



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

JAN 23 2012

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Rick Discher
President
Custom Fiberglass Moldings, Inc.
E5880 Little River Road
Weyauwega, Wisconsin 54983

Re: Custom Fiberglass Moldings, Inc. Notice of Violation and Finding of Violation

Dear Mr. Discher:

This is to advise you that the U.S. Environmental Protection Agency has determined that the Custom Fiberglass Moldings, Inc. (CFM) facility at E5880 Little River Road, Weyauwega, WI (facility) is in violation of the Clean Air Act (CAA) 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 and 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 measures to prevent hazardous air pollutants (HAPs), including styrene, from emitting from the facility. The purpose of HAP limits is to help protect the public from unhealthy exposures to HAPs. Chronic exposure to high levels of styrene has been shown to result in negative central nervous system effects. Reaction time, vision, balance, and concentration can be negatively affected in chronically-exposed persons. Additional studies suggest styrene exposure can cause liver damage, depression, hearing loss and that styrene is a possible human carcinogen.

The CAA also requires the development of standards for emissions of HAPs, called National Emission Standards for Hazardous Air Pollutants (NESHAPs). The purpose of NESHAPs is to reduce HAPs, including certain volatile organic compounds, which pose a threat to human health. The NESHAP for the surface coating of plastic parts and products; and the NESHAP for reinforced plastics composites production sets forth requirements to minimize emission of HAPs.

EPA finds that at the facility there are violations of 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. 469084990-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.

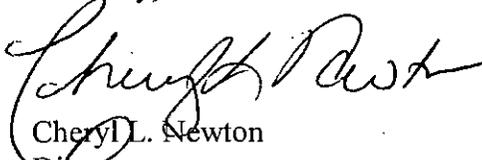
3. Section 112 of the CAA, 42 U.S.C. § 7412, the NESHAP for the surface coating of plastic parts and products, 40 C.F.R. Part 63, Subpart PPPP; and the NESHAP for reinforced plastics composites production, 40 C.F.R. Part 63, Subpart WWWW.

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 or email him at gehrig.greg@epa.gov if you wish to request a conference. EPA hopes that this NOV/FOV will encourage CFM's compliance with the requirements of the CAA.

Sincerely,



Cheryl L. Newton
Director

Air and Radiation Division

Enclosure

cc: Imelda Stamm
Environmental Engineer Supervisor
Bureau of Air Management
Wisconsin Department of Natural Resources
625 E. County Rd Y – STE 700
Oshkosh, WI 54901

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

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

Custom Fiberglass Moldings, Inc.
Weyauwega, Wisconsin

Proceedings Pursuant to
the Clean Air Act
42 U.S.C. § 7401 et seq.

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**NOTICE OF VIOLATION AND
FINDING OF VIOLATION**

EPA-5-12-WI-01

NOTICE OF VIOLATION AND FINDING OF VIOLATION

Custom Fiberglass Moldings, Inc. (you or CFM) owns and operates a fiberglass parts manufacturing facility at E5880 Little River Road, Weyauwega, WI (the facility). At the facility, CFM manufactures fiberglass reinforced plastic composite parts, and also coats these parts.

The U.S. Environmental Protection Agency is sending this Notice of Violation and Finding of Violation (NOV/FOV or Notice) to notify you that we have found violations of conditions specified in your Title V permit; the Wisconsin State Implementation Plan (Wisconsin SIP); and Section 112 of the Clean Air Act (the Act), 42 U.S.C. § 7412, the National Emission Standards for Hazardous Air Pollutants (NESHAP) surface coating of plastic parts and products, 40 C.F.R. Part 63, Subpart PPPP; and the NESHAP for reinforced plastics composites production, 40 C.F.R. Part 63, Subpart WWWW.

Section 113 of the Act 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.

Explanation of Violations

1. The Title V requirements relevant to this NOV/FOV are as follows:
 - a. Section 502(a) of the Act, 42 U.S.C. § 7661a(a), provides that no source may operate without a Title V permit after the effective date of any permit program approved or promulgated under Title V of the Act. EPA first promulgated regulations governing state operating permit programs on July 21, 1992 (57 Fed. Reg. 32295). These regulations are codified at 40 C.F.R. Part 70. EPA promulgated regulations governing the Federal operating permit program on July

1, 1996 (61 Fed. Reg. 34228). These regulations are codified at 40 C.F.R. Part 71.

- b. Section 503 of the Act, 42 U.S.C. § 7661b, and 40 C.F.R. § 70.5, set forth the requirement to submit a timely, accurate, and complete application for a permit, including information required to be submitted with the application.
- c. Section 504(a) of the Act, 42 U.S.C. § 7661c(a), and 40 C.F.R. § 70.6, require that each Title V permit include enforceable emission limitations and standards, a schedule of compliance, and other conditions necessary to assure compliance with applicable requirements, including those contained in a state implementation plan.

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. The Wisconsin Department of Natural Resources (WDNR) issued Title V Operation Permit 469084990-P10 (Title V Permit) to the facility on July 29, 2008, including conditions pertaining to compliance with the Subparts PPPP and WWWW NESHAPs.
- c. Part I.B.1.b of the Title V Permit states that the facility “shall only use standard resin coats that contain less than 40% styrene on parts or products.”
- d. Part I.ZZZ.2.1 of the Title V Permit provides that the facility shall submit the summary of monitoring required in the permit to WDNR semi-annually. These summaries of monitoring shall meet the content requirements described in the Title V Permit Part II.D.
- e. Part I.ZZZ.2.2 of the Title V Permit provides that the facility shall submit certifications of compliance to both WDNR and EPA annually. These certifications of compliance shall meet the content requirements described in the Title V Permit Part II.N.
- f. Part II.J.2 of the Title V Permit requires the facility to apply for and obtain a construction permit when reconstruction and/or modification is made to the facility.
- g. Part II.L.2 of the Title V Permit requires you to comply with all conditions of the Title V permit.

3. The Subpart PPPP NESHAP provisions relevant to this NOV/FOV are as follows:

- a. The facility is subject to the requirements of Section 112 of the Clean Air Act, 42 U.S.C. § 7412, and the NESHAP at 40 C.F.R. Part 63, Subpart PPPP.

- b. Under 40 C.F.R. § 63.4490 (b)(1), NR 465.33(1)(b)1 and the Title V Permit Part I.D.2.1, emissions of organic HAPs are limited to no more than 0.16 pound (lb) HAP per lb coating solids at the facility.
- c. Under 40 C.F.R. § 63.4500(a)(1), NR 465.34(1)(a)1 and the Title V Permit Part I.D.4.2, the facility must be in compliance with the emission limit 0.16 lb HAP per lb coating solids at all times since April 19, 2007.
- d. 40 C.F.R. § 63.4501 requires compliance with applicable portions of the NESHAP general provisions 40 C.F.R. Part 63, Subpart A (Subpart A). Table 2 to Subpart PPPP NESHAP provides a list of Subpart A provisions that are applicable. The applicable sections of Subpart A are:
 - i. 40 C.F.R. § 63.5(b)(3)(ii) and the Title V Permit Part II.J.2 prohibit the reconstruction of a major source without approval.
 - ii. 40 C.F.R. § 63.5(d) and the Title V Permit Part II.J.2 require that major sources apply for reconstruction.
- e. 40 C.F.R. § 63.4510(b), NR 465.35(1)(b) and the Title V Permit Part I.D.5.1.b require the submission of initial notification no later than April 19, 2005.
- f. 40 C.F.R. § 63.4510(c), NR 465.35(1)(c) and the Title V Permit Part I.D.5.1.c require the submission of notification of compliance status no later than May 30, 2008.
- g. 40 C.F.R. § 63.4520(a)(1), NR 465.35(2)(a) and the Title V Permit Part I.D.6.1.a require the submission of semiannual compliance reports. The initial report was due no later than July 31, 2008, with subsequent reports due at six-month intervals.
- h. 40 C.F.R. § 63.4530(a), NR 465.35(3)(a) and the Title V Permit Part I.D.7.1.a require retention of each notification required in Subpart PPPP, including supporting documentation.
- i. 40 C.F.R. § 63.4530(c), NR 465.35(3)(c) and the Title V Permit Part I.D.7.1.c require retention of records pertaining to compliance options.
- j. 40 C.F.R. § 63.4540, NR 465.36(1) and the Title V Permit Part I.D.8.1 require the facility to conduct an initial compliance demonstration for the Compliant Material Option since April 30, 2008.
- k. 40 C.F.R. § 63.4541, NR 465.36(2) and the Title V Permit Part I.D.8.2 require the facility to demonstrate initial compliance for the Compliant Material Option since April 19, 2007.

- l. 40 C.F.R. § 63.4542, NR 465.36(3) and the Title V Permit Part I.D.8.3 require the facility to demonstrate continuous compliance for the Compliant Material Option since May 1, 2008.
 - m. 40 C.F.R. § 63.4550, NR 465.37(1) and the Title V Permit Part I.D.9.1 require the facility to conduct an initial compliance demonstration for the Emission Rate Without Add-On Controls Option since April 30, 2008.
 - n. 40 C.F.R. § 63.4551, NR 465.37(2) and the Title V Permit Part I.D.9.2 require the facility to demonstrate initial compliance for the Emission Rate Without Add-On Controls Option since April 19, 2007.
 - o. 40 C.F.R. § 63.4552, NR 465.37(3) and the Title V Permit Part I.D.9.3 require the facility to demonstrate continuous compliance for the Emission Rate Without Add-On Controls Option since May 1, 2008.
4. The Subpart WWWW NESHAP provisions relevant to this NOV/FOV are as follows:
- a. The facility is subject to the requirements of Section 112 of the Clean Air Act, 42 U.S.C. § 7412, and the NESHAP at 40 C.F.R. Part 63, Subpart WWWW.
 - b. 40 C.F.R. § 63.5805(b) and the Title V Permit Part I.E.3 require the facility to comply with appropriate HAP emissions limits as specified in Table of the Subpart WWWW NESHAP as of April 21, 2006.
 - c. 40 C.F.R. § 63.5810 and the Title V Permit Part I.E.4 require the facility to use and demonstrate one of four compliance options since April 21, 2006.
 - d. 40 C.F.R. § 63.5835 and the Title V Permit Part I.E.5 require the facility to meet general compliance requirements since April 21, 2006.
 - e. 40 C.F.R. § 63.5860(a) and the Title V Permit Part I.E.6.2 require the facility to demonstrate initial compliance since May 21, 2006.
 - f. 40 C.F.R. § 63.5895 and the Title V Permit Part I.E.7 require the facility to monitor and collect data to demonstrate continuous compliance since April 21, 2006.
 - g. 40 C.F.R. § 63.5900(a)(2) and the Title V Permit Part I.E.7.2.ii require the facility to demonstrate continuous compliance with organic HAP emissions requirements since April 21, 2006.
 - h. 40 C.F.R. § 63.5905 and the Title V Permit Part I.E.8 require the facility to submit appropriate notifications, including an Initial Notification and a Notification of Compliance Status, since May 21, 2006.
 - i. 40 C.F.R. § 63.5910 and the Title V Permit Part I.E.9 require the facility to submit semiannual compliance reports since July 31, 2006.

- j. 40 C.F.R. § 63.5915 and the Title V Permit Part I.E.10 require the facility to keep appropriate records, since January 31, 2006.
5. The Permit violations are as follows:
- a. Since July 29, 2008, the facility has used standard resins that contain more than 40% styrene in violation of the requirements of Part I.B.1.b of the Title V Permit.
 - b. Since March 1, 2009, the facility has failed to submit semiannual monitoring in violation of Part I.ZZZ.2.1 and Part II.D the Title V Permit.
 - c. Since February 1, 2009, the facility has failed to submit annual certifications of compliance in violation of Part I.ZZZ.2.2 and Part II.N of the Title V Permit.
 - d. Since October 20, 2010, the facility has failed to apply for and obtain a construction permit for modifications in violation of Part II.J.2 of the Title V Permit.
 - e. Since July 29, 2008, the facility has failed to comply with all conditions of the Title V Permit in violation of Part II.L.2 of the Title V permit.
6. Violations of Subpart PPPP NESHAP are as follows:
- a. Since April 19, 2007, the facility has not been in compliance with the emission limit 0.16 lb HAP per lb coating in violation of 40 C.F.R. § 63.4500(a)(1), NR 465.34(1)(a)1 and the Title V Permit Part I.D.4.2.
 - b. Since October 20, 2010, the facility has failed to apply to reconstruct a major source of HAPs in violation of 40 C.F.R. § 63.5(d) and the Title V Permit Part II.J.2.
 - c. Since October 20, 2010, the facility reconstructed a major source of HAPs without approval in violation of 40 C.F.R. § 63.5(b)(3)(ii) and the Title V Permit Part II.J.2.
 - d. Since April 19, 2005, the facility has failed to submit its initial notification of the Subpart PPPP NESHAP applicability in violation of the requirements of 40 C.F.R. § 63.4510(b), NR 465.35(1)(b) and the Title V Permit Part I.D.5.1.b.
 - e. Since May 30, 2008, the facility has failed to submit a notification of compliance in violation of the requirements of 40 C.F.R. § 63.4510(c), NR 465.35(1)(c) and the Title V Permit Part I.D.5.1.c.
 - f. Since July 31, 2008, the facility has failed to submit semiannual compliance reports in violation of the requirements of 40 C.F.R. § 63.4520(a)(1), NR 465.35(2)(a) and the Title V Permit Part I.D.6.1.a.

- g. Since May 30, 2008, the facility has failed to retain notifications, including supporting documentation, as required by 40 C.F.R. § 63.4530(a), NR 465.35(3)(a) and the Title V Permit Part I.D.7.1.a.
 - h. Since April 19, 2007, the facility has failed to retain records pertaining to compliance options as required by 40 C.F.R. § 63.4530(c), NR 465.35(3)(c) and the Title V Permit Part I.D.7.1.c.
 - i. Since April 30, 2008, the facility has failed to conduct an initial compliance demonstration for the Compliant Material Option as required by 40 C.F.R. § 63.4540, NR 465.36(1) and the Title V Permit Part I.D.8.1.
 - j. Since April 19, 2007, the facility has failed to demonstrate initial compliance for the Compliant Material Option as required by 40 C.F.R. § 63.4541, NR 465.36(2) and the Title V Permit Part I.D.8.2.
 - k. Since May 1, 2008, the facility has failed to demonstrate continuous compliance for the Compliant Material Option as required by 40 C.F.R. § 63.4542, NR 465.36(3) and the Title V Permit Part I.D.8.3.
 - l. Since April 30, 2008, the facility has failed to conduct an initial compliance demonstration for the Emission Rate Without Add-On Controls Option as required by 40 C.F.R. § 63.4550, NR 465.37(1) and the Title V Permit Part I.D.9.1.
 - m. Since April 19, 2007, the facility has failed to demonstrate initial compliance for the Emission Rate Without Add-On Controls Option as required by 40 C.F.R. § 63.4551, NR 465.37(2) and the Title V Permit Part I.D.9.2.
 - n. Since May 1, 2008, the facility has failed to demonstrate continuous compliance for the Emission Rate Without Add-On Controls Option as required by 40 C.F.R. § 63.4552, NR 465.37(3) and the Title V Permit Part I.D.9.3.
7. Violations of Subpart WWWW NESHAP are as follows:
- a. Since April 21, 2006, the facility has failed to comply with the appropriate HAP emissions limits in 40 C.F.R. § 63.5805(b) as specified in Table 3 of Subpart WWWW NESHAP and the Title V Permit Part I.E.3.
 - b. Since April 21, 2006, the facility has failed to use one of four compliance options to demonstrate compliance with 40 C.F.R. § 63.5810 and the Title V Permit Part I.E.4.
 - c. Since April 21, 2006, the facility has failed to meet the general compliance requirements in 40 C.F.R. § 63.5835 and the Title V Permit Part I.E.7.5.
 - d. Since May 21, 2006, the facility has failed to demonstrate initial compliance as required in 40 C.F.R. § 63.5860(a) and the Title V Permit Part I.E.6.2.

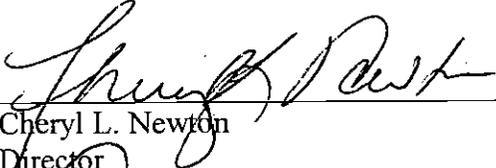
- e. Since April 21, 2006, the facility has failed to monitor or collect data to demonstrate continuous compliance as required by 40 C.F.R. § 63.5895 and the Title V Permit Part I.E.7.
- f. Since April 21, 2006, the facility has failed to demonstrate continuous compliance with the organic HAP emissions requirements in 40 C.F.R. § 63.5900(a)(2) and the Title V Permit Part I.E.7.2.a.ii.
- g. Since May 21, 2006, the facility has failed to submit appropriate notifications, including an Initial Notification and a Notification of Compliance Status, as required by 40 C.F.R. § 63.5905 and the Title V Permit Part I.E.8.
- h. Since July 31, 2006, the facility has failed to submit semiannual compliance reports as required by 40 C.F.R. § 63.5910 and the Title V Permit Part I.E.9.
- i. Since January 31, 2006, the facility has failed to keep appropriate records as required by 40 C.F.R. § 63.5915 and the Title V Permit Part I.E.10.

Environmental Impact of Violations

- 8. Violation of Subparts PPPP and WWWW increases public exposure to HAPs, particularly styrene. Chronic exposure to high levels of styrene has been shown to result in negative central nervous system effects. Reaction time, vision, balance, and concentration can be negatively affected in chronically-exposed persons. Additional studies suggest styrene exposure can cause liver damage, depression, hearing loss and that styrene is a possible human carcinogen.

Date

1/23/12


Cheryl L. Newton
Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Loretta Shafer, certify that I sent a Notice of Violation and Finding of Violation, No. EPA-5-12-WI-01, by Certified Mail, Return Receipt Requested, to:

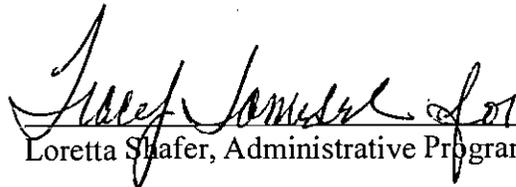
Rick Discher
President
Custom Fiberglass Moldings, Inc.
E5880 Little River Road
Weyauwega, WI 54983

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

cc: Imelda Stamm
Environmental Engineer Supervisor
Bureau of Air Management
Wisconsin Department of Natural Resources
625 E. County Rd Y – STE 700
Oshkosh, WI 54901

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

On the 24th day of January 2012.


Loretta Shafer, Administrative Program Assistant

CERTIFIED MAIL RECEIPT NUMBER:

7029 1680 0000 7672 5584