

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

<b>IN THE MATTER OF:</b>	)	<b>FINDING OF VIOLATION</b>
	)	
K-T Corporation	)	<b>EPA-5-99-IN-26</b>
850 Elston Drive	)	
Shelbyville, Indiana	)	
	)	
Proceedings Pursuant to	)	
Sections 112 and 113 of the	)	
Clean Air Act, 42 U.S.C. §§ 7412	)	
and 7413.	)	

**FINDING OF VIOLATION**

Pursuant to Section 113(a)(3) of the Clean Air Act (Act), 42 U.S.C. § 7413(a)(3), the United States Environmental Protection Agency (U.S. EPA) hereby notifies the State of Indiana and K-T Corporation (KT) that the U.S. EPA, by authority duly delegated to the undersigned, finds KT's facility, located at 850 Elston Drive, Shelbyville, Indiana, to be in violation of Section 112 of the Act, 42 U.S.C. § 7412, and the regulations promulgated thereunder at 40 C.F.R. Part 63, Subpart T, which set forth the National Emission Standards for Hazardous Air Pollutants for Halogenated Solvent Cleaning, 40 C.F.R. §§ 63.460-469.

**Factual Background**

1. KT owns and operates a Batch Vapor Cleaning Machine, which was installed in 1963 and therefore is an existing machine. 40 C.F.R. § 63.461.
2. The existing Batch Vapor Cleaning Machine uses perchloroethylene in a total concentration greater than 5% by weight as its cleaning agent. 40 C.F.R. § 63.460(a).
3. The existing Batch Vapor Cleaning Machine was required to achieve compliance with Subpart T provisions no later than December 2, 1997. 40 C.F.R. § 63.460(d).
4. In accordance with 40 C.F.R. § 63.463(b)(2) and as specified in KT's initial notification report for its existing Batch Vapor Cleaning Machine submitted on December 1, 1998, KT selected the following control combinations for its existing Batch Vapor Cleaning Machine, which has a

solvent-air interface area of greater than 1.21 square meters (13 square feet): freeboard refrigeration device, reduced room draft and dwell.

5. On January 26, 1999, a U.S EPA inspector inspected KT's facility located at 850 Elston Drive, Shelbyville, Indiana for compliance with 40 C.F.R. Part 63 Subpart T.

### Violations

6. From December 2, 1997 to present, in violation of 40 C.F.R. § 63.463(a)(1), KT failed to ensure that the Batch Vapor Cleaning Machine was designed or operated to achieve a reduced room draft, as described in 40 C.F.R. § 63.463(e)(2)(ii).
7. From December 2, 1997 to present, in violation of 40 C.F.R. § 63.463(d)(1), KT failed to control air disturbances across the cleaning machine openings by reducing the room draft, as described in 40 C.F.R. § 63.463(e)(2)(ii).
8. From December 2, 1997 to present, in violation of 40 C.F.R. §§ 63.463(e)(1) and 63.466(a)-(d), KT failed to conduct monitoring of each control device used to comply with 40 C.F.R. § 63.463, as provided in 40 C.F.R. § 63.466.
9. From December 2, 1997 to present, in violation of 40 C.F.R. § 63.463(e)(2), KT failed to determine during each monitoring period whether each control device used to comply with 40 C.F.R. § 63.463 met the requirements specified in 40 C.F.R. § 63.463(e)(2). As a result, an exceedance occurred pursuant to 40 C.F.R. § 63.463(e)(3) since the conditions of 40 C.F.R. § 63.463(e)(2) have not been met.
10. From December 2, 1997 to present, in violation of 40 C.F.R. § 63.465(e), KT failed to determine its potential to emit from all solvent cleaning operations, as specified in 40 C.F.R. § 63.465(e)(1).
11. From December 2, 1997 to present, in violation of 40 C.F.R. § 63.467, KT failed to maintain records, as specified in § 63.467(a)(3), (b)(1), and (b)(2).
12. From August 29, 1995 to December 1, 1998, in violation of 40 C.F.R. § 63.468(a), KT failed to submit an initial notification report to the Administrator.
13. From May 1, 1998 to present, in violation of 40 C.F.R. § 63.468(d), KT failed to submit a compliance notification report to the Administrator no later than 150 days after the specified compliance date of December 2, 1997.

- 14. From February 1, 1999 to present, in violation of 40 C.F.R. § 63.468(f), KT failed to submit an annual report as specified in 40 C.F.R. § 63.468(f).
  
- 15. From March 30, 1998 to present, in violation of 40 C.F.R. §§ 63.463(e)(4) and 63.468(h), KT failed to submit exceedance reports to the Administrator on a quarterly basis, as specified in 40 C.F.R. § 63.468(h).

6/11/99  
Date

M. M. Guerriero FOR  
Margaret M. Guerriero, Acting Director  
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, do hereby certify that a Finding of Violation was sent by Certified Mail, Return Receipt Requested, to:

Terry Martzall, Human Resources Manager  
K-T Corporation  
850 Elston Drive  
Shelbyville, Indiana 46176

I also certify that a copy of the Finding of Violation was sent by first class mail to:

Phil Perry, Acting Chief  
Compliance Branch  
Office of Air Management  
Indiana Department of Environmental Management  
Indiana Government Center North  
100 North Senate Avenue  
P.O. Box 6015  
Indianapolis, Indiana 46206-6015

and

Felicia George, Assistant Commissioner  
Office of Enforcement  
Indiana Department of Environmental Management  
Indiana Government Center North  
100 North Senate Avenue  
P.O. Box 6015  
Indianapolis, Indiana 46206-6015

on the 11<sup>th</sup> day of June, 1999.

  
Betty Williams, Secretary  
AECAS (IL/IN)

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CERTIFIED MAIL RECEIPT NUMBER