



REGION 7

LENEXA, KS 66219

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article No. 9589 0710 5270 1534 9654 73

CT Corporation
Registered Agent for PreCoat Metals Corp.
5661 Telegraph Rd Ste 4B
Saint Louis, MO 63129-4275

Anu Singh
Director, Environmental Health Services
PreCoat Metals Corp.
4301 South Spring Avenue
St. Louis, Missouri 63116

Re: Finding of Violations Pursuant to the Clean Air Act and Opportunity to Confer
PreCoat Metals Corp., St. Louis, Missouri

Dear Registered Agent and Anu Singh:

This letter concerns the compliance of PreCoat Metals Corp. with the requirements of the Clean Air Act, 42 U.S.C. § 7401 *et seq.*, for its facility at 4301 South Spring Avenue, St. Louis, Missouri (the "Facility").

The U.S. Environmental Protection Agency, Region 7, conducted an inspection of PreCoat's Facility on September 23, 2024. The purpose of the inspection was to determine the compliance of the Facility with the CAA. The EPA sent the inspection report to PreCoat on February 4, 2025.

Based on a review of the information gathered, the EPA has identified violations of the Clean Air Act and the implementing regulations. Specifically, the facility violated the National Emission Standards for Hazardous Air Pollutants, promulgated at 40 C.F.R. Part 63, Subpart SSSS. The violations are detailed in the enclosed Finding of Violation, which is being issued to PreCoat pursuant to Section 113(a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(3). They include, but are not limited to, the following:

- *Failure to conduct initial performance tests on Lines 1 and 2, as required by 40 C.F.R. § 63.5160.*

Performance testing for this source category is the only way to evaluate and establish the parameters for meeting and maintaining the emission limits. The periodic testing determines whether the system

can continue to meet the limits as the Facility and equipment age. If a facility does not follow the performance tests requirements, there can be no reasonable assurance that the emission units continue to meet those emission limits, which are protective of human health and the environment.

The EPA's primary concern is PreCoat's return to full compliance as expeditiously as possible. The EPA also believes that these violations are significant enough to warrant the assessment of a civil penalty. Section 113(d) of the CAA, 42 U.S.C. § 7413(d), authorizes civil penalties for violations of the CAA and its implementing regulations. To be fair and consistent in its assessment of penalties, the EPA uses the CAA Stationary Source Civil Penalty Policy (October 25, 1991) to calculate penalties. A link to this document is included in the Additional Sources of Information enclosure.

By this letter, the EPA invites PreCoat to negotiate a fair resolution of this matter before any complaint is filed. The EPA is extending an opportunity to advise the Agency, in person, via conference call, or in writing, of any further information the EPA should consider with respect to the alleged violation. A settlement of this matter through PreCoat's return to full compliance and payment of an appropriate civil penalty would be memorialized in a Consent Agreement and Final Order to be signed by an authorized representative of PreCoat and the EPA. If PreCoat believes it does not have the financial ability to pay the proposed penalty and wants EPA to consider its financial condition, PreCoat should notify EPA during the settlement discussions so we can further discuss the circumstances and determine the appropriate financial documentation to substantiate this claim.

If PreCoat is interested in participating in pre-filing negotiations, please contact Antonette Palumbo, in the Office of Regional Counsel, within 20 calendar days of receipt of this letter at (913) 551-7121 or palumbo.antonette@epa.gov. The EPA generally provides a period of 90 days to reach settlement before considering more formal enforcement options.

The EPA is committed to working with you to resolve this matter. Your immediate attention to this matter is appreciated.

Sincerely,

DAVID COZAD

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COZAD
Date: 2025.06.26 14:56:02
-05'00'

David Cozad
Director
Enforcement and Compliance Assurance Division

Enclosures: Finding of Violation

Additional Sources of Information

cc: Anu Singh - Precoat Metals - anu_singh@precoat.com
Lindsay Boyd – MoDNR - Lindsay.Boyd@dnr.mo.gov

Additional Sources of Information

- Information on CAA Enforcement Policy Guidance and Publications:
<https://www.epa.gov/enforcement/air-enforcement-policy-guidance-and-publications>
- Information on CAA Penalty Policy:
<https://www.epa.gov/sites/production/files/documents/penpol.pdf>
- Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, 40 C.F.R. Part 22:
<https://www.eCFR.gov/current/title-40/chapter-I/subchapter-A/part-22>
- Information on Small Businesses and Enforcement:
<https://www.epa.gov/compliance/small-business-resources-information-sheet>

2. Section 112 of the CAA, 42 U.S.C. § 7412, requires the EPA to develop emissions standards that apply to specific categories of major sources and area sources of listed hazardous air pollutants. The National Emissions Standards for Hazardous Air Pollutants (NESHAPs) apply to specific sources that emit listed hazardous air pollutants. These emissions standards must require the maximum degree of reduction in emissions of hazardous air pollutants (HAPs) that the Administrator, taking into consideration the cost of achieving such emission reduction, and any non-air quality health and environmental impacts and energy requirements, determines is achievable for the new or existing sources in the category to which the emission standard applies. The NESHAPs are developed and implemented by EPA and are delegated to the states. However, even when delegated to the states, EPA retains the authority to implement and enforce the NESHAPs.

3. The NESHAP for Hazardous Air Pollutants: Surface Coating of Metal Coil, 40 C.F.R. Part 63, Subpart SSSS, establishes national emissions standards for hazardous air pollutants for facilities that perform metal coil surface coating operations and are a major source of HAPs.

4. 40 C.F.R. § 63.5160 describes the performance tests that must be completed for facilities that perform metal coil surface coating operations. 40 C.F.R. § 63.5160 states that if an owner or operator controls HAP on a coil coating line by using a capture system and add-on control device, it must:

Except as specified in paragraph (a) of this section, conduct an initial performance test within 180 days of the applicable compliance date in § 63.5130, and conduct periodic performance tests within 5 years following the previous performance test, as follows: If you are not required to complete periodic performance tests as a requirement of renewing your facility's operating permit under 40 C.F.R. part 70 or 40 C.F.R. part 71, you must conduct the first periodic performance test before March 25, 2023, unless you already have conducted a performance test on or after March 25, 2018; thereafter, you must conduct a performance test no later than 5 years following the previous performance test. Operating limits must be confirmed or reestablished during each performance test. If you are required to complete periodic performance tests as a requirement of renewing your facility's operating permit under 40 C.F.R. part 70 or 40 C.F.R. part 71, you must conduct the periodic testing in accordance with the terms and schedule required by your permit conditions. For each performance test: (1) For each capture and control system, determine the destruction or removal efficiency of each control device according to § 63.5160(d) and the capture efficiency of each capture system according to § 63.5160(e), and (2) confirm or re-establish the operating limits.

5. Section 112(i)(3) of 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 NESHAP applicable to such source.

6. Pursuant to Section 112(l) of the CAA, 42 U.S.C. § 7412(l), states may develop and submit to the Administrator for approval a program for the implementation and enforcement (including a review of enforcement delegations previously granted) of emissions standards and other requirements for air pollution subject to this section.

7. Section 110(a) of the CAA, 42 U.S.C. § 7410(a), requires each state to adopt and submit to EPA for approval a plan that provides for the attainment and maintenance of the NAAQS in each air quality control region within each state. This plan is known as a State Implementation Plan (SIP).

8. Pursuant to Section 110 of the CAA, 42 U.S.C. § 7410, after SIPs are approved by EPA, they are enforceable both by the respective states in which they are adopted and, pursuant to Section 113(b) of the CAA, 42 U.S.C. § 7413(b), by the United States.

9. Missouri has not accepted delegation of the February 25, 2020, version of 40 C.F.R. Part 63, Subpart SSSS. Missouri's delegation of Part 63 Subpart SSSS was effective on February 28, 2019, for the July 1, 2018, C.F.R. 83 FR 25382.

10. Pursuant to Section 502(a) of the CAA, 42 U.S.C. § 7661a(a), it is unlawful for any person to, among other things, operate a major source subject to Title V except in compliance with a Title V permit after the effective date of any permit program approved or promulgated under Title V of the Act.

11. Section 113(a)(3) of the CAA, 42 U.S.C. § 7413(a)(3), grants the Administrator the authority to make a finding of violation of a requirement or prohibition of subchapter I of the CAA, section 7603 of the CAA, subchapter IV-A, subchapter V or subchapter VI; and upon such a finding, to issue an order requiring a person to comply with such requirement or prohibition.

B. FACTUAL BACKGROUND

12. Respondent is, and at all times referred to herein was, a "person" as defined by Section 302(e) of the CAA, 42 U.S.C. § 7602(a).

13. Respondent is the "owner" and/or "operator" of the PreCoat Metals Corp. plant located at 4301 South Spring Avenue, St. Louis, Missouri (the Facility) within the meaning of Section 112(a) of the Act, 42 U.S.C. § 7412(a).

14. The Facility is a "stationary source" as defined by Section 302(z) of the CAA, 42 U.S.C. § 7602(z), and operates a coil coating line that is a major source of HAPs as defined by 40 C.F.R. §§ 63.2; 63.5090; and 63.5100.

15. The Facility has a Title V operating permit issued by the Missouri Department of Natural Resources (MoDNR) on December 21, 2018; OP2018-115. The Facility submitted a timely permit renewal to MoDNR in June 2023.

16. OP2018-115 incorporates 40 C.F.R. Part 63, Subpart SSSS by reference.

17. On September 23, 2024, the EPA conducted an on-site inspection of the Facility.

18. During the inspection, the Facility stated that it had not conducted the testing required by 40 C.F.R. § 63.5160 and Permit Condition-003.

19. During the inspection, EPA determined that Lines 1 and 2 were operating without conducting a performance test after the March 25, 2023, deadline as specified in 40 C.F.R. § 63.5160.

20. During the inspection, EPA determined that the only stack test conducted was in 2006.

C. VIOLATIONS

21. The EPA finds that PreCoat Metals Corp. has failed to conduct the performance tests required by 40 C.F.R. §63.5160 and its Title V Operating Permit and is therefore in violation of Section 112 of the Act, 42 U.S.C. § 7412, Title V, 42 U.S.C. 7661a, et. seq.

D. POTENTIAL LIABILITY

22. Section 113(a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(3), provides that whenever on the basis of available information the Administrator finds that any person has violated or is in violation of any requirement or prohibition of any other requirement or prohibition of subchapter I, section 7603 of the Clean Air Act, subchapter IV-A, subchapter V, or subchapter VI of this chapter, including but not limited to a requirement or prohibition of any rule, plan, order, waiver or permit promulgated or issued under these provisions or subchapters or for payment of any fee owed to the United States under subchapter I, the Administrator may, without regard to the period of violation:

- a. issue an administrative penalty order assessing a civil penalty not to exceed \$59,114 per day for each violation that occurred after November 2, 2015;
- b. issue an order requiring compliance with the requirements or prohibitions of the applicable plan or permit;
- c. bring a civil action for permanent or temporary injunction or to recover a penalty not to exceed \$124,426 per day for each violation that occurred after November 2, 2015; or
- d. request the Attorney General to commence a criminal action in accordance with Section 113(c).

23. The issuance of this Finding of Violation does not preclude the State of Missouri or the EPA from assessing penalties or taking any action authorized by the CAA. This Finding of Violation does not affect the obligation of PreCoat Metals Corp. to comply with all applicable federal, state, and local regulations.

24. Pursuant to Section 306 of the Clean Air Act, 42 U.S.C. § 7606, Executive Order 11738, and EPA regulations at 40 C.F.R. Part 15, facilities to be utilized in federal contracts, grants, and loans must be in compliance with standards established pursuant to the Act. The violations set forth in this notification may result in ineligibility to participate with a federal contract, grant, or loan.

Date

**DAVID
COZAD**

David Cozad, Director
Enforcement and Compliance Assurance Division

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DAVID COZAD
Date: 2025.06.26
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CERTIFICATE OF SERVICE

(to be completed by EPA)

I certify that that a true and correct copy of the foregoing Finding of Violation was sent this day in the following manner to the addressees:

Copy via E-mail to Complainant:

Antonette Palumbo
palumbo.antonette@epa.gov

Joe Terriquez
terriquez.joe@epa.gov

Copy via E-mail to Respondent:

Anu Singh, Director of EHS PreCoat Metals
Anu_Singh@precoat.com

Copy via Certified Mail, Return Receipt Requested to Respondent:

Registered Agent: CT Corporation
5661 Telegraph Rd Ste 4B
Saint Louis, MO 63129-4275

Copy via E-Mail to:

Lindsay Boyd -MoDNR- *Lindsay.Boyd@dnr.mo.gov*

Dated this _____ day of _____, _____

Signed