



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

AUG 04 2015

REPLY TO THE ATTENTION OF:

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Thomas Willeford  
Senior Environmental Engineer  
Akzo Nobel Surface Chemistry, LLC  
8005 N. Tabler Rd.  
Morris, Illinois 60450

Re: Finding of Violation

Dear Mr. Willeford:

This is to advise you that the U.S. Environmental Protection Agency has determined that Akzo Nobel Surface Chemistry, LLC facility in Morris, Illinois (Akzo Nobel or facility) is in violation of the Clean Air Act (CAA) and associated state pollution control requirements. A list of the requirements violated is provided below. A Finding of Violation (FOV) for these violations is being issued and is enclosed for your review.

The CAA requires that certain sources comply with standards appropriate for the source's category. In particular, the National Emissions Standards for Hazardous Air Pollutants (NESHAP) are required by Section 7411 of the CAA, 42 U.S.C. § 7411, with implementing regulations found at 40 C.F.R. Part 63. The NESHAP for Miscellaneous Organic Chemical Manufacturing (Subpart FFFF) is codified in 40 C.F.R. § 63.2430. NESHAP Subpart FFFF requires compliance with the NESHAP General Provisions (Subpart A), including the work practice requirements for flares found at 40 C.F.R. § 63.11(b).

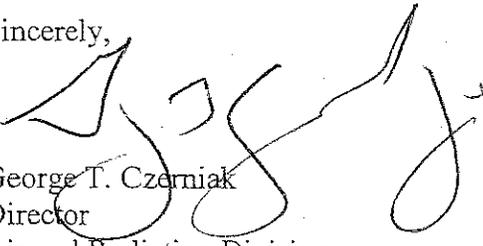
The purpose of these requirements is to reduce emissions that can compromise public health and welfare. Specifically, these requirements ensure that volatile organic compounds and hazardous air pollutants are being controlled to reduce the potential harm to the human respiratory system and reduce the risk of cancer.

Section 113 of the CAA gives the EPA 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. The option we select, in part, depends on the efforts taken by Akzo Nobel to correct the alleged violations and the timeframe in which you can demonstrate and maintain continuous compliance with the requirements cited in the FOV.

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. In addition, in order to make the conference more productive, we encourage you to submit to us information responsive to the FOV prior to the conference date. 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 Gregory Gehrig. You may contact him at (312) 886-4434 or [gehrig.greg@epa.gov](mailto:gehrig.greg@epa.gov) if you wish to request a conference. The EPA hopes that this FOV will encourage Akzo Nobel to comply with the requirements of the Clean Air Act.

Sincerely,



George T. Czerniak  
Director  
Air and Radiation Division

Enclosure

cc: Eric Jones, Illinois Environmental Protection Agency

**United States Environmental Protection Agency  
Region 5**

**IN THE MATTER OF:** )  
 )  
**Akzo Nobel Surface Chemistry, LLC** )  
**Morris, Illinois** ) **FINDING OF VIOLATION**  
 )  
 ) **EPA-5-15-IL-06**  
**Proceedings Pursuant to** )  
**the Clean Air Act,** )  
**42 U.S.C. §§ 7401 – 7671q.** )

**FINDING OF VIOLATION**

Akzo Nobel Surface Chemistry, LLC (you or Akzo Nobel) owns and operates a surfactant chemical manufacturing facility at 8005 N. Tabler Road in Morris, Illinois. Akzo Nobel utilizes one nonassisted flare at this facility to control emissions from the hydrogenation process.

The EPA is sending this Finding of Violation (FOV) to you for not properly controlling emissions of organic material from your flare. The underlying statutory and regulatory requirements include provisions of the Clean Air Act (the Act or CAA) and its implementing regulations.

**Regulatory and Statutory Authority**

The regulations and permit conditions relevant to this FOV are as follows:

1. Equipment within the hydrogenation process is subject to National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Miscellaneous Organic Chemical Manufacturing (Subpart FFFF) which is codified at 40 C.F.R. §§ 63.2430 – 63.2550. NESHAP Subpart FFFF requires compliance with 40 C.F.R. § 63.11 of the NESHAP General Provisions (Subpart A), including the work practice requirements for flares found at 40 C.F.R. § 63.11(b), 40 C.F.R. § 63.2540, and Subpart FFFF Table 12.
2. The facility uses a flare to control emissions from the hydrogenation process.
3. The flare is subject to NESHAP Subpart A that codifies specific requirements for flares. Specifically, 40 C.F.R. § 63.11(b)(6)(ii) states “Flares shall be used only with . . . the net heating value [(NHV)] of the gas being combusted at 7.45 M/scm (200 Btu/scf) or greater if the flares is [sic] non-assisted”.

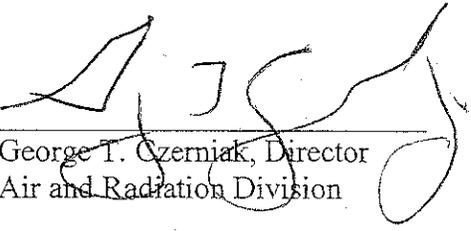
## Explanation of Violations

4. Akzo Nobel uses a flare to control emissions from its hydrogenation process. The flare is nonassisted, which means that no steam or air is added to the waste or vent gas stream.
5. On August 13, 2014, Akzo Nobel provided information to the EPA in response to an EPA information request. Akzo Nobel provided subsequent additional and clarifying information via email to EPA between September 5, 2014 and January 23, 2015. EPA reviewed all information provided by Akzo Nobel.
6. Akzo Nobel provided actual hourly NHV values for vent gas for the period January 1, 2011 through May 15, 2014. Some of the NHV values reported are below the requirement for nonassisted flares of 200 BTU/scf specified in 40 C.F.R. § 63.11(b)(6)(ii). Based on information provided by Akzo Nobel, the EPA determined that Akzo Nobel violated this condition for a total of 11,910 hours for the period of January 1, 2011 through May 15, 2014.

## Environmental Impact of Violations

7. These violations have caused or can cause excess emissions of volatile organic compounds (VOC) and hazardous air pollutants, including methanol and acrylonitrile. VOC causes ground level ozone, which can irritate the human respiratory system and reduce lung function. Chronic exposure to methanol may damage eyes, including optic nerves, cause dermatitis, and may cause birth defects in the human central nervous system. Exposure to acrylonitrile can cause irritation to breathing passages, while chronic exposure to acrylonitrile may cause permanent nerve damage. Other possible negative human health effects of acrylonitrile exposure include reproductive problems and cancer.

8/4/15  
Date

  
George T. Czerniak, Director  
Air and Radiation Division

**CERTIFICATE OF MAILING**

I, Loretta Shaffer, certify that I sent a Finding of Violation, No. EPA-5-15-IL-06, by Certified Mail, Return Receipt Requested, to:

Thomas Willeford  
Senior Environmental Engineer  
Akzo Nobel Surface Chemistry, LLC  
8005 N. Tabler Rd.  
Morris, Illinois 60450

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

Eric Jones, Manager  
Bureau of Air, Compliance and Enforcement Section  
Illinois Environmental Protection Agency  
P.O. Box 19506  
Springfield, Illinois 62794

on the 5 day of August, 2015.

*for* Kathy Jones  
Loretta Shaffer, Administrative  
Program Technician  
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER:

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