



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

SEP 19 2014

REPLY TO THE ATTENTION OF:

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

Laurie Shields  
Environmental Health and Safety Manager  
Pilkington North America, Inc.  
300 20th Street  
Ottawa, Illinois 61350

Re: Notice and Finding of Violation  
Pilkington North America, Inc.  
Ottawa, Illinois

Dear Ms. Shields:

The U.S. Environmental Protection Agency is issuing the enclosed Notice and Finding of Violation (NOV/FOV) to Pilkington North America, Inc. (you) under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). We find that you are violating the Clean Air Act, 42 U.S.C. §§ 7401-7671q, and the Illinois State Implementation Plan at your Ottawa, Illinois facility.

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

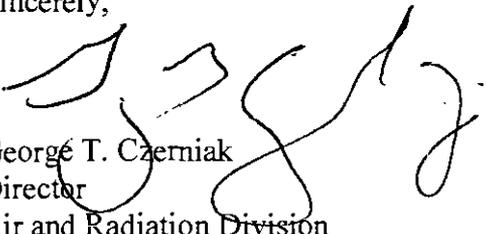
We are offering you the opportunity to confer with us about the violations alleged in the NOV/FOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply, and the steps you will take to prevent future violations. In addition, in order to make the conference more productive, we encourage you to submit to us information responsive to the NOV/FOV prior to the conference date.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent and accompany you at this conference.

The EPA contact in this matter is Monica Onyszko. You may call her at (312) 353-5139 to request a conference. You should make the request within 10 calendar days following receipt of

this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,



George T. Czerniak  
Director  
Air and Radiation Division

Enclosure

cc: Eric Jones  
Manager  
Bureau of Air, Compliance Unit  
Illinois Environmental Protection Agency

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

<b>IN THE MATTER OF:</b>	)	
	)	
<b>Pilkington North America, Inc.</b>	)	<b>NOTICE OF VIOLATION and</b>
<b>Ottawa, Illinois</b>	)	<b>FINDING OF VIOLATION</b>
	)	
	)	<b>EPA-5-14-IL-22</b>
Proceedings Pursuant to	)	
the Clean Air Act	)	
42 U.S.C. § 7401 <i>et seq.</i>	)	

**NOTICE OF VIOLATION and FINDING OF VIOLATION**

The U.S. Environmental Protection Agency is issuing this Notice of Violation and Finding of Violation (NOV/FOV) to notify Pilkington North America, Inc. ("Pilkington") that we have found violations of the Clean Air Act (CAA), 42 U.S.C. §§ 7401-7671q at the facility located at 300 20th Street in Ottawa, Illinois ("facility"). Specifically, EPA found opacity, particulate matter (PM), and chloride emissions in excess of the limits specified in your Title V permit and in the Illinois State Implementation Plan (SIP). These exceedances constitute violations of the CAA. The relevant statutory and regulatory authority, factual background, alleged violations, and environmental impact of these violations are set forth in detail below.

Section 113 of the CAA provides you with the opportunity to request a conference with us to discuss the violations alleged in the NOV/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 Background**

**Title V Requirements**

1. Title V of the CAA, 42 U.S.C. §§ 7661-7661f, established an operating permit program for major sources of air pollution. Section 502(d) of the CAA, 42 U.S.C. § 7661a(d), provides that each state must submit to EPA a permit program meeting the requirements of Title V.
2. In accordance with Section 502(b) of the CAA, 42 U.S.C. § 7661a(b), EPA promulgated regulations establishing the implementing Title V of the CAA. See 57 Fed. Reg. 32295 (July 21, 1992). Those regulations are codified at 40 C.F.R. Part 70.
3. Section 503 of the CAA, 42 U.S.C. § 7661c(a), requires that each Title V permit include enforceable emission limitations and standards, a schedule of compliance, and other

conditions necessary to assume compliance with applicable requirements, including those contained in a state implementation plan.

4. EPA gave interim approval of the Illinois Title V program on March 7, 1995. 60 Fed. Reg. 12478. EPA fully approved the Illinois Title V program on December 4, 2001. 66 Fed. Reg. 62946. The approved Illinois Title V program is known as the Illinois Clean Air Act Permit Program (CAAPP).
5. The Illinois Environmental Protection Agency (IEPA) issued a Title I and Title V permit ("Permit")(application number: 95090029) to the facility on September 5, 2003.
6. Condition 5.2.2(b) of the Permit limits opacity to 30 percent as averaged over a six-minute period.
7. Condition 7.1.6 of the Permit limits PM emissions at Process Emission Unit #1 (batch hall storage, batch mixer, furnace fill system, and four cullet return system areas) to:

Unit	Particulate Matter	
	(pounds per hour)	(tons per year)
Batch Hall (DC-1)	0.29	1.26
Cullet System #2 (DC-5)	0.51	2.24
Cullet System #3 (DC-6)	0.31	1.37
Cullet System #4 (DC-8)	0.24	1.06

8. The PM limitations in Condition 7.1.6 of the Permit were established pursuant to Title I of the CAA, specifically Title 35 of the Illinois Administrative Code (35 IAC) Part 203, Major Stationary Sources Construction and Modification, and 40 C.F.R. § 52.21, Prevention of Significant Deterioration. These limits ensure that the construction and/or modification addressed in construction permit number 72120139 does not constitute a new major source or major modification.
9. Condition 7.4.6(a) of the Permit limits chloride emissions at the Low-E Vapor Deposition Coating Process (Coating Process) to 1,390 pounds per month.
10. The chloride emission limits in Condition 7.4.6 of the Permit were established pursuant to Title I of the CAA, specifically 35 IAC Part 203, Major Stationary Sources Construction and Modification, and 40 C.F.R. § 52.21, Prevention of Significant Deterioration. These limits ensure that the construction and/or modification addressed in construction permit number 88110041 does not constitute a new major source or major modification.
11. 40 C.F.R. § 70.6(b)(1) provides that Title V permits are federally enforceable and that all terms and conditions in a Title V permit are enforceable by the EPA.
12. Section 502(a) of the CAA, 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 CAA, no source subject to Title V may operate except in compliance with a Title V permit.

13. Conditions 5.7.1, 7.1.10, and 7.4.10 of the Permit requires that Pilkington promptly notify IEPA of Permit deviations at the facility, pursuant to Section 39.5(7)(f)(ii) of the Illinois Environmental Protection Act.

#### SIP Requirements

14. On December 29, 1992, EPA approved 35 IAC § 212.123, governing visible emissions, as part of the federally-enforceable SIP for Illinois. 57 Fed. Reg. 61834, 61837.
15. Pursuant to 35 IAC § 212.123(a), no person shall cause or allow the emission of smoke or other particulate matter, with an opacity greater than 30 percent, into the atmosphere from any emission unit other than those emission units subject to the requirements of 35 IAC § 212.122, except as allowed by 35 IAC § 212.123(b) and § 212.124.
16. 35 IAC § 212.122 is incorporated into the facility's Permit in Condition 5.2.2(b).

#### Factual Background

17. Pilkington owns and operates a flat-glass manufacturing plant located at 300 20th Street in Ottawa, Illinois.
18. Emissions from Process Emission Unit #1 are controlled by dust collectors, pursuant to Condition 7.1.2 of the Permit.
19. Emissions from the Coating Process are controlled by an afterburner, heat exchanger, lime neutralization system, and a baghouse, pursuant to Condition 7.4.2 of the Permit.
20. Pursuant to its Permit and Section 39.5(7)(f)(ii) of the Illinois Environmental Protection Act, Pilkington reported that furnace opacity exceeded 30 percent, averaged over a six-minute period, on an unknown number of occasions during the time period May 12–14, 2012.
21. Pursuant to its Permit and Section 39.5(7)(f)(ii) of the Illinois Environmental Protection Act, Pilkington reported that Dust Collector #32, located in Batch Hall (DC-1) of Process Emission Unit #1, exceeded the 0.29 pounds per hour PM limit on an unknown number of occasions during the time periods June 17–19, 2009, May 17–25, 2011, January 11–12, 2012, May 9–10, 2013, and September 16–19, 2013.
22. Pursuant to its Permit and Section 39.5(7)(f)(ii) of the Illinois Environmental Protection Act, Pilkington reported that Dust Collector #6, located in Cullet System #3 (DC-6) of Process Emission Unit #1, exceeded its 0.31 pounds per hour PM limit on an unknown number of occasions during the time period May 16–July 19, 2013.
23. On March 11, 2013, EPA sent an information request to Pilkington under Section 114(a) of the CAA, 42 U.S.C. § 7414(a).

24. In response to the information request, Pilkington hired a consultant to conduct emission testing on the facility's furnace and Coating Process stack on July 30 and 31, 2013, and again on August 1, 2013. The August 1, 2013, Coating Process stack emission test results for chloride were 6.66 pounds per hour.
25. Pursuant to its Permit and Section 39.5(7)(f)(ii) of the Illinois Environmental Protection Act, Pilkington reported that, based on the emission testing results from the August 1, 2013, testing event, Pilkington's Coating Process stack likely exceeded the 1,390 pounds/month chloride limit during August 2013.

### **Alleged Violations**

26. Pilkington's exceedance of 30 percent opacity at its furnace during the time period May 12–14, 2012, constitutes a violation of Condition 5.2.2(b) of the Permit and 35 IAC § 212.123(a) of the Illinois SIP.
27. Pilkington's exceedances of its 0.29 pounds per hour PM limit at Dust Collector #32 during the time periods June 17–19, 2009, May 17–25, 2011, January 11–12, 2012, May 9–10, 2013, and September 16–19, 2013, constitute violations of Condition 7.1.6 of the Permit.
28. Pilkington's exceedances of its 0.31 pounds per hour PM limit at Dust Collector #6 during the time period May 16–July 19, 2013, constitute violations of Condition 7.1.6 of the Permit.
29. Pilkington's exceedances of its 1,390 pounds/month chloride limit at its Coating Process during the approximate time period on or around August 2013 constitute violations of Condition 7.4.6 of the Permit.

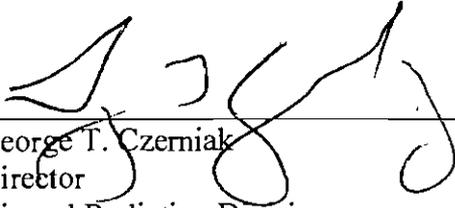
### **Impacts of Violations**

30. Opacity is often used as a surrogate indicator of the degree of particulate matter emissions. Particulate matter, especially fine particulates, contains microscopic solids or liquid droplets, which can get deep into the lungs and cause serious health problems. Particulate matter exposure contributes to:
  - irritation of the airways, coughing, and difficulty breathing;
  - decreased lung function;
  - aggravated asthma;
  - chronic bronchitis;
  - irregular heartbeat;
  - nonfatal heart attacks; and
  - premature death in people with heart or lung disease.
31. Short-term hydrogen chloride inhalation exposure may cause eye, nose, and respiratory tract irritation and inflammation and pulmonary edema in humans. Long-term

occupational exposure to hydrochloric acid has been reported to cause gastritis, chronic bronchitis, dermatitis, and photosensitization in workers. Prolonged exposure to low concentrations may also cause dental discoloration and erosion.

9/19/14

Date



George T. Czerniak  
Director  
Air and Radiation Division

**CERTIFICATE OF MAILING**

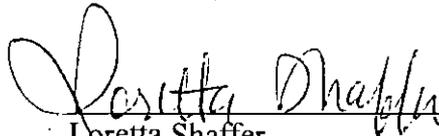
I, Loretta Shaffer, certify that I sent a Notice and Finding of Violation, No. EPA-5-14-IL-22, by Certified Mail, Return Receipt Requested, to:

Laurie Shields  
Environmental Health and Safety Manager  
Pilkington North America, Inc.  
300 20th Street  
Ottawa, Illinois 61350

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

Eric Jones, Manager  
Bureau of Air  
Compliance Unit  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Springfield, Illinois 62702

on the 23 day of September, 2014.



Loretta Shaffer  
Program Technician  
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7009 1680 0000 7676 2281