

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:)
)
Custom Chrome and) **Administrative Order**
Remanufacturing, Inc.)
) **EPA-5-00-113(a) IN-04**
Proceeding Under Sections)
113(a)(3) and 114(a)(1) of)
the Clean Air Act, 42 U.S.C.)
§§ 7413(a)(3) and 7414(a)(1))

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 Custom Chrome and Remanufacturing, Inc. (CCR) under Sections 113(a)(3) and 114(a)(1) of the Clean Air Act (Act), 42 U.S.C. §§ 7413(a)(3) and 7414(a)(1).

Statutory and Regulatory Background

2. The Administrator of U.S. EPA may promulgate regulations establishing National Emission Standards for Hazardous Air Pollutants (NESHAP) under Section 112 of the Act, 42 U.S.C. § 7412.

3. Under Section 112 of the Act, the Administrator promulgated the NESHAP for Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (Chrome NESHAP) at 40 C.F.R. §§ 63.340 through 63.347. The Chrome NESHAP applies to each "affected source", as defined in 40 C.F.R. § 63.341, including hard chromium electroplating tanks.

4. The Chrome NESHAP, at 40 C.F.R. § 63.342(c), requires the owner and operator of a large hard chromium electroplating tank located at a large hard chromium electroplating facility to control chromium emissions discharged to the atmosphere from that source by not allowing the concentration of total chromium in the exhaust gas to exceed 0.015 mg/dscm.

5. 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 the NESHAP regulations. The Administrator has delegated this authority to the Director of the Air and Radiation Division.

6. The Administrator of U.S. EPA may require any person who owns or operates an emission source to make reports; install, use and maintain monitoring equipment; sample emissions; and 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.

Findings

7. CCR owns and operates 5 hard chromium plating tanks for hard chrome plating at 1011 S. Perkins, Muncie, IN 47304.

8. CCR's hard chromium plating tanks began operation in May 1996, and their cumulative rectifier potential is greater than 60 million amp-hours per year. Therefore, these tanks are subject to the Chrome NESHAP's requirements for large new hard chrome electroplating tanks. See 40 C.F.R. § 63.342 (c).

9. CCR owns or operates an "emission source" within the meaning of Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1). Therefore, CCR is subject to the requirements of Section 114(a)(1).

10. On March 24, 1998, U.S. EPA issued to Carter Chrome and Remanufacturing an Administrative Order requiring Carter Chrome to maintain continuous compliance with all applicable provisions of the Chrome NESHAP.

11. Pursuant to paragraphs 19 and 20 of the March 24, 1998 Administrative Order with Carter Chrome and Remanufacturing, that Order applies to any successor in interest and the provisions of that Order were transferable to CCR upon the sale of Carter Chrome and Remanufacturing on March 14, 2000.

12. On May 14, 1999, September 13, 1999, and February 20, 2000, Mr. David Rice of the Office of Air Management, Indiana Department of Environmental Management inspected Carter Chrome and Remanufacturing's facility. During these inspections, Mr. Rice found multiple violations of the Chrome NESHAP.

Compliance Program

13. Within 120 days, beginning May 1, 2000, at its Muncie, Indiana facility, CCR must:
- a. Repair and/or replace chrome tank hoods
 - b. Clean and refurbish scrubber unit
 - c. Plumb supply water piping to scrubber and drain piping from scrubber
 - d. Install pre-control devices on each tank attached to the chrome plating and control system
 - e. Increase scrubber exhaust fan to 12,000 cubic feet per minute per plating tank
 - f. Recalibrate existing magnehelic gauges and add an additional gauge to read overall pressure drop
 - g. Conduct a performance test in accordance with 40 C.F.R. § 63.344
 - h. Submit a copy of the performance test notification at least 60 days prior to the test date to U.S. EPA and IDEM. Performance test results shall be sent to U.S. EPA and to IDEM within 45 days of the performance test

14. CCR must send all reports required by this Order to:

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

General Provisions

15. This Order does not affect CCR's responsibility to comply with other local, State, and Federal laws and regulations.

16. This Order does not restrict U.S. EPA's authority to enforce Section 112 of the Act, or any other section of the Act.

17. 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 CCR's violation of the Chrome NESHAP.

18. Failure to comply with this Order may subject CCR to

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

19. The terms of this Order are binding on CCR, its assignees and successors. CCR 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 CCR has given the notice.

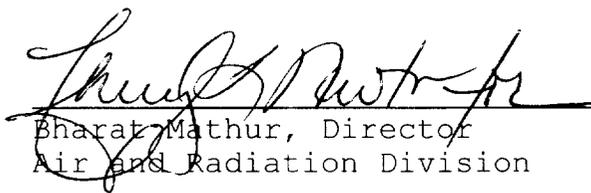
20. This Order is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 et seq., because it seeks collection of information by an agency from specific individuals or entities as part of an administrative action or investigation.

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

22. This Order is effective on the date of signature by the Director of the Air and Radiation Division. This Order will expire one year from the effective date, if CCR has complied with all of its terms.

5/8/00

Date



Bharat Mathur, Director
Air and Radiation Division

Enclosure

CERTIFICATE OF FILING AND MAILING

I, Betty Williams, do hereby certify that an Administrative Consent Order, EPA-5-00-113(a)IN-04, was sent by Certified Mail, Return Receipt Requested, to:

Mr. Clif Carty, General Manager
Custom Chrome and Remanufacturing
1011 South Perkins
Muncie, Illinois 47304

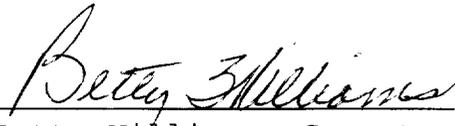
I also certify that copies of the Administrative Consent Order was sent by First Class Mail to:

Felicia Robinson, Assistant Commissioner
Office of Enforcement
Indiana Department of Environmental Management
100 North Senate, Room 1001
Indianapolis, Indiana 46206

David McIver, Chief
Air Section
Office of Enforcement
Indiana Department of Environmental Management
100 North Senate, Room 1001
Indianapolis, Indiana 46206

David Rice
Office of Compliance
Indiana Department of Environmental Management
100 North Senate, Room 1001
Indianapolis, Indiana 46206

on the 9th Day of May 2000.


Betty Williams, Secretary
AECAS (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: 2199026407