

**United States Environmental Protection Agency
Region 5**

IN THE MATTER OF:)
)
Trialco, Inc.) **FINDING OF VIOLATION**
Chicago Heights, Illinois)
) **EPA-05-04-29-IL**
)
Proceedings Pursuant to)
the Clean Air Act,)
42 U.S.C. §§ 7401 et seq.)

FINDING OF VIOLATION

The United States Environmental Protection Agency (U.S. EPA) finds that Trialco, Inc. (Trialco) is violating Section 112 of the Clean Air Act, 42 U.S.C. § 7412. Specifically, Trialco is violating the National Emission Standards for Hazardous Air Pollutants (NESHAP) General Provisions at 40 C.F.R. part 63, subpart A (subpart A) and the NESHAP for Secondary Aluminum Production at 40 C.F.R. part 63, subpart RRR (subpart RRR) as follows:

Regulatory Authority

1. Subpart RRR, at 40 C.F. R. § 63.1500, applies to the owner or operator of each secondary aluminum production facility as defined in § 63.1503.
2. Subpart RRR, at 40 C.F.R. § 63.1503, defines Group 1 furnaces as furnaces of any design that melt, hold, or process aluminum that contains paint, lubricants, coatings, or other foreign materials with or without reactive fluxing, or process clean charge with reactive fluxing.
3. Subpart RRR, at 40 C.F.R. § 63.1505(a) requires an owner or operator of a new or existing affected source to comply with each applicable limit in this section.
4. Subpart RRR, at 40 C.F.R. § 63.1505(i)(1) specifies an emission limit of 0.20 kg of PM per Mg (0.40 lb. of PM per ton) of feed/charge from a group 1 furnace, that is not a melting/holding furnace processing only clean charge, at a secondary aluminum production facility that is a major



source.

5. Subpart RRR, at 40 C.F.R. § 63.1505(i)(3) specifies an emission limit of 15 mcg of D/F TEQ per Mg (2.1×10^{-4} gr of D/F TEQ per ton) of feed/charge from a group 1 furnace at a secondary aluminum production facility that is a major or area source.
6. Subpart RRR, at 40 C.F.R. § 63.1505(i)(4) specifies an emission limit of 0.20 kg of HCl per Mg (0.40 lb of HCl per ton) of feed/charge or, if the furnace is equipped with an add-on air pollution control device, 10 percent of the uncontrolled HCl emissions, by weight, for a group 1 furnace at a secondary aluminum production facility that is a major source.
7. Subpart RRR, at 40 C.F.R. § 63.1506(a), specifies that on and after the date on which the initial performance test is conducted or required to be conducted, whichever date is earlier, the owner or operator must operate all new and existing affected sources and control equipment according to the requirements in this section.
8. Subpart RRR, at 40 C.F.R. § 63.1506(b), specifies that the owner or operator must provide and maintain easily visible labels posted at each group 1 furnace according to the requirements in this section.
9. Subpart RRR, at 40 C.F.R. § 63.1506(m)(3), specifies that the owner or operator of a group 1 furnace controlled by a lime-injected fabric filter must follow the requirements of this paragraph.
10. Subpart RRR, at 40 C.F.R. § 63.1510(a), specifies that on and after the compliance date established by § 63.1501, the owner or operator of a new or existing affected source or emission unit must monitor all control equipment and processes according to the requirements in 40 C.F.R. § 63.1510.
11. Subpart RRR, at 40 C.F.R. § 63.1510(b), specifies that the owner or operator must prepare and implement for each new or existing affected source and emission unit, a written operation, maintenance, and monitoring (OM&M) plan, which must be submitted to the permitting authority by the compliance date established by § 63.1501(a) and must include the information specified by 40 C.F.R. § 63.1510(b).

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12. Subpart RRR, at 40 C.F.R. § 63.1510(d), specifies that the owner or operator must install, operate, and maintain a capture/collection system for each affected source and emission unit equipped with an add-on air pollution control device, must inspect each capture/collection system once a year, and must record the results.
13. Subpart RRR, at 40 C.F.R. § 63.1510(f), specifies that the owner or operator of an affected source or emission unit using a fabric filter or lime-injected fabric filter to comply with the requirements of this subpart must install, calibrate, maintain, and continuously operate a bag leak detection system or a continuous opacity monitor as required in this section.
14. Subpart RRR, at 40 C.F.R. § 63.1510(h), specifies that the owner/operator of a group 1 furnace using a lime-injected fabric filter to comply must monitor fabric filter inlet temperature as required in this section.
15. Subpart RRR, at 40 C.F.R. § 63.1510(i), specifies that the owner/operator of an affected source or emission unit using a lime-injected fabric filter to comply must monitor lime injection as required in this section.
16. Subpart RRR, at 40 C.F.R. § 63.1510(j), specifies that the owner or operator of a group 1 furnace must measure and record the weight of gaseous or liquid reactive flux injected to each affected source and emission unit, and must calculate and record the gaseous, liquid and/or solid reactive flux injection rate, as required in this section.
17. Subpart RRR, at 40 C.F.R. § 63.1510(s), specifies that the owner or operator of a secondary aluminum processing unit at a facility must include in the OM&M plan the information specified in this section.
18. Subpart RRR, at 40 C.F.R. § 63.1510(t), specifies that, except as provided in paragraph (u) of this section, the owner or operator must calculate and record the 3-day, 24-hour rolling average emissions of PM, HCL, and D/F for each SAPU on a daily basis according to the procedures specified in this section.
19. Subpart RRR, at 40 C.F.R. § 63.1510(u), specifies that as an alternative to paragraph (t) of this section, an owner or operator may demonstrate, through performance tests, that each individual emission unit within the secondary aluminum

production unit is in compliance with the applicable emission limits for the emission unit.

20. Subpart RRR, at 40 C.F.R. § 63.1511(a), specifies that the owner/operator must submit a site-specific test plan prior to conducting any performance testing.
21. Subpart RRR, at 40 C.F.R. § 63.1511(b), specifies that the owner or operator of any existing affected source for which an initial performance test is required to demonstrate compliance must conduct this initial performance test no later than the date for compliance established by § 63.1501(a).
22. Subpart RRR, at 40 C.F.R. § 63.1515(b), specifies that each owner or operator of an existing affected source must submit a notification of compliance status report within 60 days after the compliance date established by § 63.1501(a), according to the requirements of this section.
23. Subpart RRR, at 40 C.F.R. § 63.1516(a), specifies that each owner or operator must develop and implement a written plan as described in this section and § 63.6(e)(3), containing specific procedures to be followed for operating and maintaining the source during periods of startup, shutdown, and malfunction, and including corrective actions to address malfunctions (SSM Plan).
24. Subpart RRR, at 40 C.F.R. § 63.1517(a), specifies that as required by § 63.10(b), the owner or operator shall maintain files of all information (including all reports and notifications) required by the general provisions and this subpart.

Trialco's Facility

25. Trialco owns and operates a Secondary Aluminum Production facility at 900 East 14th Street, Chicago Heights, Illinois.
26. Trialco's Chicago Heights facility is subject to the requirements at 40 C.F.R. part 63, subparts A and RRR.
27. Trialco operates two furnaces that are Group 1 furnaces pursuant to Subpart RRR and are subject to the emissions standards of Subpart RRR.
28. Trialco's Group 1 furnaces are controlled by a common

baghouse, which is a lime-injected fabric filter.

Violations

Testing Violations

29. Trialco has failed to conduct initial performance tests on its Group 1 furnaces, in violation of 40 C.F.R. §§ 63.1511(b) and 63.1512(d).

Operating Violations

30. Trialco failed to provide and maintain labels at each group 1 furnace according to the requirements of 40 C.F.R. § 63.1506(b)(1) and (2), in violation of 40 C.F.R. § 63.1506(b)(1) and (2).

Monitoring Violations

31. Trialco did not maintain an OM&M plan, as described at 40 C.F.R. § 63.1510(b), in violation of 40 C.F.R. §§ 63.1510(b), 63.1517(a), and 63.10(b). No OM&M plan was readily available for inspection and review at an April 2004 U.S. EPA inspection, and no OM&M plan was provided by Trialco following this inspection.
32. Trialco failed to conduct monthly inspections of the labels required at 40 C.F.R. § 63.1506(b), in violation of 40 C.F.R. § 63.1510(c).
33. Trialco failed to inspect each capture/collection system for each group 1 furnace once a year and record the results, in violation of 40 C.F.R. § 63.1510(d).
34. Trialco failed to install, calibrate, maintain, and continuously operate either a bag leak detection system or a continuous opacity monitoring system at the lime-injected fabric filter controlling the group 1 furnaces, in violation of 40 C.F.R. § 63.1510(f).
35. Trialco failed to install, calibrate, maintain, and operate a device to continuously monitor and record the inlet temperature to the lime-injected fabric filter, in violation of 40 C.F.R. § 63.1510(h).
36. Trialco failed to monitor lime injection at the lime-injected fabric filter, in violation of 40 C.F.R.

§ 63.1510(i).

37. Trialco failed to install, calibrate, operate, and maintain a device to continuously measure and record the weight of gaseous or liquid reactive flux injected to each group 1 furnace, according to the requirements of 40 C.F.R. § 63.1510(j), in violation of 40 C.F.R. § 63.1510(j).
38. Trialco failed to either calculate and record the 3-day, 24-hour rolling average emissions of PM, HCL, or D/F for each SAPU on a daily basis according to the procedures specified at 40 C.F.R. § 63.1510(t) or demonstrate, through performance tests, that each individual emission unit within the secondary aluminum production unit is in compliance with the applicable emission limits for the emission unit, in violation of 40 C.F.R. § 63.1510(t) or 40 C.F.R. § 63.1510(u).

Notification Violations

39. Trialco has failed to submit a notification of compliance status, in violation of 40 C.F.R. § 63.1515(b).

Recordkeeping and Reporting Violations

40. Trialco did not maintain an SSM Plan, in violation of 40 C.F.R. §§ 63.1516(a), 63.1517(a), and 63.6(e)(3). No SSM Plan was readily available for inspection and review at an April 2004 U.S. EPA inspection, and no SSM Plan was provided by Trialco following this inspection.

9/15/2004
Date


Stephen Rothblatt, Director
Air and Radiation Division



CERTIFICATE OF MAILING

I, Betty Williams, certify that I sent a Finding of Violation, No. EPA-05-04-29-IL, by Certified Mail, Return Receipt Requested, to:

Jay Armstrong
Trialco, Inc.
900 East 14th Street
Chicago Heights, Illinois 60411

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

Julie Armitage, Acting Section Manager
Compliance and Systems Management Section
Bureau of Air
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois, 62072

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

on the 16th day of September, 2004.


Betty Williams, Secretary
AECAS, (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: 70010320000602952508

