

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1 – NEW ENGLAND**

Received by
EPA Region 1
Hearing Clerk

IN THE MATTER OF:)
)
)
Trelleborg Coated Systems US, Inc.)
30 Lenox Street)
New Haven, CT 06513)
)
Proceeding under Section 113 of the)
Clean Air Act)
_____)

Docket No. CAA-01-2022-0043

CONSENT AGREEMENT

A. PRELIMINARY STATEMENT

1. This is an administrative penalty assessment proceeding brought under Section 113(d) of the Clean Air Act (the “Act”), 42 U.S.C. § 7413(d), and Sections 22.13 and 22.18 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 United States Environmental Protection Agency, Region 1 (the “EPA”). On the EPA’s behalf, Director, EPA Region 1 Enforcement and Compliance Assurance Division is delegated the authority to settle civil administrative penalty proceedings under Section 113(d) of the Act.

3. Respondent is Trelleborg Coated Systems US, Inc., (“Trelleborg”) a corporation doing business in the state of Connecticut. Respondent is a “person” as defined in Section 302(e) of the Act, 42 U.S.C. § 7602(e).

4. Complainant and Respondent, having agreed that settlement of this action is in the

public interest, consent to the entry of this consent agreement (“Consent Agreement” or “Agreement”) and the attached final order (“Final Order” or “Order”) (collectively “CAFO”) without adjudication of any issues of law or fact herein, and Respondent agrees to comply with the terms of this Consent Agreement and Final Order.

B. JURISDICTION

5. This Consent Agreement is entered into under Section 113(d) of the Act, as amended, 42 U.S.C. § 7413(d), and the Consolidated Rules, 40 C.F.R. Part 22.

6. The EPA and the United States Department of Justice jointly determined that this matter, although it involves alleged violations that occurred more than one year before the initiation of this proceeding, is appropriate for an administrative penalty assessment. 42 U.S.C. § 7413(d); 40 C.F.R. § 19.4.

7. In satisfaction of the notice requirements of Section 113(a), on January 10, 2022, the EPA issued to Respondent a notice of violation (“NOV”) and provided a copy of the NOV to the State of Connecticut, providing notice to both that the EPA found that Respondent committed the alleged violations described in Section E of this Agreement and providing Respondent an opportunity to confer with the EPA. On February 25, 2022, representatives of Respondent and the EPA discussed the NOV.

8. The Regional Judicial Officer is authorized to ratify this Consent Agreement which memorializes a settlement between Complainant and Respondent. 40 C.F.R. § 22.4(a) and 22.18(b).

9. The issuance of this Consent Agreement and attached Final Order simultaneously commences and concludes the proceeding. 40 C.F.R. § 22.13(b).

C. GOVERNING LAW

10. Section 110(a) of the Clean Air Act (“CAA”), 42 U.S.C. § 7410(a), requires each state to incorporate regulations that attain and maintain healthy air quality in the State Implementation Plan (“SIP”). A state must submit its SIP and any SIP revisions to EPA for approval. Once EPA has approved a SIP, it may enforce the SIP’s requirements and prohibitions under Sections 113(a) and (b) of the CAA, 42 U.S.C. §§ 7413(a) and (b).

11. EPA has approved the State of Connecticut’s SIP under Section 110 of the CAA, 42 U.S.C. § 7410. The Connecticut SIP includes various federally-approved portions of the Regulations of Connecticut State Agencies (“RCSA”) promulgated by the Connecticut Department of Energy and the Environment (“CT DEEP”), including RCSA 22a-174-3a, Permit to Construct and Operate Stationary Sources. The Connecticut SIP is accessible at <https://www.epa.gov/sips-ct/epa-approved-regulations-connecticut-sip>.

12. The SIP at RCSA 22a-174-3a, Paragraph h, Duty to Comply, states that “an owner or operator shall comply with the permit or modification thereto issued by the commissioner under this section.” Failure to comply with Permit conditions is treated as failure to comply with the SIP.

13. Sections 113(a)(1) and 113(d)(1) of the CAA, 42 U.S.C. §§ 7413(a)(1) and 7413(d)(1), provide, among other things, that EPA may commence an administrative penalty action against any person found in violation of any requirement or prohibition of a SIP.

14. Pursuant to 113(d)(1) of the CAA, 42 U.S.C. § 7413(d)(1), as amended by EPA’s *Civil Monetary Penalty Inflation Adjustment Rule*, 40 C.F.R. Part 19, promulgated in accordance with the *Debt Collection Improvement Act of 1996* (“DCIA”), 31 U.S.C. §§ 3701 *et seq.*, EPA currently may assess administrative penalties of up to \$55,808 per day for each violation of Section 113(a)(1) of the CAA, 42 U.S.C. § 7413(a)(1).

D. ALLEGED FACTS AND VIOLATIONS OF LAW

15. On July 2, 2001, CT DEEP issued a permit to Uretek Inc. for its coating and laminating operations. This permit approved the following operations: the Re-Therm Unitherm Model VFC 20,000 regenerative thermal oxidizer with urethane coating; urethane lamination; and the “zipper line.” The Re-Therm Unitherm regenerative thermal oxidizer is designed to control/destroy volatile organic compounds (“VOCs”) emitted from the Lines during the coating and laminating processes. The permit was modified and a New Source Review Permit to Construct and Operate a Stationary Source, Permit Number 117-0291, (the “Permit”) was issued to Uretek LLC on July 17, 2007, pursuant to Connecticut’s SIP, RCSA 22a-174-3a. The Permit was transferred to Trelleborg Coated Systems US, Inc. (DBA Uretek) on March 31, 2015, for operations at the facility, which is located at 30 Lenox Street, New Haven, Connecticut (the “Facility”).

16. The Facility is primarily engaged in urethane coating and laminating processes on various fabrics. As part of its coating and laminating operations, the Facility operated and maintained, and continues to operate and maintain, coating lines and laminating lines that emit VOCs.

17. EPA and CT DEEP conducted a joint comprehensive inspection of the Facility on December 3, 2019. EPA conducted a second inspection of the Facility’s coating operations on February 12, 2020.

18. The Permit, Part IV, Monitoring, Recordkeeping and Reporting Requirements, Section A, Material and Fuel Usage Records, Condition 1.v (Regenerative Thermal Oxidizer), requires that the permittee maintain a continuous monitoring device at natural draft openings (“NDOs”) to monitor flow velocity for the permanent total enclosures (“PTEs”) associated with

the Lines as a means of demonstrating ongoing compliance with the 100 percent capture efficiency requirement in the Permit. During the December 3, 2019 joint CT DEEP and EPA inspection, the EPA inspector observed that each of the Lines was equipped with only one flow velocity gauge, whereas each of the Lines had numerous NDOs. As a result, EPA has determined that the Facility was not adequately monitoring its PTEs.

19. The Permit, Part IV, Monitoring, Recordkeeping and Reporting Requirements, Section A, Material and Fuel Usage Records, Condition 2.iii (Urethane Coating Activities), requires that annual VOC usage and emission sums be based on any consecutive twelve (12) month time period by adding the current month's VOC usage or emissions to that of the previous eleven (11) months and that such records be kept on site and in a manner which readily demonstrates compliance/noncompliance with the hourly and annual VOC usage and emission limits. Trelleborg was excluding from its calculations VOC usage and emissions from its clean-up solvents, such that a readily available comparison could not be made to evaluate whether the Facility was complying with the hourly and annual VOC usage and emissions limits of its Permit.

20. The Permit, Part II. Operating Requirements, Section 2, (Controls), requires that the capture and control systems employed by Trelleborg achieve a 98 percent overall control efficiency from the operation of its regenerative thermal oxidizer and its capture systems, associated with the Lines, by demonstrating through a stack test that the oxidizer is achieving 98 percent destruction efficiency of VOCs directed to it from the Lines and that the PTEs used to capture the VOC emissions from the Lines are achieving 100 percent capture efficiency. Based on information ascertained during the recent uncompleted stack test of Trelleborg's Lines, dated October 28, 2021, EPA is alleging that the PTEs associated with the Lines were not meeting the

permit condition to capture 100 percent of the VOCs generated and emitted from the Lines and based on the recent stack testing completed at the Facility at low load conditions, dated December 2, 2021, EPA is alleging that the oxidizer was not meeting the permit condition to destroy 98 percent of the VOC emissions charged to the oxidizer; the high load test was not completed.

21. The Permit, Part V, Special Requirements, Section A, requires that permanent structure(s) be continuously maintained which capture 100 percent of VOC emissions from coating machines and laminator/dryer operations (e.g., the Lines). Based on findings ascertained during the recent uncompleted stack test and based on findings ascertained during the recent completed stack test at low load conditions, both of which were conducted on the oxidizer and the PTEs associated with the Lines, EPA has determined that Trelleborg is not meeting the requirement to continuously maintain its PTEs such that VOC emissions from the Lines are being captured at 100 percent.

22. In 2019, the Facility rebuilt its coating machine #10 and the coating machine enclosure. The Facility conducted a third-party audit by Woodard and Curran, conducted on August 26, 2019. The audit reports that "...in the auditor's opinion, the coating lines did not meet the 100 percent capture and permanent total enclosure requirements of 40 C.F.R. 51, Appendix M, Method 204". The audit report was submitted to the Facility on October 14, 2019, and was submitted to CT DEEP on October 28, 2019, and the EPA on November 1, 2019.

23. Based on the foregoing, EPA alleges that: Respondent violated, and in some instances, continues to violate its Permit, as described above in paragraphs 18 through 22 above.

E. TERMS OF CONSENT AGREEMENT

24. For the purpose of this proceeding, as required by 40 C.F.R. § 22.18(b)(2),

Respondent:

- a. admits that the EPA has jurisdiction over the subject matter alleged in this Agreement;
 - b. neither admits nor denies the Alleged Facts and Violations of Law stated above;
 - c. consents to the assessment of a civil penalty as stated below;
 - d. consents to the issuance of any specified compliance or corrective action order;
 - e. consents to the conditions specified in this Agreement;
 - f. consents to any stated Permit Action;
 - g. waives any right to contest the Alleged Facts and Violations of Law set forth in Section D of this Consent Agreement; and
 - h. waives its rights to appeal the Order accompanying this Agreement.
25. For the purpose of this proceeding, Respondent:
- a. Agrees that this Agreement states a claim upon which relief may be granted against Respondent;
 - b. Acknowledges that this Agreement constitutes an enforcement action for purposes of considering Respondent's compliance history in any subsequent enforcement actions;
 - c. Waives any and all remedies, claims for relief and otherwise available rights to judicial or administrative review that Respondent may have with respect to any issue of fact or law set forth in this Order, including any right of judicial review under Section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1);

- d. consents to personal jurisdiction in any action to enforce this Agreement or Order, or both, in the United States District Court for the District of Connecticut or other venue; and
- e. waives any rights it may possess at law or in equity to challenge the authority of the EPA to bring a civil action in a United States District Court to compel compliance with the Agreement or Order, or both, and to seek an additional penalty for such noncompliance, and agrees that federal law shall govern in any such civil action.

26. Civil Penalty: Taking into account the particular facts and circumstances of this matter, with specific reference to the penalty factors set forth in Section 113(e)(1) of the CAA, 42 U.S.C. § 7413(e)(1), EPA has determined that it is fair and proper to assess a civil penalty for the violations alleged in this Consent Agreement in the amount of three hundred and five thousand three hundred and five dollars (\$305,305).

27. Within thirty (30) days of the effective date of this CAFO, Respondent shall pay the civil penalty set forth in Paragraph 26 by submitting a bank, cashier's, or certified check, payable to the order of the "Treasurer, United States of America." The check should be sent via regular mail to:

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

or, Respondent may make payment via express mail to:

U.S. Bank
Government Lockbox 979077
1005 Convention Plaza
Mail Station SL-MO-C2GL
St. Louis, MO 63101

Respondent shall note the case name and docket number of this matter (“*In the Matter of Trelleborg Coated Systems US, Inc.*, Docket No. CAA-01-2022-0043”) on the check and in an accompanying cover letter, and shall simultaneously provide copies of the check and cover letter to:

Wanda Santiago
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 1
5 Post Office Square
Suite 100 (ORA18-1)
Boston, MA 02109-3912

and

Tahani Rivers
Enforcement Counsel
U.S. Environmental Protection Agency, Region 1
5 Post Office Square
Suite 100 (OES04-3)
Boston, MA 02109-3912

28. If Respondent fails to timely pay any portion of the penalty assessed under this Agreement, the EPA may:
- a. Request the Attorney General to bring a civil action in an appropriate district court to recover: the amount assessed; interest at rates established pursuant to 26 U.S.C. § 6621(a)(2); the United States’ enforcement expenses; and a ten (10) percent quarterly nonpayment penalty, 42 U.S.C. § 7413(d)(5);
 - b. refer the debt to a credit reporting agency or a collection agency, 42 U.S.C. § 7413(d)(5), 40 C.F.R. §§ 13.13, 13.14, and 13.33;

- c. collect the debt by administrative offset (i.e., the withholding of money payable by the United States to, or held by the United States for, a person to satisfy the debt the person owes the Government), which includes, but is not limited to, referral to the Internal Revenue Service for offset against income tax refunds, 40 C.F.R. Part 13, Subparts C and H; and
- d. suspend or revoke Respondent's licenses or other privileges, or suspend or disqualify Respondent from doing business with the EPA or engaging in programs the EPA sponsors or funds, 40 C.F.R. § 13.17.

29. **Conditions.** As a condition of settlement, Respondent agrees to comply with the provisions of Attachment 1, which is appended to this CAFO and incorporated herein by reference. Respondent shall comply with Attachment 1 beginning on the CAFO's Effective Date.

a. Respondent shall be liable for stipulated penalties in the amount of \$500 for each day, from the first through thirtieth day, for each failure to perform any action required by Attachment 1, \$1,000 for each day, from the thirty-first day through the sixtieth day, and \$2,000 for each day thereafter for each failure to perform such action.

b. Respondent shall pay stipulated penalties plus any interest due thereupon 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 27 above. EPA may, in its sole discretion, elect not to seek stipulated penalties or to compromise any portion of stipulated penalties that accrue pursuant to this CAFO.

30. Respondent agrees that the time period from the Effective Date of this Consent Agreement until all of the conditions specified in Paragraph 29 and Attachment 1 are completed

(the “Tolling Period”) shall not be included in computing the running of any statute of limitations potentially applicable to any action brought by Complainant on any claims (the “Tolled Claims”) set forth in paragraphs 18 through 22 of this CAFO. Respondent shall not assert, plead, or raise in any fashion, whether by answer, motion or otherwise, any defense of laches, estoppel, or waiver, or other similar equitable defense based on the running of any statute of limitations or the passage of time during the Tolling Period in any action brought on the Tolled Claims.

31. The provisions of this Agreement shall apply to and be binding upon Respondent and its officers, directors, employees, agents, trustees, servants, authorized representatives, successors, and assigns. From the Effective Date of this Agreement until the end of the Tolling Period, as set out in Paragraph 30, Respondent must give written notice and a copy of this Agreement to any successors in interest prior to any transfer of ownership or control of any portion of or interest in the Facility. Simultaneously with such notice, Respondent shall provide written notice of such transfer, assignment, or delegation to the EPA. In the event of any such transfer, assignment, or delegation, Respondent shall not be released from the obligations or liabilities of this Agreement unless the EPA has provided written approval of the release of said obligations or liabilities.

32. By signing this Agreement, Respondent acknowledges that this Consent Agreement and Final Order will be available to the public and agrees that this Agreement does not contain any confidential business information or personally identifiable information.

33. By signing this Agreement, the undersigned representative of Complainant and the undersigned representative of Respondent each certify that he or she is fully authorized to execute and enter into the terms and conditions of this Agreement and has the legal capacity to bind their respective party to this Agreement.

34. By signing this Agreement, both parties agree that each party’s obligations under

this Consent Agreement and attached Final Order constitute sufficient consideration for the other party's obligations.

35. By signing this Agreement, Respondent certifies that the information it has supplied concerning this matter was at the time of submission true, accurate, and complete for each such submission, response, and statement. Respondent acknowledges that there are significant penalties for submitting false or misleading information, including the possibility of fines and imprisonment for knowing submission of such information, under 18 U.S.C. § 1001.

36. Except as qualified by Paragraph 28 above, each party shall bear its own attorney's fees, costs, and disbursements incurred in this proceeding, and specifically waives any right to recover such costs from the other party pursuant to the Equal Access to Justice Act, 5 U.S.C. § 504, or other applicable law.

37. The parties agree that Respondent and EPA may execute this CAFO by electronic signature. To ensure the validity of these signatures and legal enforceability of this CAFO, EPA electronic signatures will comply with the Agency's 2018 Electronic Signature Policy and Electronic Signature Procedure. Respondent's signature will also comply with all applicable Connecticut e-signature policies and laws, including the EPA regulations at 40 C.F.R. Part 3, which defines a "valid electronic signature" to mean "an electronic signature on an electronic document that has been created with an electronic signature device that the identified signatory is uniquely entitled to use for signing that document, where this device has not been compromised, and where the signatory is an individual who is authorized to sign the document by virtue of his or her legal status and/or his or her relationship to the entity on whose behalf the signature is executed." 40 C.F.R. § 3.3. At a minimum, all electronically signed documents must be reproducible in a human-intelligible form and clearly indicate: (1) that the document was

electronically signed; (2) the unique identity of the individual who signed the document and their intent to sign; and (3) the date and time it was signed. Once the CAFO is signed by a party, the document must be locked to prevent any further alteration of the document. Respondent may deliver electronically signed documents by email to the EPA at rivers.tahani@epa.gov.

38. After EPA's receipt of the signed CAFO, EPA may electronically sign the CAFO and file and serve copies of the executed CAFO in accordance with the EPA Region 1 Regional Judicial Officer's Standard Operating Procedures dated June 19, 2020. An electronically signed CAFO delivered by email or in hard copy shall be deemed an original document, which shall be stored and managed in accordance with Connecticut and Federal recordkeeping requirements. EPA and Respondent acknowledge that electronic signatures carry the legal effect, validity, or enforceability of handwritten signatures. Therefore, the parties shall not deny the legal effect, validity, or enforceability of records containing electronic signatures that they transmit and receive on the ground that such records, including the signature(s), are in electronic form.

39. Respondent further consents to receipt of service of the executed CAFO, once filed, by electronic mail to:

Steve Weber – steveweber@parkerpoe.com
620 South Tryon Street, Suite 800
Charlotte, NC 28202

F. EFFECT OF CONSENT AGREEMENT AND FINAL ORDER

40. In accordance with 40 C.F.R. § 22.18(c), completion of the terms of this CAFO resolves only Respondent's liability for federal civil penalties for the violations and facts specifically alleged in this CAFO.

41. Penalties paid pursuant to this Agreement shall not be deductible for purposes of federal taxes.

42. This Agreement constitutes the entire agreement and understanding of the parties and supersedes any prior agreements or understandings, whether written or oral, among the parties with respect to the subject matter hereof.

43. The terms, conditions, and compliance requirements of this Agreement may not be modified or amended except upon the written agreement of both parties, and approval of the Regional Judicial Officer.

44. Any violation of this Order may result in a civil judicial action for an injunction or civil penalties of up to \$117,468 per day per violation (as provided in Section 113(b)(2) of the CAA, 42 U.S.C. 7413(b)(2), the DCIA (as amended in 2015), and 40 C.F.R. Part 19), or both, as provided in Section 113(b)(2) of the Act, 42 U.S.C. § 7413(b)(2), as well as criminal sanctions as provided in Section 113(c) of the Act, 42 U.S.C. § 7413(c). The EPA may use any information submitted under this Order in an administrative, civil judicial, or criminal action.

45. Nothing in this Agreement shall relieve Respondent of the duty to comply with all applicable provisions of the Act and other federal, state, or local laws or statutes, nor shall it restrict the EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on, or determination of, any issue related to any federal, state, or local permit.

46. Nothing herein shall be construed to limit the power of the EPA to undertake any action against Respondent or any person in response to conditions that may present an imminent and substantial endangerment to the public health, welfare, or the environment.

47. The EPA reserves the right to revoke this Agreement and settlement penalty if and to the extent that the EPA finds, after signing this Agreement, that any information provided by Respondent was materially false or inaccurate at the time such information was provided to

the EPA, and the EPA reserves the right to assess and collect any and all civil penalties for any violation described herein. The EPA shall give Respondent notice of its intent to revoke, which shall not be effective until received by Respondent in writing.

G. EFFECTIVE DATE

48. Respondent and Complainant agree to issuance of the attached Final Order. Upon filing, the EPA will transmit a copy of the filed Consent Agreement to the Respondent. This Consent Agreement and attached Final Order shall become effective after execution of the Final Order by the Regional Judicial Officer on the date of filing with the Hearing Clerk.

ATTACHMENT 1
**MEASURES TO ENSURE COMPLIANCE WITH TRELLEBORG'S FEDERALLY-
ENFORCEABLE NEW SOURCE REVIEW PERMIT TO CONSTRUCT AND OPERATE A
STATIONARY SOURCE, PERMIT NUMBER 117-0291 (the "Permit")**

1. Within five (5) business days after Trelleborg's receipt of the final CAFO (as per paragraph 48 of the CAFO) by electronic mail or otherwise, Trelleborg shall when any coating/laminating line at the Facility is applying VOC containing material and/or when uncovered VOC-containing materials are stored, or otherwise present in an enclosure, and any enclosure openings are in the open position for any length of time, other than an immediate opening or closing of the enclosure doors, maintain a separate logbook, as laid out at the bottom of Attachment 1. An immediate opening or closing of the enclosure doors would be 10 seconds or less. The logbook shall be updated in real-time, for each coating/laminating enclosure that contains the following information:
 - a. the laminating coating machine number;
 - b. the date/time of each entry/exit to the enclosure;
 - c. the amount of time the enclosure door, or any other enclosure opening (e.g., window, slot, etc.), remains open, recorded in minutes and seconds;
 - d. the measured pressure drop across the enclosure, recorded in the units of "inches of water column";
 - e. when measuring the pressure drop, for each instance reported in Item 1.c directly above, identify with a minus sign ("-") in front of the measured reading to indicate negative pressure into the enclosure or a plus sign ("+") in front of the measured reading to indicate that a condition of positive pressure across the enclosure exists.
2. Upon the Effective Date of this CAFO, Trelleborg shall begin submitting to EPA, on a monthly basis, by the 15th calendar day of the subsequent month, a report which lists for the Facility any deviations from any of the Lines, regarding the requirement to achieve a negative pressure into each enclosure of at least 0.007 inches of water column during the preceding month. For each enclosure where a pressure drop deviation was measured, Trelleborg shall provide:
 - a. the laminating/coating machine number;
 - b. the date/time of each pressure drop deviation;
 - c. the length of time of each pressure drop deviation;
 - d. the actual pressure drop measurement(s) during each deviation; and
 - e. the reason for each pressure drop deviation.Please submit these monthly reports, electronically, to Tom McCusker at the following email address: mccusker.tom@epa.gov.
3. Upon the Effective Date of this CAFO, Trelleborg shall provide to the EPA records indicating employee enclosure training within the past three months prior to the Effective Date. Trelleborg shall provide:
 - a. Employee training materials;
 - b. A record indicating participation in enclosure training for all employees who may come into contact with the enclosures.

4. Trelleborg shall conduct follow up employee enclosure training within six months of the Effective Date and shall provide to the EPA the records set forth in Paragraph 3(a)-(b) for the follow up training.
5. Upon the Effective Date of this CAFO, Trelleborg shall maintain appropriate signage warning that enclosure doors shall be closed at all times.
6. Please submit the employee enclosure training and signage records described in paragraphs 3-5 above, electronically, to Tom McCusker at the following email address: mccusker.tom@epa.gov.
7. By July 1, 2023, Trelleborg shall either: i) achieve compliance with each of the conditions of the Permit, including but not limited to achieving 100 percent capture from each enclosure associated with a coating line that applies VOC-containing material and achieving a VOC destruction/removal efficiency of at least 98 percent from the regenerative thermal oxidizer used to control VOC emissions from the coating lines or ii) cease operations of all coating equipment at the Facility. If Trelleborg fails to comply with this Attachment I, Paragraph 7, Trelleborg shall be subject to the stipulated penalties set forth in Paragraph 29 of the CAFO for each day that Trelleborg operates its permitted equipment out of compliance with this Attachment I, Paragraph 7.
8. By May 1, 2023, Trelleborg shall notify EPA, via an email to, Tom McCusker at mccusker.tom@epa.gov whether Trelleborg plans to cease operations of all coating equipment at the Facility by July 1, 2023.
9. If Trelleborg operates non-coating operations, at any time, it must continue to comply with any applicable requirements, including federal and state statutory and regulatory requirements.

| Enclosure Opening Log | | | | | | | |
|-----------------------------------|------|------|----------|---------|----------------|--------------------|---------------------|
| Laminating/Coating Machine Number | Date | Time | Initials | Purpose | Begin Pressure | Door Open Pressure | Length of Time Open |
| | | | | | | | |

The foregoing Consent Agreement *In the Matter of Trelleborg Coated Systems US, Inc.*, Docket No. CAA-01-2022-0043, is Hereby Stipulated, Agreed, and Approved for Entry.

FOR RESPONDENT:

FOR TRELLEBORG COATED SYSTEMS US, INC.

DATE

The foregoing Consent Agreement *In the Matter of Trelleborg Coated Systems US, Inc.*, Docket No. CAA-01-2022-0043, is Hereby Stipulated, Agreed, and Approved for Entry.

FOR COMPLAINANT:

James Chow, Acting Director
Enforcement and Compliance Assurance Division
U.S. EPA, Region 1

Date

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1 – NEW ENGLAND**

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|-------------------------------------|---|-----------------------------|
| IN THE MATTER OF: |) | |
| |) | |
| |) | |
| Trelleborg Coated Systems US, Inc. |) | |
| 30 Lenox Street |) | Docket No. CAA-01-2022-0043 |
| New Haven, CT 06513 |) | |
| |) | |
| Proceeding under Section 113 of the |) | |
| Clean Air Act |) | |

FINAL ORDER

In accordance with 40 C.F.R. § 22.18(b) of the Consolidated Rules, the Parties to this matter have forwarded the foregoing executed Consent Agreement for final approval. Section 113(d)(1) of the CAA, 42 U.S.C. § 7413(d)(1), authorizes EPA to issue an administrative penalty to address violations of the CAA, with penalties assessed after consideration of the penalty factors set forth in Section 113(e)(1) of the CAA, 42 U.S.C. § 7413(e)(1). In addition, Section 113(d)(2)(B) of the CAA, 42 U.S.C. § 7413(d)(2)(B), authorizes EPA to compromise CAA penalties in an administrative penalty case. Pursuant to these provisions, and in light of the facts and circumstances of this case, including Respondent’s cooperation to date and agreement to perform non-penalty conditions, Complainant EPA Region 1 has modified the CAA administrative penalty and imposed the conditions described in Section E and Attachment 1 of the CAFO. Respondent has consented to the terms of this CAFO.

Pursuant to 40 C.F.R. §§ 22.18(b) and (c) of the Consolidated Rules, the foregoing Consent Agreement resolving this matter is incorporated by reference into this Final Order and is hereby ratified. Respondent Trelleborg Coated Systems US, Inc., is ordered to comply with the

terms of this CAFO and to pay the civil penalty specified therein. The terms of the Consent Agreement shall become effective on the date that the CAFO is filed with the Regional Hearing Clerk.

LeAnn Jensen
Regional Judicial Officer
U.S. EPA, Region 1

Date