



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

SEP 26 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF:

Gene O'Kelly
VP-Human Resources
Maynard Steel Casting Company
2856 South 27th Street
Milwaukee, Wisconsin 53215

Dear Mr. O'Kelly:

This is to advise you that the U.S. Environmental Protection Agency has determined that the Maynard Steel Casting Company (Maynard) facility at 2856 South 27th Street, Milwaukee, WI (facility) is in violation of the Clean Air Act (CAA or the Act) and associated state or local pollution control requirements. We are today issuing to you a Notice of Violation and Finding of Violation (NOV/FOV) for these violations.

The CAA requires the development of Primary and Secondary National Ambient Air Quality Standards to protect public health welfare. To attain and maintain these standards, each state is required to develop an implementation plan. Wisconsin's State Implementation Plan (Wisconsin SIP) requires you to take reasonably available control measures to prevent particulate matter, including metal hazardous air pollutants, from becoming airborne and emitting from the facility. The purpose of particulate limits is to help protect the public from unhealthy exposures to particulate. Particulate emissions, in particular fine particulate, contribute to respiratory problems, lung damage and premature deaths.

The Act also requires the development of standards for emissions of hazardous air pollutants (HAPs), called National Emission Standards for Hazardous Air Pollutants (NESHAPs). The purpose of NESHAPs is to reduce HAPs, including certain metals, which pose a threat to human health. The NESHAP for Iron and Steel Foundries sets forth requirements to minimize emission of HAPs.

EPA finds that the Maynard facility is violating the following:

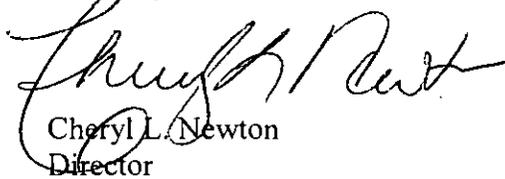
1. Wisconsin SIP requirements. In violating the Wisconsin SIP requirements you are also violating Title I of the CAA and its implementing regulations, which require compliance with the terms and conditions of the Wisconsin SIP.
2. Title V permit, Title V Operation Permit No. 241005710-P10. In violating your Title V Operation Permit, you are also violating Title V of the CAA and its associated regulations which require compliance with terms and conditions of Title V permits.
3. Section 112 of the CAA, 42 U.S.C. § 7412 and the NESHAP for Iron and Steel Foundries, 40 C.F.R. Part 63, Subpart EEEEE.

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 NOV/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 Greg Gehrig. You may call him at 312.363.8650 if you wish to request a conference. If he is not available, you may also call Michele Jencius at 312.353.1377 to request a conference. EPA hopes that this NOV/FOV will encourage Maynard's compliance with the requirements of the CAA.

Sincerely,



Cheryl L. Newton
Director

Air and Radiation Division

Enclosure

cc: Daniel Schramm
Air Management Supervisor
Wisconsin Department of Natural Resources
Bureau of Air Management
2300 N. Martin Luther King Jr. Dr.
Milwaukee, WI 53212

Bill Baumann
Acting Director
Bureau of Air Management
Wisconsin Department of Natural Resources
101 S. Webster St.
PO Box 7921 (AM/7)
Madison, WI 53702

requirements, including those contained in a state implementation plan. 42 U.S.C. § 7661c(a).

- d. 40 C.F.R. § 70.1(b) provides that: "All sources subject to these regulations shall have a permit to operate that assures compliance by the source with all applicable requirements." See also Wisconsin Administrative Code (WAC) NR 407.08 and 407.09. 40 C.F.R. § 70.5(b) provides that: "Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. In addition, an applicant shall provide additional information as necessary to address any requirements that become applicable to the source after the date it filed a complete application but prior to release of a draft permit." See also WAC NR 407.05(9).

2. The permits and permit conditions relevant to this NOV/FOV are as follows:

- a. EPA gave interim approval of the Wisconsin Title V program on March 6, 1995. 60 Fed. Reg. 12128. EPA fully approved the Wisconsin Title V program on December 4, 2001. 66 Fed. Reg. 62951.
- b. Wisconsin Department of Natural Resources (WDNR) issued Title V Operation Permit 2410055710-P10 (Title V Permit) to the facility on September 28, 2009, including conditions pertaining to the four EAFs.
- c. Stack Test Requirements of the Title V Permit:
 - i. Part I.B.1.a.(1)(b) requires that particulate matter emissions not exceed 1.75 pounds per hour from stack S16 (EAF 5).
 - ii. Part I.B.1.a.(1)(c) requires that particulate matter emissions not exceed 2.38 pounds per hour from stack S19 (EAF 6).
 - iii. Part I.B.1.a.(1)(d) requires that particulate matter emissions not exceed 5.32 pounds per hour from stack S51 (EAF 7).
 - iv. Part I.ZZZ.5.a.(1) on page 50 of the Title V Permit requires all testing be performed while the EAFs operate at capacity.
- d. Part I.ZZZ.7.a.(6) on page 51 of the Title V Permit requires that your malfunction prevention and abatement plan include the requirement that "a copy of the operation and maintenance manual for the control equipment... be maintained on site."
- e. Part I.ZZZ.7.a.(2) on page 51 of the Title V permit requires all air pollution control equipment "be operated and maintained in conformance with good engineering practices (i.e. operated and maintained according to the

manufacturer's specifications and directions) to minimize the possibility for the exceedance of any emission limitations."

- f. Part II. C.2.a. says "No person may cause, allow, or permit particulate matter to be emitted into the ambient air which substantially contributes to exceeding of an air standard, or creates air pollution." The National Ambient Air Quality Standards (NAAQS) for particulate matter 10 microns in diameter or less (PM10) is an air standard.
 - g. Part I.ZZZ.6.a.(1) on page 51 of the Title V permit requires that all deviations from and exceedances of applicable requirements be reported to WDNR every 6 months.
 - h. Part I.ZZZ.1.b.(1) on page 34 of the Title V permit states that in order to be a synthetic minor for federal Hazardous Air Pollutants and avoid applicability of NESHAP requirements, you shall limit the total facility emission of each hazardous air pollutant (HAP) to no more than 1666 pounds per month.
 - i. Part II.L.2. requires you to comply with all conditions of the Title V permit.
3. The Wisconsin SIP rules relevant to this NOV/FOV are as follows:
- a. WAC NR 404.04(8) establishes the primary and secondary standards for PM10 are 150 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) average concentration over a 24-hour period. On January 31, 2011, EPA approved WAC NR 404.04(8) as part of the federally enforceable SIP for Wisconsin. 76 Fed. Reg. 5270.
 - b. WAC NR 415.03, formerly NR 154.11(1), prohibits you from emitting particulate matter "into the ambient air which substantially contributes to exceeding of an air standard, or creates air pollution." On March 9, 1983, EPA approved WAC NR 154.11(1) as part of the federally enforceable SIP for Wisconsin. 48 Fed. Reg. 9860.
 - c. 40 C.F.R. § 52.23 allows EPA to take enforcement action under Section 113 of the Act, 42 U.S.C. § 7413, when a person fails to comply with any permit limitation or condition contained within a permit issued under a SIP-approved permit program.
4. The Foundry NESHAP rules relevant to this NOV/FOV are as follows:
- a. The Maynard facility is subject to the requirements of Section 112 of the Clean Air Act, 42 U.S.C. § 7412, and the Foundry NESHAP at 40 C.F.R. Part 63, Subpart EEEEE. EPA has calculated that manganese emissions from the Maynard facility exceed 10 tons per year, making the Maynard facility a major source, as defined 40 C.F.R. § 63.7681, and therefore subject to the Foundry NESHAP. The emissions calculations are based on information provided to EPA in a letter from Maynard dated August 22, 2011 and reports required pursuant to WAC NR 438.

- b. 40 C.F.R. § 63.7690(a)(1) requires that each EAF not discharge emissions through a conveyance to the atmosphere that exceed either 0.005 grains of PM per dry standard cubic foot (gr/dscf), or 0.0004 gr/dscf of total metal HAP.
- c. 40 C.F.R. § 63.7690(a)(7) requires that each building or structure housing any iron and steel emissions source at the iron and steel foundry not discharge any fugitive emissions to the atmosphere from foundry operations that exhibit opacity greater than 20 percent (6-minute average), except for one 6-minute average per hour that does not exceed 27 percent opacity.
- d. 40 C.F.R. § 63.7710(a) requires you to always operate and maintain your iron and steel foundry, including air pollution control and monitoring equipment, in a manner consistent with good air pollution control practices for minimizing emissions.
- e. 40 C.F.R. § 63.7710(b) requires you to prepare and operate at all times according to a written operation and maintenance (O&M) plan for each capture and collection system and control device for an emissions source.
- f. 40 C.F.R. § 63.7720(a) requires you to be in compliance with the emissions limitations, work practice standards, and operation and maintenance requirements of the Foundry NESHAP at all times, except during periods of startup, shutdown, or malfunction.
- g. 40 C.F.R. § 63.7720(c) requires you to develop a written startup, shutdown, and malfunction plan.
- h. 40 C.F.R. § 63.7730(a) requires you to conduct an initial performance test no later than 180 calendar days after the compliance date of April 23, 2007 (i.e., October 20, 2007), to demonstrate compliance with the PM limit in § 63.7690(a)(1) and the opacity limit in § 63.7690(a)(7).
- i. 40 C.F.R. § 6.7731(b) requires you to conduct subsequent opacity tests, to demonstrate compliance with the opacity limit in § 63.7690(a)(7), no less frequently than once every 6 months.
- j. 40 C.F.R. § 63.7740(b) requires that for each negative pressure baghouse or positive pressure baghouse equipped with a stack that is applied to meet any PM or total metal HAP emissions limitation, you must monitor the relative change in PM loadings using a bag leak detection system according to the requirements of 40 C.F.R. § 63.7741(b).
- k. 40 C.F.R. § 63.7750(b) requires you to submit your initial notification no later than August 20, 2004.
- l. 40 C.F.R. § 63.7751(a) requires you to submit a semiannual compliance report to your permitting authority. Pursuant to 40 C.F.R. § 63.7751(a)(2), the first semiannual compliance report was due July 31, 2005.

5. Based on the Region's inspection at Maynard on June 23-24, 2011, and a review of documents submitted to EPA and/or the WDNR, we have identified the following violations:
- a. From September 28, 2009 through June 1, 2011, Maynard failed to comply with the particulate matter emission rate of 1.75 pounds per hour from stack S16 (EAF 5), in violation of the Title V Permit, Part 1.B.1.a.(1)(b) and Part 11.L.2.
 - b. From September 28, 2009 through July 22, 2011, Maynard failed to comply with the particulate matter emission rate of 2.38 pounds per hour from stack S19 (EAF 6), in violation of the Title V Permit, Part 1.B.1.a.(1)(c) and Part 11.L.2.
 - c. From September 28, 2009 through June 24, 2011, Maynard failed to comply with the particulate matter emission rate of 5.32 pounds per hour from stack S51 (EAF 7), in violation of the Title V Permit, Part 1.B.1.a.(1)(d) and Part 11.L.2.
 - d. During the December 20-21, 2010 particulate matter performance test of EAF 4, Maynard failed to test EAF 4 at the rated capacity, in violation of the Title V Permit, Part 1.ZZZ.5.a.(1) and Part 11.L.2.
 - e. During the December 20-21, 2010 and May 31-June 1, 2011 particulate matter performance tests of EAF 5, Maynard failed to test EAF 5 at the rated capacity, in violation of the Title V Permit, Part 1.ZZZ.5.a.(1) and Part 11.L.2.
 - f. During the December 20-21, 2010 particulate matter performance test of EAF 6, Maynard failed to test EAF 6 at the rated capacity, in violation of the Title V Permit, Part 1.ZZZ.5.a.(1) and Part 11.L.2.
 - g. During the December 20-21, 2010 and June 23-24, 2011 particulate matter performance tests of EAF 7, Maynard failed to test EAF 7 at the rated capacity, in violation of the Title V Permit, Part 1.ZZZ.5.a.(1) and Part 11.L.2.
 - h. Since September 28, 2009, Maynard has failed to author a malfunction prevention and abatement plan that requires a copy of the operation and maintenance manual for control equipment be maintained on site, in violation of the Title V Permit, Part 1.ZZZ.7.a.(6) and Part 11.L.2.
 - i. Since September 28, 2009, Maynard has failed to limit the total facility emission of manganese, a HAP, to no more than 1,666 pounds per month, in violation of Part 1.ZZZ.1.b.(1).
 - j. Since April 23, 2007, Maynard has failed to operate and maintain all air pollution control equipment associated with EAF 4 in conformance with good engineering practices, in violation of the Title V Permit, Part 1.ZZZ.7.a.(2) and Part 11.L.2. and 40 C.F.R. § 63.7710(a). During the June 23-24, 2011 inspection, Region 5 inspectors observed poor capture of emissions at EAF 4 when it vented to its control device.

- k. Since April 23, 2007, Maynard has failed to operate and maintain all air pollution control equipment associated with EAF 5 in conformance with good engineering practices, in violation of the Title V Permit, Part I.ZZZ.7.a.(2) and Part II.L.2. and 40 C.F.R. § 63.7710(a). During the June 23-24, 2011 inspection, Region 5 inspectors observed poor capture of emissions at EAF 5 when it vented to its control device.
- l. From April 23, 2007 to July 22, 2011, Maynard failed to operate and maintain all air pollution control equipment associated with EAF 6 in conformance with good engineering practices, in violation of the Title V Permit, Part I.ZZZ.7.a.(2) and Part II.L.2. and 40 C.F.R. § 63.7710(a).
- m. From April 23, 2007 to June 24, 2011, Maynard has failed to operate and maintain all air pollution control equipment associated with EAF 7 in conformance with good engineering practices, in violation of the Title V Permit, Part I.ZZZ.7.a.(2) and Part II.L.2. 40 C.F.R. § 63.7710(a).
- n. Since September 28, 2009, Maynard has emitted particulate matter into the ambient air substantially contributing to exceeding the NAAQS for PM10, in violation of Part II. C.2.a. of the Title V Permit, WAC NR 404.04(8) and WAC NR 415.03, formerly NR 154.11(1).
- o. Since February 14, 2010, Maynard has failed to report deviations, in violation of Part I.ZZZ.6.a.(1) and Part II.L.2. of the Title V Permit.
- p. Since April 23, 2007, Maynard has failed to prepare and operate according to an O&M plan in violation of 40 C.F.R. § 63.7710(b).
- q. From April 23, 2007 to June 1, 2011, Maynard failed to operate EAF 5 in compliance with the emission limitation of 0.005 grains of PM gr/dscf, or 0.0004 gr/dscf of total metal HAP, as specified in 40 C.F.R. § 63.7690(a)(1) in violation of 40 C.F.R. § 63.7720(a).
- r. From April 23, 2007 to July 22, 2011, Maynard failed to operate EAF 6 in compliance with the emission limitation of 0.005 grains of PM gr/dscf, or 0.0004 gr/dscf of total metal HAP, as specified in 40 C.F.R. § 63.7690(a)(1) in violation of 40 C.F.R. § 63.7720(a).
- s. Since April 23, 2007, Maynard has failed to operate EAF 7 in compliance with the emission limitation of 0.005 grains of PM gr/dscf, or 0.0004 gr/dscf of total metal HAP, as specified in 40 C.F.R. § 63.7690(a)(1) in violation of 40 C.F.R. § 63.7720(a).
- t. Since April 23, 2007 Maynard has failed to develop a written startup, shutdown, and malfunction plan in violation of 40 C.F.R. § 63.7720(c).

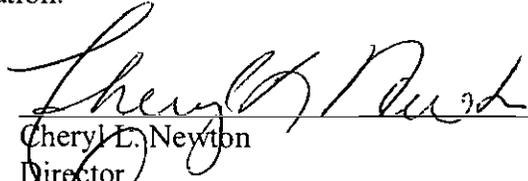
- u. From October 20, 2007 to December 21, 2010, Maynard failed to conduct a PM performance test on EAF 4 to determine compliance with the emission limitation specified in 40 C.F.R. § 63.7690(a)(1) in violation of 40 C.F.R. § 63.7730(a).
- v. From October 20, 2007 to December 21, 2010, Maynard failed to conduct a PM performance test on EAF 5 to determine compliance with the emission limitation specified in 40 C.F.R. § 63.7690(a)(1) in violation of 40 C.F.R. § 63.7730(a).
- w. From October 20, 2007 to December 21, 2010, Maynard failed to conduct a PM performance test on EAF 6 to determine compliance with the emission limitation specified in 40 C.F.R. § 63.7690(a)(1) in violation of 40 C.F.R. § 63.7730(a).
- x. From October 20, 2007 to December 21, 2010, Maynard failed to conduct a PM performance test on EAF 7 to determine compliance with the emission limitation specified in 40 C.F.R. § 63.7690(a)(1) in violation of 40 C.F.R. § 63.7730(a).
- y. Since October 20, 2007, Maynard has failed to conduct an initial Method 9 opacity performance test to determine compliance with the opacity limit in § 63.7690(a)(7) in violation of 40 C.F.R. § 63.7730(a).
- z. Since April 20, 2008, Maynard has failed to conduct subsequent performance tests, at a frequency of no less than once every 6 months, to determine compliance with the opacity limit in § 63.7690(a)(7), in violation of 40 C.F.R. § 63.7731(b).
- aa. Since April 23, 2007, Maynard has failed to install, operate, and maintain a bag leak detection system in violation of 40 C.F.R. § 63.7741(b).
- bb. Since April 23, 2007, Maynard has failed to monitor the relative change in PM loadings using a bag leak detection system in violation of 40 C.F.R. § 63.7740(b).
- cc. Since August 20, 2004, Maynard has failed to submit your initial notification in violation of 40 C.F.R. § 63.7750(b).
- dd. Since July 31, 2007, Maynard has failed to submit a semiannual compliance report to your permitting authority in violation of 40 C.F.R. §§ 63.7751(a) and (a)(2).

Environmental Impact of Violations

- 6. Violation of the opacity and particulate standards increases public exposure to unhealthy particulate matter. Particulate matter, especially fine particulate, contributes to respiratory problems, lung damage and premature deaths.
- 7. Violation of the Foundry NESHAP standards increases public exposure to metal HAPs including manganese compounds. Chronic (long-term) exposure to high levels of manganese by inhalation in humans may result in central nervous system effects. Visual reaction time, hand steadiness, and eye-hand coordination can be affected in chronically-exposed workers. A syndrome named manganism may result from chronic exposure to

higher levels; manganism is characterized by weakness and lethargy, tremors, a mask-like face, and psychological disturbances. Respiratory effects have also been noted in workers chronically exposed by inhalation.

9/26/11
Date _____


Cheryl L. Newton
Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, certify that I sent a Notice of Violation and Finding of Violation, No.

EPA-5-11-WI-06, by Certified Mail, Return Receipt Requested, to:

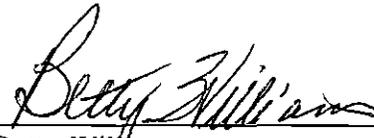
Gene O'Kelly
VP-Human Resources
Maynard Steel Casting Company
2856 South 27th Street
Milwaukee, WI 53215

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

Daniel Schramm
Air Management Supervisor
Wisconsin Department of Natural Resources
Bureau of Air Management
2300 N. Martin Luther King Jr. Dr.
Milwaukee, Wisconsin 53212

Bill Baumann
Acting Director
Bureau of Air Management
Wisconsin Department of Natural Resources
101 S. Webster St.
PO Box 7921 (AM/7)
Madison, Wisconsin 53702

On the 27th day of September 2011.



Betty Williams
Administrative Program Assistant
Planning and Administration Section

CERTIFIED MAIL RECEIPT NUMBER: 70091680000076128012