



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

SEP 27 2013

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF:

Robert Austhof
President
Hard Chrome Plating Company
1516 Blaine Avenue SE
Grand Rapids, Michigan 49507

Re: Hard Chrome Plating Company
Administrative Order EPA-5-13-113(a)-MI-04

Dear Mr. Austhof:

Enclosed please find an Administrative Order (Order) issued under Sections 113(a)(3) and 114(a) of the Clean Air Act (the Act), 42 U.S.C. §§ 7413(a)(3) and 7414(a). The Order requires Hard Chrome Plating Company (Hard Chrome) to produce to the U.S. Environmental Protection Agency specified documents and information and conduct testing at its facility at 1516 Blaine Avenue SE, Grand Rapids, Michigan. The Order becomes effective ten (10) calendar days after the day you receive it, unless within that 10-day period, you request an informal conference with EPA, or submit comments, information or arguments regarding this Order, as described below.

If you wish to discuss the Order, you may request an informal conference with EPA, but you must make your request within ten (10) calendar days of your receipt of the Order. If you request an informal conference, it must be held within fifteen (15) calendar days of your request, unless you and EPA agree otherwise. You may also submit to EPA, by certified mail, within ten (10) calendar days after receiving this Order, any relevant written comments, information or arguments you may have regarding this Order.

Failure to comply with this Order may subject you to sanctions under the Act. You may direct any questions regarding this matter to the following EPA representative:

Raymond Cullen
Air and Radiation Division
U.S. Environmental Protection Agency
Mail Code AE-17J
77 West Jackson Boulevard
Chicago, Illinois 60604

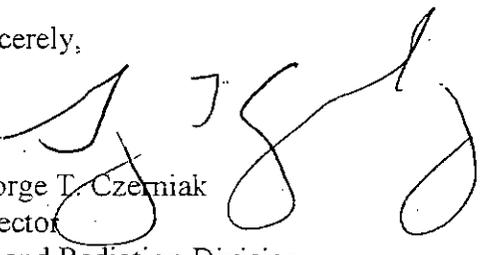
Mr. Cullen can be reached at (312) 886-0538. If you have an attorney, he or she may direct legal questions you may have regarding this matter to:

Thomas M. Williams
Office of Regional Counsel
U.S. Environmental Protection Agency
Mail Code C-14J
77 West Jackson Boulevard
Chicago, Illinois 60604

Mr. Williams can also be reached at (312) 886-0814.

In view of Hard Chrome's past failure to provide information to EPA, I urge you to give this matter your immediate attention

Sincerely,



George T. Czerniak
Director
Air and Radiation Division

Enclosure

cc: Tom Hess, Enforcement Unit Supervisor, MDEQ
Heidi Hollenbach, District Coordinator, MDEQ
David Morgan, MDEQ

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:)
)
Hard Chrome Plating Company, Inc.) ADMINISTRATIVE ORDER
)
Proceeding Under Sections 113(a)(3)) EPA-5-13-113(a)-MI-04
and 114(a) of the Clean Air Act,)
42 U.S.C. §§ 7413(a)(3) and 7414(a))
)

Administrative Order

1. The Director of the Air and Radiation Division U.S. Environmental Protection Agency (EPA), Region 5, is issuing this Administrative Order (Order) to Hard Chrome Plating Company (Hard Chrome) under Sections 113(a)(3) and 114(a) of the Clean Air Act (the Act), 42 U.S.C. §§ 7413(a)(3) and 7414(a).

Statutory Authority

2. The Administrator of EPA may require any person who owns or operates an emission source to, among other things, "make reports ...; sample emissions and provide information required by the Administrator" under Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1). The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

3. Under Section 113(a)(3)(B) of the Act, 42 U.S.C. § 7413(a)(3)(B), whenever, on the basis of any information available to the Administrator of EPA, the Administrator finds that any person has violated, or is in violation of, *inter alia*, any requirement of Subchapter I of the Act (other than requirements enforceable under 42 U.S.C. § 7413(a)(1) and (2)), the Administrator may issue an order requiring such person to comply with such requirement or

prohibition. The Administrator has delegated this authority to the Director of the Air and Radiation Division of EPA Region 5.

4. Under Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), the Administrator may, for the purpose of, *inter alia*, carrying out any provision of Subchapter I of the Act, require any person who owns or operates an emission source, to sample such emissions in accordance with such procedures or methods, at such locations, and in such manner as the Administrator shall prescribe. The Administrator has delegated this authority to the Director of the Air and Radiation Division of EPA Region 5.

Findings

5. Hard Chrome owns and operates a chrome plating facility at 1516 Blaine Avenue, SE, Grand Rapids, Michigan.

6. Hard Chrome's facility has or has had three chromium electroplating tanks, fumes from which exhaust through a mesh pad mist eliminator followed by a packed bed scrubber. Hard Chrome uses or has used a fume suppressant for emissions control.

7. Hard Chrome owns or operates an "emission source" within the meaning of Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1).

8. On or about March 29, 2011, the Michigan Department of Environmental Quality (MDEQ) issued to Hard Chrome a Violation Notice citing violations of 40 C.F.R. § 63.342 (the National Emission Standards for Chromium Emissions from Hard and Decorative Electroplating and Chromium Anodizing Tanks), requesting actions necessary to correct the violations and performance testing, and requesting that Hard Chrome provide a written response by April 15, 2011.

9. Hard Chrome did not provide a written response to MDEQ's Violation Notice by April 15, 2011.

10. On or about May 10, 2011, MDEQ issued to Hard Chrome a Second Notice: Letter of Violation, reciting that Hard Chrome had not responded to the March 29, 2011 Violation Notice and again requesting the information in the March 29, 2011 Violation Notice, with a new due date of May 24, 2011.

11. On or about May 16, 2011, Hard Chrome responded to the Second Notice: Letter of Violation stating that holes in duct work had been repaired and control devices had been inspected.

12. On or about September 28, 2011, MDEQ issued to Hard Chrome a Violation Notice for failing to conduct the performance testing required by MDEQ's March 29, 2011 Violation Notice.

13. On or about September 20, 2012, MDEQ issued Hard Chrome a Violation Notice for violations discovered during a September 5, 2012, inspection of Hard Chrome's facility.

14. On February 11, 2013, MDEQ referred this matter to EPA, citing the company's lack of responsiveness to MDEQ's violation notices.

15. On or about April 23, 2013, the Director of the Air and Radiation Division issued an information request under Section 114 of the Act (the Section 114 Request) to Hard Chrome. Exhibit 1 of this Order is a copy of the Section 114 Request.

16. The Section 114 Request required Hard Chrome to produce to EPA specified information regarding its facility at 1516 Blaine Avenue SE, Grand Rapids, Michigan within twenty-one calendar days of its receipt of the request.

17. Hard Chrome received the Section 114 Request on or about June 3, 2013.

18. EPA has received no response to the Section 114 Request from Hard Chrome.

19. Hard Chrome violated Section 114(a)(1) of the Act by failing to provide any response to the Section 114 Request.

Compliance Program

20. Hard Chrome must comply with all requirements of the Section 114 Request. Specifically, Hard Chrome must produce the information specified in the Section 114 Request within twenty (20) days of this Order's effective date.

21. Within thirty (30) days of this Order's effective date, Hard Chrome shall conduct a performance test on each of its mesh pad mist eliminators and packed bed scrubbers using the test methods and procedures in 40 C.F.R. §§ 63.7 and 63.344(c)(1) (EPA Method 306 and 306A).

22. The results of the tests required in Paragraph 21, above, shall be documented in complete test reports that contain the information required in 40 C.F.R. § 63.344(a)(1) - (9).

23. Hard Chrome must send all information, including the test reports, required by this Order to:

Raymond Cullen
Air and Radiation Division
U.S. Environmental Protection Agency
Mail Code AE-17J
77 West Jackson Boulevard
Chicago, Illinois 60604

Effective Date and Opportunity to Confer

24. Within ten (10) days after receipt of this Order, Hard Chrome may request an informal conference with EPA. Any such conference shall be held within fifteen (15) calendar days from the date of the request, unless extended by agreement of the Parties. At any conference held pursuant to the request, Hard Chrome may appear in person, participate by telephone or be represented by an attorney or other representative. If a conference is held, Hard

Chrome may present any information, arguments or comments regarding this Order. This conference is not a formal evidentiary hearing, does not constitute a proceeding to challenge this Order, and does not give Hard Chrome a right to seek review of this Order. To request an informal conference, Hard Chrome should contact Mr. Ray Cullen, EPA Region 5 Air Enforcement Branch, at (312) 886-0538 or Hard Chrome's attorney may contact Mr. Tom Williams, EPA Region 5 Office of Regional Counsel, at (312) 886-0814.

25. Regardless of whether a conference is requested, Hard Chrome may submit to EPA in writing via certified mail any relevant information, arguments or comments, and such information must be received by EOA within ten (10) calendar days of Hard Chrome's receipt of this Order, unless extended by agreement of the Parties.

26. Unless Hard Chrome requests a conference or submits information pursuant to this Section of this Order, this Order is effective ten (10) calendar days after its receipt by Respondent. If Respondent request an informal conference or submits written information pursuant to this Section, this Order will become effective ten (10) days after the informal conference or EPA's receipt of written submittals, whichever is later unless, based on information Hard Chrome presents, EPA withdraws or modifies this Order. If EPA modifies this Order based on information Hard Chrome presents, the Order, as modified, is effective upon Hard Chrome's receipt of it.

General Provisions

27. This Order is not a permit, and does not waive, modify or otherwise affect Hard Chrome's ongoing responsibility to comply with other local, state and federal ordinances, permits, licenses, laws and regulations.

28. This Order does not restrict EPA's authority to enforce Sections 113 and 114 of the Act, or any other section of the Act.

29. Nothing in this Order limits EPA's authority to seek appropriate relief, including penalties under Section 113 of the Act, 42 U.S.C. § 7413, for Hard Chrome's failure to comply with the Section 114 Request.

30. Failure to comply with this Order may subject Hard Chrome to penalties of up to \$37,500 per day for each violation under Section 113(d) of the Act, 42 U.S.C. § 7413(d), and 40 C.F.R. Part 19. The Act also authorizes the Administrator of EPA may commence a civil action for a temporary and permanent injunction and to recover a civil penalty for violations of permits issued under the Act or other specified provisions of the Act, 42 U.S.C. § 7413(b). The Act further provides for criminal penalties for knowing violations of specified provisions of the Act, 42 U.S.C. § 7413(c).

31. EPA may use any information submitted under this Order in an administrative, civil or criminal action.

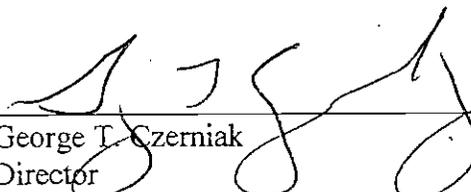
32. The terms of this Order are binding on Hard Chrome, its assignees and successors. Hard Chrome must give notice of this Order to any successors in interest prior to transferring ownership and must simultaneously verify to EPA, at the above address, that Hard Chrome has given the notice.

33. This Order is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501, *et seq.*, because it seeks collection of information by an agency from specific individuals or entities as part of an administrative action or investigation. To aid in our electronic recordkeeping efforts, please provide your response to this Order without staples. Paper clips and binder clips are acceptable.

**In the Matter of:
Hard Chrome Plating Company
Administrative Order Under
Clean Air Act Sections 113(a)(3) and
114(a)**

9/26/13

Date



George T. Czerniak
Director
Air and Radiation Division

Enclosure

Standard bcc's:

Official File Copy w/Attachment(s)

Originating Organization Reading File w/Attachment(s)

T. Williams (C-14J)

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent the Administrative Order, EPA-5-13-113(a)-MI-04, by certified mail, return receipt requested, to:

Hard Chrome Plating Company
Attn: Robert Austhof, President
1516 Blaine Avenue SE
Grand Rapids, Michigan 49507

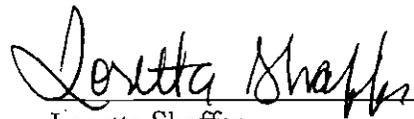
I also certify that I sent a copy of the Administrative Order, EPA-5-13-113(a)-MI-04, by first-class mail to:

Tom Hess
Chief
Michigan Department of Environmental Quality
Air Quality Division
P.O. Box 30260
Lansing, Michigan 48909

Heidi Hollenbach
District Coordinator
Michigan Department of Environmental Quality
Grand Rapids District Office
State Office Building, 5th Floor
350 Ottawa Avenue NW, Unit 10
Grand Rapids, Michigan 49503-2341

David Morgan
Michigan Department of Environmental Quality
Grand Rapids District Office
State Office Building, 5th Floor
350 Ottawa Avenue NW, Unit 10
Grand Rapids, Michigan 49503-2341

on the 30th day of September, 2013.



Loretta Shaffer,
Administrative Program Assistant
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7009 1680 0000 7669 5817