

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:)
)
EGS Electrical Group) NOTICE OF VIOLATION
Appleton Foundry)
South Milwaukee, Wisconsin) EPA-5-01-WI-23
)
)
Proceedings Pursuant to)
Section 113(a)(1) of the)
Clean Air Act, 42 U.S.C.)
§ 7413(a)(1))

NOTICE OF VIOLATION

The Administrator of the United States Environmental Protection Agency (U.S.EPA) is issuing this Notice of Violation under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). U.S. EPA finds that EGS Electrical Group has violated the Wisconsin State Implementation Plan (SIP), as follows:

Statutory and Regulatory Background

1. On March 9, 1983, U.S. EPA approved opacity regulations, NR 154.11(6)(a)¹, as part of the federally enforceable SIP for Wisconsin. 48 Fed. Reg. 9860.
2. NR 154.11(6)(a)1 states, in part, that no owner or operator of a direct or portable source located in subregion 1 of the Lake Michigan Intrastate AQCR or in the Southeastern Wisconsin Intrastate AQCR may, after July 31, 1975, cause or allow emissions of shade or density greater than number 1 of the Ringelmann chart or 20 percent opacity.
3. 40 C.F.R. § 52.23 states, in part, that failure to comply with any approved regulatory provision of a State implementation plan, or any permit condition issued pursuant to an approved or a promulgated regulation for the review of new or modified stationary or indirect sources, shall render the person so failing to comply in violation of the applicable implementation plan and subject to enforcement action under Section 113 of the Clean Air Act.

¹ All citations are as set forth in the approved SIP. The State of Wisconsin has subsequently recodified this regulation to 431.04(1) of the Wisconsin Administrative Code.

EGS' Appleton Foundry Plant

- 4. EGS Electrical Group (EGS) owns and operates a malleable iron foundry at 2105 South 5th Avenue, South Milwaukee, Wisconsin.
- 5. Emissions from EGS's DISA Foundry process (process P11) are subject to the opacity regulations in the Wisconsin SIP at NR 154.11(6)(a)1 as specified in Air Pollution Control Construction Permit #99-EJD-200, issued by Wisconsin Department of Natural Resources (WDNR) on June 17, 1999.
- 6. Air Pollution Control Construction Permit #99-EJD-200 also specifies that visible emissions at Process P11 are limited to 20 percent(%) opacity or number 1 on the Ringlemann chart.
- 7. Emissions from EGS's scrap metal preheat furnace (process P1) are subject to the opacity regulations in the Wisconsin SIP at NR 154.11(6)(a)1.

Violations

- 8. On November 1, 1999, a WDNR air compliance inspector observed and recorded the visible emissions from the stack S11 of DISA foundry process (P11). On July 21, 2000, EGS's consultant again observed and recorded the visible emissions from the stack S11 of the DISA foundry process. The results of the visual emission readings are summarized as follows:

OBSERVATION DATE	TIME	OPACITY LIMIT	6-MIN. AVERAGE OPACITY OBSERVED
11-9-99	9:34am - 9:39am	20%	34.38%
	9:40am - 9:45am	20%	27.91%
	9:46am - 9:51am	20%	28.33%
	9:52am - 9:57am	20%	28.75%
	9:58am - 10:03am	20%	29.37%
	10:04am - 10:09am	20%	23.33%
	10:10am - 10:15am	20%	21.87%
7-21-00	14:50pm - 14:55pm	20%	23.75%
	14:56pm - 15:01pm	20%	23.12%
	15:02pm - 15:07pm	20%	20.20%
	15:08pm - 15:13am	20%	20.20%

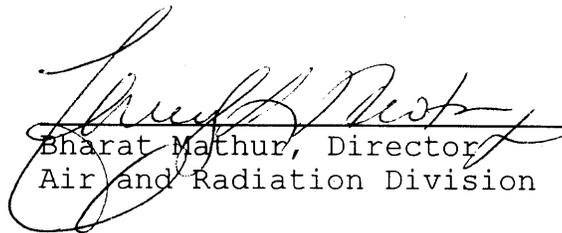
Based upon visual inspections conducted by WDNR and EGS's consultant on November 1, 1999, and on July 21, 2000, respectively, EGS has violated the 20% opacity limit for visible emissions provided under Air Pollution Control Construction Permit #99-EJD-200.

9. On August 3, 2000, EGS's consultant observed and recorded the visible emissions from the stack S1 of the Scrap metal preheat furnace. The results of the visual emission readings are summarized as follows:

OBSERVATION DATE	TIME	OPACITY LIMIT	6-MIN. AVERAGE OPACITY OBSERVED
8-3-00	10:35am - 10:40am	20%	22.8%
8-3-00	13:37pm - 13:42pm	20%	31.87%

Based upon visual inspection conducted by EGS' consultant on August 3, 2000, EGS has violated the 20% opacity limit for visible emissions provided under Wisconsin SIP at NR 154.11(6)(a)1.

9/19/01
Date


Bharat Mathur, Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Shanee Rucker, certify that I sent a Notice of Violation, No. EPA-5-01-WI-23, by Certified Mail, Return Receipt Requested, to:

William L. Schwartz, Vice President Manufacturing
EGS Electrical Group
7770 North Frontage Road
Skokie, Illinois 60077

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

Lloyd Eagan, Director
Bureau of Air Management
Wisconsin Department of Natural Resources
101 S. Webster Street
P.O. Box -7921
Madison, Wisconsin 53707

Lakshmi Sredharan, Regional Air Leader
Southeast Region
Wisconsin Department of Natural Resources
2300 North Dr. Martin Luther King Jr. Drive
Milwaukee, Wisconsin 53212

on the 26th day of September, 2001.



Shanee Rucker, Secretary
AECAS, (MI/WI)
(312) 886-6086

CERTIFIED MAIL RECEIPT NUMBER: 7099340000095809359