

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

BUREAU OF AIR

DIVISION of AIR POLLUTION CONTROL

PERMIT SECTION

May 7, 2008

RESPONSIVENESS SUMMARY for the
CLEAN AIR ACT PERMIT PROGRAM (CAAPP) DRAFT PERMIT
For:

K & K Iron Works, Inc

5100 South Lawndale Avenue
McCook, Illinois 60525

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INTRODUCTION

K & K Iron Works Inc has applied to the Illinois Environmental Protection Agency (Illinois EPA) for a CAAPP permit for spray coating of the steel structural components.

This Responsiveness Summary has been prepared by the Illinois EPA as part of the CAAPP application for this source.

BACKGROUND

Clean Air Act Permit Program (CAAPP)

The CAAPP is the program established in Illinois for operating permits for significant stationary sources as required by Title V of the federal Clean Air Act and Section 39.5 of Illinois' Environmental Protection Act. The conditions in a CAAPP permit are enforceable by the Illinois Environmental Protection Agency (Illinois EPA), the USEPA, and the public.

A CAAPP permit contains conditions identifying the applicable state and federal air pollution control requirements that apply to a source. The permit also establishes emission limits, appropriate compliance procedures, and specific operational flexibility. The appropriate compliance procedures may include monitoring, record keeping, and reporting to show compliance with these requirements. The Permittee must carry out these procedures on an on-going basis to demonstrate that the source is operating in accordance with the requirements of the permit.

Public Participation

This draft permit previously went to public notice and that notice period ended on April 18, 2008. Comments were received from the public regarding the nature of operations of this source. This responsiveness summary explains the Illinois EPA's response to those comments.

USEPA Review

The draft permit is going to USEPA Region V review shortly.

GENERAL DESCRIPTION OF THE SOURCE AND THE PROPOSED PERMIT

The Permittee conducts spray coating of the steel structural components either in a dedicated paint room or on the concrete tarmac outside the shop/paint room areas.

RESPONSE TO COMMENTS

As a result of public notice of the CAAPP permit, there was one comment received by the Illinois EPA. The comment came from the Village of Lyons chairman of the Environmental Quality Control Commission, concerning the residents health and well being in regards to K & K Iron Works Inc operations. The chairman objected to outdoor spraying/coating operations performed by the source, operating without operating permits and not submitting Annual Emission Reports (AER). The Chairman is asking not to grant an air permit for this source and not allow outside spraying until controls are in place.

K & K Iron Works Inc has been operating at this location for at least 10 years. According to the company, total coating/solvent usage had never exceeded 5,000 gallons per year prior to 2007 and, as a result, the source was qualified for an exemption from the permitting requirements pursuant to 35 IAC 218.146(g). The regulatory threshold (5,000 gallons) was exceeded for the first time in 2007 and the source applied for a construction permit on 5/29/07. This construction permit was denied on 7/10/07 because all emission units/operations were already constructed prior to the permit application being submitted to the Illinois EPA. K & K Iron Works Inc subsequently applied for a CAAPP permit as a major source, because the potential for hazardous air pollutants (HAP) exceeds the major source threshold (10 ton/yr individual and 25 ton/yr total HAPs). Therefore, the source is subject to 40 CFR Part 63 Subpart M "National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products" after January 2, 2007, compliance date of this federal standard.

The Illinois EPA has initiated an enforcement action against K & K Iron Works Inc, based on several violations of both the state and federal statutes observed during an Illinois EPA field inspection of the source on January 23, 2008. As a result, a violation notice was issued on May 1, 2008. The proposed CAAPP permit has been updated as a result of these comments by including a compliance schedule to reflect the actions to be performed by the source in conjunction with the requirements of the violation notice.

The following assessment being made by the Illinois EPA in response to specific concerns raised by the chairman of the Environmental Quality Control Commission, Village of Lyons:

- a. Annual Emission Reports are required for the sources with a valid operating permit only. Due to an exemption from the permitting

requirements prior to 2007, as discussed above, K & K Iron Works Inc was not required to provide AER's in the past. Upon issuance of the proposed CAAPP permit, the source will be required to submit an AER for each affected calendar year by May 1 of the following year.

- b. Outdoor spraying operations may not be in violation of any standards if compliant coatings are being applied and the requisite state and federal requirements are being followed. Since the source has opted to comply with 40 CFR 63, Subpart M, no regulatory controls are being mandated at this time. However, Illinois EPA will be raising the issue of minimizing the environmental impact of outdoor spraying during communications with the source to resolve the VN. As such, the VN coupled with the inclusion of a compliance schedule should be sufficient to address any compliance matter surrounding the outdoor spraying operations.