



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

REPLY TO THE ATTENTION OF

SEP 28 2005

(AE-17J)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

David A. Piech
International Truck and Engine Corporation
4201 Winfield Road
P.O. Box 1488
Warrenville, IL 60555

Re: Indianapolis Casting Corporation, a wholly-owned subsidiary of International Truck and Engine

Dear Mr. Piech:

Enclosed is a file stamped Administrative Order regarding the Indianapolis Casting Corporation facility in Indianapolis, Indiana.

Please direct any questions regarding this Order to Cynthia A. King, Associate Regional Counsel 312-886-6831.

Sincerely yours,

A handwritten signature in cursive script that reads "Randall Robinson".

Randall Robinson, Acting Section Chief
MI/WI

Enclosure

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)
)
Indianapolis Casting) **Administrative Order**
Corporation, a wholly-owned)
subsidiary of International) **EPA-5-05-113(a) IN-13**
Truck and Engine Corporation)
)
Proceeding Under)
Section 113(a)(1)(A))
of the Clean Air Act,)
42 U.S.C. § 7413(a)(1)(A))

Administrative Order

1. The Director of the Air and Radiation Division, United States Environmental Protection Agency (U.S. EPA), Region 5, is issuing this Order to Indianapolis Casting Corporation, a wholly-owned subsidiary of International Truck and Engine Corporation (ICC) under Section 113(a)(1)(A) of the Clean Air Act (Act), 42 U.S.C. § 7413(a)(1)(A).

Statutory and Regulatory Background

2. Each state must submit to the Administrator of U.S. EPA a plan for attaining and maintaining the National Ambient Air Quality Standards under Section 110 of the Act, 42 U.S.C. § 7410.

3. Effective June 30, 1979, the New Source Review regulations at 40 C.F.R. § 52.24 prohibited the construction or modification of major stationary sources in nonattainment areas if the emissions from that source would cause or contribute to concentrations of any pollutant for which the national ambient air quality standard is exceeded, unless the SIP met the requirements of Part D of the Act, 42 U.S.C. §§ 7501-7509.

4. On December 6, 1994, U.S. EPA approved Indiana SIP Rule 326 IAC 2, containing requirements for new or modified major stationary sources or major modifications constructed in nonattainment areas, as part of the federally enforceable state Implementation Plan (SIP) for Indiana. 59 Fed. Reg. 51108 (December 6, 1994).

5. 326 IAC Section 2-1 sets forth the operating and

permitting requirements for sources constructing or making modifications with potential emissions of 25 tons per year or more of a regulated pollutant.

6. 326 Section 2-2 sets forth the registration permitting requirements for construction or modification with potential emissions of less than 25 tons per year, but with volatile organic compound (VOC) emissions of greater than 3 pounds per hour or 15 pounds per day.

7. 326 Section 2-1(a) states that no person with potential emissions of less than 25 tons per year, but with VOC emissions of greater than 3 pounds per hour or 15 pounds per day, shall commence construction, operation or modification of any source or facility without registering with the commissioner.

8. On November 30, 1994, U.S. EPA classified Marion County as attainment for ozone. 59 Fed. Reg. 54391 (November 30, 1994).

9. Under Section 113(a)(1)(A) of the Act, 42 U.S.C. § 7413(a)(1)(A), the Administrator of U.S. EPA may issue an order requiring compliance to any person who has violated or is violating a SIP. The Administrator has delegated this authority to the Director of the Air and Radiation Division.

Findings

10. ICC owns and operates a grey iron foundry, located at 5565 Brookville Road, Indianapolis, Indiana (the facility). Cold box core machines are used to make cores for the molding process at the grey iron foundry. The cold box core machine process uses an amine catalyst, triethylamine (TEA), which is a hazardous air pollutant and a VOC.

11. The facility is located in Marion County, which is currently attainment for ozone, but has been designated as nonattainment area for ozone.

12. The facility is a "major stationary source" as that term is defined at 40 C.F.R. § 52.24(f)(4)(i)(a).

13. Between 1977 and 1995, a total of 13 cold box core machines were installed at the Facility to make cores in the foundry molding process.

Compliance Program

14. Within 180 days of the effective date of this Order,

ICC shall submit applications to the proper permitting authority for the applicable operating permits for the 13 unpermitted cold box core machines at the facility.

15. Within one year of the effective date of this Order, ICC shall obtain a federally-enforceable permit that requires installation and continuous operation of the control devices specified in 40 C.F.R. Part 63, Subpart EEEEE, National Emissions Standards for Iron and Steel Foundries (Iron Foundry MACT) for its cold box core machines. The permit shall specify that the control devices for the cold box core machines will meet the control requirements specified in the Iron Foundry MACT at 40 C.F.R. § 63.7690(a)(11). The permit shall also require compliance with the averaging time, monitoring, record-keeping and reporting requirements of Iron Foundry MACT, 40 C.F.R. Part 63, Subpart EEEEE.

16. ICC shall perform compliance testing on the TEA gas scrubbers for the cold box core machines in accordance with the requirements of the Iron Foundry MACT by November 11, 2005.

17. Effective December 1, 2005, ICC must comply with all the requirements of the Iron Foundry MACT, 40 C.F.R. Part 63, Subpart EEEEE, applicable to the cold box core machines, including all applicable emission limits and monitoring requirements at the facility.

18. ICC shall not operate any cold box core machine at its facility unless the proper control device is also operating.

19. ICC shall submit copies of its permit applications to U.S. EPA.

20. ICC must send all reports required by this Order to:

Attention: Compliance Tracker (AE-17J)
Air Enforcement and Compliance Assurance Branch
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604.

General Provisions

21. This Order does not affect ICC's responsibility to comply with other local, state, and federal laws and regulations.

22. This Order does not restrict U.S. EPA's authority to enforce the Indiana SIP, or any section of the Act.

23. Nothing in this Order limits U.S. EPA's authority to seek appropriate relief, including penalties under Section 113 of the Act, 42 U.S.C. § 7413, for ICC's violation of the Indiana SIP.

24. Failure to comply with this Order may subject ICC to penalties of up to \$32,500 per day for each violation under Section 113 of the Act, 42 U.S.C. § 7413, and 69 Fed. Reg. 7121 (Feb. 13, 2004) (amending 40 C.F.R. Part 19).

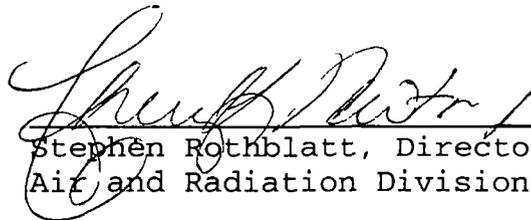
25. The terms of this Order are binding on ICC, its assignees and successors. ICC must give notice of this Order to any successors in interest, prior to transferring ownership, and must simultaneously verify to U.S. EPA, at the above address, that ICC has given the notice.

26. This Order is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 et seq., because it seeks collection of information by an agency from specific individuals or entities as part of an administrative action or investigation. To aid in our electronic record keeping efforts, please provide your response to this Order without staples. Paper clips, binder clips, and 3-ring binders are acceptable.

27. U.S. EPA may use any information submitted under this Order in an administrative, civil, or criminal action.

28. This Order is effective on the date of signature by the Director of the Air and Radiation Division. This Order will terminate two years from the effective date, provided that ICC has complied with all terms of the Order throughout its duration of one year.

9/28/05
Date



Stephen Rothblatt, Director
Air and Radiation Division

Enclosure

CERTIFICATE OF MAILING

I, Shanee Rucker, certify that I sent the Administrative Consent Order, EPA Order No. EPA-5-05-IN-13, by Certified Mail, Return Receipt Requested, to:

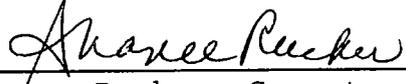
Mr. Howard Miller
Indianapolis Casting Corporation
5565 Brookville Road
Indianapolis, Indiana 46219

David A. Piech
International Truck and Engine Corporation
4201 Winfield Road
P.O. Box 1488
Warrenville, IL 60555

I also certify that I sent a copy of the Administrative Consent Order EPA Order No. EPA-5-05-IN-13, First Class Mail to:

David McIver, Chief
Office of enforcement Air Section
Indiana Department of Environment Management
100 North Senate Avenue, Room 1001
Indianapolis, Indiana 46206-6015

on the 30th day of September 2005.



Shanee Rucker, Secretary
AECAS (MI/WI)

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0006 1447 9525