

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

IN THE MATTER OF: )  
)  
F P M, L.L.C. ) NOTICE OF VIOLATION  
Elk Grove Village, Illinois )  
) EPA-5-00-IL-29  
)  
)  
Proceedings Pursuant to )  
Section 113(a)(1) of the )  
Clean Air Act, )  
42 U.S.C. § 7413(a)(1) )

NOTICE OF VIOLATION

The Administrator of the United States Environmental Protection Agency (U.S. EPA) is issuing this Notice of Violation under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. 7413(a)(1). U.S. EPA finds that F P M, L.L.C. is violating the Wisconsin State Implementation Plan (SIP), which governs the visible emissions into the air as follows:

Statutory and Regulatory Background

1. On March 9, 1983, U.S. EPA approved Wisconsin Administrative Code Section NR 154.11 as part of the federally enforceable SIP for Wisconsin. 48 Fed. Reg. 9860.
2. Wisconsin Administrative Code Section NR 154.11(6)(a)1 requires (in certain cases) direct or portable sources to limit the opacity of their emissions to 20 percent(%).

F P M, L.L.C's Milwaukee, Wisconsin Facility

3. F P M, L.L.C. owned and operated a metal heat treating facility at F P M Heat Treating, 8201 West Calumet Road, Milwaukee, Wisconsin.
4. Emissions from F P M Heat Treating's metal heat treating facility are subject to the opacity regulations in the Wisconsin SIP at Wisconsin Administrative Code Section NR 154.11(6)(a)1.

Violations

5. On February 23, 1999, March 17, 1999, April 1, 1999, October 27, 1999, and October 28, 1999, a Wisconsin Department of

Natural Resources (WDNR) inspector took visible emission readings of emissions from F P M Heat Treating.

6. The visible emission readings taken by the WDNR inspector showed that emissions from F P M Heat Treating had the following 6-minute opacity averages:

Date: February 23, 1999	
Discharge Location: North Tempering Oven (S43 P51)	
Initial Observation Time: 4:10 pm	
Observation Time (minutes)	6-Minute Average Opacity (percent)
0 - 5	41.2
6 - 11	40.2
12 - 17	40.6

Date: March 17, 1999	
Discharge Location: North Tempering Oven (S43 P51)	
Initial Observation Time: 4:40 pm	
Observation Time (minutes)	6-Minute Average Opacity (percent)
0 - 5	28.1
6 - 11	32.1
12 - 17	35.6

Date: April 1, 1999	
Discharge Location: North Conveyorized Heat Treating Line	
Initial Observation Time: 4:10 pm	
Observation Time (minutes)	6-Minute Average Opacity (percent)
0 - 5	38.3
6 - 11	39.2
12 - 17	37.7

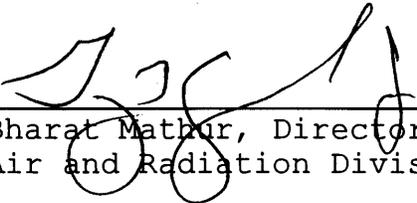
Date: October 27, 1999	
Discharge Location: South ConveyORIZED Heat Treating Line	
Initial Observation Time: 10:23 am	
Observation Time (minutes)	6-Minute Average Opacity (percent)
0 - 5	38.1
6 - 11	38.5
12 - 17	40.6
18 - 23	41.7
24 - 29	45.2
30 - 35	45.2
36 - 41	43.3
42 - 47	42.1
48 - 53	40.8
54 - 60	41.0

Date: October 28, 1999	
Discharge Location: South ConveyORIZED Heat Treating Line	
Initial Observation Time: 4:50 pm	
Observation Time (minutes)	6-Minute Average Opacity (percent)
0 - 5	36.3
6 - 11	38.8
12 - 17	40.6
18 - 23	39.4
24 - 29	39.8

7. The 6-minute opacity averages show that the opacity of emissions from F P M Heat Treating has exceeded the 20% opacity standard in Wisconsin Administrative Code Section NR 154.11(6)(a)1.

8. Because the opacity of emissions from F P M Heat Treating exceeded the 20% opacity limit, F P M, L.L.C. was in violation of Wisconsin Administrative Code Section NR 154.11(6)(a)1.

9/6/00  
Date

 ACTING  
Bharat Mathur, Director  
Air and Radiation Division

CERTIFICATE OF MAILING

I, Shanee Rucker, certify that I sent a Notice of Violation,  
No. 5-00-IL-29, by Certified Mail, Return Receipt Requested, to:

Earl Feltner, President  
F P M, L.L.C  
1501 South Lively Boulevard  
Elk Grove Village, Illinois 60007

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

Bill Bauman  
Chief-Combustion Process  
Bureau of Air Management  
Wisconsin Department of Natural Resources  
101 South Webster Street  
P.O. Box 7921 (AM/7)  
Madison, Wisconsin 53707

Dan Schramm  
Supervisor - Team 1  
Southeast Region  
Wisconsin Department of Natural Resources  
2300 North Martin Luther King Jr. Drive  
P.O. Box 12436  
Milwaukee, Wisconsin 53212

on the 7 day of September, 2000.

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

CERTIFIED MAIL RECEIPT NUMBER:

P664 397 059