

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:)	FINDING OF VIOLATION
)	
Hancock Manufacturing)	
Company, Inc.,)	EPA-5-01-OH-02
Toronto, Ohio)	
)	
PROCEEDING PURSUANT TO)	
THE CLEAN AIR ACT, 42 U.S.C.)	
§§ 7401 <u>et seq.</u>)	

STATUTORY AUTHORITY

Pursuant to the Clean Air Act ("Act"), 42 U.S.C. §§ 7401 et seq., the Administrator of the United States Environmental Protection Agency ("U.S. EPA"), by authority duly delegated to the undersigned, hereby notifies Hancock Manufacturing Company, Inc. ("Hancock"), that U.S. EPA has found Hancock to be in violation of Section 112 of the Act, 42 U.S.C. § 7412, and regulations promulgated pursuant to the provisions set forth at 40 C.F.R. Part 63, Subpart A - General Provisions, and 40 C.F.R. Part 63, Subpart T - National Emission Standards for Halogenated Solvent Cleaning.

REGULATORY BACKGROUND

1. On March 16, 1994, in accordance with Section 112(b) of the Act, U.S. EPA promulgated National Emission Standards for Hazardous Air Pollutants for Source Categories: General Provisions, codified at 40 C.F.R. Part 63, Subpart A, 59 Fed. Reg. 12408.
2. Pursuant to 40 C.F.R. § 63.9(j), the provisions set forth at 40 C.F.R. Part 63, Subpart A, apply to any change in the information already provided under this section. Any such change shall be provided to the Administrator in writing within 15 calendar days after the change.

3. On December 2, 1994, in accordance with Section 112(b) of the Act, U.S. EPA promulgated National Emission Standards for Halogenated Solvent Cleaning, codified at 40 C.F.R. Part 63, Subpart T, 59 Fed. Reg. 61805.
4. Pursuant to 40 C.F.R. § 63.460(a), the provisions set forth at 40 C.F.R. Part 63, Subpart T, apply to each solvent cleaning machine that uses a solvent, as a cleaning and/or drying agent, in a total concentration greater than five percent by weight of any one or any combination of the following halogenated hazardous air pollutant ("HAP") solvents: carbon tetrachloride; chloroform; perchloroethylene; 1,1,1-trichloroethane; trichloroethylene and/or methylene chloride.
5. The rule at 40 C.F.R. § 63.460(d) states, in part, that each solvent cleaning machine subject to 40 C.F.R. Part 63, Subpart T, that commenced construction or reconstruction on or before November 29, 1993, shall achieve compliance with the provisions of that subpart no later than December 2, 1997.
6. Pursuant to 40 C.F.R. § 63.464(a), as an alternative to meeting the requirements in § 63.463, each owner or operator of a batch or in-line solvent cleaning machine can elect to comply with the requirements of § 63.464. An owner or operator of a solvent cleaning machine who elects to comply with § 63.464 shall comply with requirements specified in paragraph (a)(1) of this section.
 - (1) If the cleaning machine has a solvent/air interface, as defined in § 63.461, the owner or operator shall comply with the requirements specified in paragraph (a)(1)(i) and (a)(1)(ii) of this section.
 - (i) Maintain a log of solvent additions and deletions for each solvent cleaning machine.
 - (ii) Ensure that the emissions from each solvent cleaning machine are equal to or less than the applicable emission limit presented in table 5 of

this subpart as determined using procedures in § 63.465(b) and (c).

7. Pursuant to 40 C.F.R. § 63.464(b), each owner or operator of a batch vapor or in-line solvent cleaning machine complying with § 63.464(a) shall demonstrate compliance with the applicable 3-month rolling average monthly emission limit on a monthly basis as described in § 63.465(b) and (c).
8. Pursuant to 40 C.F.R. § 63.464(c), if the applicable 3-month rolling average emission limit is not met, an exceedance has occurred. All exceedances shall be reported as required in § 63.468(h).
9. Pursuant to 40 C.F.R. § 63.468(a), each owner or operator of an existing solvent cleaning machine subject to the provisions of this subpart shall submit an initial notification report to the Administrator no later than August 29, 1995. This report shall include the information specified in paragraphs (a)(1) through (a)(6) of this section.

FINDINGS OF FACT

10. Hancock owns and operates seven in-line vapor degreasers ("degreasers") - six are existing and one is new - at its facility located at Cleveland & Fifth Streets, Toronto, Ohio.
11. The six existing degreasers use trichloroethylene and the one new degreaser uses methylene chloride in a total concentration greater than five percent by weight, as a cleaning and/or drying agent.
12. The degreasers have solvent/air interfaces.
13. The six existing degreasers are subject to the provisions of 40 C.F.R. Part 63 Subpart T, including 40 C.F.R. §§ 63.464(a) through (c) and 63.468(a).

14. Construction or reconstruction of the six existing degreasers began prior to November 29, 1993.
15. The six existing degreasers were required to be in compliance with the provisions of 40 C.F.R. Part 63, Subpart T, no later than December 2, 1997.

FINDINGS OF VIOLATIONS

16. In response to a Request for Information pursuant to Section 114 of the Act, dated January 24, 2000, Hancock provided copies of initial notification reports for the six existing degreasers, as required by 40 C.F.R. § 63.468(a). The notifications were dated after the compliance date of that regulation, in violation of 40 C.F.R. § 63.468(a).
17. In those notification reports, Hancock chose the alternative standard at 40 C.F.R. § 63.464 as an anticipated compliance approach. Based on the information provided by Hancock in response to the above mentioned Request for Information, it appears that Hancock was trying to comply with the equipment standard at 40 C.F.R. § 63.463. Hancock failed to provide the change in information on the initial notification in writing within 15 calendar days after the change, in violation of 40 C.F.R. § 63.9(j).
18. In those notification reports Hancock chose the alternative standard, at 40 C.F.R. § 63.464, as the anticipated compliance approach. None of the records, including a solvent addition and deletion maintenance log, three-month rolling average monthly emission limit form, or three-month average emission limit exceedance form, required to be kept by that regulation, were provided in the response to the Request for Information, mentioned above. Instead, Hancock supplied copies of records required to be maintained for compliance with 40 C.F.R. § 63.463, in violation of 40 C.F.R. § 63.464(a) through (c).
19. The degreasers' failure to achieve compliance with the

provisions of 40 C.F.R. Part 63, Subpart T, by December 2, 1997, constitutes violations of 40 C.F.R. §§ 63.460(d), 63.464(a) through (c), and Section 112 of the Act, 42 U.S.C. § 7412.

20. Hancock's failure to submit an initial notification for each of the six existing degreasers by August 29, 1995, constitutes a violation of 40 C.F.R. § 63.468(a).
21. Based on information available to U.S. EPA, the degreasers have not achieved compliance with the provisions of 40 C.F.R. Part 63, Subpart T.

12-27-00

Date



Bharat Mathur, Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Loretta Shaffer, do hereby certify that a Finding of Violation was sent by Certified Mail, Return Receipt Requested, to:

Hancock Manufacturing Company, Inc.
c/o William Kaczmarek, Quality & Safety Manager
Cleveland & Fifth Streets
Toronto, Ohio 43964

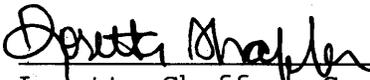
I also certify that a copy of the Finding of Violation was sent by first class mail to:

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

and

Fred Klingelhafer, APC Supervisor
Southeast District office
2195 Front Street
Logan, Ohio 43138

on the 28th day of December, 2000.



Loretta Shaffer, Secretary
AECA MN-OH

7099 3400 0000 9601 4073
CERTIFIED MAIL RECEIPT NUMBER