

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:)	
)	FINDING OF VIOLATION
Copperweld Shelby Division)	
Shelby, Ohio)	EPA-5-99-OH-30
)	
Proceedings Pursuant to)	
the Clean Air Act,)	
42 U.S.C. §§ 7401 <u>et seq.</u>)	
_____)	

Finding of Violation

The United States Environmental Protection Agency (U.S. EPA) hereby notifies the State of Ohio and Copperweld Shelby Division (Copperweld) that U.S. EPA finds that Copperweld, located at 132 West Main Street, Shelby, Ohio, is in violation of the Clean Air Act (Act), 42 U.S.C. §§ 7401 et seq. Copperweld is in violation of Section 112 of the Act, 42 U.S.C. § 7412, and regulations setting forth National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Chromium Emissions from Hard and Decorative Electroplating and Chromium Anodizing Tanks (Chrome Plating NESHAP), 40 C.F.R. § 63.340-347. Specifically, Copperweld is in violation of the Chrome Plating NESHAP as follows:

- 1) Conducting an initial performance test within 180 days of the compliance date, 40 C.F.R. §63.343(b)(1).

40 C.F.R. §63.343(b)(1) requires that the owner or operator of a subject source conduct an initial performance test to demonstrate compliance with the applicable emission limit as required under 40 C.F.R. § 63.7. 40 C.F.R. §63.7(a)(2)(iii) requires that an initial performance test be conducted within 180 days after the compliance date specified in the applicable subpart. 40 C.F.R. §63.7(a)(1)(ii) sets the compliance date for the Chrome Plating NESHAP at January 25, 1997. Therefore, the deadline for the owner or operator to conduct an initial performance test was July 24, 1997. Copperweld's failure to perform an initial performance test demonstrating compliance with the emission limit until March 17 and 18, 1997, constitutes a violation of this rule.

- 2) Failure to notify the U.S. EPA in writing of intention to conduct a performance test at least 60 calendar days before the performance test was scheduled, 40 C.F.R. §63.347(d).

40 C.F.R. §63.347(d) requires that the owner or operator of a subject source must notify the U.S. EPA in writing of intent to conduct an initial performance test at least 60 calendar days before the scheduled date to test to allow the U.S. EPA to have an observer present at the test. The U.S. EPA may or may not choose to have an observer present.

7/9/99
Date


Margaret M. Guerriero, Acting Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Finding of Violation and Notice of Violation by Certified Mail, Return Receipt Requested, to:

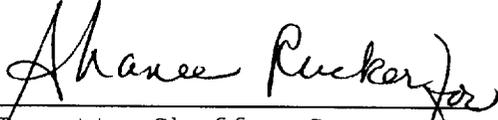
David M. Coppock, Vice President of Operations
Copperweld Shelby Division
132 West Main Street
Shelby, Ohio 44875

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

Robert Hodanbosi, Chief
Division of Air Pollution Control
Ohio Environmental Protection Agency
Central District Office
1800 Watermark Drive
Columbus, Ohio 43216

Chad Delbecq, Environmental Specialist
Division of Air Pollution Control
Northwest District Office
347 North Dunbridge Road
Bowling Green, Ohio 43402

on the 14 day of July, 1999.


Loretta Shaffer, Secretary
AECAS, (MN/OH)

CERTIFIED MAIL RECEIPT NUMBER: P140777023