



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

REPLY TO THE ATTENTION OF

FEB 23 2005

(AE-17J)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. David C. Russo, Plant Manager
Flavorchem Corporation
1525 Brook Drive
Downers Grove, Illinois 60515

Re: Notice of Violation
Flavorchem Corporation

Dear Mr. Russo:

The United States Environmental Protection Agency (U.S. EPA) is issuing the enclosed Notice of Violation (NOV) to Flavorchem Corporation (you) under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). We find that you are violating the Illinois State Implementation Plan (SIP) at your Downers Grove, Illinois facility.

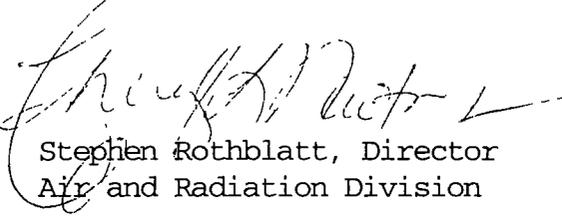
Section 113 of the Clean Air Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action. The options we select may depend on, among other things, the length of time you take to achieve and demonstrate continuous compliance with the rules cited in the NOV.

We are offering you an opportunity to confer with us about the violations alleged in the NOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply, and the steps you will take to prevent future violations.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The contact in this matter is Ms. Kathy Memmos. You may call her at (312) 353-4293 to request a conference. You should make the request as soon as possible, but no later than 10 calendar days after you receive this letter. We should hold any conference within 30 calendar days of your receipt of this letter.

Sincerely yours,



Stephen Rothblatt, Director
Air and Radiation Division

cc: Julie Armitage, Chief
Compliance and Systems Management Section
Illinois Environmental Protection Agency

Joe Kotas, Bureau of Air
Illinois Environmental Protection Agency

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)	
)	NOTICE OF VIOLATION
Flavorchem Corporation)	
Downers Grove, Illinois)	EPA-5-05-IL -08
)	
)	
PROCEEDING PURSUANT TO SECTION)	
113(a)(1) OF THE CLEAN AIR ACT, AS)	
AMENDED, 42 U.S.C. § 7413(A)(1))	
)	

NOTICE OF VIOLATION

This Notice of Violation is issued pursuant to Section 113(a)(1) of the Clean Air Act (Act), 42 U.S.C. Section 7413(a)(1). You are hereby notified that the Administrator of the United States Environmental Protection Agency (U.S. EPA), by authority duly delegated to the undersigned, hereby notifies Flavorchem Corporation (Flavorchem), that it is in violation of the Illinois State Implementation Plan, as follows:

STATUTORY AND REGULATORY BACKGROUND

1. U.S. EPA approved the Illinois Pollution Control Board (IPCB) Rule 103 as part of the federally enforceable Illinois State Implementation Plan (SIP) on May 31, 1972. 37 Fed. Reg. 10842.
2. IPCB Rule 101 defines a "new emission source" as any emission source that commences construction or modification on or after the effective date of this Chapter (April 14, 1972). Due to renumbering of the IPCB Rules, Rule 101, as approved by U.S. EPA, is currently set forth at IAC § 201.102.
3. IPCB Rule 103(a)(1) states that no person shall cause or allow the construction of any new emission source or any new air pollution control equipment, or cause or allow the modification of any existing emission source of air pollution control equipment, without first obtaining a construction permit from the Agency. Due to renumbering of the IPCB Rules, Rule 103 (a)(1), as approved by U.S. EPA, is currently set forth at IAC, § 201.142.
4. IPCB Rule 103(b)(1) states that no person shall cause or allow the operation of any new emission source or new air

pollution control equipment, for which a construction permit is required, without first obtaining an operating permit from the Agency. Due to renumbering of the IPCB Rules, Rule 103 (b)(1), as approved by U.S. EPA, is currently set forth at IAC, § 201.143.

FINDINGS OF FACT

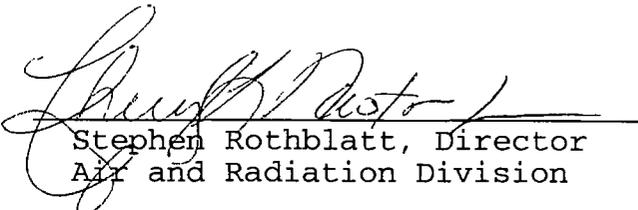
5. Flavorchem owns and operates a food flavoring, extracting and fragrance manufacturing facility (facility) located at 1525 Brook Drive, Downers Grove, Illinois.
6. The facility operates a dry mixing area that includes 5 blenders, and one horizontal dryer that vent to a dust collector. These are "new emission sources".
7. The facility operates a liquid mixing area that includes 40 holding tanks, 3 electric steam kettles, 2 roll around presses and one spray dryer. The spray dryer is equipped with a filter baghouse. These are "new emission sources".
8. The facility operates a fragrance division that includes 4 holding tanks and one electric kettle. These are "new emission sources".
9. As a "new emission source," Flavorchem is subject to the construction and operating permit requirements of IAC Part 201.142 and 201.143.

VIOLATIONS

10. Flavorchem failed to obtain construction and operating permits, in violation of IPCB Rules 103(a)(1) and 103 (b)(1) (now known as the IAC Part 201.142 and 201.143) and Section 110 of the Act, 42 U.S.C. § 7410.

Date

2/24/05


 Stephen Rothblatt, Director
 Air and Radiation Division

CERTIFICATE OF MAILING

I, Shanee Rucker, certify that I sent a Notice of Violation, No. -
5-05-IL, by Certified Mail, Return Receipt Requested, to:

Mr. David C. Russo, Plant Manager
Flavorchem Corporation
1525 Brook Drive
Downers Grove, Illinois 60515

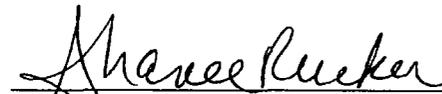
I also certify that I sent copies of the Notice of Violation by
first class mail to:

Julie Armitage, Chief
Compliance and Systems Management Section
Illinois Environmental Protection Agency
1021 North Grand Avenue
Springfield, Illinois 62702

And

Joe Kotas, Bureau of Air
Illinois Environmental Protection Agency
9511 West Harrison Street
Des Plaines, Illinois 60016

on the 24th day of February 2005.



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

CERTIFIED MAIL RECEIPT NUMBER: 70010320000615585915