



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

MAY 04 2006

REPLY TO THE ATTENTION OF

(AE-17J)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James A Orbik
Senior Vice President of Operations
Godfrey Marine
4500 Middlebury Street
Elkhart, IN 46515

Re Finding of Violation
Godfrey Marine Syracuse
Syracuse, IN

Dear Mr Orbik

The United States Environmental Protection Agency (U S EPA) is issuing the enclosed Finding of Violation (FOV) to Godfrey Marine Syracuse (you) We find that you have violated Section 112 of the Clean Air Act, 42 U S C 7412, at your Syracuse, Indiana facility

We have several enforcement options under Section 113(a)(3) of the Clean Air Act, 42 U S C § 7413(a)(3) 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 FOV

We are offering you an opportunity to confer with us about the violations alleged in the FOV The conference will give you the opportunity to present information on the specific findings of violation, the 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 U S EPA contact in this matter is Monica Onyszko You may call her at (312) 353-5139 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,



for Stephen Rothblatt, Director
Air and Radiation Division

Enclosure

cc David McIver, Chief
Office of Air Quality
Indiana Department of Environmental Management

United States Environmental Protection Agency
Region 5

IN THE MATTER OF:)
)
Godfrey Marine Syracuse) **FINDING OF VIOLATION**
Syracuse, IN)
) **EPA-5-06-16-IN**
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 Godfrey Marine Syracuse (Godfrey) is violating Section 112 of the Clean Air Act (the Act), 42 U S C § 7412. Specifically, Godfrey is violating the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Boat Manufacturing at 40 C F R Part 63, Subpart VVVV.

Regulatory Authority

- 1 The Administrator of U S EPA (the Administrator) may promulgate regulations establishing National Emission Standards for Hazardous Air Pollutants under Section 112 of the Act, 42 U S C § 7412.
- 2 Under Section 112 of the Act, the Administrator of U S EPA promulgated the National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing at 40 C F R §§ 63 5680 et seq (Boat Manufacturing NESHAP or Subpart VVVV).
- 3 The NESHAP for Boat Manufacturing states at 40 C F R § 63 5683(a) that the provisions of the subpart apply to boat manufacturing facilities that build fiberglass boats or aluminum recreational boats and are a major source of hazardous air pollutants (HAP) either in and of themselves, or because they are collocated with other sources of HAP, such that all sources combined constitute a major source.
- 4 40 C F R § 63 5683(b) defines a boat manufacturing facility as a facility that manufactures hulls or decks of boats from fiberglass or aluminum, or assembles boats from premanufactured hulls and decks, or builds molds to make

fiberglass hulls or decks

- 5 40 C F R § 63 5683(c) defines a major source as any stationary source or group of stationary sources located within a contiguous area and under common control that emits or can potentially emit, considering controls, in the aggregate, 9 1 megagrams (10 tons) or more per year of a single HAP or 22 7 megagrams (25 tons) or more per year of a combination of HAP
- 6 To demonstrate compliance with the emission limits for aluminum wipedown solvents and aluminum coatings as specified in 40 C F R § 63 5743(a), the organic HAP content (kilograms of organic HAP per kilogram of material, or weight fraction) of each aluminum wipedown solvent and aluminum coating (including primers, topcoats, clear coats, thinners, and activators) must be determined and recorded, according to 40 C F R § 63 5746(a)
- 7 The Boat Manufacturing NESHAP, at 40 C F R § 63 5743, requires that an affected boat manufacturing facility utilizing aluminum recreational boat surface coating operations must comply with either the separate emission limits in paragraphs (a) and (b) below or the combined emission limit in paragraph (c) below Compliance with these limitations is based on a 12-month rolling average that is calculated at the end of every month
 - a Emissions from aluminum wipedown solvents must be limited to no more than 0 33 kilograms of organic HAP per liter of total coating solids applied from aluminum primers, clear coats, and top coats combined, and
 - b Emissions from aluminum recreational boat surface coatings (including thinners, activators, primers, topcoats, and clear coats) must be limited to no more than 1 22 kilograms of organic HAP per liter of total coating solids applied from aluminum primers, clear coats, and top coats combined, or
 - c Emissions from the combined aluminum surface coatings and aluminum wipedown solvents must be limited to no more than 1 55 kilograms of organic HAP per liter of total coating solids applied from aluminum primers, clear coats, and top coats combined
- 8 By referencing Table 1 of Subpart VVVV, 40 C F R § 63 5695

states that an existing source that is a major source on or before August 22, 2001 must comply with Subpart VVVV on August 23, 2004

- 9 40 C F R § 63 5764(b)(1) states that for a source not controlled by an add-on control device (i.e., one that is complying with organic HAP content limits, application equipment requirements, or MACT model point value averaging provisions), the first compliance report must cover the period beginning 12 months after the compliance date specified for the source in 40 C F R § 63 5695 and ending on June 30 or December 31, whichever date is the first date following the end of the first 12-month period after the compliance date that is specified for the source in 40 C F R § 63 5695
- 10 40 C F R § 63 5764(b)(2) states that a source is required to submit their first compliance report postmarked or delivered no later than 60 calendar days after the end of the compliance reporting period specified in paragraph 40 C F R § 63 5764(b)(1)

Godfrey's Facility

- 11 Godfrey owns and operates a stationary aluminum boat manufacturing plant at 300 E Chicago Street, Syracuse, IN
- 12 The Godfrey facility has the following emission units and control devices
- a Seven (7) air atomization paint spray booths, identified as Paint Booth #1 - 7, each with a maximum capacity of 7 97 gallons of coating material per hour, using air filters as paint booth overspray control, and exhausting to stacks S31, S50, S32, S33, S35, S51 and S52, respectively, and
 - b One (1) adhesive application area, for carpet installation, consisting of nine (9) glue guns, identified as Glue Guns #1 - #9, with a maximum capacity of applying 14 04 gallons of adhesive per hour per glue gun
- 13 Godfrey was issued a Title V permit on October 5, 1998 by the Indiana Department of Environmental Management (IDEM) stating in Section A 4 that it was a major source as defined by Section 112 of the Act

- 14 Godfrey was issued a renewed Title V permit on May 5, 2004 by IDEM
- 15 Godfrey's plant is subject to the requirements of 40 C F R § 63 5743 because it is a boat manufacturing facility that builds aluminum recreational boats and is a major source of HAP
- 16 Section D 1 16(c)(1) of the Title V permit issued by IDEM on May 5, 2004 states that Godfrey must submit their first compliance report covering the period beginning 12 months after the compliance date specified for the source in 40 C F R § 63 5695 and ending on June 30 or December 31, whichever date is the first date following the end of the first 12-month period after the compliance date that is specified for the source in 40 C F R § 63 5695 This is pursuant to the reporting regulation in 40 C F R § 63 5764(b)(1) for a source without an add-on pollution control device
- 17 Godfrey was required to have their first compliance report postmarked or delivered to U S EPA 60 days after December 31, 2005, or by March 1, 2006, in accordance with 40 C F R § 63 5764(b)(2)
- 18 Godfrey was an existing major source on or before August 22, 2001, so 40 C F R § 63 5695 states that Godfrey must comply with Subpart VVVV on August 23, 2004
- 19 Godfrey submitted a report titled "First Compliance Report" to U S EPA in September 2005 to satisfy the reporting requirements of 40 C F R §§ 63 9 and 63 5764 Godfrey chose to adhere to 40 C F R § 63 5743(a)(3), limiting the combined emissions of aluminum surface coatings and aluminum wipedown solvents, instead of 40 C F R § 63 5743(a)(1) and (2), limiting emissions separately for aluminum wipedown solvents and aluminum boat surface coatings The submitted First Compliance Report spans the 12-month period of September 2004 to August 2005 A 12-month weighted average of combined HAP content is included in the report
- 20 On March 1, 2006 Godfrey submitted reports titled "Revised First Compliance Notification" and "First Semi-Annual Compliance Report" to satisfy the reporting requirements of 40 C F R §§ 63 9 and 63 5764 The Revised First Compliance Notification is a resubmittal of the First Compliance

Report, but with corrections made to the inaccurate data initially submitted. The First Semi-Annual Compliance Report contains emission data for aluminum surface coatings and aluminum wipedown solvents, based on what is required in 40 C F R § 63 5743(a)(3). This report spans the 12-month period of January to December 2005. One 12-month weighted average of combined HAP content is included in each report.

- 21 In a letter accompanying the reports submitted by Godfrey to the U S EPA on March 1, 2006, the facility stated that they intended to use a HAPs-free wipedown solvent in their operations, but inadvertently did not use this type of solvent. Godfrey began to use a HAPs-free wipedown solvent on February 13, 2006.

Violations

- 22 Godfrey did not submit a first compliance report covering the period September 1, 2005 to December 31, 2005 as required by 40 C F R § 63 5764(b)(1).
- 23 Godfrey did not submit 12-month rolling averages of HAP data ending on August 31, September 30, October 31, November 30 and December 31, 2005, as required by 40 C F R § 63 5743(a).
- 24 Based on the data received by the U S EPA from Godfrey in the March 1, 2006 submittal, 12-month rolling averages of the combined aluminum surface coatings and aluminum wipedown solvents in units of kilograms of organic HAP per liter of total coating solids were calculated. The results are as follows:

Month	Year	Weighted Average of HAP for All Surface Coatings	Weighted Average of HAP for Wipedown Solvents	Weighted Average of Combined HAP Content	12-Month Rolling Average of Combined HAP Content
September	2004	1 31	0 64	1 96	
October	2004	1 26	0 51	1 77	
November	2004	1 41	0 68	2 09	
December	2004	1 37	0 66	2 03	
January	2005	1 64	0 64	2 28	
February	2005	1 52	0 48	2 00	
March	2005	1 19	0 56	1 75	
April	2005	1 48	0 61	2 09	
May	2005	1 45	0 84	2 29	
June	2005	1 38	0 56	1 93	
July	2005	1 37	0 58	1 95	
August	2005	1 26	2 71	3 97	2 18
September	2005	1 18	0 64	1 82	2 16
October	2005	1 44	0 60	2 04	2 19
November	2005	1 13	0 76	1 89	2 17
December	2005	1 44	0 26	1 70	2 14

Godfrey operated in violation of the emission limit of 1 55 kilograms of organic HAP per liter of total coating solids in 40 C F R § 63 5743(a)(3) from September 1, 2004 to December 31, 2005

5/4/06
Date

for William L. Maat Powell
Stephen Rothblatt, Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, certify that I sent a Finding of Violation, No EPA-5-06-16-IN, by Certified Mail, Return Receipt Requested, to

James A Orbik
Senior Vice President of Operations
Godfrey Marine
4500 Middlebury Street
Elkhart, IN 46515

I also certify that I sent a copy of the Finding of Violation, No EPA-5-06-16-IN, by First Class Mail to

David McIver, Chief
Office of Air Quality
Indiana Department of Environmental Management
100 North Senate, Room 1001
Indianapolis, Indiana 46206-6015

on the 4th day of May 2006

Betty Williams
Betty Williams, Secretary
AECAS (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER

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