

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:)
)
SRS Environmental) NOTICE OF VIOLATION
dba Sybill, Inc.)
Detroit, Michigan) EPA-5-00-MI-25
)
)
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 Sybill, Inc., located at 111 Military Avenue, Detroit, Michigan, is violating the Michigan State Implementation Plan (SIP), as follows:

Statutory and Regulatory Background

1. Section 110(a)(2)(c) of the Clean Air Act, 42 U.S.C. § 7410(a)(2)(c), requires states to adopt, and submit to U.S. EPA for approval, SIPs which include a program for regulating the modification and construction of stationary sources to assure attainment of the National Ambient Air Quality Standards.
2. On May 6, 1980, U.S. EPA approved Michigan SIP Rule R336.1201, as part of the federally enforceable SIP for the State of Michigan. 45 Federal Register 29790.
3. Section 113 of the Clean Air Act, 42 U.S.C. § 7413, states, in part, that whenever, on the basis of any information available to the Administrator, the Administrator finds that any person has violated or is in violation of any requirement or prohibition of any applicable implementation plan or permit, the Administrator shall notify the person and the state in which the plan applies of such finding.
4. 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.

FACTUAL BACKGROUND

5. Sybill, Inc., owns and operates a facility that processes used oils and wastewaters, located at 111 Military Avenue, Detroit, Michigan.
6. On December 12, 1994, the Wayne County Department of Environment (WCDOE) issued a permit letter to Sybill outlining conditions for installation permit numbers C-10504 through C-10519. This permit letter covered seven non-hazardous liquid waste processing tanks, three product oil storage tanks with activated carbon canisters, two incoming waste oil storage tanks, wastewater clarifier tank No. 5, two venturi scrubbers, a packed bed caustic scrubber, and two parallel activated carbon adsorbers. The air pollution controls are hereinafter called the "scrubber system."
7. On August 12, 1997, WCDOE issued a permit letter to Sybill, Inc. outlining conditions for installation permit numbers WC-11666, C-10504 through C-10519, C-11194, and C-11340 through C-11345. This revised permit letter covered fifteen non-hazardous liquid waste processing tanks, two product oil storage tanks with activated carbon canisters, two incoming oil storage tanks, one buffer storage tank with activated carbon canister, wastewater clarifier tank No. 5, and the scrubber system.
8. Since the dates these permits were issued, Sybill's process equipment have been subject to the limitations set forth in their Wayne County Permits to Install.

FINDINGS OF VIOLATION

9. On March 27 through March 28, 2000, U.S. EPA conducted inspections and records reviews at the Sybill facility, and on March 27 through March 30, 2000, the Wayne County Department of Environment (WCDOE) conducted inspections and records reviews at the Sybill facility (hereinafter "the inspections").
10. During the inspections, WCDOE reviewed records at the facility which indicated noncompliance with the special terms and conditions of the Wayne County installation

permit:

- A) Sybill failed to comply with Special Condition 10, which requires it to submit written notifications of scrubber system outages, resulting in emissions in violation of the permit conditions, by not submitting written notifications for scrubber system outages on the following dates:

May 17, 1999 to May 21, 1999
June 7, 1999 to June 10, 1999
June 14, 1999 to June 18, 1999
July 8, 1999
July 11, 1999

- B) Sybill failed to comply with Special Condition 21, which prohibits Sybill from processing waste oil while the scrubber system is not operating properly, by processing waste oil while the scrubber system was not operating or operating properly on the following dates:

May 14, 1999
May 17, 1999 to May 21, 1999
June 7, 1999 to June 10, 1999
June 14, 1999 to June 18, 1999
July 8, 1999
July 11, 1999
November 9, 1999
December 9, 1999
December 22, 1999
December 24, 1999
December 27 to December 30, 1999
February 6, 2000
March 6 to March 9, 2000
March 12 to March 21, 2000

- C) Sybill failed to comply with Special Condition 32, which requires Sybill to conduct chemical treatment of waste material "in accordance with methods, procedures, and specifications accepted by the Division", by conducting such treatment while the scrubber system was not operating properly on the following dates:

May 14, 1999
May 17, 1999 to May 21, 1999
June 7, 1999 to June 10, 1999
June 14, 1999 to June 18, 1999
July 8, 1999

July 11, 1999
November 9, 1999
December 9, 1999
December 22, 1999
December 24, 1999
December 27 to December 30, 1999
February 6, 2000
March 6 to March 9, 2000
March 12 to March 21, 2000

- D) Sybill failed to comply with Special Condition 37, which requires a minimum flowrate to the caustic scrubber of 85 gallons per minute, by not maintaining the required minimum flowrate on the following dates:

November 9, 1999
December 22, 1999
December 24, 1999
December 27 to December 28, 1999
December 30, 1999 to February 6, 2000
March 6 to March 9, 2000

- E) Sybill failed to comply with Special Condition 42, which requires Sybill to maintain the packed bed caustic scrubber control efficiency at 99 percent or better, by not maintaining the required minimum control efficiency due to scrubber outages on the following dates, while processing occurred:

May 17, 1999 to May 21, 1999
June 7, 1999 to June 10, 1999
June 14, 1999 to June 18, 1999
July 8, 1999
July 11, 1999
November 9, 1999
December 9, 1999
December 22, 1999
December 24, 1999
December 27 to December 30, 1999

- F) Sybill failed to comply with Special Condition 44, which requires Sybill to maintain the caustic addition feed rate to the caustic scrubber solution at 1.05 gallons per minute, by not maintaining the minimum feed rate while processing occurred, on the following dates:

May 17, 1999 to May 21, 1999
June 7, 1999 to June 10, 1999

June 14, 1999 to June 18, 1999
July 8, 1999
July 11, 1999
November 9, 1999
December 9, 1999
December 22, 1999
December 24, 1999
December 27 to December 30, 1999

- G) Sybill failed to comply with Special Condition 45, which requires Sybill to maintain the blowdown rate from the caustic bed scrubber at a rate of at least 7.5 gallons per minute, by not maintaining the minimum rate on the following dates:

May 17, 1999 to May 21, 1999
June 7, 1999 to June 10, 1999
June 14, 1999 to June 18, 1999
July 8, 1999
July 11, 1999
August 23, 1999
December 9, 1999
December 27, 1999
December 30, 1999 to February 6, 2000
March 12 to March 19, 2000

- H) Sybill failed to comply with Special Condition 49, which requires Sybill to maintain a carbon adsorber replacement log. During the inspections, Sybill could not produce such a log.
- I) Sybill failed to comply with Special Condition 50, which requires Sybill to maintain a written log for scrubber system parameters. Sybill did not keep such a log from July 13, 1999 to July 26, 1999, and did not keep all required log entries on the following dates:
- November 19, 1999
November 29, 1999
December 17, 1999
December 21, 1999
- J) Sybill failed to comply with Special Condition 53, which requires Sybill to keep an acid and caustic log, and to provide it upon request. During the inspections, Sybill could not produce such a log.
- K) Sybill failed to comply with Special Condition 55,

which requires Sybill to keep a processing log identifying, for each processing tank and storage tank, the identification of waste oil generator, the waste oil temperature, the amounts and types of chemicals used in processing, the number of gallons of waste oil treated, the processing time and tank identification on a daily basis. Sybill was not recording tank temperatures, the amounts of chemicals added, and gallons treated.

- L) Sybill failed to comply with Special Condition 59, which prohibits Sybill from processing waste material by way of acidification while the scrubber system is not operating properly, by processing waste material while the scrubber system was not operating properly on the following dates:

May 14, 1999
 May 17, 1999 to May 21, 1999
 June 7, 1999 to June 10, 1999
 June 14, 1999 to June 18, 1999
 July 8, 1999
 July 11, 1999
 November 9, 1999
 December 9, 1999
 December 22, 1999
 December 24, 1999
 December 27, 1999 to February 6, 2000
 March 6 to March 9, 2000
 March 12 to March 21, 2000

By not complying with the special terms and conditions of the Wayne County installation permit as set forth above, Sybill violated 40 C.F.R. § 52.23 and § 110 of the Clean Air Act.

11. During the On March 27 through March 28, 2000 inspections, U.S. EPA inspectors observed processing tanks 26 through 30, and a 16 million Btu/hour boiler, which were installed without Wayne County installation permits, in violation of Michigan SIP Rule R336.1201.
12. On April 4, 2000, U.S. EPA received a stack test report from Sybill summarizing the results of stack tests that Sybill conducted on the scrubber system exhaust on September 18, 1995.
13. The results of the September 18, 1995 stack test revealed an

average volatile organic compound (VOC) emission rate of 0.241 pounds per hour, which exceeds the 0.01 pound per hour emission limit contained in special condition 25 of the installation permit letter issued by Wayne County on December 12, 1994, and in special condition 25 of the installation permit letter issued by Wayne County on August 12, 1997.

14. The results of the September 18, 1995 stack test revealed an average hydrogen sulfide emission rate of 0.580 pounds per hour, which exceeds the 0.00065 pound per hour emission limit contained in Special Condition 24 of the installation permit letter issued by Wayne County on December 12, 1994, and in Special Condition 24 of the installation permit letter issued by Wayne County on August 12, 1997.
15. By not complying with the Special Conditions 24 and 25 of the Wayne County installation permits as set forth above, Sybill violated 40 C.F.R. § 52.23 and § 110 of the Clean Air Act.

9-29-00
Date



Bharat Mathur, Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Shanee Rucker, certify that I sent a Notice of Violation,
by Certified Mail, Return Receipt Requested, to:

Vasilios C. Madias, President
SRS Environmental, Inc.
111 Military Avneue
Detroit, Michigan 48209

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

Wendy Barrott, Director
Air Quality Management Division
Wayne County Department of Environment

Tim McGarry, Chief
Enforcement Section
Air Quality Division
Michigan Department of Environmental Quality

on the 29 day of September, 2000.



Shanee Rucker, Secretary
AECAS, (MI/WI)

CERTIFIED MAIL RECEIPT NUMBER: P140897062