



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

JUN 29 2007

REPLY TO THE ATTENTION OF:

(AE-17J)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ken Neyhard, Vice President, Operations
International Converter, Inc.
17153 Industrial Highway
Caldwell, Ohio 43724

Re: Notice and Finding of Violation at International Converter, Inc., Caldwell, Ohio

Dear Mr. Neyhard:

This is to advise you that the United States Environmental Protection Agency (U.S. EPA) has determined that International Converter, Inc. (ICI) at 17153 Industrial Highway, Caldwell, Ohio (facility) is in violation of the Clean Air Act (CAA) and associated federal pollution control requirements. A list of the requirements violated is provided in the attached Notice of Violation and Finding of Violation (NOV/FOV). We are today issuing to you an NOV/FOV for these violations.

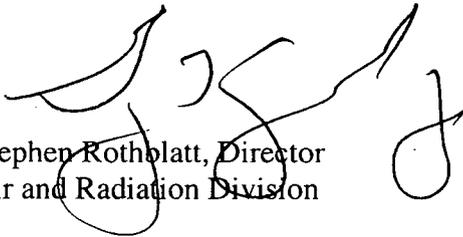
The CAA requires the development of Primary and Secondary National Ambient Air Quality Standards to protect public health and welfare. To attain and maintain these standards, each State is required to develop a federally enforceable state implementation plan. The CAA also requires the U.S. EPA to develop National Emission Standards for Hazardous Air Pollutants (NESHAP) to protect the public from emissions of Hazardous Air Pollutants. Finally, Title V of the CAA requires certain sources of air pollutants to obtain an operating permit that assures compliance with all applicable requirements. U.S. EPA finds that ICI has violated the Paper and Other Web Coating NESHAP, located at 40 C.F.R. Part 63, Subpart JJJJ, the Printing and Publishing Industry NESHAP, located at 40 C.F.R. Part 63, Subpart KK, its Title V operating permit, and the Ohio State Implementation Plan. These violations constitute violations of the CAA.

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 ICI to correct the alleged violations and the timeframe in which you can demonstrate and maintain continuous compliance with the requirements cited in the NOV/FOV.

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/FOV. 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 to have your facility's technical and management personnel take part in these discussions. You may have an attorney represent and accompany you at this conference.

The U.S. EPA contacts in this matter are Sheila Desai, Environmental Engineer, and Kathleen Schnieders, Associate Regional Counsel. You may call them at (312) 353-4150 and (312) 353-8912, respectively, if you wish to request a conference. U.S. EPA hopes that this NOV/FOV will encourage ICI's compliance with the requirements of the Clean Air Act.

Sincerely yours,


Stephen Rotholatt, Director
Air and Radiation Division

ACTING

Enclosure

cc: Robert Hodanbosi, Chief
Division of Air Pollution Control
Ohio Environmental Agency

Bruce Weinberg, APC Manager
Southeast District Office
Ohio Environmental Protection Agency

United States Environmental Protection Agency
Region 5

IN THE MATTER OF:)
)
International Converter, Inc.) **NOTICE OF VIOLATION AND**
Caldwell, Ohio) **FINDING OF VIOLATION**
)
Proceedings Pursuant to) EPA-5-07-OH- 17
the Clean Air Act,)
42 U.S.C. §§ 7401 et seq.)
)

NOTICE OF VIOLATION AND FINDING OF VIOLATION

International Converter, Inc. (you or ICI) owns and operates six foil paper laminators, each with one gravure roll coating/printing station and three color flexographic printing press coating/printing stations, at 17153 Industrial Highway, Caldwell, Ohio.

The United States Environmental Protection Agency (U.S. EPA) is sending this Notice of Violation and Finding of Violation (NOV/FOV) to you for violations of the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Paper and Other Web Coating, 40 C.F.R. Part 63, Subpart JJJJ (POWC NESHAP), the NESHAP for Printing and Publishing Industry, 40 C.F.R. Part 63, Subpart KK (Printing and Publishing NESHAP), and ICI's Title V permit and the federally enforceable Ohio State Implementation Plan (SIP). A list and explanations of the violated requirements are provided below. The listed violations constitute violations of the Clean Air Act (CAA).

Section 113 of the CAA provides you with the opportunity to request a conference with us to discuss the violations alleged in the NOV/FOV. 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 to have the facility's technical and management personnel take part in these discussions. You may have an attorney represent and accompany you at this conference.

Explanation of Violations

The following factual background, regulatory requirements, and violations are relevant to this NOV/FOV:

Factual Background

1. Section 112(d) of the Act authorizes U.S. EPA to promulgate regulations for particular industrial sources that emit one or more of the hazardous air pollutants (HAPs) listed in Section 112(b) of the Act in significant quantities.

2. A major source is any source that has the potential to emit 10 tons per year or more of any single HAP or 25 tons per year of any combination of HAPs.
3. The Printing and Publishing NESHAP, at 40 C.F.R. § 63.820(a), applies to each new and existing facility that is a major source of HAP, as defined in 40 CFR § 63.2, at which publication rotogravure, product and packaging rotogravure, or wide-web flexographic printing presses are operated.
4. Pursuant to Section 112(d) of the Act, U.S. EPA promulgated the Printing and Publishing NESHAP on May 30, 1996. The owner or operator of an existing affected source must comply with the provisions of this subpart no later than May 30, 1999, as required under 40 C.F.R. § 63.826(a).
5. The Printing and Publishing NESHAP, at 40 C.F.R. § 63.821(a), defines an affected source as (1) all of the publication rotogravure presses and all affiliated equipment, including proof presses, cylinder and parts cleaners, ink and solvent mixing and storage equipment, and solvent recovery equipment at a facility; (2) All of the product and packaging rotogravure or wide-web flexographic printing presses at a facility plus any other equipment at that facility which the owner or operator chooses to include in accordance with paragraph (a)(3) of this section, except (i) Proof presses, and (ii) Any product and packaging rotogravure or wide-web flexographic press which is used primarily for coating, laminating, or other operations which the owner or operator chooses to exclude.
6. The POWC NESHAP, at 40 C.F.R. § 63.3290, applies to each new and existing facility that is a major source of HAP, as defined in 40 CFR § 63.2, at which web coating lines are operated.
7. Pursuant to Section 112(d) of the Act, U.S. EPA promulgated the POWC NESHAP on December 4, 2002. The owner or operator of an existing affected source must comply with the provisions of this subpart no later than December 4, 2005, as required by 40 C.F.R. § 63.3330(a).
8. The POWC NESHAP, at 40 C.F.R. § 63.3300, defines an affected source as the collection of all web coating lines at your facility. This includes web coating lines engaged in the coating of metal webs that are used in flexible packaging, and web coating lines engaged in the coating of fabric substrates for use in pressure sensitive tape and abrasive materials.
9. ICI owns and operates six foil paper laminators each with one gravure roll coating/printing station and three color flexographic printing press coating/printing stations at its Caldwell plant. The laminators are designated as emission units K001 (Laminator #1), K002 (Laminator #2), K003 (Laminator #3), K004 (Laminator #4), K005 (Laminator #5), and K009 (Laminator #6) in ICI's Title V permit. The color flexographic printing press coating/printing stations are designated as emission units K006 (Flexographic Press #1), K007 (Flexographic Press #2), and K008 (Flexographic Press #3) in ICI's Title V permit.

10. The Printing and Publishing NESHAP requires the owner or operator of an affected source to submit various reports, maintain records, perform performance tests, and limit emissions to no more than five percent of the organic HAP applied for the month.
11. The POWC NESHAP requires the owner or operator of an affected source to submit various reports, maintain records, perform performance tests, and demonstrate compliance.
12. Emissions of VOC from K003 (Laminator #3) are subject to an emission limitation of 75 lb/day, including emissions from cleanup materials, pursuant to a Best Available Technology (BAT) determination made in Permit to Install 06-4083 (ICI's PTI) in accordance with OAC 3745-31-05(A)(3).
13. ICI's Title V permit, Part III, Emission Unit K003, Section A.I.1, lists the 75 lbs/day emission limitation as an applicable requirement to K003.
14. Emissions of VOC from K004 (Laminator #4) are subject to an emission limitation of 62.5 lb/day, including emissions from cleanup materials, pursuant to a BAT determination made in ICI's PTI in accordance with OAC 3745-31-05(A)(3).
15. ICI's Title V permit, Part III, Emission Unit K004, Section A.I.1, lists the 62.5 lbs/day emission limitation as an applicable requirement to K004.
16. ICI's Title V permit, Part III, Emission Units K001-K009, Section A.III, lists various monitoring and recordkeeping requirements as applicable requirements for K001-K009.
17. ICI's Title V permit Part III, Emission Units K001-K009, Section A.IV, lists reporting requirements as applicable requirements for K001-K009.

Requirements for Ohio SIP Permit to Install

18. U.S. EPA approved Ohio EPA's PTI rules, OAC 3745-31, as part of the federally enforceable Ohio SIP on October 31, 1980 (45 Fed. Reg. 72119).
19. Among the rules approved in this action was OAC 3745-31-05(A)(3), which provides that the director of the Ohio EPA shall issue a PTI if he determines that the air contaminant source will employ BAT.
20. OAC 3745-31-01 defines BAT as any combination of work practices, raw material specifications, throughput limitations, source design characteristics, an evaluation of the annualized cost per ton of air pollutant removed, and air pollution control devices that have been previously demonstrated to the director of the Ohio EPA to operate satisfactorily in Ohio or other states with similar air quality on substantially similar air pollution sources.

Requirements for Title V Operating Permits

21. Section 502(a) of the CAA, 42 U.S.C. § 7661a(a), and 40 C.F.R. § 70.7(b) provide that, after the effective date of any permit program approved or promulgated under Title V of the CAA, no source subject to Title V may operate except in compliance with a Title V permit.
22. 40 C.F.R. § 70.1(b) provides that all sources subject to the Part 70 regulations shall have a permit to operate that assures compliance by the source with all applicable requirements.
23. 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.
24. U.S. EPA fully approved the Ohio Title V program, effective October 1, 1995. 60 Fed. Reg. 42045 (August 15, 1995). Ohio's Title V permit requirements are codified at OAC 3745-77.

Explanation of Violations

25. Based on the available information, U.S. EPA has determined that the facility failed to comply with the Printing and Publishing NESHAP regulations.
26. Specifically, you failed to comply with the reporting requirements found at 40 C.F.R. § 63.3400, as well as the recordkeeping requirements found at 40 C.F.R. § 63.3410(a).
27. Additionally, you may also have violated the control device monitoring requirements found at 40 C.F.R. § 63.3350, the performance test requirements found at 40 C.F.R. § 63.3330(a), and the compliance demonstration found at 40 C.F.R. § 63.3320.
28. Based on the available information, U.S. EPA has determined that the facility violated the POWC NESHAP regulations.
29. Specifically, you failed to maintain records of total HAPs as required by 40 C.F.R. § 63.829(e), failed to limit emissions as required by 40 C.F.R. § 63.825(b), and failed to demonstrate compliance as required by 40 C.F.R. § 63.825(d)(1).
30. Additionally, you may also have violated the control device monitoring requirements found at 40 C.F.R. § 63.828, the recordkeeping requirements found at 40 C.F.R. § 63.829(b), as well as the reporting requirements found at 40 C.F.R. § 63.830.
31. Based on the available information, U.S. EPA has determined that you failed to comply with the VOC emission limitation on Emission Unit K003 on at least two days in 2006, in violation of the conditions of ICI's PTI, which are incorporated into ICI's Title V permit.

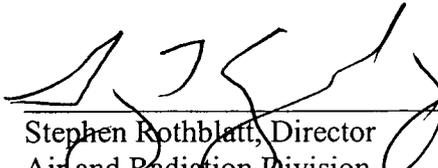
32. Based on the available information, U.S. EPA has determined that you failed to comply with the VOC emission limitation on Emission Unit K004 on at least five days in 2006, in violation of the conditions of ICI's PFI, which are incorporated into ICI's Title V permit.
33. Based on the available information, U.S. EPA has determined that you failed to comply with the recording keeping and monitoring requirements contained in Part III, Emission Units K001-K009, Section A.III, of ICI's Title V permit, on numerous dates in 2006 and 2007.
34. Based on the available information, U.S. EPA has determined that you failed to comply with the reporting requirements contained in Part III, Emission Units K001-K009, Section A.IV, of ICI's Title V permit, on numerous dates in 2006 and 2007

Environmental Impact of Violations

35. Violation of the NESHAP standards may cause serious health effects, such as birth defects and cancer, and harmful environmental and ecological effects.
36. Violations of the monitoring, recordkeeping, and reporting requirements prevent U.S. EPA from knowing whether an affected facility has maintained compliance with the applicable emission standards.

6/29/07

Date


Stephen Rothblatt, Director
Air and Radiation Division *ACTING*

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Notice of Violation and Finding of Violation, No. EPA-5-07-OH-17, by Certified Mail, Return Receipt Requested, to:

Ken Neyhard, Vice President, Operations
International Converter, Inc.
17153 Industrial Highway
Caldwell, Ohio 43724

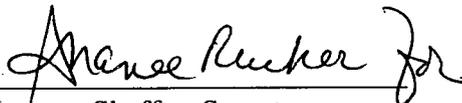
I also certify that I sent copies of the Finding of Violation by first class mail to:

Robert Hodanbosi, Chief
Division of Air Pollution Control
Ohio Environmental Protection Agency
Lazarus Government Center
P.O. 1049
Columbus, Ohio 43216-1049

and

Bruce Weinberg, APC Manager
Ohio Environmental Protection Agency
Southeast District Office
Air Pollution Group
2195 Front Street
Logan, Ohio 43138

on the 29th day of June, 2007.


Loretta Shaffer, Secretary
AECAS, (MN/OH)

CERTIFIED MAIL RECEIPT NUMBER: 70010320 0006 0198 9406