

**United States Environmental Protection Agency  
Region 5**

<b>IN THE MATTER OF:</b>	)	
	)	
Citation Corporation	)	<b>FINDING OF VIOLATION</b>
Butler, Indiana	)	
	)	<b>EPA-05-04-33-IN</b>
	)	
Proceedings Pursuant to	)	
the Clean Air Act,	)	
42 U.S.C. §§ 7401 <u>et seq.</u>	)	

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**FINDING OF VIOLATION**

The United States Environmental Protection Agency finds that Citation Corporation (Citation) is violating Section 112 of the Clean Air Act, 42 U.S.C. § 7412. Specifically, Citation is violating the National Emission Standards for Hazardous Air Pollutants (NESHAP) General Provisions at 40 C.F.R. part 63, subpart A (subpart A) and the NESHAP for Secondary Aluminum Production at 40 C.F.R. part 63, subpart RRR (subpart RRR) as follows:

**Regulatory Authority**

1. Subpart RRR, at 40 C.F. R. § 63.1500(a), specifies that the requirements of this subpart apply to the owner or operator of each secondary aluminum production facility as defined in § 63.1503.
2. Subpart RRR, at 40 C.F.R. § 63.1503, defines a secondary aluminum production facility to include any establishment using clean charge, aluminum scrap, or dross from aluminum production, as the raw material and performing one or more of the following processes: scrap shredding, scrap drying/delacquering/decoating, thermal chip drying, furnace operations (ie., melting, holding, sweating, refining, fluxing, or alloying), recovery of aluminum from dross, in-line fluxing, or dross cooling.
3. Subpart RRR, at 40 C.F.R. § 63.1500(c), specifies that the requirements of this subpart, pertaining to dioxin and furan (D/F) emissions and associated operating, monitoring, reporting and record-keeping requirements, apply to each new and existing secondary aluminum processing unit, containing one or more group

1 furnace emission units processing other than clean charge, located at a secondary aluminum production facility that is an area source of HAPs as defined in § 63.2.

4. Subpart RRR, at 40 C.F.R. § 63.1503, defines a Group 1 furnace as a furnace of any design that melts, holds, or processes aluminum that contains paint, lubricants, coatings, or other foreign materials with or without reactive fluxing, or processes clean charge with reactive fluxing.

5. Subpart A, at 40 C.F.R. § 63.9(b)(2), requires the owner or operator of an affected source that has an initial startup before the effective date of a relevant standard under this part to notify the Administrator in writing that the source is subject to the relevant standard. The notification shall be submitted not later than 120 calendar days after the effective date of the relevant standard or within 120 calendar days after the source becomes subject to the relevant standard.

6. Subpart RRR, at 40 C.F.R. § 63.1505(a) requires that the owner or operator of a new or existing affected source must comply with each applicable limit in this section.

7. Subpart RRR, at 40 C.F.R. § 63.1505(i) requires that an owner or operator of a group 1 furnace must use the limits in this paragraph to determine the emission standards for a secondary aluminum processing unit (SAPU).

8. Subpart RRR, at 40 C.F.R. § 63.1505(i)(3) specifies an emission limit of 15 mcg of D/F TEQ per Mg ( $2.1 \times 10^{-4}$  gr of D/F TEQ per ton) of feed/charge from a group 1 furnace at a secondary aluminum production facility that is a major or area source.

9. Subpart RRR, at 40 C.F.R. § 63.1505(k), requires that the owner or operator must comply with the emission limit calculated using the equation for D/F specified in 40 C.F.R. § 63.1505(k)(3) for each secondary aluminum processing unit at a secondary aluminum production facility that is a major or area source.

10. Subpart RRR, at 40 C.F.R. § 63.1510(b), requires that the owner or operator must prepare and implement for each new or existing affected source and emission unit, a written operation, maintenance, and monitoring (OM&M) plan, which must be submitted to the permitting authority by the compliance date established by § 63.1501(a) and must include the information specified by 40 C.F.R. § 63.1510(b).

11. Subpart RRR, at 40 C.F.R. § 63.1501(a), requires that the owner or operator of an existing affected source must comply with the requirements of this subpart by March 24, 2003.

12. Subpart RRR, at 40 C.F.R. § 63.1511(b), requires that the owner or operator of any existing affected source for which an initial performance test is required to demonstrate compliance must conduct this initial performance test no later than the date for compliance established by § 63.1501(a) and report the results in the notification of compliance status report as described in 40 C.F.R. § 63.1515(b).

13. Subpart RRR, at 40 C.F.R. § 63.1515(b), requires that each owner or operator of an existing affected source must submit a notification of compliance status report within 60 days after the compliance date established by § 63.1501(a).

#### **Citation's Facility**

14. Citation owns and operates a Secondary Aluminum Production facility at 6378 U.S. Highway 6 West, Butler, Indiana.

15. Citation is an area source for Hazardous Air Pollutants (HAP).

16. Citation's Butler facility operates 12 furnaces that are Group 1 furnaces pursuant to Subpart RRR and are subject to the emissions standards of Subpart RRR.

17. Citation's Butler facility is subject to the requirements at 40 C.F.R. Part 63, Subparts A and RRR.

#### **Violations**

18. Citation failed to submit notification to the Administrator that its group 1 furnaces are subject to the emission standard in Subpart RRR within 120 calendar days after the effective date of the emission standard in violation of 40 C.F.R. § 63.9(b)(2).

19. Citation failed to submit notification of compliance status report within 60 days after March 24, 2003, in violation of 40 C.F.R. § 63.1515(b).

20. Citation failed to perform an initial performance test on its affected emission sources by March 24, 2003, and report its results in notification of compliance status report as described



in 40 C.F.R. § 63.1515(b) in violation of 40 C.F.R. § 63.1511(b).

21. Citation failed to demonstrate that its group 1 furnaces are in compliance with the applicable limits by March 24, 2003, in violation of 40 C.F.R. § 63.1501(a), 40 C.F.R. § 63.1505(a), and 40 C.F.R. § 63.1505(i).

22. Citation failed to prepare, implement and submit a written operation, maintenance, and monitoring (OM&M) plan to the Indiana Department of Environmental Management by March 24, 2003, in violation of 40 C.F.R. § 63.1510(b).

9/24/2004

Date



Stephen Rothblatt, Director  
Air and Radiation Division

**CERTIFICATE OF MAILING**

I, Betty Williams, certify that I sent a Finding of Violation, No. EPA-05-04-IN-33, by Certified Mail, Return Receipt Requested, to:

Chris Lautzenhiser  
Citation Corporation  
6378 U.S. Highway 6 West  
Butler, Indiana 46721

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

Mr. David McIver, Chief  
Air Section  
Office of Enforcement  
Indiana Department of Environmental Management  
100 North Senate, Room 1001  
Indianapolis, Indiana 46206-6015

on the 24<sup>th</sup> day of September, 2004.

  
Betty Williams, Secretary  
AECAS, (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: 70010320000589098329