UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:	)	
	)	
Chromparts, Inc. Dayton, Ohio	)	**FINDING OF VIOLATION**
	)	
	)	**EPA-5-99-OH-8**
	)	
Proceedings Pursuant to Section 113 (a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(3)	)	

FINDING OF VIOLATION

The United States Environmental Protection Agency (U.S. EPA), by authority duly delegated to the undersigned, hereby notifies the State of Ohio and Chromparts, Inc. (Chromparts) that U.S. EPA finds, pursuant to Section 113(a)(3) of the Clean Air Act (Act), 42 U.S.C. § 7413(a)(3), that the hard chromium electroplating facility, located at 828 Hall Street, Dayton, Ohio, is in violation of Section 112 of the Act, 42 U.S.C. § 7412, and regulations promulgated thereunder setting forth National Emission Standards for Hazardous Air Pollutants (NESHAPS) for Chromium Emissions from Hard and Decorative Electroplating and Chromium Anodizing Tanks (Chrome Plating NESHAP), 40 C.F.R. § 63.340-347. Specifically, Chromparts is in violation of the Chrome Plating NESHAP as follows:

1) Failure to include a systematic procedure for the identification and correction of malfunctions in an operation and maintenance plan, 40 C.F.R. § 63.342(f)(3)(i)(E).

The owner or operator of a hard chromium electroplating line subject to this standard (subject source) is required to complete and keep on file an operation and maintenance plan. 40 C.F.R. § 63.342(f)(3)(i)(E) requires that this plan include a systematic procedure for identifying malfunctions of process equipment, add-on air pollution control devices, and process and control system monitoring equipment and for implementing corrective actions to address such malfunctions. Chrompart's failure to include any of these procedures in its operation and maintenance constitutes a violation of 40 C.F.R. § 63.342(f)(3)(i)(E).

2) Failure to conduct an initial performance test within 180 days of the compliance date, 40 C.F.R. § 63.343(b)(1).

40 C.F.R. § 63.343(b)(1) requires that the owner or operator of a subject source conduct an initial performance test to demonstrate compliance with the applicable emission limit as required under 40 C.F.R. § 63.7. 40 C.F.R. § 63.7(a)(2)(iii) requires that an initial performance test be conducted within 180 days after the compliance date specified in the applicable subpart. 40 C.F.R. § 63.343(a)(1)(ii) sets the compliance date for the Chrome Plating NESHAP at January 25, 1997. Therefore, the deadline for the owner or operator to conduct an initial performance test was July 24, 1997. Chrompart's failure to perform an initial performance test demonstrating compliance with the emission limit until October 22 and 23, 1997, constitutes a violation of 40 C.F.R. § 63.343(b)(1).

2) Failure to monitor pressure drop, 40 C.F.R. § 63.343(c)(1)(ii).

40 C.F.R. § 63.343(c)(1)(ii) requires that, on or after the date on which the initial performance test is required to be completed, the owner or operator of a subject source using a composite mesh pad system for the control of chromium emissions monitor and record the pressure drop across the composite mesh pad (pressure drop) once each day the source is in operation. Chrompart's failure to monitor pressure drop until December 7, 1997, constitutes a violation of 40 C.F.R. § 63.343(c)(1)(ii).

3) Failure to maintain records of pressure drop, 40 C.F.R. § 63.346(b)(8).

40 C.F.R. § 63.346(b)(8) requires that the owner or operator of a subject source maintain records of monitoring data required by 40 C.F.R. § 63.343(c). Chrompart's failure to maintain records of pressure drop until December 7, 1997, constitutes violations of 40 C.F.R. § 63.346(b)(8).

5) Proper completion of the notification of compliance status report, 40 C.F.R. § 63.347(e)(2), 40 C.F.R. § 63.347(e)(2)(iv), and 40 C.F.R. § 63.347(e)(2)(vii).

40 C.F.R. § 63.347(e)(2) requires that the owner or operator of a subject source submit to the Administrator a notification of compliance status, signed by the responsible official, as defined in 40 C.F.R. § 63.2, who shall certify its accuracy, attesting to

whether the affected source has complied with this subpart. Chrompart's failure to submit a notification of compliance status report signed by the responsible official constitutes a violation of 40 C.F.R. § 63.347(e)(2). 40 C.F.R. § 63.347(e)(2)(iv) requires that the owner or operator of a subject source include, in the notification of compliance status report, the specific operating parameter value, or range of values that corresponds to compliance with the applicable emission limit, for each monitored parameter for which a compliant value is to be established in 40 C.F.R. § 63.343(c). Chrompart's incorrect reporting of the compliant pressure drop value as 7 inches of water column while the performance test indicated a compliant value of 31 mm of water (approximately 1.2 inches of water column), constitutes a violation of 40 C.F.R. § 63.347(e)(2)(iv).
40 C.F.R. § 63.347(e)(2)(vii) requires that the owner or operator of a subject source include, in the notification of compliance status report, a statement that an operation and maintenance plan, as required by the work practice standards in 40 C.F.R. § 63.342(f), has been completed and is on file. Chromparts failure to include such a statement, constitutes a violation of 40 C.F.R. § 63.347(e)(2)(vii).

6) Submitting the notification of compliance status report within 90 days of the completion of the initial performance test, 40 C.F.R. § 63.347(e)(3).

40 C.F.R. § 63.347(e)(3) requires that the owner or operator of a subject source submit the notification of compliance status report to the Administrator no later than 90 days following completion of the initial performance test. Chrompart's failure to submit the notification of compliance status report until October 6, 1998, or 348 days after completion of its initial performance test, constitutes a violation of 40 C.F.R. § 63.347(e)(3).

2/24/99
Date

S.DR
Richard C. Karl, Acting Director
Air and Radiation Division

CERTIFICATE OF MAILING

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

James Miller, President
Chromparts, Inc.
828 Hall Street
Dayton, Ohio 45404

I also certify that copies of the Finding of Violation were 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

John Paul, Director
Regional Air Pollution Control Agency
Montgomery County Health Department
451 West Third Street
P.O. Box 972
Dayton, Ohio 45422

on the 24th day of February, 1999.

Shwanda Mayo
Shwanda Mayo, Secretary
AECAS, (MN/OH)

CERTIFIED MAIL RECEIPT NUMBER: P300759710