



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 26 2012

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James Boyd
Branch Manager
PPG Industries
760 Pittsburgh Drive
Delaware, Ohio 43015

Dear Mr. Boyd:

This is to advise you that the U.S. Environmental Protection Agency has determined that the PPG Industries (you or PPG) facility at 760 Pittsburgh Drive, Delaware, Ohio (facility) is in violation of the Clean Air Act (CAA) and associated state or local pollution control requirements. A list of the requirements violated is provided below. We are today issuing to you a Finding of Violation (FOV) for these violations.

The CAA requires major sources of hazardous air pollutant (HAP) emissions to obtain a Title V permit to protect the public health and welfare. A major HAP source is a source with the potential to emit 10 tons of a single HAP or 25 tons of combined HAPs. A Title V permit is a legally-enforceable document designed to improve compliance by clarifying what a source must do to control air pollution.

The CAA also requires the development of standards for emissions of HAPs, called National Emission Standards for Hazardous Air Pollutants (NESHAPs). The purpose of the NESHAPs is to reduce HAPs, including certain metals, organics such as dioxin and furans and acid gases such as hydrogen fluoride, which pose a threat to human health.

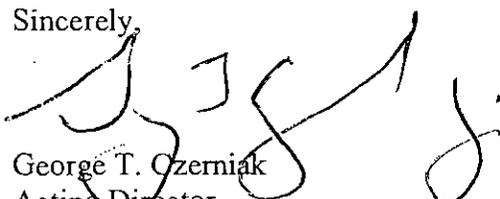
We find that you are in violation of Section 112 of the Act, 42 U.S.C. § 7412, and the implementing regulations at 40 C.F.R. Part 63, Subpart FFFF, the National Emission Standards for Hazardous Air Pollutants (HAPs): Miscellaneous Organic Chemical Manufacturing; 40 C.F.R. Part 63, Subpart HHHHH, the National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing; 40 C.F.R. Part 63, Subpart SS, the National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process; and Section 502(a) of the Act, 42 U.S.C. § 7661a(a), the implementing regulations at 40 C.F.R. Part 70, and PPG's Title V Permit.

Section 113 of the CAA gives us several enforcement options to resolve these violations, including: issuing an administrative compliance order, issuing an administrative penalty order, bringing a judicial civil action and bringing a judicial criminal action.

We are offering you the opportunity to request a conference with us about the violations alleged in the FOV. A conference should be requested within 10 days following receipt of this notice. A conference should be held within 30 days following receipt of this notice. This conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply and the steps you will take to prevent future violations. Please plan for your facility's technical and management personnel to take part in these discussions. You may have an attorney represent and accompany you at this conference.

The EPA contact in this matter is Roshni Brahmhatt. You may call her at 312.886.6793 or e-mail her at Brahmhatt.Roshni@EPA.gov if you wish to request a conference. EPA hopes that this FOV will encourage PPG's compliance with the requirements of the CAA.

Sincerely



George T. Ozerniak
Acting Director
Air and Radiation Division

cc: Adam Ward, Manager
Central District Office
Ohio Environmental Protection Agency

Enclosure

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

PPG Industries, Inc.
Delaware, Ohio

Proceedings Pursuant to
the Clean Air Act
42 U.S.C. §§ 7401 et seq.

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FINDING OF VIOLATION

EPA-5-12-OH-20

FINDING OF VIOLATION

PPG Industries, Inc. (you or PPG) owns and operates a resin and coating manufacturing facility at 760 Pittsburgh Drive, Delaware, Ohio (the Facility). The resin manufacturing process is the only area of the facility subject to the National Emission Standards for Hazardous Air Pollutants (HAPs): Miscellaneous Organic Chemical Manufacturing, at 40 C.F.R. Part 63, Subpart FFFF. The coatings manufacturing process is subject to the National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing, at 40 C.F.R. Part 63, Subpart HHHHH. A Thermal Oxidizer Unit (TOU) controls emissions from the plant processes. The TOU consists of two inlet headers and one exhaust. One inlet header is from the resin plant, and the second inlet header is from the Uniprime production area. A continuous monitoring system is used to monitor the incinerator temperature.

The U.S. Environmental Protection Agency is sending this Finding of Violation to notify you that we have found excursions from the TOU at your facility outside of the range specified in 40 C.F.R. Part 63, Subpart FFFF; 40 C.F.R. Part 63, Subpart HHHHH; 40 C.F.R. Part 63, Subpart SS, the National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process. We have also found the facility failed to meet emission limits for the TOU as specified in your Title V permit. These exceedances constitute violations of the Clean Air Act (the Act or CAA).

Section 113 of the Act provides you with the opportunity to request a conference with us to discuss the violations alleged in the FOV. This conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply, and the steps you will take to prevent future violations. Please plan for the facility's technical and management personnel to take part in these discussions. You may have an attorney represent and accompany you at this conference.

STATUTORY AND REGULATORY AUTHORITY

Title V Requirements

- 1) Section 502(a) of the Act, 42 U.S.C. § 7661a(a), and 40 C.F.R. § 70.7(b) provide that, after the effective date of any permit program approved or promulgated under Title V of the Act, no source subject to Title V may operate except in compliance with a Title V permit.
- 2) The Title V implementing regulations at 40 C.F.R. § 70.5(a) require an owner or operator of a major source to submit a timely and complete Title V permit.
- 3) On January 17, 2003, Ohio EPA issued Title V permit (P0082293) to PPG for the facility.
- 4) The emission unit P003 in the Title V Permit P0082293 is identified as the "Portable Tank Wash," which is a portable tank cleaning system.
- 5) The emission unit P006 in the Title V Permit P0082293 is identified as the "Paint Plant Solvent Recovery System," which is a solvent recovery system for processing spent solvent generated by cleaning activities.
- 6) The emission unit P008 in the Title V Permit P0082293 is identified as the "Resin Reactor #1," which is a resin reactor system used for acrylic resin manufacturing in support of industrial and automotive paint production.
- 7) The emission unit P009 in the Title V Permit P0082293 is identified as the "Resin Reactor #2," which is a resin reactor system used for acrylic resin manufacturing in support of industrial and automotive paint production.
- 8) The emission unit P010 in the Title V Permit P0082293 is identified as the "Resin Plant Solvent Recovery System," which is a solvent recovery system for processing spent solvent generated by cleaning activities.
- 9) The emission unit P042 in the Title V Permit P0082293 is identified as the "Resin Reactor #3," which is a resin reactor system serving Uniprime (cationic) manufacture.
- 10) The emission unit P043 in the Title V Permit P0082293 is identified as the "Resin Plant Cationic Stripper," which is a batch stripper for removing organic vapors from a resin batch.
- 11) The Facility's Title V Permit, Part III, Section A, Condition II-1, requires that for emission units P003, P006, P008, P009, P010, P042, and P043, the average combustion temperature within the thermal oxidizer, for any 3-hour block of time when the emissions unit is in operation, shall not be less than 1300 degrees F.
- 12) The Facility's Title V Permit, Part III, Section A, Condition IV, requires that for emission units P003, P006, P008, P009, P010, P042, and P043, the permittee is to submit quarterly

deviation (excursion) reports that identify all 3-hour blocks of time during which the average combustion temperature does not comply with the temperature limitation specified above.

NESHAP Requirements

- 13) Section 112(a)(1) of the Act, 42 U.S.C. § 7412(a)(1), defines a “major source” as any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any HAP or 25 tons per year or more of any combination of HAPs.
- 14) Section 112(a)(3) of the Act, 42 U.S.C. § 7412(a)(3), defines “stationary source” as any building, structure, facility or installation which emits or may emit any air pollutant.
- 15) Section 112(d) of the Act, 42 U.S.C. § 7412(d), authorizes EPA to promulgate regulations for particular industrial sources that emit, in significant quantities, one or more of the HAPs listed in Section 112(b) of the Act, 42 U.S.C. § 7412(b).
- 16) Pursuant to Section 112(d) of the Act, 42 U.S.C. § 7412(d), EPA promulgated 40 C.F.R. Part 63, Subpart SS on June 29, 1999 (64 Fed. Reg. 34866). Subpart SS, at 40 C.F.R. § 63.980, states that it applies to owners and operators of facilities subject to a referencing subpart.
- 17) Subpart SS, at 40 C.F.R. § 63.982(c), states that owners or operators who control emissions through a closed vent system to a nonflare control device shall meet the requirements in 40 C.F.R. § 63.983 for closed vent systems, the applicable recordkeeping and reporting requirements at 40 C.F.R. §§ 63.998 and 63.999, and the applicable requirements listed in 40 C.F.R. § 63.982 (c)(1) through (3).
- 18) Subpart SS, at 40 C.F.R. § 63.985(a), states that the owner or operator shall operate and maintain the nonflare control device so that the monitored parameters defined as required in 40 C.F.R. § 63.985(c) remain within the ranges specified in the Notification of Compliance Status whenever emissions of regulated material are routed to the control device except during periods of start-up, shutdown, and malfunction as specified in the referencing subpart.
- 19) Subpart SS, at 40 C.F.R. § 63.998(b)(6)(i), defines an excursion as the daily average value of monitoring data for a parameter that is greater than the maximum, or less than the minimum established value.
- 20) Subpart SS, at 40 C.F.R. § 63.999(c)(6)(i), states that periodic reports shall include the daily average values of monitored parameters, calculated as specified in 40 C.F.R. § 63.998(b)(3)(i) for any days when the daily average value is outside the bounds as defined in 40 C.F.R. § 63.998(c)(2)(iii) or (c)(3)(iii), or the data availability requirements defined in paragraphs 40 C.F.R. § 63.999(c)(6)(i)(A) through (D) are not met, whether these excursions are excused or unexcused excursions.

- 21) Pursuant to Section 112(d) of the Act, 42 U.S.C. § 7412(d), EPA promulgated 40 C.F.R. Part 63, Subpart FFFF on November 10, 2003 (68 Fed. Reg. 63888). Under 40 C.F.R. § 63.2445(b), the owner or operator of an existing affected source as of November 10, 2003 must comply with the provisions of this subpart no later than May 10, 2008.
- 22) Subpart FFFF, at 40 C.F.R. § 63.2435(a), applies to owners or operators of miscellaneous organic chemical manufacturing process units (MPCUs) that are located at, or are part of, a major source of HAP emissions as defined in Section 112(a) of the Act, 42 U.S.C. § 7412(a).
- 23) Subpart FFFF, at 40 C.F.R. § 63.2435(b), states that an MCPU includes equipment necessary to operate a miscellaneous organic chemical manufacturing process, as defined in 40 C.F.R. § 63.2550, that a) produces an organic chemical classified using the 1987 version of Standard Industrial Classification (SIC) code 282, 283, 284, 285, 286, 287, 289, or 386; an organic chemical classified using the 1997 version of North American Industry Classification System (NAICS) code 325; quaternary ammonium compounds and ammonium sulfate produced with caprolactam; hydrazine; or organic solvents classified in any of the SIC or NAICS previously listed that are recovered using non-dedicated solvent recovery operations; b) processes, uses, or generates any of the organic HAP listed in Section 112(b) of the Act or hydrogen halide and halogen HAP, as defined in 40 C.F.R. § 63.2550; and c) is not an affected source or part of an affected source under another subpart in 40 C.F.R. Part 63, except for process vents from batch operations within a chemical manufacturing process unit, as identified in 40 C.F.R. § 63.100(j)(4). The MCPU also includes any assigned storage tanks and transfer racks; equipment in open systems that is used to convey or store water having the same concentration and flow characteristics as wastewater; and components such as pumps, compressors, agitators, pressure relief devices, sampling connection systems, open-ended valves or lines, valves, connectors, and instrumentation systems that are used to manufacture any material or family of materials described above.
- 24) Subpart FFFF, at 40 C.F.R. § 63.2440, applies to MCPUs and heat exchange systems, wastewater, and waste management units that are associated with manufacturing materials described in 40 C.F.R. § 63.2435(b)(1).
- 25) Subpart FFFF, at 40 C.F.R. § 63.2450(e)(1), states that except when complying with 40 C.F.R. § 63.2485, if you reduce organic HAP emissions by venting emissions through a closed-vent system to any combination of control devices (except a flare) or recovery devices, you must meet the requirements of 40 C.F.R. § 63.982(c) and the requirements referenced therein.
- 26) Subpart FFFF, at 40 C.F.R. § 63.2460(a), states that the owner or operator of an affected source must meet each emission limit in Table 2 to this subpart that applies to its batch processes.
- 27) Table 2 to Subpart FFFF, at 40 C.F.R. § 63.2460(a), states that for each process with Group 1 batch process vents, you must reduce collective uncontrolled organic HAP emissions from the sum of all batch process vents within the process by ≥ 95 percent by weight by venting

emissions from a sufficient number of vents through one or more closed-vent systems to any combination of control devices.

- 28) Subpart FFFF, at 40 C.F.R. § 63.2550, defines a “Group 1 batch process vent,” in part, as each of the batch process vents in a process for which the collective uncontrolled organic HAP emissions from all of the batch process vents are greater than or equal to 10,000 lb/yr at an existing source or greater than or equal to 3,000 lb/yr at a new source.
- 29) Subpart FFFF, at 40 C.F.R. § 63.2470(a), states that the owner or operator of an affected source must meet each emission limit in Table 4 to this subpart that applies to its storage tanks.
- 30) Table 4 to Subpart FFFF, at 40 C.F.R. § 63.2460(a), states that for each Group 1 storage tank for which the maximum true vapor pressure of total HAP at the storage temperature is ≥ 76.6 kilopascals, the owner or operator of an affected source must reduce total HAP emissions by ≥ 95 percent by weight or to ≤ 20 parts per million by volume (ppmv) of total organic compounds or organic HAP and ≤ 20 ppmv of hydrogen halide and halogen HAP by venting emissions through a closed vent system to any combination of control devices.
- 31) Subpart FFFF, at 40 C.F.R. § 63.2550, defines a “Group 1 storage tank,” in part, as a storage tank with a capacity greater than or equal to 10,000 gallons storing material that has a maximum true vapor pressure of total HAP greater than or equal to 6.9 kilopascals at an existing source.
- 32) Pursuant to Section 112(d) of the Act, 42 U.S.C. § 7412(d), EPA promulgated 40 C.F.R. Part 63, Subpart HHHHH on December 11, 2003 (68 Fed. Reg. 69185). Under 40 C.F.R. § 63.7995(d), the owner or operator of an existing affected source as of December 11, 2003 must comply with the provisions of this subpart no later than December 11, 2006.
- 33) Subpart HHHHH, at 40 C.F.R. § 63.7985(a), applies to owners or operators of miscellaneous coating manufacturing operations that are located at, or are part of, a major source of HAP emissions as defined in Section 112(a) of the Act, 42 U.S.C. § 7412(a).
- 34) Subpart HHHHH, at 40 C.F.R. § 63.7985(b), states that miscellaneous coating manufacturing operations includes equipment necessary to manufacture coatings, as defined in 40 C.F.R. § 63.8105, that a) produces a material such as paint, ink, or adhesive that is intended to be applied to a substrate and consists of a mixture of resins, pigments, solvents, and/or other additives, where the material is produced by a manufacturing operation where materials are blended, mixed, diluted, or otherwise formulated; a material classified using the NAICS code 325510, Paint and Coating Manufacturing; code 325520, Adhesive and Sealant Manufacturing, and code 325910, Ink Manufacturing; b) processes, uses, or produces any of the HAPs listed in Section 112(b) of the Act; and c) is not an affected source or part of an affected source under another subpart in 40 C.F.R. Part 63. The MCPU also includes any process vessels; storage tanks for feedstocks and products; components such as pumps, compressors, agitators, pressure relief devices, sampling connection systems, open-ended valves or lines, valves, connectors, and instrumentation systems; wastewater tanks and

transfer racks that are used to manufacture any material or family of materials described above.

- 35) Subpart HHHHH, at 40 C.F.R. § 63.8000(c)(1), states if you reduce organic HAP emissions by venting emissions through a closed-vent system to any combination of control devices (except a flare) or recovery devices, you must meet the requirements of 40 C.F.R. § 63.982(c) and the requirements referenced therein.
- 36) Subpart HHHHH, at 40 C.F.R. § 63.8005(a), states that the owner or operator of an affected source must meet each emission limit in Table 1 to this subpart that applies to its process vessels.
- 37) Table 1 to Subpart HHHHH, at 40 C.F.R. § 63.8005(a), states that for each stationary process vessel at an existing source, you must equip the vessel with a cover or lid that must be in place at all times when the vessel contains a HAP, except for material additions and sampling and you must, considering both capture and any combination of control (except a flare), reduce emissions of organic HAP with a vapor existing pressure ≥ 75 percent by weight, and reduce emissions of organic HAP with a vapor pressure < 0.6 kPa by ≥ 60 percent by weight.
- 38) Subpart HHHHH, at 40 C.F.R. § 63.8105, defines a "process vessel," in part, as any stationary or portable tank or other vessel with a capacity greater than or equal to 250 gal and in which mixing, blending, diluting, dissolving, temporary holding, and other processing steps occur in the manufacturing of a coating.

FINDINGS OF FACT

- 39) PPG owns and operates a resin and coating manufacturing facility at 760 Pittsburgh Drive, Delaware, Ohio.
- 40) The Facility is a major source of HAP emissions as defined in Section 112(a) of the Act, 42 U.S.C. § 7412(a).
- 41) On April 30, 2007, PPG submitted its Notification of Compliance Status for applicability of Subpart HHHHH at the Facility.
- 42) In its Subpart HHHHH Notification of Compliance Status PPG stated that it has four Group 1 storage tanks at the Facility.
- 43) In its Subpart HHHHH Notification of Compliance Status PPG stated that it has stationary process vessels at the Facility.
- 44) On October 6, 2008, PPG submitted its Notification of Compliance Status for applicability of Subpart FFFF at the Facility.

- 45) In its Subpart FFFF Notification of Compliance Status Report, PPG stated that it has Group 1 batch process vents at the Facility.
- 46) At the Facility there is one MCPU as that term is defined at 40 C.F.R. § 63.2435(b): the resin manufacturing process which contains miscellaneous coatings manufacturing equipment as that term is defined in 40 C.F.R. § 63.7985(b).
- 47) At the Facility, PPG controls emissions from the plant processes through a TOU, which is a nonflare control device.
- 48) On October 31, 2006, PPG conducted a performance test in accordance with the requirements of 40 C.F.R. Part 63, Subpart SS. Based on the results of that test, PPG was required to operate its TOU at 1335 degrees F.
- 49) On May 6, 2008, PPG conducted another performance test in accordance with the requirements of 40 C.F.R. Part 63, Subpart SS. Based on the results of that test, PPG was required to operate its TOU at 1347 degrees Fahrenheit.
- 50) The Title V permit average combustion temperature limit within the TOU is at least 1300 degrees Fahrenheit.
- 51) On October 13, 2011, EPA received a letter from PPG which amended previously submitted Semiannual Compliance Reports for 40 C.F.R. Part 63, Subpart FFFF and 40 C.F.R. Part 63, Subpart HHHHH with additional deviations that PPG had found.
- 52) Specifically, in the October 13, 2011 letter, PPG reported that in its previously submitted reports, PPG had confused the MACT and Title V permit average daily temperature reporting limits for the TOU.
- 53) In the letter, PPG listed 1,397 temperature deviations when the TOU average daily temperature was less than the average combustion temperature of 1335 degrees Fahrenheit and 1347 degrees Fahrenheit that was determined by the TOU performance tests on October 31, 2006 and May 6, 2008, respectively. On June 26, 2012, PPG clarified that twenty-four of these deviations were related to start-up, shutdown or malfunction. Therefore, PPG reported a total of 1,373 deviations that it had not previously reported.
- 54) In addition, in the letter, PPG reported that of 1,373 deviations, 126 of those were also below the Title V permit limit of 1300 degrees Fahrenheit.

VIOLATIONS

- 55) PPG failed to operate and maintain the TOU so that the monitored parameters remained within the ranges specified, in violation of Section 112 of the Act, 42 U.S.C. § 7412, and the implementing regulations at Subpart SS, 40 C.F.R. §§ 63.982(c) and 63.985(a); Subpart FFFF, 40 C.F.R. § 63.2450(e)(1); Subpart HHHHH, 40 C.F.R. § 63.8000(c)(1); Section 502(a) of the Act, 42 U.S.C. § 7661a(a), and the implementing regulations at 40 C.F.R.

§ 70.7(b) and Title V Permit P0082293, Part III, Section A, Condition II-1 for emission units P003, P006, P008, P009, P010, P042, and P043.

- 56) PPG failed to include the daily average values that were outside the specified ranges in periodic reports, in violation of Section 112 of the Act, 42 U.S.C. § 7412, and the implementing regulations at Subpart SS, 40 C.F.R. §§ 63.982(c) and 63.999(c)(6)(i); Subpart FFFF, 40 C.F.R. § 63.2450(e)(1); Subpart HHHHH, 40 C.F.R. § 63.8000(c)(1); and Section 502(a) of the Act, 42 U.S.C. § 7661a(a), and the implementing regulations at 40 C.F.R. § 70.7(b) and Title V Permit P0082293, Part III, Section A, Condition IV-1 for emission units P003, P006, P008, P009, P010, P042, and P043.
- 57) PPG failed to reduce collective uncontrolled organic HAP emissions from the sum of all batch process vents within the process by ≥ 98 percent by weight, in violation of Section 112 of the Act, 42 U.S.C. § 7412, and the implementing regulations at Subpart FFFF, 40 C.F.R. §§ 2450(e)(1) and 63.2460(a), Table 2; and Subpart SS, 40 C.F.R. § 63.982(c).
- 58) PPG failed to reduce total HAP emissions from Group 1 storage tanks by ≥ 95 percent by weight or to ≤ 20 ppmv of TOC or organic HAP and ≤ 20 ppmv of hydrogen halide and halogen HAP, in violation of Section 112 of the Act, 42 U.S.C. § 7412, and the implementing regulations at Subpart FFFF, 40 C.F.R. § 63.2470(a), Table 4; and Subpart SS, 40 C.F.R. § 63.982(c).
- 59) At its stationary process vessel, PPG failed to reduce emissions of organic HAP with a vapor existing pressure ≥ 75 percent by weight, and reduce emissions of organic HAP with a vapor pressure < 0.6 kPa by ≥ 60 percent by weight, in violation of Section 112 of the Act, 42 U.S.C. § 7412, and the implementing regulations at Subpart HHHHH, 40 C.F.R. §§ 63.8000(c)(1) and 63.8005(a), Table 1; and Subpart SS, 40 C.F.R. § 63.982(c).

Environmental Impact of Violations

- 60) Violation of the NESHAP standards can result in excess HAP emissions that may cause serious health effects, such as birth defects and cancer, and harmful environmental and ecological effects.

Date

9/26/12

George T. Czerniak
Acting Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Finding of Violation, No. EPA-5-12-OH-20, by Certified Mail, Return Receipt Requested, to:

James Boyd
Branch Manager
PPG Industries
760 Pittsburgh Drive
Delaware, Ohio 43015

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

Adam Ward
Manager
Ohio Environmental Protection Agency
Central District Office
P.O. Box 1049
Columbus, Ohio 43216-1049

On the 27 day of September 2012.

CERTIFIED MAIL RECEIPT NUMBER: 7009 1680 0000 7667 6304