

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)	ORDER FOR SUBMITTAL OF
)	INFORMATION PURSUANT TO
Dynea)	SECTION 114(a) OF
6175 American Road)	THE CLEAN AIR ACT.
Toledo, Ohio 43612)	
Attention:)	
Art Schermbeck, Plant Manager)	

I. STATUTORY AUTHORITY

The following Order is issued pursuant to Section 114(a) of the Clean Air Act, 42 U.S.C. S 7414(a).

II. GENERAL PROVISIONS

1. The United States Environmental Protection Agency (U.S. EPA), by Cheryl Newton, Acting Director of the Air and Radiation Division, Region 5, issues the following Order to Dynea, requiring the submittal of certain information pursuant to the Clean Air Act, 42 U.S.C. S 7401 et. seq. (CAA). The Administrator of U.S. EPA is authorized to require the submittal of such information by Section 114(a) of the CAA, 42 U.S.C. S 7414(a). Authority to require the submittal of information pursuant to Section 114(a) of the Act has been delegated to the Director of the Air and Radiation Division. The information to be submitted to the Agency by Dynea is specified in the following Order and Appendix A to the Order that is attached hereto and incorporated as part of the Order.
2. Section 114(a) of the CAA, 42 U.S.C. S 7414(a), provides that U.S. EPA may require any person who owns or operates any emission source, who the Agency believes may have information necessary for determining whether any person is in violation of any standard or requirement of a New Source Performance Standard, National Emission Standard for Hazardous Air Pollutant, or State Implementation Plan (SIP), to provide specific information as directed by U.S. EPA.
3. The information required to be produced under the following Order and its Appendix A are necessary for U.S. EPA to evaluate Dynea's compliance with the applicable provisions

of the New Source Performance Standards, National Emission Standards for Hazardous Air Pollutants, and the federally approved Ohio State Implementation Plan which has been promulgated in order to attain and maintain the National Ambient Air Quality Standards.

4. The information required to be produced under the following Order must be submitted to U.S. EPA in a timely fashion, in accordance with the time-frames specified in the following Order and its Appendix A.
5. All information submitted by Dynea in compliance with this Order must be certified as true, correct, accurate, and complete by an individual with sufficient knowledge and authority to make such representations on behalf of Dynea. All required information shall be sent to:

Julie Monahan
 Air Enforcement and Compliance Assurance Branch
 (AE-17J)
 U.S. Environmental Protection Agency
 Region 5
 77 West Jackson Boulevard
 Chicago, Illinois 60604-3590

with copies to:

Karen Granata, Administrator
 City of Toledo
 Division of Environmental Services
 348 South Erie Street
 Toledo, Ohio 43602

Robert Hodanbosi, Chief
 Division of Air Pollution Control
 Ohio Environmental Protection Agency
 Lazarus Government Center
 122 South Front Street
 Columbus, Ohio 43215

6. Failure to fully comply with the requirements of this Order may subject Dynea to an enforcement action under Section 113 of the Act, 42 U.S.C. § 7413. Pursuant to 40 C.F.R. Part 2, Subpart B, Dynea is entitled to assert a claim of business confidentiality regarding any portion of the information submitted in compliance with this Order, except emission data, as that term is defined at 40 C.F.R. § 2.301(a)(2).

Failure to assert a claim of business confidentiality renders all submitted information available to the public without further notice. Information which is subject to a claim of business confidentiality may be available to the public only to the extent provided in 40 C.F.R. Part 2, Subpart B.

7. Any information submitted in compliance with this Order may be used by U.S. EPA in support of an administrative, civil, or criminal action. Knowing submittal of false information to U.S. EPA, in response to this request, may be actionable under Section 113(c)(2) of the Act, as well as 18 U.S.C. §§ 1001 and 1341.
8. The information required to be maintained or submitted pursuant to this Order is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 et. seq.

III. BACKGROUND

9. On May 7, 2001, Dynea received a Section 114 Request for Information (114) requiring compliance testing at its facility located at 6175 American Road, Toledo, Ohio.
10. Dynea provided a response to the 114 on May 21, 2001, requesting to perform certain modifications to the resin and the formaldehyde plant processes and catalytic incinerators prior to compliance testing.
11. On May 23, 2001, U.S. EPA was informed by Larry Lowenkron and Rick Fuchs of Dynea that the formaldehyde process had been shut down due to leaks from the heat exchanger inside the formaldehyde process catalytic incinerator.

IV. ORDER

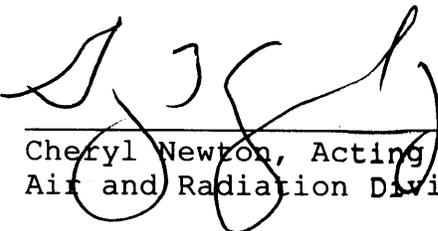
Based upon the information set forth above, it is hereby ordered that Dynea comply with the following provisions and Appendix to this Order, and perform the following actions:

12. Dynea shall contact U.S. EPA by phone **by May 29, 2001**, of its intent to comply with the schedules and requested actions set forth in this Order and the Appendix to this Order. Dynea shall contact William MacDowell, (312) 886-6798 within the time period specified above.

13. Dynea shall certify in writing, **by May 30, 2001**, of its intent to comply with the schedules and requested actions set forth in this Order and the Appendix to this Order.
14. Dynea shall conduct compliance testing for the resin plant catalytic incinerator at the Toledo facility, in accordance with all requirements set forth in the May 1, 2001 Section 114 Request for Information Appendix A.
15. Dynea shall conduct compliance testing of the resin plant catalytic incinerator prior to the installation of the scrubber upstream of the resin plant catalytic incinerator. No extraordinary cleaning or rehabilitation other than normal maintenance shall be performed on the resin plant catalytic incinerator prior to compliance testing.
16. Dynea shall conduct compliance testing on the resin plant catalytic incinerator while the incinerator is operating at the maximum load actually achieved by the facility since January 1, 1991.
17. Dynea is not required to test for dimethyl ether at the resin plant catalytic incinerator as previously stated in the May 1, 2001 Section 114 Request for Information.
18. Dynea shall submit, in writing, **by May 30, 2001**, the current and projected operating status of the formaldehyde process. If Dynea chooses to re-start the formaldehyde process prior to the installation of the new formaldehyde plant catalytic incinerator, the existing catalytic incinerator shall be tested for compliance purposes, in accordance with all testing requirements set forth in the May 1, 2001 Section 114 Request for Information Appendix A, within **three (3) hours** of start-up of the formaldehyde plant. Dynea shall prepare and submit the Stack Test Report to U.S. EPA and Toledo DES **within thirty (30) calendar days after the compliance testing has been completed.**
19. Dynea shall contact U.S. EPA by phone **within one (1) calendar day** of the start up of the new formaldehyde plant catalytic incinerator and formaldehyde process.
20. Dynea shall notify U.S. EPA and Toledo DES immediately, in writing, of its intent to conduct compliance testing for the formaldehyde plant catalytic incinerator at the Toledo facility, after installation of the new incinerator. Dynea shall conduct emission testing of the new formaldehyde plant catalytic incinerator within four (4) weeks after the

installation of the new catalytic incinerator. Testing shall be conducted in accordance with all requirements set forth in the May 1, 2001 Section 114 Request for Information Appendix A. Dynea shall prepare and submit the Stack Test Report to U.S. EPA and Toledo DES **within thirty (30) calendar days after the compliance testing has been completed.**

Date

5/25/01
FOR
Cheryl Newton, Acting Director
Air and Radiation Division

Appendix A

Dynea must supply the following information in accordance with the foregoing Request to Provide Information Pursuant to the Clean Air Act **by June 1, 2001.**

1. Provide the initial cost to construct the formaldehyde production process and the resin production process.
2. Provide a list of all modifications, changes, alterations, or capital improvements on the formaldehyde production process and the resin production process or changes in the method of operation on both from May 1, 2000 until present.
3. For the request in paragraph 1, provide a complete description of each modification, change, alteration, or capital improvement. This description should include, but not be limited to, the original production rate and capacity, the current production rate and capacity, and any increase in the production rate and capacity associated with the modification, change, alteration, or capital improvement.
4. For the request in paragraph 1, provide all associated cost-benefit analyses, engineering studies, project justifications to management, estimated and actual costs, lengths of time required for each implementation, and actual and potential emission increase/decrease determinations. For all emission increase/decrease determinations, include copies of calculations, and data, estimates and reports associated with the calculations.
5. Provide design specifications and monthly throughput data for the formaldehyde production process and resin production process from May 1, 2000 until present.
6. Provide monthly and yearly operating and/or production rates for the formaldehyde and resin plant processes from May 1, 2000 until present.
7. Provide the monthly and yearly actual and potential emissions for the formaldehyde production process and resin production process from May 1, 2000 until present. Explain how all the emissions are calculated and provide a copy of all necessary documents to verify the calculations.
8. Provide copies of all Toxic Vapor Analyzer (TVA) readings performed on the outlet of the formaldehyde plant catalytic incinerator since October 1, 2000.

9. Provide the name of every person who participated in the TVA monitoring of the formaldehyde plant catalytic incinerator. With respect to each person who is your employee, indicate their current title and the role he or she played in such monitoring activities. With respect to each person who is not your employee, indicate that person's affiliation and current address.
10. Provide copies of records for any and/or all inspection and maintenance activities performed on the resin plant and formaldehyde plant catalytic incinerators since October 1, 2000.
11. Provide the name of every person who performed any and/or all inspection and maintenance activities on the resin plant and formaldehyde plant catalytic incinerators since October 1, 2000. With respect to each person who is your employee, indicate their current title and the role he or she played in such activities. With respect to each person who is not your employee, indicate that person's affiliation and current address.
12. Provide copies of records for any and/or all catalyst changes performed for the resin plant catalytic incinerator and the formaldehyde plant catalytic incinerator over the life of each incinerator. Documentation shall include copies of purchase or work orders.
13. Provide the name of every person who is responsible for the purchase of the replacement catalytic incinerator and the date of the purchase. With respect to each person who is your employee, indicate their current title and the role he or she played in such activities. With respect to each person who is not your employee, indicate that person's affiliation and current address. Documentation will include copies of purchase or work orders.
14. Provide the name of every person involved in the decision to shut down the formaldehyde process and submit all information relied upon to shutdown the formaldehyde process. With respect to each person who is your employee, indicate their current title and the role he or she played in such activities. With respect to each person who is not your employee, indicate that person's affiliation and current address.

Dynea must supply the following information in accordance with the foregoing Request to Provide Information Pursuant to the Clean Air Act **by June 8, 2001.**

15. Provide information requested in #2 above from **the** dates of installation (Resin plant in 1989 and Formaldehyde plant in 1991) through May 1, 2000.
16. Provide information requested in #3 above from **the** dates of installation (Resin plant in 1989 and Formaldehyde plant in 1991) through May 1, 2000.
17. Provide information requested in #4 above from **the** dates of installation (Resin plant in 1989 and Formaldehyde plant in 1991) through May 1, 2000.
18. Provide information requested in #5 above from **the** dates of installation (Resin plant in 1989 and Formaldehyde plant in 1991) through May 1, 2000.
19. Provide information requested in #6 above from **the** dates of installation (Resin plant in 1989 and Formaldehyde plant in 1991) through May 1, 2000.
20. Provide information requested in #7 above from **the** dates of installation (Resin plant in 1989 and Formaldehyde plant in 1991) through May 1, 2000.

CERTIFICATE OF MAILING

I, Loretta Shaffer, do hereby certify that a Request For Information Pursuant to the Clean Air Act was sent via Federal Express to:

Art Schermbeck, Plant Manager
Dynea
6175 American Road
Toledo, Ohio 43612

I also certify that copies of the Request for Information pursuant to the Clean Air Act were sent by first class mail to:

Karen Granata, Administrator
City of Toledo
Division of Environmental Services
348 South Erie Street
Toledo, Ohio 43602

Robert Hodanbosi, Chief
Division of Air Pollution Control
Ohio Environmental Protection Agency
Lazarus Government Center
122 South Front Street
Columbus, Ohio 43215

on the 25th day of May 2001.


Loretta Shaffer, Secretary
AECAB (MN/OH)

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Federal Express Tracking Number