



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

AUG 31 2012

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF:

David Moss
Plant Manager
PPG Industries Ohio, Inc.
559 Pittsburgh Road
Circleville, Ohio 44113

Re: Notice and Finding of Violation
PPG Industries Ohio, Inc., Circleville, Ohio

Dear Mr. Moss:

This letter advises you that the U.S. Environmental Protection Agency (or we) has determined that PPG Industries Ohio, Inc. (PPG), has violated the Clean Air Act (CAA) and the National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors, 40 C.F.R. 63, Subpart EEE (HWC MACT) at its hazardous waste incinerator located at 559 Pittsburgh Road, Circleville, Ohio. We have provided a list of the requirements violated below. We are issuing the enclosed Notice and Finding of Violation (NOV/FOV) to you for these violations.

Section 112(d) of the CAA requires the EPA Administrator to promulgate regulations establishing emission standards for each category or subcategory of major sources and area sources of hazardous air pollutants (HAPs) listed for regulation pursuant to Section 112(c) of the CAA. On July 16, 1992, EPA published an initial list of categories of major and area sources of HAPs. See 57 FR 31576. The list included, among other things, hazardous waste incineration. On September 30, 1999, EPA promulgated the HWC MACT to protect public health and the environment.¹

Pursuant to 40 C.F.R. § 63.1219(a)(1)(i)(A), the owner or operator of a hazardous waste incinerator equipped with a waste heat boiler or dry air pollution control system must not discharge or cause combustion gases to be emitted into the atmosphere that contain dioxins and furans in excess of 0.20 nanogram toxic equivalent 2,3,7,8-tetrachlorodibenzo-para-dioxin (2,3,7,8-TCDD) per dry standard cubic meter corrected to 7 percent oxygen.

EPA finds that PPG has violated the above-listed HWC MACT requirements. Those requirements are incorporated into PPG's Title V permit, and PPG has therefore violated its Title

¹ EPA amended the HWC MACT on November 19, 1999, July 10, 2000, November 9, 2000, May 14, 2001, July 3, 2001, December 6, 2001, February 13, 2002, February 14, 2002, December 19, 2002, June 23, 2003, April 9, 2004, October 12, 2005, April 20, 2006, October 25, 2006, April 8, 2008, and October 28, 2008.

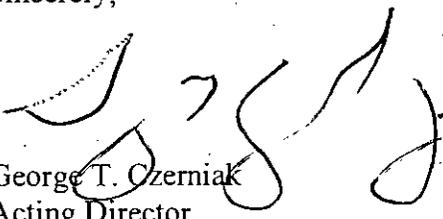
V permit, Title V of the CAA, and associated regulations that require compliance with the terms and conditions of Title V permits.

Section 113 of the CAA gives EPA several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the NOV/FOV. This conference will provide you the opportunity 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 Charles Hall. You may call him at (312) 353-3443 to request a conference. If you wish to request a conference, you should do so within 10 calendar days following receipt of this NOV/FOV. EPA hopes that this NOV/FOV will encourage PPG's compliance with the requirements of the Clean Air Act.

Sincerely,



George T. Ozerniak
Acting Director
Air and Radiation Division

Enclosure

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

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)	NOTICE AND
)	FINDING OF VIOLATION
PPG Industries Ohio, Inc.)	
Circleville, Ohio)	EPA-5-12-OH-21
)	
Proceedings pursuant to the Clean Air Act,)	
<u>42 U.S.C. §§ 7401 et seq.</u>)	

NOTICE AND FINDING OF VIOLATION

PPG Industries Ohio, Inc. (PPG or you) owns and operates a hazardous waste incinerator at PPG's facility at 559 Pittsburgh Road, Circleville, Ohio (Facility).

The U.S. Environmental Protection Agency is sending this Notice of Violation and Finding of Violation (NOV/FOV) to you for violation of the National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors at 40 C.F.R. Part 63, Subpart EEE (hereinafter, the HWC MACT) at the Facility as discussed below. The underlying statutory and regulatory requirements include provisions of the Clean Air Act (CAA) and the HWC MACT.

Explanation of Violations

The following provides a description of the regulations PPG violated and how PPG violated them:

1. Pursuant to 40 C.F.R. § 63.1219(a)(1)(i)(A), the owner or operator of an existing hazardous waste incinerator equipped with a waste heat boiler or dry air pollution control system must not discharge or cause combustion gases to be emitted into the atmosphere that contain dioxins and furans in excess of 0.20 nanogram toxic equivalent 2,3,7,8-tetrachlorodibenzo-para-dioxin per dry standard cubic meter corrected to 7 percent oxygen (ng TEQ/dscm at 7% O₂).
2. Pursuant to 40 C.F.R. § 63.1206(a)(1)(ii)(A), the owner or operator of an existing hazardous waste incinerator was required to comply with the emission standards under 40 C.F.R. § 63.1219 and the other requirements of the HWC MACT no later than the compliance date, October 14, 2008.
3. PPG's hazardous waste incinerator at the Facility is subject to the requirements of the HWC MACT.
4. Pursuant to 40 C.F.R. § 63.1207(b)(2), the owner or operator of a hazardous waste incinerator must conduct a confirmatory performance test (CfPT) to demonstrate compliance with the dioxin/furan emission standard in the HWC MACT.

3. PPG's hazardous waste incinerator at the Facility is subject to the requirements of the HWC MACT.
4. Pursuant to 40 C.F.R. § 63.1207(b)(2), the owner or operator of a hazardous waste incinerator must conduct a confirmatory performance test (CfPT) to demonstrate compliance with the dioxin/furan emission standard in the HWC MACT.
5. Pursuant to 40 C.F.R. § 63.1207(d)(2), the owner or operator of a hazardous waste incinerator must commence testing no later than 31 months after the date of commencing the previous comprehensive performance test (CPT) used to show compliance with 40 C.F.R. § 63.1219. If you submit data in lieu of the initial performance test, you must commence the initial confirmatory performance test within 31 months of the date 6 months after the compliance date. To ensure that the confirmatory test is conducted approximately midway between CPTs, the Administrator will not approve a test plan that schedules testing within 18 months of commencing the previous CPT.
6. On August 17, 2009, PPG commenced a previous CPT on the hazardous waste incinerator at the Facility.
7. On March 6 and 7, 2012, PPG conducted a CfPT on the hazardous waste incinerator at the Facility, which consisted of a dioxin/furan performance test using EPA Publication SW-846 Method 0023A. PPG conducted the CfPT under one operating condition.
8. On March 20, 2012, PPG received the preliminary results of the March 6 and 7, 2012, CfPT. The average dioxin/furan emission concentration was 0.53 ng TEQ/dscm @ 7% O₂. On March 26, 2012, PPG notified EPA that it shut down its hazardous waste incinerator.
9. On May 1, 2012, or thereabouts, PPG started up its hazardous waste incinerator to conduct a second CfPT.
10. On May 2 and 3, 2012, PPG conducted a CfPT on the hazardous waste incinerator at the Facility, which consisted of a dioxin/furan performance test using EPA Publication SW-846 Method 0023A. PPG conducted the CPT under one operating condition.
11. On June 8, 2012, PPG provided the preliminary results of the May 2 and 3, 2012, CfPT to EPA and the Ohio Environmental Protection Agency. The average dioxin/furan emission concentration was 0.99 ng TEQ/dscm @ 7% O₂.
12. In its June 8, 2012, letter, PPG stated that the hazardous waste incinerator "has not burned waste and has either been down or has been operating on natural gas only for steam generation" except during the CfPTs.
13. PPG violated 40 C.F.R. § 63.1219(a)(1)(i) on each day of operation between March 6, 2012, and March 20, 2012, and on May 6 and 7, 2012, by discharging combustion gases

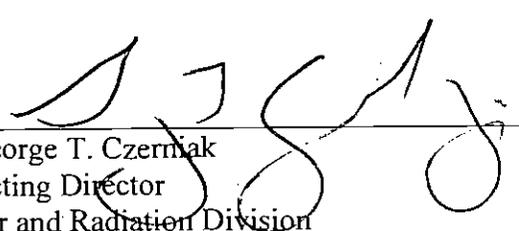
into the atmosphere that contained dioxins and furans in excess of 0.20 ng TEQ/dscm at 7% O₂ from its hazardous waste incinerator at the Facility.

Environmental Impact of Violations

14. 2,3,7,8-tetrachlorodibenzo-para-dioxin (2,3,7,8-TCDD) causes chloracne in humans, a severe acne-like condition. It is known to be a developmental toxicant in animals, causing skeletal deformities, kidney defects, and weakened immune responses in the offspring of animals exposed to 2,3,7,8-TCDD during pregnancy. EPA has classified 2,3,7,8-TCDD as a probable human carcinogen (Group B2).

Date

8/31/12


George T. Czerniak
Acting Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Notice and Finding of Violation, Number EPA-5-12-OH-21, by Certified Mail, Return Receipt Requested, to:

David Moss
Plant Manager
PPG Industries Ohio, Inc.
559 Pittsburgh Road
Circleville, Ohio 44113

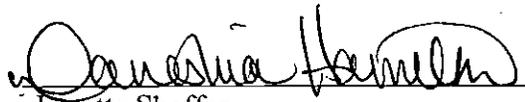
I also certify that I sent copies of the Notice and Finding of Violation by first class mail to:

Robert Hodanbosi, Chief
Division of Air Pollution Control
Ohio Environmental Protection Agency
50 West Town Street, Suite 700
Columbus, Ohio 43215

Adam Ward, Air Pollution Control Supervisor
Central District Office
Ohio Environmental Protection Agency
50 West Town Street, Suite 700
Columbus, Ohio 43215

Steven F. Faeth
Senior Counsel Environmental, Health, and Safety Law Department
PPG Industries, Inc.
One PPG Place
Pittsburgh, PA 15272-0001

on the 6th day of September 2012


Loretta Shaffer
Planning and Administration Section

Certified Mail Receipt Number: 7009 11680 0000 76669 7101