



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
ONE CONGRESS STREET, SUITE 1100
BOSTON, MA 02114-2023

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September 8, 2008

BY HAND

Wanda Santiago, Regional Hearing Clerk
U.S. Environmental Protection Agency
Region 1 (RAA)
One Congress Street, Suite 1100
Boston, MA 02114-2023

Re: In re. Arkwright Advanced Coating, Inc.
EPA Docket No. CAA-01-2008-0103

Dear Ms. Santiago:

Enclosed for filing are the following original documents, and one copy of each, relating to the above-referenced matter:

1. Administrative Complaint and Notice of Opportunity to Request a Hearing; and
2. Certificate of Service.

Kindly file the documents in the usual manner. Thanks very much for your help.

Very truly yours,

Amelia Welt Katzen
Senior Enforcement Counsel

Enclosures

cc: John R. Heath, President, Arkwright
Tom McCusker, EPA

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1**

In the Matter of:)	Docket No. CAA-01-2008-0071
)	
ARKWRIGHT ADVANCED COATING, INC.,)	COMPLAINT AND
fka ARKWRIGHT INCORPORATED)	NOTICE OF OPPORTUNITY
538 Main Street)	FOR HEARING
Fiskeville, RI 02823)	
)	
Proceeding under Section)	
113(d) of the Clean Air Act)	

I. INTRODUCTION

The United States Environmental Protection Agency, Region 1 (“EPA” or “Complainant”) issues this administrative Complaint and Notice of Opportunity for Hearing (“Complaint”) under Section 113(d) of the Clean Air Act (“CAA” or “Act”), 42 U.S.C. § 7413(d), to Arkwright Advanced Coating, Inc., formerly known as Arkwright Incorporated (“Respondent”). The Complaint hereby notifies Respondent that EPA proposes to assess civil penalties against Respondent for violations of the federal air pollutant regulations promulgated under the Act and violations of Respondent’s CAA Title V Operating Permit. The Complaint also describes Respondent’s opportunity to file an Answer to the Complaint and to request a formal hearing to contest the alleged violations and proposed penalty.

II. STATUTORY AND REGULATORY FRAMEWORK

1. Section 112 of the Act, 42 U.S.C. § 7412, lists various hazardous air pollutants and requires EPA to establish national emissions standards for these pollutants.

2. Pursuant to Section 112 of the Act, EPA promulgated the National Emission Standards for Hazardous Air Pollutants for Paper and Other Web Coating Facilities (“Paper NESHAP”), set forth in 40 C.F.R. Part 63, Subpart JJJJ at 40 C.F.R. §§ 63.3280 – 63.3420. The Paper NESHAP establishes various requirements pertaining to paper and other web coating facilities.

3. The State of Rhode Island and Providence Plantations (“Rhode Island”) has adopted an EPA-approved CAA Title V permit program under Section 502 of the Act, 42 U.S.C. § 7661a, and 40 C.F.R. Part 70. Under Section 502 of the Act, it is unlawful for any person to violate any requirement of an operating permit issued under Title V.

Federal Enforcement Authority

4. Sections 113(a)(3) and (d) of the Act, 42 U.S.C. §§ 7413(a) and (d), authorize EPA to issue an administrative penalty order to enforce any requirement or prohibition contained in Section 112 of the Act, or in any regulations issued under Section 112, and to enforce any provision of a Title V permit. Penalty orders issued under Section 113(d) of the Act may assess a civil penalty of up to \$25,000 per day of violation.

5. The Debt Collection Improvement Act of 1996 (“DCIA”), Pub. L. 104-134, and its implementing regulations, set forth at 40 C.F.R. Part 19, provide for a ten percent increase in the maximum authorized penalty for CAA violations occurring on or after January 31, 1997, and for an additional twenty percent increase for CAA violations occurring on or after March 15, 2004. Accordingly, the CAA, DCIA and DCIA’s implementing regulations authorize EPA to assess a civil penalty of up to \$32,500 per day for each violation of the Act occurring after March 15, 2004.

6. Section 113(d) of the Act limits EPA's authority to issue administrative complaints to matters where the total penalty sought does not exceed \$200,000 and the first alleged date of violation occurred no more than twelve months prior to the initiation of the action, unless the EPA Administrator and the Attorney General for the U.S. Department of Justice ("DOJ") jointly determine that a matter involving a larger penalty or longer period of violation is appropriate for administrative action. Pursuant to the DCIA and its implementing regulations, the above-described penalty cap has been raised to \$270,000 for violations occurring after March 15, 2004.

7. This Complaint alleges violations that occurred more than twelve months ago. EPA and DOJ have jointly determined that this matter is appropriate for administrative action.

8. This Complaint is filed pursuant to Section 113(d) of the Act and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules"), promulgated at 40 C.F.R. Part 22.

III. GENERAL ALLEGATIONS

9. Respondent is a corporation organized under the laws of the State of Rhode Island with a principal place of business at 538 Main Street in Fiskeville, Rhode Island (the "Facility"), where it manufactures digital imaging media, primarily paper and polyester film, used for commercial purposes in ink jet printers and for blue prints and other specialty applications.

10. Respondent is a "person," as that term is defined in Section 302(e) of the Act, 42 U.S.C. § 7602(e).

11. The Facility is a "stationary source," as that term is defined in Sections 302(z) and 112(a)(3) of the Act, 42 U.S.C. §§ 7602(z) and 7412(a)(3).

12. At all times relevant to this Complaint, Respondent has been the “owner or operator” of eight web coating lines, as defined by 40 C.F.R. § 63.3310, used to apply coatings to digital imaging media.

13. Sections 112(a)(1) and 501 of the CAA, 42 U.S.C. §§ 7412(a)(1) and 7661, define the term “major source” to include any source that has the potential to emit more than 10 tons per year of any single hazardous air pollutant (“HAP”) or more than 25 tons per year of a combination of HAPs.

14. Respondent’s web coating operations have the potential to emit more than 25 tons per year of a combination of HAPs (HAPs used at the Facility include ethyl acetate, methanol, and toluene), making it a major source of HAPs.

15. As a major source of HAPs operating web coating lines used to coat paper and polyester film substrates, Respondent is subject to the Paper NESHAP, 40 C.F.R. Part 63, Subpart JJJJ.

16. Section 63.3310 of the Paper NESHAP defines an “existing affected source” as an affected source the construction or reconstruction of which commenced on or before September 13, 2000.

17. Respondent began its web coating operations prior to September 13, 2000 and has not undergone reconstruction as defined in 40 C.F.R. § 63.2.

18. Respondent is an existing affected source, as defined in 40 C.F.R. §63.3310.

19. Section 503(c) of the Act and EPA regulations at 40 C.F.R. §70.5 require a major source to apply for and obtain a Title V operating permit.

20. The Rhode Island Department of Environmental Management ("RI DEM") issued Respondent its Title V operating permit on October 10, 2003. Revisions to Respondent's Title V operating permit were incorporated into the Permit on October 25, 2004.

21. On May 9, May 11, and May 22, 2007, duly authorized representatives of EPA conducted an inspection of the Facility.

IV. VIOLATIONS

A. PAPER NESHAP VIOLATIONS

Count I: Failure to Timely Submit Initial Notification

22. Section 63.3400(b)(1) of 40 C.F.R. requires that the initial notification for an existing affected source be submitted no later than one year before the compliance date specified in 40 C.F.R. § 63.3330(a). The compliance date specified in § 63.3330(a) is December 5, 2005. The initial notification for an existing affected source was therefore due by December 5, 2004.

23. Respondent submitted an initial notification to EPA and the Rhode Island Department of Environmental Management ("RI DEM") that was dated April 19, 2005 and received by EPA on May 31, 2005. Based on the date indicated on the initial notification, the initial notification submitted by Respondent was more than four months late.

24. Respondent failed to prepare and submit an initial notification for an existing affected source by December 5, 2004, in violation of 40 C.F.R. §63.3400(b)(1).

Count II: Failure to Submit Complete and Accurate Notification of Compliance Status

25. Section 63.3400(e) of 40 C.F.R. requires that a Notification of Compliance Status be submitted as specified in § 63.9(h). The Notification of Compliance Status requirements found at § 63.9(h) set forth the information required to be contained in such a notification and a deadline for submitting such notification to EPA.

26. In its Notification of Compliance Status dated July 20, 2006, Respondent reported that its compliance option for the Paper NESHAP was based on the overall control efficiencies of three control devices (oxidizers) used to reduce HAP emissions and that it had used performance testing to demonstrate compliance with the 95% reduction requirements for the five affected coating lines at the site. The Notification of Compliance Status stated that performance tests conducted on May 23-25, 2006 demonstrated that the oxidizers at the site were achieving the minimum 95% reduction of HAP emissions.

27. An EPA inspector observed the capture efficiency testing and destruction efficiency testing performed on the system containing web coating lines P003 and P007, and their associated control device, C037, on May 23-25, 2006. Although the results of this testing indicated that the destruction efficiency for control device C037 was 99.68 percent, EPA determined that the capture system for P003 and P007 did not achieve 100 percent capture efficiency due to numerous fugitive leaks and other deficiencies found within the capture systems servicing these two web coating lines.

28. Because the numerous fugitive leaks and other deficiencies found within the capture systems servicing web coating lines P003 and P007 were not quantified, testing did not demonstrate the required 95 percent reduction of HAP emissions. Therefore, Respondent's claim of compliance in its notification of compliance status was inaccurate.

29. Pursuant to 40 C.F.R. §§ 63.3340 and 63.3350(c), an affected source using a control device to comply with the emission standards for web coating lines must monitor bypasses of the control device, monitor the mass of each coating material applied at a work station during any such bypass, and demonstrate that any coating material applied on a work station operated in bypass mode is allowed in the facility's compliance demonstration.

30. During the initial compliance period, Respondent failed to monitor the bypass of the control device, monitor the mass of each coating material applied during bypass, or demonstrate that coating material applied during a bypass was allowed in the facility's compliance demonstration, in violation of 40 C.F.R. §§ 63.3340 and 63.3350(c).

31. Pursuant to 40 C.F.R. §63.3350(f), an affected source that complies with the emission standards in §63.3320 through the use of a capture system and control device for one or more web coating lines must develop a site-specific monitoring plan.

32. Respondent failed to develop a site-specific monitoring plan, in violation of 40 C.F.R. § 63.3350(f).

Count III: Failure to Submit Complete Semiannual Compliance Report

33. Section 63.3400(c) of 40 C.F.R. requires that an affected source submit semiannual compliance reports to EPA. Section 63.3400(c)(2)(v)(B) requires, for each deviation from an emission limitation that occurs at the affected source, that the compliance report contain information on the number, duration, and cause of deviations and the corrective action taken.

34. Arkwright's first semiannual compliance report, covering the time period from December 5, 2005 through June 30, 2006, was submitted to EPA and the RI DEM on or about July 12, 2006. The semiannual compliance report failed to note that the capture system associated with web coating lines P003 and P007 failed to achieve 100 percent capture and that compliance with the minimum 95 percent reduction of HAP emissions on web coating line P003 had not been demonstrated.

35. Arkwright's semiannual report covering December 5, 2005 through June 30, 2006 consequently did not contain complete information on the number, duration and cause of deviations, and the corrective action taken, in violation of 40 C.F.R. 63.3400(c)(2)(v)(B).

B. TITLE V OPERATING PERMIT VIOLATIONS

36. Section 503(c) of the Act and EPA regulations at 40 C.F.R. § 70.5 require a major source to apply for and obtain a Title V operating permit.

37. RI DEM issued Respondent a Title V operating permit (the "Title V Operating Permit") on October 10, 2003. Revisions to the Title V Operating Permit were incorporated into the Permit on October 25, 2004.

38. Under Section 502(a) of the Act and 40 C.F.R. §70.7, sources must comply with the conditions of the Title V Operating Permit.

Count IV: Failure to Timely Submit Annual Test Result for Catalytic Oxidizer

39. In its Title V annual compliance certification for calendar year 2006, Respondent reported that it had not complied with Condition I.H.7.c of its Title V Operating Permit. Specifically, Respondent reported that it failed to provide the RI DEM with a copy of the results of the annual testing of the catalyst bed of the Facility's catalytic oxidizer designated as C012.

40. Pursuant to Condition I.H.7.c. of the Title V Operating Permit, annual test results are required to be submitted to the RI DEM within 30 days of the completion of testing.

41. Respondent's annual testing for calendar year 2006 was completed on September 11, 2006. The test report was therefore required to be submitted to the RI DEM by October 11, 2006.

42. Respondent's annual testing results were submitted to RI DEM on or about January 30, 2007, more than three months late.

43. Respondent's late submission of the results of its annual testing of the catalytic oxidizer designated as C012 was in violation of Condition I.H.7.c of the Title V Operating Permit.

Count V: Failure to Reduce Volatile Organic Compound Emissions from Web Coating Lines by 98% or Greater and Failure to Maintain 100% Capture for Coating Line P003

44. Condition I.E.1.c of the Title V Operating Permit requires that volatile organic compound ("VOC") emissions generated from the web coating lines designated as P003 and P007 be reduced by 98 percent or greater. This is to be achieved through a combination of 100 percent capture efficiency and 98 percent destruction efficiency for the associated control device, designated as C037.

45. Respondent performed capture efficiency testing and destruction efficiency testing on the systems containing web coating lines P003 and P007 and their associated control device, C037, on May 23-25, 2006, with EPA observing the test. The results of this testing indicated that the destruction efficiency for control device C037 was 99.68 percent.

46. During the testing on May 23-25, 2006, the capture system for P003 and P007 did not achieve 100 percent capture efficiency due to numerous fugitive leaks and other deficiencies found within the capture systems servicing these two web coating lines.

47. In response to the failure to achieve 100 percent capture efficiency on May 23-25, 2006, Respondent shut down P007 and commenced modifications to achieve 100 percent capture for this system, completing the work on the capture system on or about June 16, 2006.

48. Respondent continued to operate P003 until June 16, 2006, at which time it was shut down in order to make improvements to the capture system. According to Respondent, the improvements made to the capture system associated with web coating line P003 were completed on or about June 26, 2006.

49. During a visit to the facility on October 26, 2006, EPA confirmed that Respondent had taken measures to ensure that the capture systems associated with P003 and P007 had achieved 100 percent capture efficiency.

50. Respondent's continued operation of P003 without 100 percent capture efficiency for a period of about three and a half weeks was in violation of Condition I.E.1.c. of the Title V Operating Permit.

51. Condition I.E.2.c of the Title V Operating Permit requires that P003 and P007 be located within total enclosures meeting the requirements of 40 C.F.R. Part 51, Appendix M, Method 204, to ensure 100 percent capture efficiency.

52. Condition I.E.7.a of the Title V Operating Permit requires that P003 and P007 be designed, constructed, and operated in accordance with the representations regarding the equipment in the September 21, 2003 permit application submitted by Respondent.

53. In its permit application, Respondent reported that the capture efficiency for the capture systems associated with P003 and P007 would be 100 percent.

54. Condition I.E.7.b of the Title V Operating Permit requires Respondent to shut down P003 and P007 in the event of a malfunction of the emission capture systems and/or Control Device C037 that results in or could result in emissions in excess of permit limits and to remain shut down until the malfunction has been identified and corrected.

55. Respondent's continued operation of P003 for a period of about three and a half weeks after it was determined that the capture system for P003 was not achieving 100 percent capture efficiency was in violation of Conditions I.E.2.c., I.E.7.a. and I.E.7.b. of the Title V Operating Permit.

Count VI: Failure to Provide Accurate Determinations In Calendar Year 2006 Title V Annual Compliance Certification

56. Condition II.X. of the Title V Operating Permit requires Respondent to submit an annual certification of compliance with permit terms and conditions that provides a compliance determination for each term and condition found in the Title V Operating Permit.

57. Respondent failed, in its calendar year 2006 compliance certification, to provide a proper compliance determination for the deviations from permit conditions described in Count V hereof. Instead, Respondent indicated that it was in continuous compliance with these permit terms and conditions throughout calendar year 2006, in violation of Condition II.X. of the Title V Operating Permit.

Count VII: Failure to Provide Timely Notice of a Deviation

58. Permit Condition II.AA.3 requires Respondent to report deviations from its Title V Permit to the RI DEM in writing within five business days of the deviation and to provide a copy of such report to EPA. The one deviation noted in Respondent's Title V annual certification for calendar year 2006, dealing with the late submittal of a catalyst bed test report, was required to be submitted to the RI DEM and to EPA within 5 business days of the deviation, or by October 19, 2006.

59. Respondent's written notice of the deviation was included as part of the Title V annual compliance certification submitted to EPA and the RI DEM on or about January 30, 2007, more than three months late. None of the other above-described deviations was included in Respondent's 2006 annual compliance certification.

60. Respondent's failure to timely notify EPA and RI DEM of a deviation from its Title V Operating Permit during calendar year 2006 was in violation of Condition II.AA.3 of the Title V Operating Permit.

V. PROPOSED CIVIL PENALTY

61. Section 113(e) of the CAA, 42 U.S.C. § 7413(e), requires EPA to take into consideration various penalty assessment criteria. These criteria are as follows: the size of the business, the economic impact of the penalty on the business, the violator's full compliance history and good faith efforts to comply, the duration of the violation, payment of penalties previously assessed for the same violation, the economic benefit of noncompliance, the seriousness of the violation, and other factors as justice may require.

62. To develop the proposed penalty, Complainant has considered the facts and circumstances of this case in accordance with Section 113(e) of the Act, and with reference to the CAA Stationary Source Civil Penalty Policy ("CAA Penalty Policy"), a copy of which is enclosed with this Complaint. The CAA Penalty Policy provides a rational, consistent and equitable calculation methodology for applying the statutory penalty factors enumerated above to particular cases.

63. Based on the specific facts and circumstances of this case, EPA proposes to assess a total civil penalty of \$ 198,583 against Respondent for the violations alleged herein. The penalties proposed for each count of the Complaint are as follows:

<u>COUNT</u>	<u>PENALTY</u>
I. Failure to Timely Submit Initial Notification	\$ 12,895
II. Failure to Submit Complete and Accurate Notification of Compliance Status	\$ 19,343

III.	Failure to Submit Complete Semiannual Compliance Report	\$ 19,343
IV.	Failure to Timely Submit Annual Test for Catalytic Oxidizer	\$ 12,895
V.	Failure to Reduce VOC Emissions from Web Coating Lines by 98% and Failure to Maintain 100% Capture for Coating Line P003	\$ 69,633
VI.	Failure to Provide Accurate Determinations in CY2006 Title V Annual Compliance Certification	\$ 25,790
VII.	Failure to Provide Timely Notice of a Deviation	\$ 12,895
	Subtotal	\$ 172,793
	Size Adjustment (including inflation adjustment)	\$ 25,790
	TOTAL	\$ 198,583

An explanation of the reasoning for this proposed penalty is provided in the penalty calculation worksheet appended to this Complaint as Attachment I.

64. Payment of the above-proposed penalty may be made by a cashiers or certified check, made payable to "Treasurer, United States of America," and mailed to the following address:

US Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
PO Box 979077
St. Louis, MO 63197-9000

If payment is made by check, EPA Docket No. CAA-01-2008-0071 and the title of this proceeding, In the Matter of Arkwright Advanced Coating, Inc., should be written on the check.

65. Respondent must also send a copy of the check by certified mail to the Regional Hearing Clerk and to Amelia Welt Katzen, Senior Enforcement Counsel, at the addresses provided in Section VI below.

66. The Respondent has a continuing obligation to comply with the CAA, with the terms and conditions of any applicable permits, and with any order issued under Section 113 of the CAA, 42 U.S.C. § 7413.

VI. NOTICE OF OPPORTUNITY FOR HEARING

67. As provided by Section 113(d) of the Act, Respondent has the right to request a hearing on the issues raised in this Complaint. Any such hearing will be conducted in accordance with the Consolidated Rules set forth at 40 C.F.R. Part 22.

68. A copy of the Consolidated Rules is attached to this Complaint. Note that Respondent must incorporate a request for a hearing in a written answer (“Answer”) filed with the Regional Hearing Clerk within thirty (30) days of service of this Complaint. See 40 C.F.R. § 22.15.

69. Respondent’s Answer must be filed with the Regional Hearing Clerk at the following address:

Regional Hearing Clerk
U.S. EPA, Region 1 (Mail Code RAA)
One Congress Street
Boston, Massachusetts 02114-2023

A copy of the Answer, and of all subsequent pleadings, must be served on EPA at the following address:

Amelia Welt Katzen, Senior Enforcement Counsel
U.S. EPA, Region 1 (Mail Code SEL)
One Congress Street
Boston, Massachusetts, 02114-2023

70. In its Answer, Respondent may contest, among other things, any material fact contained in the Complaint. As required by 40 C.F.R. § 22.15, Respondent's Answer shall clearly and directly admit, deny or explain each of the factual allegations contained in the Complaint as to which Respondent has any knowledge. Where Respondent has no knowledge as to a particular factual allegation and so states, the allegation is deemed denied. The Answer shall also state: (1) the circumstances or arguments alleged to constitute the grounds of any defense; (2) the facts that Respondent disputes; (3) the basis for opposing any proposed relief; and (4) whether a hearing is requested. Any failure of Respondent to admit, deny or explain any material fact contained in the Complaint constitutes an admission of that allegation.

71. Instead of filing an Answer, Respondent may choose to pay the proposed penalty within 30 days after receiving the Complaint, or may file a statement with the Regional Hearing Clerk within 30 days of receiving the Complaint stating that it agrees to pay the proposed penalty within 60 days of receipt of the Complaint. See 40 C.F.R. § 22.18(a).

VII. POSSIBILITY OF DEFAULT

72. If Respondent fails to file a timely Answer to the Complaint, Respondent may be found to be in default pursuant to 40 C.F.R. § 22.17. For purposes of this action only, default by Respondent constitutes an admission of all facts alleged in the Complaint and a waiver of Respondent's right to contest such factual allegations.

VIII. SETTLEMENT CONFERENCE

73. Whether or not Respondent requests a hearing, Respondent may confer informally with EPA concerning the alleged violations or the amount of the proposed penalty. If a settlement is reached, it will be finalized by the issuance of a written Consent Agreement and

Final Order by the Regional Judicial Officer of EPA Region 1. To explore the possibility of settlement in this matter, please have your attorney contact Amelia Welt Katzen, who has been authorized to accept service on behalf of EPA and is representing EPA in this action, at the address provided above or by telephone at (617) 918-1869. Please note that a request for an informal settlement conference does not extend the 30-day period for the filing of Respondent's Answer to the Complaint.

SO SIGNED:

Susan Studlien
Susan Studlien, Director
Office of Environmental Stewardship

09/05/08
Date

ARKWRIGHT

Penalty

Violator Size	\$20,000
Violator Size Inflation	\$5,790
Total Gravity	\$198,583
Estimated Date of Filing	9/5/08
5 years (in days)	1,825
5 years back from date of Filing	9/7/03
Final Penalty	\$198,583

Violation Description	Regulation(s)	Violation Classification	Begin Date of Violation	Effective Begin Date of Violation	End Date of Violation	Total Duration of Violation (months)	Months of Violation BEFORE 3/15/04	Months of Violation AFTER 3/15/04	Actual or Possible Harm	Importance to Regulatory Scheme	Penalty		Pre-Inflation Total	Inflation	Total Inflation-Adjusted Total
											Duration Penalty	Inflation			
MACT 4000 - Failure to Submit Timely Initial Notification	63.3400(e)	Late Reporting	12/6/04	12/6/04	4/19/05	1	0	1	\$0	\$5,000	\$5,000	\$10,000	2,895	\$12,895	
MACT 4000 - Failure to Submit a Complete and Accurate Notification of Compliance Status	63.3400(e)	Late Reporting	4/2/06	4/2/06	6/5/07	1	0	1	\$0	\$10,000	\$5,000	\$15,000	4,343	\$19,343	
MACT 4000 - Failure to Submit a Complete Semiannual Compliance Report	63.3400(e)	Late Reporting	8/15/06	8/15/06	5/21/07	1	0	1	\$0	\$10,000	\$5,000	\$15,000	4,343	\$19,343	
Title V Permit - Failure to Timely Submit Annual Test Results for Catalytic Oxidizer (CO12)	Title V Permit Condition 1.H.7.c	Late Reporting	10/12/06	10/12/06	1/30/07	1	0	1	\$0	\$5,000	\$5,000	\$10,000	2,895	\$12,895	
Title V Permit - Failure to Maintain 100% Capture for Coating Line P003	Title V Permit Conditions 1.E.1.c and 1.E.2.c and 1.E.7.a and 1.E.7.b	Intermittent or Improper Operation of Control Equipment	5/23/06	5/23/06	6/16/06	1	0	1	\$34,000	\$15,000	\$5,000	\$54,000	15,633	\$69,633	
Title V Permit - Failure to Provide Accurate Compliance Determinations in Calendar Year 2006 Annual Compliance Certification	Title V Permit Conditions II.K.2.c and II.X.2.d	Incomplete Report	1/30/07	1/30/07	6/22/07	1	0	1	\$0	\$15,000	\$5,000	\$20,000	5,790	\$25,790	
Title V Permit - Failure to Provide Timely Notice of Deviation	Title V Permit Condition II.AA.3	Late Reporting	10/20/06	10/20/06	1/30/07	1	0	1	\$0	\$5,000	\$5,000	\$10,000	2,895	\$12,895	
Notes:															
Gravity \$172,793															

Violator Size:

Economic Benefit:

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1

_____))
In the Matter of:) Docket No. CAA-01-2008-0071
))
ARKWRIGHT ADVANCED COATING, INC.,))
fka ARKWRIGHT INCORPORATED))
538 Main Street))
Fiskeville, RI 02823))
))
))
Proceeding under Section))
113(d) of the Clean Air Act))
_____)

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Complaint and Notice of Opportunity to Request a Hearing has been sent to the following persons on the date noted below:

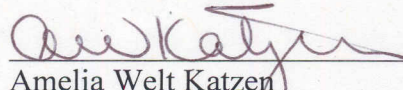
Original and one copy,
hand-delivered:

Ms. Wanda Rivera
Regional Hearing Clerk (RAA)
U.S. EPA, Region I
One Congress Street, Suite 1100
Boston, MA 02114-2023

Copy, by Certified Mail,
Return Receipt Requested, with
copy of 40 C.F.R. Part 22:

John R. Heath, President
Arkwright Advanced Coating, Inc.
538 Main Street
Fiskeville, RI 02823

Dated: 9/8/08



Amelia Welt Katzen
Senior Enforcement Counsel (SEL)
U.S. Environmental Protection Agency, Region 1
One Congress Street, Suite 1100
Boston, MA 02114-2023
Tel (617) 918-1869
FAX (617) 918-0869