UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:	)	
	)	
Hidden Valley Chrome, Inc. New Philadelphia, Ohio	)	**ADMINISTRATIVE ORDER**
	)	
	)	**EPA-5-00-113(a) OH-03**
Proceeding Under Section 113(a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(3)	)	

Administrative Order

1. The Director of the Air and Radiation Division, United States Environmental Protection Agency (U.S. EPA), Region 5, is issuing this Order to Hidden Valley Chrome, Inc. (HVC) under Section 113(a)(3) of the Clean Air Act (Act), 42 U.S.C. § 7413(a)(3).

Statutory Authority

2. The Administrator of U.S. EPA may require any person who owns or operates an emission source to provide information required by the Administrator under Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1). The Administrator has delegated this authority to the Director of the Air and Radiation Division.

3. Under Section 113(a)(3) of the Act, 42 U.S.C. § 7413(a)(3), the Administrator of U.S. EPA may issue an order requiring compliance to any person who has violated or is violating any requirement of an information request issued under Section 114 of the Act (Section 114 Request). The Administrator has delegated this authority to the Director of the Air and Radiation Division.

Findings

4. HVC owns and operates at least one chromium electroplating and/or anodizing tank at its facility located at 1873 East High Avenue in New Philadelphia, Ohio.

5. HVC owns and operates an "emission source" within the meaning of Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1).

6. On March 17, 2000, the Director of the Air and Radiation Division, U.S. EPA, Region 5, issued a Section 114 Request to HVC. Exhibit 1 of this Order is a copy of the Section 114 Request.

7. The Section 114 Request required HVC to submit information for its facility regarding its compliance with the applicable provisions of the National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks codified at 40 C.F.R. Part 63, Subpart N within 15 days of its receipt of the Request.

8. HVC received the Section 114 Request on March 24, 2000.

9. HVC violated the Section 114 Request by failing to submit the information specified in the March 17, 2000, Section 114 Request to U.S. EPA by April 7, 2000.

Compliance Program

10. HVC must comply with all requirements of the Section 114 Request. Specifically, HVC must submit all the information specified in the March 17, 2000, Section 114 Request.

11. HVC must send all information required by this Order to:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604.

General Provisions

12. This Order does not affect HVC's responsibility to comply with other local, state, and federal laws and regulations.

13. This Order does not restrict U.S. EPA's authority to enforce Section 114 of the Act, or any other section of the Act.

14. Nothing in this Order limits U.S. EPA's authority to seek appropriate relief, including penalties under Section 113 of the Act, 42 U.S.C. § 7413, for HVC's violations of the Section 114 Request.

15. Failure to comply with this Order may subject HVC to

penalties of up to $27,500 per day for each violation under Section 113 of the Act, 42 U.S.C. § 7413.

16. The terms of this Order are binding on HVC, its assignees and successors. HVC must give notice of this Order to any successors in interest, prior to transferring ownership, and must simultaneously verify to U.S. EPA, at the above address, that HVC has given the notice.

17. This Order is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 et seq., because it seeks collection of information by an agency from specific individuals or entities as part of an administrative action or investigation.

18. U.S. EPA may use any information submitted under this Order in an administrative, civil, or criminal action.

19. Section 113(a)(4) of the Act, 42 U.S.C. § 7413(a)(4), states that an Order shall not take effect until the person to whom it is issued has had an opportunity to confer with U.S. EPA about the alleged violation. Therefore, U.S. EPA is giving HVC an opportunity to confer with U.S. EPA concerning this Order. HVC may schedule a conference with U.S. EPA by calling Erik Hardin at (312) 886-2402 within 7 days of HVC's receipt of this Order.

20. This Order is effective June, 12, 2000.

6/7/00
Date

Bharat Mathur, Director
Air and Radiation Division

Enclosures

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent the Administrative Order, EPA Order No. EPA-5-00-113(a) OH-03, by Certified Mail, Return Receipt Requested, to:

Brian Franz, Owner
Hidden Valley Chrome, Inc.
1873 East High Avenue
New Philadelphia, Ohio 44663

I also certify that I sent a copy of the Administrative Order, EPA Order No. EPA-5-00-113(a) OH-03, by First Class Mail to:

Robert Hodanbosi, Chief
Division of Air Pollution Control
Ohio Environmental Protection Agency
1600 Watermark Drive
Columbus, Ohio 43215

and to:

Fred Klingelhafer, APC Supervisor
Southeast District Office
2195 Front Street
Logan, Ohio 43138

on the 7th day of June 2000.

Loretta Shaffer

Loretta Shaffer, Secretary
AECAS(MN/OH)

CERTIFIED MAIL RECEIPT NUMBER: 7099 3400 0000 9601 6688