

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)
)
Sparta Manufacturing Company,) **NOTICE OF VIOLATION**
Inc.)
Sparta, Wisconsin) **EPA-5-99-WI-37**
)
)
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), by authority duly delegated to the undersigned, is issuing this Notice of Violation under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1), hereinafter referred to as the "Act". U.S. EPA finds that Sparta Manufacturing Company, Incorporated is violating the Wisconsin State Implementation Plan (SIP), as follows:

Statutory and Regulatory Background

1. Part C of the Act, 42 U.S.C. §§ 7470 - 7492, requires that applicable implementation plans be promulgated that set forth regulations and permit requirements to prevent the significant deterioration of air quality in areas that have attained the national ambient air quality standards for applicable pollutants.
2. On June 19, 1978, the U.S. EPA promulgated regulations to prevent the significant deterioration of air quality ("PSD regulations") pursuant to Part C of the Act (43 Federal Register 26403). The PSD regulations are codified at 40 C.F.R. § 52.21. On January 29, 1981 (46 Federal Register 9585), the provisions of 40 C.F.R. § 52.21(b) through (w) were incorporated into and made a part of the Wisconsin State Implementation Plan (SIP). 40 C.F.R. §§ 52.21(a), 52.2570(c)(42), and 52.2581(b). Effective November 13, 1987, U.S. EPA delegated authority to implement and enforce the PSD program in accordance with the terms published at 53 Federal Register 18983 (May 26, 1988), in accordance with 40 C.F.R. § 52021(u).

3. 40 C.F.R. § 52.21(i) prohibits construction of a major stationary source or major modification without a permit to construct issued under the PSD regulations in an area which has attained the National Ambient Air Quality Standards.
4. A major modification must comply with Best Available Control Technology (BACT) for each pollutant subject to regulation under the Act for which the major modification would result in a significant net emissions increase at the source. This requirement applies to each proposed emissions unit at which a net emissions increase in the pollutant would occur as a result of a physical change or change in the method of operation in the unit. 40 C.F.R. § 52.21 (j)(3).
5. Any owner or operator who operates a source in violation of any terms of a permit to construct issued under the PSD regulations is subject to enforcement action. 40 C.F.R. § 52.21(r).
6. U.S. EPA has approved Wisconsin's PSD rules, NR 405.01 through NR 405.17, as a revision to the Wisconsin SIP effective June 28, 1999. 64 Federal Register 28745 (May 27, 1999).
7. On July 19, 1996 Sparta Manufacturing Company was issued permit number 95-MWH-051 by the Wisconsin Department of Natural Resources, which has the authority to enforce the Wisconsin SIP. Contained within the permit are BACT limitations for processes operating at Sparta Manufacturing Company. Permit 95-MWH-051 was revised as permit 98-RV-120, without any changes to BACT limitations.
8. Wisconsin SIP Rule 154.11(6) (NR 431.05 Wisconsin Administrative Code) was approved as part of the federally enforceable SIP effective on April 18, 1983 (48 Federal Register 9860). Wisconsin SIP Rule 154.11(6) limits the opacity of emissions from direct and portable sources to 20 percent.

Sparta Manufacturing Company's Facility

9. Sparta Manufacturing Company owns and operates a grey iron foundry at 445 Holton Street, Sparta, Wisconsin.
10. Emissions from Sparta Manufacturing Company's cupola melt process (process P30) are subject to Best Available Control

Technology limitations as specified in permits 95-MWH-051 and 98-RV-120. BACT limitations for the cupola melt system include: maintaining a cupola cap temperature of at least 1400°F; maintaining a maximum particulate matter emission rate of 0.008 grains/ACF; and maintaining a maximum emission rate of 14.5 pounds of carbon monoxide per ton of metal charged.

11. Permits 95-MWH-051 and 98-RV-120 also specify that visible emissions at Sparta Manufacturing Company are limited to 20% opacity.

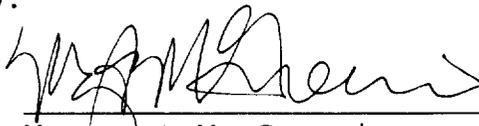
Violations

12. Based upon monitoring and reporting records required by Sparta Manufacturing Company's air pollution control permits 95-MWH-051 and 98-RV-120, Sparta Manufacturing Company has violated its permit conditions by not maintaining a cupola cap temperature above 1400°F. Below is a summary of the number of days on which there were one or more violations of the temperature requirement:

Time Period	Number of Days on which Temperature Fell Below 1400°F
July 1998 to December 1998	138
January 1999 to June 1999	84

13. Based upon stack tests done on May 5 through May 7, 1998, Sparta Manufacturing Company has violated its permit conditions by exceeding its baghouse particulate matter limit of 0.008 grains/ACF in the CEA baghouse, Ellco baghouse, and Central baghouse. Sparta Manufacturing Company has also violated its permit conditions by exceeding its carbon monoxide limit of 14.5 pounds of carbon monoxide per ton metal charged.
14. Based upon a visual inspection conducted by WDNR on December 11, 1998, Sparta Manufacturing Company has violated the 20% opacity limit for visible emissions provided under permits 95-MWH-051 and 98-RV-120.

September 23, 1999
Date



Margaret M. Guerriero,
Acting Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Shanee Rucker, certify that I sent a Notice of Violation, No. EPA-5-99-WI-37, by Certified Mail, Return Receipt Requested, to:

Steven T. Holtan, President
Sparta Manufacturing Company, Inc.
445 Holton Street
Sparta, Wisconsin, 54656-2582

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

Randy Priem, Plant Manager
Sparta Manufacturing Company, Inc.
445 Holton Street
Sparta, Wisconsin, 54656-2582

Lloyd Eagan, Director
Bureau of Air Management
Wisconsin Department of Natural Resources

Tom Woletz
Wisconsin Department of Natural Resources
West Central Region

on the 24 day of September, 1999.

Shanee Rucker
Shanee, Secretary
AECAS, (MI/WI)
(312) 886-6086

CERTIFIED MAIL RECEIPT NUMBER: P 140 777 052