



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

SEP 25 2006

REPLY TO THE ATTENTION OF:

AE-17J

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Richard Gill  
Unit Manager  
MAPEI  
530 Industrial Drive  
West Chicago, Illinois 60185

Dear Mr. Gill:

This is to advise you that the United States Environmental Protection Agency has determined that the MAPEI's facility at 530 Industrial Drive, West Chicago, Illinois (facility) is in violation of the Clean Air Act (CAA) and associated state pollution control requirements. The requirement violated is provided below. We are today issuing a Notice of Violation (NOV) to you.

The CAA requires the development of Primary and Secondary National Ambient Air Quality Standards to protect public health and welfare. To attain and maintain these standards, each State is required to develop an implementation plan. Illinois' State Implementation Plan (IL SIP) includes the following requirement:

No person shall cause or allow the construction of any new emission source or any new air pollution control equipment, or cause or allow the modification of any existing emission source or air pollution control equipment, without first obtaining a construction permit from the Illinois Environmental Protection Agency (IEPA).

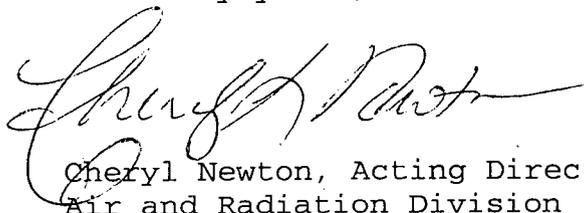
EPA finds that MAPEI has violated the above-listed Illinois SIP requirement.

Section 113 of the CAA gives us several enforcement options to resolve these violations, including: issuing an administrative compliance order, issuing an administrative penalty order, bringing a judicial civil action, and bringing a judicial criminal action. The option we select, in part, depends on the efforts taken by MAPEI to correct the alleged violations and the timeframe in which you can demonstrate and maintain continuous compliance with the requirement cited in the NOV.

Before we decide which enforcement option is appropriate, Section 113 of the CAA provides you with the opportunity to request a conference with us about the violations alleged in the NOV. This conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply, and the steps you will take to prevent future violations. Please plan for your facility's technical and management personnel to take part in these discussions. You may have an attorney represent and accompany you at this conference.

The EPA contact in this matter is Shilpa Patel. You may call her at (312) 886-0120 if you wish to request a conference. EPA hopes that this NOV will encourage MAPEI's compliance with the requirements of the Clean Air Act.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Cheryl Newton".

Cheryl Newton, Acting Director  
Air and Radiation Division

Enclosure

cc: Julie Armitage, Section Manager  
Compliance and System Management Section  
Illinois Environmental Protection Agency  
1021 North Grand Avenue  
Springfield, Illinois 62794-9506

United States Environmental Protection Agency

IN THE MATTER OF:	)	
	)	
MAPEI	)	NOTICE OF VIOLATION
West Chicago, Illinois	)	
	)	EPA-5-06-29-IL
	)	
Proceedings Pursuant to	)	
the Clean Air Act,	)	
42 U.S.C. §§ 7401 et seq.	)	

**NOTICE OF VIOLATION**

MAPEI owns and operates an adhesive, cleaner & grout manufacturing facility at 530 Industrial Drive, West Chicago, Illinois (facility).

U.S. EPA is sending this Notice of Violation (NOV or Notice) to you for failing to obtain adequate Construction Permits and the underlying statutory and regulatory requirements of the permit conditions that apply to your Facility. The underlying statutory and regulatory requirements include provisions of the Clean Air Act (the Act or CAA), its implementing regulations and the Illinois State Implementation Plan (IL SIP).

Section 113 of the Act provides you with the opportunity to request a conference with us to discuss the violations alleged in the NOV. This conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply, and the steps you will take to prevent future violations. Please plan for the Facility's technical and management personnel to take part in these discussions. You may have an attorney represent and accompany you at this conference.

### **Explanation of Violations**

The CAA and IL SIP require sources of air emissions (like MAPEI) to obtain a permit before commencing construction of (1) a source of air pollution or (2) a modification of an existing source of air pollution. The CAA and IL SIP place the burden on the owner or operator of the proposed new source to apply for a preconstruction permit. During the course of the permitting process, the company may be required to determine the type of pollution controls that represent Best Available Control Technologies (BACT) and/or Lowest Achievable Emissions rate (LEAR), so that construction of the source will not result in excessive impacts to air quality.

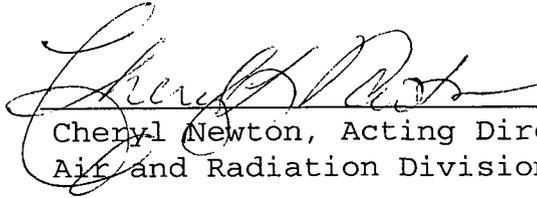
Based on our investigations to date, MAPEI has violated these requirements. On a number of occasions MAPEI constructed new process units at their facility without obtaining and/or applying for a construction permit. These violations occurred over a period of ten years and continue to this day.

### **Environmental Impact of Violations**

Construction permits are necessary to ensure proper emission controls equipments are in place, as well as ensuring proper air pollution regulations are being followed.

9/25/06

Date

  
Cheryl Newton, Acting Director  
Air and Radiation Division

**CERTIFICATE OF MAILING**

I, Loretta Shaffer, certify that I sent a Notice of Violation, No. EPA-5-06-29-IL, by Certified Mail, Return Receipt Requested, to:

Richard Gill, Unit Manager  
MAPEI  
530 Industrial Drive  
West Chicago, IL 60185

I also certify that I sent copies of the Notice of Violation by first class mail to:

Julie Armitage, Section Manager  
Compliance and System Management Section  
Illinois Environmental Protection Agency  
1021 North Grand Avenue  
Springfield, Illinois 62794-9506

on the 26 day of September, 2006.

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0005 8919 3161