



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

FEB 10 2005

REPLY TO THE ATTENTION OF

(AE-17J)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James Shuck, VP Operations
Kemlite Company Inc.
23525 West Eames Street
Channahon, Illinois 60410

Re: Notice of Violation
Finding of Violation
Kemlite Company Inc.
Channahon, Illinois

Dear Mr. Shuck:

The United States Environmental Protection Agency (U.S. EPA) is issuing the enclosed Notice of Violation (NOV)/ and Finding of Violation (FOV) to Kemlite Inc. (Kemlite). The NOV/FOV is being issued under Section 113(a)(1) and (a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(1) and (a)(3). We find that you are violating the terms of your Title V permit and the Illinois State Implementation Plan (SIP) at your Channahon, Illinois facility.

We have several enforcement options under Section 113(a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(3). These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action. The options we select may depend on, among other things, the length of time you take to achieve and demonstrate continuous compliance with the rules cited in the NOV/FOV.

We are offering you an opportunity to confer with us about the violations alleged in the NOV/FOV. The conference will give you the opportunity to present information on the specific findings of violation, the 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 attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The technical contact in this matter is Joseph Ulfig. You may call him at (312) 353-8205 to request a conference. You should make the request as soon as possible, but no later than 10 calendar days after you receive this letter. We should hold any conference within 30 calendar days of your receipt of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen Rothblatt", written over a horizontal line.

Stephen Rothblatt, Director
Air and Radiation Division

Enclosure

cc: Julie Armitage, Section Manager
Compliance and Systems Management Section
Illinois Environmental Protection Agency

United States Environmental Protection Agency
Region 5

IN THE MATTER OF:)
)
Kemlite Inc.) NOTICE OF VIOLATION AND
Channahon, Illinois) FINDING OF VIOLATION
)
) EPA-5-05-03-IL
)
Proceedings Pursuant to)
the Clean Air Act,)
42 U.S.C. §§ 7401 et seq.)

NOTICE OF VIOLATION AND FINDING OF VIOLATION

The Administrator of the United States Environmental Protection Agency (U.S. EPA) is issuing this Notice of Violation and Finding of Violation under Section 113(a)(1) and (a)(3) of the Clean Air Act (CAA), 42 U.S.C. § 7413(a)(1) and (a)(3). U.S. EPA finds that Kemlite Inc. (Kemlite) in Channahon, Illinois, is violating its Title V Operating Permit and the Illinois State Implementation Plan (SIP), as follows:

Regulatory Authority

1. Section 113(a)(3) of the CAA, 42 U.S.C. § 7413(a)(3), authorizes the Administrator to initiate an enforcement action whenever, among other things, the Administrator finds that any person has violated or is in violation of a requirement or prohibition of Title V of the CAA, or any rule promulgated, issued or approved under Title V of the CAA.
2. Title V of the Clean Air Act, 42 U.S.C. §§ 7661 et seq., established an operating permit program for major sources of air pollution. Section 502(d) of the Act, 42 U.S.C. § 7661a(d), provides that each state must submit to the Administrator of U.S. EPA a permit program meeting the requirements of Title V.
3. Pursuant to Section 502(b) of the Act, 42 U.S.C. § 7661a(b), the Administrator promulgated regulations, subsequently codified at 40 C.F.R. Part 70, providing for the establishment of Title V permitting programs.

4. The regulation at 40 C.F.R. § 70.7(b) prohibits a source, which is subject to 40 C.F.R. Part 70, from operating except in compliance with a permit issued under a 40 C.F.R. Part 70 program.
5. U.S. EPA promulgated final approval of the Illinois Title V program on December 4, 2001 (66 Fed. Reg. 62946), and the program became effective on that date.
6. Section 502(a) of the Act, 42 U.S.C. § 7661a(a), provides that it is unlawful for any person to violate any requirement of a permit issued under Title V of the Act.
7. On September 9, 1994, U.S. EPA approved 35 Illinois Administrative Code (IAC) Part 218, as part of the federally enforceable SIP for Illinois. 59 Fed. Reg. 46562. This Part contains standards and limitations for emissions of organic material and volatile organic material from stationary sources located in the Chicago area, which is comprised of Cook, DuPage, Kane, Lake, McHenry and Will Counties and Aux Sable Township and Goose Lake Township in Grundy County and Oswego Township in Kendall County.

Kemlite's Facility

8. Kemlite owns and operates a fiberglass reinforced plastics manufacturing facility at Channahon, Illinois, in Will County.
9. Styrene is a photochemically reactive material emitted from Kemlite's fiberglass reinforced plastics manufacturing facility.
10. Illinois Environmental Protection Agency (IEPA) issued a Title V permit [Application No. 95120140] to Kemlite, effective on July 28, 2000.
11. Section 7.1.3 (a) of Kemlite's Title V permit states that the "affected polyester resin product manufacturing process" for the purpose of these unit-specific conditions, is a process for manufacturing polyester resin plastic products.
12. Section 7.1.3 (b) of Kemlite's Title V permit states that each polyester resin product manufacturing process is subject to 35 IAC 218.301.
13. Section 7.1.5 (f) of Kemlite's Title V permit states that the product of the as-applied polyester resin mixture

monomer vapor pressure and the hourly mass feed rate for each resin line, which includes styrene monomer and methylmethacrylate, shall not exceed 20,104 lb*mm Hg/hr.

14. Section 7.1.6 (a) of Kemlite's Title V permit prohibits volatile organic material (VOM) emissions exceeding 7.67 pounds per hour from each polyester resin product manufacturing process.
15. IAC 218.301 states that no person shall cause or allow the discharge of more than 3.6 Kg/Hr (8 lbs/hr) of organic material into the atmosphere from any emission source, except as provided in Sections 218.302, 218.303, 218.304 and the following exception: If no odor nuisance exists the limitation of this Subpart shall apply only to photochemically reactive material.
16. On October 20, 2004 emissions testing was performed at Kemlite pursuant to a U.S. EPA Section 114 Information Request dated June 25, 2004. The results of this testing demonstrated an average VOM emission rate of 14.24 lb/hr from process line LP-3.

Violations

17. By emitting VOCs at a rate in excess of 7.67 lbs/hour, Kemlite has violated Section 502(a) of the Act, 42 U.S.C. § 7661a(a), and Condition 7.1.6 (a) of its Title V Permit.
18. The conditions at which Kemlite tested on October 20, 2004 were in violation of Section 502(a) of the Act, 42 U.S.C. § 7661a(a), and Condition 7.1.5 (f) of its Title V Permit.
19. By emitting VOCs at a rate in excess of 8 lbs/hour, Kemlite is violating 35 IAC 218.301.

2/10/2005
Date



Stephen Rothblatt, Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, do hereby certify that a Notice of Violation and Finding of Violation of the Clean Air Act was sent by Certified Mail, Return Receipt Requested, to:

James Shuck, VP Operations
Kemlite Company Inc.
23525 West Eames Street
Channahon, IL 60410

I also certify that I sent copies of the Request for Information by first class mail to:

Julie Armitage, Acting Manager
Compliance and Enforcement Section
Bureau of Air
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, IL 62794

Harish Narayen, Acting Regional Manager
Region I
Illinois Environmental Protection Agency
9511 West Harrison Street
Des Plaines, IL 60016

on the 10th day of February, 2005.


Betty Williams, Secretary
AECAS (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: 70010320 0005 89097384