



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

REPLY TO THE ATTENTION OF

AUG 24 2005

(AE-17J)

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Carl Scaccia, Vice President  
and General Manager SP&A Division  
Ashland Specialty Chemical Company  
142<sup>nd</sup> and Paxton Avenue  
Calumet City, Illinois 60409

Re: Finding of Violation  
Ashland Specialty  
Chemical Company  
Calumet City, Illinois

Dear Mr. Scaccia:

The United States Environmental Protection Agency (U.S. EPA) is issuing the enclosed Finding of Violation (FOV) to Ashland Specialty Chemical Company ("Ashland" or "you"). The FOV is being issued under Section 113(a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(3). We find that, at your Calumet City, Illinois facility, you are in violation of the National Emissions Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins at 40 C.F.R. part 63, subpart 000, and your Title V permit.

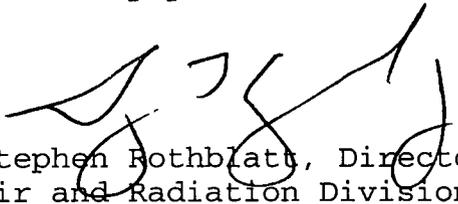
We have several enforcement options under Section 113(a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(3). These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action. The options we select may depend on, among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

We are offering you an opportunity to confer with us about the violations alleged in the 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 Ulfing. 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 yours,



ALTING

Stephen Rothblatt, Director  
Air and Radiation Division

Enclosure

cc: Julie Armitage, Acting Manager  
Compliance and Enforcement Section  
Illinois Environmental Protection Agency

**United States Environmental Protection Agency  
Region 5**

**IN THE MATTER OF:** )  
 ) **FINDING OF VIOLATION**  
Ashland Specialty Chemical )  
Company ) **EPA-5-05-18-IL**  
Calumet City, Illinois )  
 )  
 )  
Proceedings Pursuant to )  
the Clean Air Act, )  
42 U.S.C. §§ 7401 et seq. )

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**FINDING OF VIOLATION**

The United States Environmental Protection Agency (U.S. EPA) finds that Ashland Specialty Chemical Company (Ashland) is in violation of Section 112 of the Clean Air Act, 42 U.S.C. § 7412 (the Act). Specifically, Ashland is in violation of the National Emissions Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins at 40 C.F.R. part 63, subpart 000, and its Title V Operating Permit as follows:

**Regulatory Authority**

1. Section 113(a) of the CAA, 42 U.S.C. § 7413(a), 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 of a permit, or any other rule promulgated, issued or approved under the CAA.
2. Subpart 000, at 40 C.F.R. § 63.1400, applies to the owner or operator of processes that produce amino/phenolic resins and that are located at a plant site that is a major source, as defined in 40 C.F.R. § 63.2.
3. Subpart 000, at 40 C.F.R. § 63.1410, requires the owner or operator of each affected source shall comply with the requirements of 40 C.F.R. part 63, subpart UU (national emission standards for equipment leaks (control level 2)) for all equipment, as defined under § 63.1402, that contains or contacts 5 weight-percent Hazardous Air Pollutant (HAP) or greater and operates 300 hours per year or more.

4. Title V of the 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.
5. 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.
6. 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.
7. 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.
8. 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.

#### **Ashland's Facility**

9. Ashland owns and operates a amino/phenolic resin manufacturing facility at 142<sup>nd</sup> and Paxton Avenue, Calumet City, Illinois ("the facility").
10. This facility is a major source as defined in Section 112(a) of the Act.
11. The facility is considered an existing affected source according to Subpart 000, 40 C.F.R. § 63.1400.
12. Per Subpart 000 at 40 C.F.R. § 63.1410, and the facility's Title V permit, the facility is subject to the leak detection and repair requirements of Subpart UU, 40 C.F.R. § 63.1019.
13. Per Subpart 000 at 40 C.F.R. § 63.1409(a), and the facility's Title V permit, the facility is subject to the heat exchange system leak monitoring provisions of 40 C.F.R. § 63.1409(b) or (c).



**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:

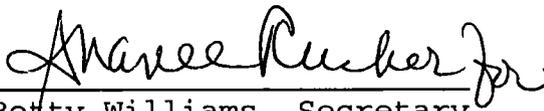
Carl Scaccia, Vice President and General Manager SP&A Division  
Ashland Specialty Chemical Company  
142<sup>nd</sup> and Paxton Avenue  
Calumet City, Illinois 60409

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

on the 24<sup>th</sup> day of August, 2005.

  
Betty Williams, Secretary  
AECAS (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320000614479642