriate civil penalty to settle this action is \$12,215.

99. Within 30 days after the effective date of this CAFO, Respondent must pay the \$12,215 civil penalty by sending a cashier's or certified check, payable to "Treasurer, United States of America," to:

U.S. EPA  
Fines and Penalties  
Cincinnati Finance Center  
P.O. Box 979077  
St. Louis, Missouri 63197-9000

The check must note Respondent's name and the docket number of this CAFO.

100. Respondent must send a notice of payment that states Respondent's name and the docket number of this CAFO to EPA at the following addresses when it pays the penalty:

Terence Branigan (C-14J)  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 5  
77 W. Jackson Boulevard  
Chicago, Illinois 60604

Regional Hearing Clerk (E-19J)  
U.S. Environmental Protection Agency, Region 5  
77 W. Jackson Boulevard  
Chicago, Illinois 60604

and via e-mail to [R5aireinforcement@epa.gov](mailto:R5aireinforcement@epa.gov)

101. This civil penalty is not deductible for federal tax purposes.

102. If Respondent does not pay timely the civil penalty, or any stipulated penalties due under paragraph 115, below, EPA may request the Attorney General of the United States to bring an action to collect any unpaid portion of the penalty with interest, nonpayment penalties and the United States enforcement expenses for the collection action under Section 113(d)(5) of the CAA, 42 U.S.C. § 7413(d)(5). The validity, amount and appropriateness of the civil penalty are not reviewable in a collection action.

103. Respondent must pay the following on any amount overdue under this CAFO. Interest will accrue on any overdue amount from the date payment was due at a rate established

by the Secretary of the Treasury pursuant to 26 U.S.C. § 6621(a)(2). Respondent must pay the United States enforcement expenses, including but not limited to attorneys' fees and costs incurred by the United States for collection proceedings. In addition, Respondent must pay a quarterly nonpayment penalty each quarter during which the assessed penalty is overdue. This nonpayment penalty will be 10 percent of the aggregate amount of the outstanding penalties and nonpayment penalties accrued from the beginning of the quarter. 42 U.S.C. § 7413(d)(5).

#### Supplemental Environment Project

104. Respondent must complete, in compliance with all applicable legal requirements, a supplemental environmental project (SEP) designed to protect public health and the environment by reducing actual emissions of chromium compounds at Respondent's facility as follows.

- a. Respondent shall replace their existing System 2 packed-bed scrubber, which includes a mesh pad filter between two stages of packed bed, for controlling chromium emissions (referred to herein as the existing System 2 scrubber) with an improved emission control system by one year from the effective date of this CAFO. The improved system will consist of a new three-stage composite mesh pad system using improved mesh pad technology which integrates three stages of mesh pad filters and no packed beds (compared with only one stage of mesh pad filter in the existing System 2 scrubber), followed by a HEPA filter, and a reconstructed stack (together referred to as "new combined System 2 control unit"), as generally described in a vendor quote from Plating International, Inc., Option 2 (Attachment A). In addition, Respondent shall demonstrate the improved performance of new combined System 2 control unit in reducing chromium emissions as compared with the existing System 2 scrubber by performing a stack test on the new combined System 2 control unit, as specified.

in subparagraph 104.c below and in the schedule in paragraph 105 below, and comparing the chromium reduction efficiency of the new combined System 2 control unit with the chromium reduction efficiency of the existing System 2 scrubber (as demonstrated by the stack test performed on January 26, 2016). The chromium reduction efficiency of the new combined System 2 control unit shall exceed that of the existing System 2 scrubber. The new combined System 2 control unit shall meet all applicable legal requirements, including but not limited to the applicable emissions limits for chromium compounds.

- b. Following system installation, the SEP shall include start-up of the new combined System 2 control unit by the vendor and concurrent training for Respondent's employees provided by the vendor, including training in: new combined System 2 control unit operations, preventive maintenance tasks, trouble-shooting system operations, process instrumentation and controls operation, and calibration of the process instrumentation and controls. Startup and training will be performed by the vendor in one continuous session.
- c. The SEP shall also include: (i) preparation and submission by vendor of an application for revisions to the facility's Permit to Install to incorporate the new combined System 2 control unit; (ii) revisions to the Operations & Maintenance Manual to incorporate provisions for the new combined System 2 control unit; and (iii) vendor performance of a stack test on the new combined System 2 control unit (along with scaffolding rental and install as a necessary measure for the safety of personnel performing the stack testing).
- d. Following installation and start-up, Respondent shall successfully operate new combined System 2 control unit for a period of one year from the date of start-up.

Respondent represents that the anticipated replacement schedule for HEPA filters in the new combined System 2 control unit is quarterly.

105. The SEP described in paragraph 104 shall be performed in accordance with the following schedule:

SEP Milestones	Completion Date
Place purchase order with vendor	Within 4 weeks after CAFO becomes Effective
Submit permit application to Wisconsin Department of Natural Resources, with a copy to EPA, seeking a modification to existing Permit to Install or seeking a new Permit to Install (also known as construction permits) to operate the new combined System 2 control unit for continuous compliance as required by Subparts N and 6W.	Within 4 weeks after CAFO becomes Effective
Fabrication of Control Unit Elements	Within 12 weeks after CAFO becomes Effective
Submit project status reports (see paragraph 109)	Status reports are due 30 days after the end of the period covered by the report, in accordance with paragraph 109 of this CAFO
Complete new combined System 2 control unit installation.	Within 8 months after CAFO becomes Effective
Complete new combined System 2 control unit start-up and employee training. (Commence operation of new combined System 2 control unit for at least one year for continuous compliance in accordance with Subparts N and 6W.)	Within 9 months after CAFO becomes Effective
Conduct successful stack test on new combined System 2 control unit and submit results to EPA.	Within 12 months after CAFO becomes Effective

106. Respondent must spend at least \$45,810 to purchase and install equipment and complete the SEP as described in paragraphs 104 and 105 above. Only costs billed to the

Respondent by vendors for purposes of completing the SEP tasks described in paragraph 104 above may be taken into account for this purpose. Such costs may include the cost of purchasing replacement HEPA filters for new combined System 2 that are used in operating new combined System 2 during the one-year period of operation required in paragraph 104 above.

107. Respondent certifies as follows:

I certify that Hydro-Platers is not required to perform or develop the SEP by any law, regulation, order, or agreement or as injunctive relief as of the date that I am signing this CAFO. I further certify that Hydro-Platers has not received, and is not negotiating to receive, credit for the SEP in any other enforcement action.

I certify that Hydro-Platers is not a party to any open federal financial assistance transaction that is funding or could be used to fund the same activity as the SEP. I further certify that, to the best of my knowledge and belief after reasonable inquiry, there is no such open federal financial transaction that is funding or could be used to fund the same activity as the SEP. For purposes of this certification, the term "open federal financial assistance transaction" refers to a grant, cooperative agreement, loan, federally-guaranteed loan guarantee or other mechanism for providing federal financial assistance whose performance period has not expired.

108. EPA may inspect the facility at any time to monitor Respondent's compliance with this CAFO's SEP requirements.

109. Respondent must submit written status reports on a semi-annual basis summarizing progress made on each task described in paragraph 104 of this CAFO during the period covered by the report, not later than 30-days after the end of such period. The first semi-annual report shall cover the period beginning the day the CAFO becomes effective and ending six months after the first day of the first month beginning after the effective date of the CAFO. Each successive status report shall cover the six-month period beginning immediately after the end of the prior six-month period.

110. Respondent must submit a SEP completion report to EPA by no later than 60 days from completion of the SEP, which is complete after all steps in paragraph 104 have been completed and Respondent has operated the new combined System 2 control unit for a period of one year following system startup. This report must contain the following information:

- a. Detailed description of the SEP as completed;
- b. Description of any operating problems and the actions taken to correct the problems;
- c. Itemized cost of goods and services used to complete the SEP documented by copies of invoices, purchase orders or cancelled checks that specifically identify and itemize the individual cost of the goods and services;
- d. Certification that Respondent has completed the SEP in compliance with this CAFO; and
- e. Description of the environmental and public health benefits resulting from the SEP (quantify the benefits and pollution reductions, if feasible).

111. Respondent must submit all notices, reports, and other documents required by this CAFO to EPA by email at [R5airenforcement@epa.gov](mailto:R5airenforcement@epa.gov). The email must note Respondent's name and the docket number of this CAFO.

112. In each report that Respondent submits as provided by this CAFO, it must certify that the report is true and complete by including the following statement signed by one of its officers:

I certify that I am familiar with the information in this document and that, based on my inquiry of those individuals responsible for obtaining the information, it is true and complete to the best of my knowledge. I know that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

113. Following receipt of the SEP completion report described in paragraph 110, above, EPA must notify Respondent in writing that:

- a. It has satisfactorily completed the SEP and the SEP report;
- b. There are deficiencies in the SEP as completed or in the SEP report and EPA will give Respondent 30 days to correct the deficiencies; or



- c. It has not satisfactorily completed the SEP or the SEP report and EPA will seek stipulated penalties under paragraph 115.

114. If EPA exercises option b above, Respondent may object in writing to the deficiency notice within 10 days of receiving the notice. The parties will have 30 days from EPA's receipt of Respondent's objection to reach an agreement. If the parties cannot reach an agreement, EPA will give Respondent a written decision on its objection. Respondent will comply with any requirement that EPA imposes in its decision. If Respondent does not complete the SEP as required by EPA's decision, Respondent will pay stipulated penalties to the United States under paragraph 115, below.

115. If Respondent violates any requirement of this CAFO relating to the SEP, Respondent must pay stipulated penalties to the United States as follows:

- a. Except as provided in subparagraph b, below, if Respondent did not complete the SEP satisfactorily according to the requirements of this CAFO, Respondent must pay a penalty of \$45,815.
- b. If Respondent did not complete the SEP satisfactorily, but EPA determines that Respondent made good faith and timely efforts to complete the SEP and certified, with supporting documents, that it spent at least 90 percent of the amount set forth in paragraph 106, Respondent will not be liable for any stipulated penalty under subparagraph a, above.
- c. If Respondent completed the SEP satisfactorily, but spent less than 90 percent of the amount set forth in paragraph 106, Respondent must pay a penalty of \$5,500.
- d. If Respondent did not submit timely the SEP completion report required by paragraph 110, or did not timely submit any status report required by paragraph 109, or failed to timely meet any milestone in paragraph 105, Respondent must pay penalties in the following amounts for each day after the report was due or the milestone was to have been met until it submits the report or meets the milestone:

<u>Penalty per violation per day</u>	<u>Period of violation</u>
\$ 100	1 <sup>st</sup> through 14 <sup>th</sup> day
\$ 250	15 <sup>th</sup> through 30 <sup>th</sup> day
\$ 500	31 <sup>st</sup> day and beyond

116. EPA's determinations of whether Respondent completed the SEP satisfactorily and whether Respondent made good faith and timely efforts to complete the SEP will bind Respondent.

117. Respondent must pay any stipulated penalties within 15 days of receiving EPA's written demand for the penalties. Respondent will use the method of payment specified in paragraph 99, above, and will pay interest and nonpayment penalties on any overdue amounts.

118. Any public statement that Respondent makes referring to the SEP must include the following language: "Hydro-Platers, Inc., undertook this project under the settlement of the United States Environmental Protection Agency's enforcement action against Hydro-Platers for violations of the Section 112 of the CAA, 42 U.S.C. § 7412, and the implementing regulations at 40 C.F.R. Part 63, Subpart N (the National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks) and Subpart WWWWW (Subpart 6W) (National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations)."

119. If an event occurs which causes or may cause a delay in completing the SEP as required by this CAFO:

- a. Respondent must notify EPA in writing within 10 days after learning of an event which caused or may cause a delay in completing the SEP. The notice must describe the anticipated length of the delay, its cause(s), Respondent's past and proposed actions to prevent or minimize the delay and a schedule to carry out those actions. Respondent must take all reasonable actions to avoid or minimize any delay. If Respondent fails to notify EPA according to this paragraph, Respondent will not receive an extension of time to complete the SEP.
- b. If the parties agree that circumstances beyond the control of Respondent caused or may cause a delay in completing the SEP, the parties will stipulate to an extension of time no longer than the period of delay.
- c. If EPA does not agree that circumstances beyond the control of Respondent caused or may a delay in completing the SEP, EPA will notify

Respondent in writing of its decision and any delays in completing the SEP will not be excused.

- d. Respondent has the burden of proving that circumstances beyond its control caused or may cause a delay in completing the SEP. Increased costs for completing the SEP will not be a basis for an extension of time under subparagraph b, above. Delay in achieving an interim step will not necessarily justify or excuse delay in achieving subsequent steps.

120. For federal income tax purposes, Respondent will neither capitalize into inventory or basis, nor deduct any costs or expenditures incurred in performing the SEP.

#### General Provisions

121. The parties consent to service of this CAFO by e-mail at the following e-mail addresses: [Branigan.Terence@epa.gov](mailto:Branigan.Terence@epa.gov) (for Complainant), [Terry@hydro-platers.com](mailto:Terry@hydro-platers.com) (for Respondent), and [dgallo@axley.com](mailto:dgallo@axley.com) (for Respondent).

122. This CAFO resolves only Respondent's liability for federal civil penalties for the violations alleged in this CAFO.

123. The CAFO does not affect the rights of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violation of law.

124. This CAFO does not affect Respondent's responsibility to comply with the CAA and other applicable federal, state and local laws. Except as provided in paragraph 122, above, compliance with this CAFO will not be a defense to any actions subsequently commenced pursuant to federal laws administered by EPA.

125. Respondent certifies that it is complying fully with Subpart N and Subpart 6W.

126. This CAFO constitutes an "enforcement response" as that term is used in EPA's Clean Air Act Stationary Civil Penalty Policy to determine Respondent's "full compliance history" under Section 113(e) of the CAA, 42 U.S.C. § 7413(e).

127. The terms of this CAFO bind Respondent, its successors and assigns.

128. Each person signing this consent agreement certifies that he or she has the authority to sign for the party whom he or she represents and to bind that party to its terms.

129. Each party agrees to bear its own costs and attorneys' fees in this action.

130. This CAFO constitutes the entire agreement between the parties.

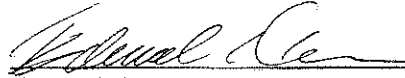
**Hydro-Platers Inc., Respondent**

12/7/2015  
Date

Terrance Adrian  
Terrance Adrian  
General Manager and Owner  
Hydro-Platers Inc.

United States Environmental Protection Agency, Complainant

12/12/12  
Date

  
\_\_\_\_\_  
Edward Nam  
Director  
Air and Radiation Division  
U.S. Environmental Protection Agency, Region 5

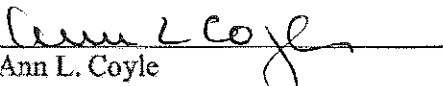
**Consent Agreement and Final Order  
In the Matter of: Hydro-Platers Inc.  
Docket No.**

CAA-05-2019-0008

**Final Order**

This Consent Agreement and Final Order, as agreed to by the parties, shall become effective immediately upon filing with the Regional Hearing Clerk. This Final Order concludes this proceeding pursuant to 40 C.F.R. §§ 22.18 and 22.31. IT IS SO ORDERED.

December 19, 2018  
Date

  
Ann L. Coyle  
Regional Judicial Officer  
U.S. Environmental Protection Agency  
Region 5

CAA-05-2019-0008

**ATTACHMENT A**





ATTACHMENT A

## **PLATING INTERNATIONAL, INC.**

CHANGING THE WORLD OF PLATING!!!

### **Option 1 RE: 4<sup>th</sup> Stage HEPA / New Stack for the 2<sup>nd</sup> Chrome Scrubber**

Per your request we are pleased to quote a price to fabricate and install a new 4<sup>th</sup> stage HEPA filter on the 2<sup>nd</sup> scrubber, as well as a new stack required to allow ScrubAir Systems to guarantee that Hydro-Platers Inc. passes the new Federal EPA emission requirement of .011 mg/dscm. We will also include stack testing.

*The following will be included:*

- One (1) New 4<sup>th</sup> stage HEPA filter housing with transition
  - Fabricated from 3/8" and 1/2" thick high impact PVC
  - Filter housing
  - (4) HEPA filters
  - Magnehelic gauge designed to monitor the pressure drop across the HEPA filters (we will re-connect the overall gauges to the exit side of the HEPA filters to monitor the pressure drop across the combined (4) stages of filters. This must be recorded daily per EPA requirements)
  - Clear hinged and bolt on access doors with convenient spin off knobs to allow access to all components of the unit
  - Transition from the exit end of the 4<sup>th</sup> stage HEPA filter to the inlet of the fan including re-connecting the flex and draw bands to the inlet of the existing fan
  
- One (1) New discharge stack
  - Fabricated from 3/16" thick high impact PVC
  - Rectangular to round transition on the discharge end of the fan
  - High velocity discharge stack on the discharge end of the stack
  - Ports for stack testing
  - SS ring to connect to the existing guy wires
  
- Owner's manual with drawings and spare parts list

### **Installation by ScrubAir personnel**

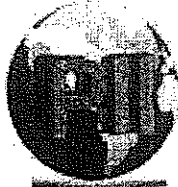
- Remove the existing transition and stack to a location for Hydro-Platers to dispose of
- All joints will be heat fusion welded
- All hanger rods and fasteners will be SS
- All rigging equipment required to assemble (Crane)
- Start up and training

---

PLATING INTERNATIONAL INC. 11142 ADDISON AVE FRANKLIN PARK, IL 60131

O. 847-451-2101 F. 847-451-2106

WWW.PLATINGINTERNATIONAL.COM



# PLATING INTERNATIONAL, INC.

CHANGING THE WORLD OF PLATING!!!

THE ABOVE NEW 4<sup>TH</sup> STAGE HEPA FILTER/TRANSITION SECTION NEW STACK FABRICATED AND INSTALLED FOR A PRICE OF.....\$22,975.00  
\*PERMITTING COST & STACK TESTING NOT INCLUDED.....\$5,700.00  
\* SCAFFOLDING RENTAL & INSTALL..... \$3,000.00

- ▶ FOB Shipping Point
- ▶ Does not include taxes or permits if required

#### LEAD TIME:

- ✓ One to Two (1 - 2) weeks from receipt of purchase order

#### PAYMENT TERMS:

- ✓ NET 10 Days

- ALL WORKMANSHIP AND MATERIALS ARE FULLY GUARANTEED FOR ONE (1) YEAR AFTER STARTUP

- WHEN STACK TESTED, WILL SURPASS THE NEW FEDERAL EPA EMISSION MANDATE FOR HEXEVALENT CHROME OF UNDER .011 MG/DSCM. IF THE TEST AFTER SCRUBAIR MAKES THE MODIFICATIONS, DOES NOT PASS, THE .011 MG/DSCM REQUIREMENT, SCRUBAIR AT NO ADDITIONAL COST TO HYDRO-PLATERS WILL MAKE THE NECESSARY MODIFICATIONS, AND WILL PAY FOR STACK TESTING COSTS.

#### **Option 2 RE: 3 Stage Composite Mesh Pad Design with 4<sup>th</sup> Stage HEPA / New Stack for the 2<sup>nd</sup> Chrome Scrubber**

Per your request we are pleased to quote a price to fabricate and install a new 3 stage Mesh Pad Designed Scrubber with 4<sup>th</sup> stage HEPA filter, as well as a new stack required to allow ScrubAir Systems to guarantee that Hydro-Platers Inc. passes the new Federal EPA emission requirement of .011 mg/dscm.

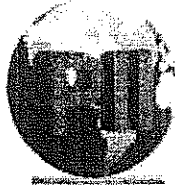
#### The following will be included:

- ▶ One (1) 3 Stage Mesh Pad Design Scrubber
  - 9000 CFM
  - Fabricated from 3/8" and 1/2" thick high impact PVC

PLATING INTERNATIONAL INC. 11142 ADDISON AVE FRANKLIN PARK, IL 60131

O. 847-451-2101 F. 847-451-2106

WWW.PLATINGINTERNATIONAL.COM



# PLATING INTERNATIONAL, INC.

CHANGING THE WORLD OF PLATING!!!

- Filter housing
  - (4) HEPA filters
  - Magnehelic gauge designed to monitor the pressure drop across the HEPA filters (we will re-connect the overall gauges to the exit side of the HEPA filters to monitor the pressure drop across the combined (4) stages of filters. This must be recorded daily per EPA requirements)
  - Clear hinged and bolt on access doors with convenient spin off knobs to allow access to all components of the unit
  - Transition from the exit end of the 4<sup>th</sup> stage HEPA filter to the inlet of the fan including re-connecting the flex and draw bands to the inlet of the existing fan
- One (1) New 4<sup>th</sup> stage HEPA filter housing with transition
- Fabricated from 3/8" and 1/2" thick high impact PVC
  - Filter housing
  - (4) HEPA filters
  - Magnehelic gauge designed to monitor the pressure drop across the HEPA filters (we will re-connect the overall gauges to the exit side of the HEPA filters to monitor the pressure drop across the combined (4) stages of filters. This must be recorded daily per EPA requirements)
  - Clear hinged and bolt on access doors with convenient spin off knobs to allow access to all components of the unit
  - Transition from the exit end of the 4<sup>th</sup> stage HEPA filter to the inlet of the fan including re-connecting the flex and draw bands to the inlet of the existing fan
- One (1) New discharge stack
- Fabricated from 3/16" thick high impact PVC
  - Rectangular to round transition on the discharge end of the fan
  - High velocity discharge stack on the discharge end of the stack
  - Ports for stack testing
  - SS ring to connect to the existing guy wires
- Owner's manual with drawings and spare parts list

#### Installation by ScrubAir personnel

- Remove the existing transition and stack to a location for Hydro-Platers to dispose of
- All joints will be heat fusion welded
- All hanger rods and fasteners will be SS
- All rigging equipment required to assemble (Crane)
- Start up and training

---

PLATING INTERNATIONAL INC. 11142 ADDISON AVE FRANKLIN PARK, IL 60131

O. 847-451-2101 F. 847-451-2106

WWW.PLATINGINTERNATIONAL.COM



# PLATING INTERNATIONAL, INC.

CHANGING THE WORLD OF PLATING!!!

THE ABOVE NEW 3 Stage 9000 CFM Chrome Separator System with a 4<sup>TH</sup> STAGE HEPA FILTER/TRANSITION SECTION NEW STACK FABRICATED

AND INSTALLED FOR A PRICE OF.....\$40,000.00  
\* PERMITTING COST & STACK TESTING NOT INCLUDED.....\$5,000.00  
\* SCAFFOLDING RENTAL & INSTALL.....\$3,000.00  
\* START UP & TRAINING.....\$5,000.00

- ▶ FOB Shipping Point
- ▶ Does not include taxes or permits if required

**LEAD TIME:**

✓ Two-Four (2 - 4) weeks from receipt of purchase order

**PAYMENT TERMS:**

✓ NET 10 Days

- ALL WORKMANSHIP AND MATERIALS ARE FULLY GUARANTEED FOR ONE (1) YEAR AFTER STARTUP

- WHEN STACK TESTED, WILL SURPASS THE NEW FEDERAL EPA EMISSION MANDATE FOR HEXEVALENT CHROME OF UNDER .011 MG/DSCM. IF THE TEST AFTER SCRUBAIR MAKES THE MODIFICATIONS, DOES NOT PASS, THE .011 MG/DSCM REQUIREMENT, SCRUBAIR AT NO ADDITIONAL COST TO HYDRO-PLATERS WILL MAKE THE NECESSARY MODIFICATIONS, AND WILL PAY FOR STACK TESTING COSTS.

PLATING INTERNATIONAL INC. 11142 ADDISON AVE FRANKLIN PARK, IL 60131

O. 847-451-2101 F. 847-451-2106

WWW.PLATINGINTERNATIONAL.COM

Consent Agreement and Final Order

In the matter of: Hydro-Platers Inc.

Docket Number: CAA-05-2019-0008

**CERTIFICATE OF SERVICE**

I certify that I served a true and correct copy of the foregoing **Consent Agreement and Final Order**, docket number CAA 05 2019 0008, which was filed on 12/21/2018, in the following manner to the following addressees:

Copy by E-mail to  
Attorney for Complainant: Terence Branigan  
Branigan.Terence@epa.gov

Copy by E-mail to  
Respondent Terrance Adrian, General Manager and Owner  
Terry@hydro-platers.com

Copy by E-mail to  
Attorney for Respondent: Donald P. Gallo, Esq.  
dgallo@axley.com

Copy by E-mail to  
Regional Judicial Officer: Ann Coyle  
coyle.ann@epa.gov

Dated: 12/21/2018



LaDawn Whitehead  
Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 5