

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**IN THE MATTER OF:** )  
 )  
General Iron Industries Inc. ) **NOTICE OF VIOLATION**  
Chicago, Illinois )  
 ) **EPA-5-00-IL-07**  
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 General Iron Industries Inc. is violating the Illinois State Implementation Plan (SIP), as follows:

**Statutory and Regulatory Background**

1. Title 35 Illinois Administrative Code (35 IAC) § 212.123, governing visible emissions, was federally approved as part of the Illinois SIP on December 29, 1992. 57 Fed. Reg. 61834.
2. Title 35 IAC § 212.123, "Visible Emissions Limitation for All Other Sources," prohibits the emission of smoke or other particulate matter with an opacity greater than 30 percent, applicable to certain emission sources. The rule includes an exception which allows for emission of smoke with an opacity greater than 30 percent, but not greater than 60 percent for a period totaling 8 minutes in a 60 minute period. This exception is limited to one emission source per facility within a 1000 foot radius, and only applies three times in a 24 hour period.

**Factual Background**

3. General Iron owns and operates a scrap handling operation at 1909 North Clifton Avenue, Chicago, Illinois.
4. General Iron operates two metal scrap shredders equipped with water sprays, cyclones and a High Energy Air Filtration unit.

5. On May 24, May 25 and May 28, 1999, General Iron was operating the two metal scrap shredders.
6. Emissions from the shredders at General Iron's scrap handling facility are subject to the opacity emission limits set forth in the Illinois SIP regulations found at 35 IAC § 212.123.

**Findings of Violation**

7. On May 28, 1999, an U.S. EPA inspector observed visible emissions exceeding the 30 percent opacity standard for more than an aggregate of 8 minutes in a 60 minute period from the two metal scrap shredders at General Iron's Chicago facility, in violation of 35 IAC § 212.123.

VISIBLE EMISSION VIOLATIONS  
May 28, 1999

NORTH SHREDDER:

<u>TIME</u>	<u>6-MIN. AVERAGE OPACITY OBSERVED</u>	<u>TIME IN VIOLATION</u>
1041-1047	40.4%	
1048-1054	32.7%	4 minutes*

SOUTH SHREDDER:

1030-1036	44.4%	
1037-1043	35.2%	
1044-1050	39.2%	
1051-1057	50.2%	
1058-1104	35.0%	30 minutes

\*Eight minute exception applied

**Finding of Violation**

The Administrator of U.S. EPA, by authority duly delegated to the undersigned, notifies the State of Illinois and General Iron, Chicago, Illinois, that General Iron is in violation of the Illinois State Implementation Plan as set forth in this Notice of Violation.

12/22/99

Date



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Margaret M. Guerriero,  
Acting Director  
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, do hereby certify that a Notice of Violation, No EPA-5-00-IN-07 and Finding of Violation, No. EPA-5-00-IN-08 was sent by Certified Mail, Return Receipt Requested, to:

Nathan Rosenmutter, President  
General Iron Industries  
1909 North Clifton Avenue  
Chicago, Illinois 60614

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

David Kolaz, Manager  
Environmental Control  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Springfield, Illinois 62702

Harish Narayan, Acting Regional Manager  
Region 1  
Illinois Environmental Protection Agency  
1701 First Avenue - Suite 600  
Maywood, Illinois 60153

on the 23<sup>rd</sup> day of December 1999.

  
Betty Williams, Secretary  
AECAS (IL/IN)

P140895497  
CERTIFIED MAIL RECEIPT NUMBER