



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

APR 22 2005

REPLY TO THE ATTENTION OF

(AE-17J)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Richard Gunzy
Manager, Manufacturing Support
Northstar Aerospace (Chicago), Inc.
6006 W. 73rd Street
Bedford Park, IL 60638

Re: In the Matter of Northstar Aerospace (Chicago), Inc.,
Bedford Park, Illinois

Dear Mr. Gunzy:

Enclosed is the Administrative Consent Order (ACO) issued to Northstar Aerospace (Chicago), pursuant to Section 113(a) of the Clean Air Act (Act), 42 U.S.C. § 7413(d), for violations of the Illinois State Implementation Plan.

For additional information or clarification of any issue regarding this matter, you may contact Louise Gross, Associate Regional Counsel, at (312) 886-6844 or Noel Vargas, Environmental Engineer, at (312) 353-3575.

Sincerely yours,

A handwritten signature in black ink that reads "Brent Marable for".

Brent Marable, Chief
Air Enforcement and Compliance Assurance Section (IL/IN)

Enclosures

cc: Julie Armitage, IEPA
Harish Narayen, IEPA

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)	
)	
Northstar Aerospace)	
(Chicago), Inc.)	Administrative Consent Order
)	
Proceeding Under Sections 113(a)(1) and)	EPA-5-05-02-113(a)
114(a)(1) of the Clean Air Act, 42 U.S.C.)	
§§ 7413(a)(1) and 7414(a)(1))	

ADMINISTRATIVE CONSENT 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 Northstar Aerospace (Chicago), Inc. ("Northstar") under Sections 113(a)(1) and 114(a)(1) of the Clean Air Act ("Act"), 42 U.S.C. §§ 7413(a)(1) and 7414(a)(1).

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. On September 9, 1994, U.S. EPA approved 35 Ill. Admin. Code Part 218, Subpart F (Coating Operations), including the Volatile Organic Matter ("VOM") emission limitations for miscellaneous metal parts and products coating, as part of the federally enforceable state implementation plan (SIP) for Illinois ("the Subpart F Rules"). 59 Fed. Reg. 46562. On February 13, 1996, U.S. EPA approved a revision to the Subpart F Rules. 61 Fed. Reg. 5511.

4. The Subpart F Rules include 35 Ill. Admin. Code 218.204(j)(2), which sets forth emission limitations for miscellaneous metal parts and products coatings.

5. The Subpart F Rules include 35 Ill. Admin. Code 218.208, which provides an exemption from the emission limitations of 35 Ill. Admin. Code 218.204, if the combined actual emissions of VOM from all lines at the subject source never exceeds 6.8 kg/day (15 lbs/day) before the application of capture systems and control devices.

6. The Subpart F Rules include 35 Ill. Admin. Code 218.211(b), which sets forth record keeping and reporting requirements applicable to lines which are exempt from the emission limitations of 35 Ill. Admin. Code 218.204, because the combined actual emissions of VOM from all lines at the subject source never exceeds 6.8 kg/day (15 lbs/day) before the application of capture systems and control devices.

7. Under Section 113(a)(1) of the Act, 42 U.S.C. § 7413(a)(1), the Administrator of U.S. EPA may issue an order requiring compliance to any person who is alleged to have violated

or is alleged to be violating a SIP. The Administrator has delegated this authority to the Director of the Air and Radiation Division.

8. The Administrator of U.S. EPA may require any person who owns or operates an emission source to make reports and provide required information under Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1). The Administrator has delegated this authority to the Director of the Air and Radiation Division.

FINDINGS

9. Northstar owns and operates a military aerospace vehicle manufacturing facility located at 6006 W. 73rd Street, Bedford Park, Illinois (the "Bedford Park facility").

10. At the Bedford Park facility, Northstar coats miscellaneous metal parts and products. Therefore, Northstar is subject to the Subpart F Rules.

11. Northstar owns and operates an "emission source" within the meaning of Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1). Therefore, Northstar is subject to the requirements of Section 114(a)(1).

COMPLIANCE PROGRAM

12. By the effective date of this Order, Northstar, at its Bedford Park facility, must collect, record and maintain all of the information required by 35 Ill. Admin. Code 218.211(b)(4) (A) and (B). Copies of the records shall be sent, on a quarterly basis, to the address provided in Paragraph 13, below. To aid U.S. EPA in its electronic record keeping efforts, Northstar shall provide its responses to this Order without staples. Paper clips, binder clips, and three-ring binders are acceptable.

13. Northstar must send all records 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

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

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

16. 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 Northstar's alleged violation of the Illinois SIP, including those violations alleged in a July 3, 2003 Notice of Violation.

17. Failure to comply with this Order may subject Northstar 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).

18. The terms of this Order are binding on Northstar, its assignees and successors. Northstar must give notice of this Order to any successors in interest, prior to transferring ownership of its operations at its Bedford Park facility, simultaneously providing to U.S. EPA, at the address in Paragraph 13 of this Order, a copy of the notice Northstar has given to any successors in interest.

19. 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.

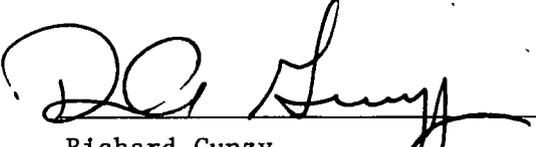
20. U.S. EPA may use any information submitted under this Order in an administrative, civil or criminal action.

21. Northstar agrees to the terms of this Order, but Northstar neither admits nor denies that it has violated or is in violation of the Act, its regulations or the Subpart F Rules..

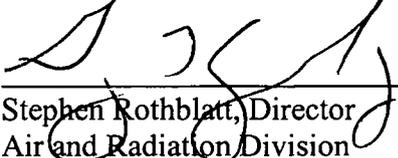
22. This Order is effective on the date of signature by the Director of the Air and Radiation Division. This Order will terminate one year from the effective date, provided that Northstar has complied with the terms of the Compliance Program set forth in Paragraphs 12 and 13 of this Order throughout its duration. This Order will also terminate upon Northstar ceasing all operations at its Bedford Park facility or those portions of its operations located there that subjects it to compliance with the Subpart F Rules. In such circumstances, Northstar will submit copies of the records created and maintained in accordance with Paragraph 12 of this Order through the date of the cessation of the operations, such submittal to be in accordance with Paragraph 13 of this Order

23. Northstar reserves its right to assert all of the defenses it may have in any subsequent enforcement proceeding, any proceeding to enforce the terms of this Order or for alleged violations arising from alleged non-compliance with this Order, including in all cases all defenses against any penalties sought for any alleged violations or alleged non-compliance.

4/15/05
Date


Richard Gunzy
Northstar Aerospace (Chicago), Inc.

4/22/05
Date


Stephen Rothblatt, Director
Air and Radiation Division

CERTIFICATE OF FILING AND MAILING

I, Betty Williams, do hereby certify that a Administrative Consent Order, No. EPA-5-05-113(a)-02-IL, was sent by Certified Mail, Return Receipt Requested, to:

Richard Gunzy
Manager, Manufacturing Support
Northstar Aerospace (Chicago), Inc.
6006 W. 73rd Street
Bedford Park, Illinois 60638

I also certify that a copy of the Administrative Consent Order was sent by First Class Mail to:

Julie Armitage, Acting Manager
Compliance and Enforcement Section
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois 62702

Harish Narayen, Acting Regional Manager
Region 1
Illinois Environmental Protection Agency
9511 West Harrison Street
Des Plaines, Illinois 60016

on the 22nd Day of April 2005.



Betty Williams
Administrative Program Assistant
AECAS (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0005 8909 7223