



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

JAN 31 2011

REPLY TO THE ATTENTION OF:

(AE-17J)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John Chi, President
Golden Bag Company, Incorporated
290 Illinois Street
East Dundee, Illinois

Re: Administrative Consent Order
EPA-5-11-113(a) IL-02

Dear Mr. Chi,

Enclosed is your copy of the signed Administrative Consent Order (ACO) which resolves the Finding of Violation issued to Golden Bag Company, Inc. on January 12, 2011.

The terms of this Order became effective on the date of signature by the Director, and are binding for one year from the effective date. Failure to comply with this Order may subject Golden Bag Company to penalties of up to \$37,500 per day for each violation under Section 113 of the Act, 42 U.S.C. § 7413, and 40 C.F.R. Part 19.

Please direct any legal questions to Jose de Leon, Associate Regional Counsel, at (312) 353-7456. Any technical questions should be directed to Eleanor Kane, of my staff, at (312) 353-4840.

Sincerely,

A handwritten signature in cursive script that reads "Bonnie Bush".

Bonnie Bush, Chief
Air Enforcement and Compliance Assurance
Section (MI/WI)

Enclosure

standard bcc's: official file copy w/ attachment(s)
originating organization reading file w/attachment(s)

other cc's: J. de Leon (C-17J)
K. Som (AE-17J)

Creation Date:	January 28, 2011
Filename:	C:\EPAWork\Golden Bag Company\Golden Bag ACO Final Cover Letter
Legend:	ARD:AECAB:AECAS(MI/WI): Kane

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)	
)	EPA-5-11-113(a)-IL-02
Golden Bag Company, Incorporated)	
290 Illinois Street)	
East Dundee, Illinois)	
)	
Proceeding Under Sections)	
113(a)(3) and 114(a)(1))	
of the Clean Air Act)	
42 U.S.C. §§ 7413(a)(3) and 7414(a)(1))	

Administrative Consent Order

1. The Director of the Air and Radiation Division, U.S. Environmental Protection Agency, Region 5, is entering into this Administrative Consent Order with Golden Bag Company, Incorporated under Sections 113(a)(1) and 114(a)(1) of the Clean Air Act (Act), 42 U.S.C. § 7413(a)(1) and 7414(a)(1).

Statutory and Regulatory Background

2. The Administrator of EPA may require any person who owns or operates an emission source to make reports and provide information required by the Administrator under Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1). The Regional Administrator of EPA, Region 5, has delegated her information gathering authority to the Director of the Air and Radiation Division pursuant to EPA Region V Delegation 7-8.
3. Section 110 of the Act, 42 U.S.C. 7410, requires each state to adopt and submit to EPA for approval a State Implementation Plan (SIP) that provides for the implementation, maintenance, and enforcement of the National Ambient Air Quality Standards (NAAQS). Under Section 110(a)(2) of the Act, 42 U.S.C. 7410(a)(2), each SIP must include a permit program to regulate the air pollution emissions of any stationary source as necessary to assure that NAAQS are achieved. Pursuant to Section 113(a) and (b) of the Act, 42 U.S.C. 7413(a) and (b), upon EPA approval, SIP requirements are federally enforceable under Section 113. See also 40 C.F.R. 52.23.
4. The Illinois SIP was promulgated on May 31, 1972. Federal Register, Vol. 37, No. 105. On May 31, 1972, U.S. EPA approved Illinois Pollution Control Board (IPCB) Rule 103, as part of the federally enforceable SIP for the State of Illinois. 37 Fed. Reg. 10862.

Findings

5. Golden Bag Company owns and operates a plastic bag manufacturing and printing facility located at 290 Illinois Street, East Dundee, Illinois.
6. Golden Bag Company operates under a Federally Enforceable State Operating Permit (FESOP) issued by Illinois Environmental Protection Agency on September 2, 2010.
7. Golden Bag Company is subject to section 9a of the permit requiring that, in the event that the operations result in an odor nuisance, Golden Bag Company shall take appropriate and necessary actions to minimize odors.
8. On November 1, 2010 representatives of EPA conducted an inspection of Golden Bag Company facility and determined that uncontrolled emissions from the production of scented bags was resulting in the violation of section 9a of the operating permit.
9. In January of 2011 a Notice of Violation (EPA-5-11-IL-04) was issued alleging the facility's noncompliance with the FESOP provision 9a.

Compliance Program

10. By 60 days from the effective date of this Order, the Golden Bag Company must achieve, demonstrate, and maintain compliance with the conditions of their Federally Enforceable State Operating Permit at its East Dundee, Illinois facility.
11. Golden Bag Company must install (a) carbon air filtration system(s) such that emissions from all extruders and flexographic printers are controlled to eliminate nuisance odors. Golden Bag Company must certify that the installed or modified systems have sufficient capacity, based on manufacturer's guidelines, to control emissions. Golden Bag Company must send EPA initial notification of installation (or system modifications), including copies of manufacturer's documentation and operating instructions for new equipment.
12. Golden Bag Company must replace the filters in accordance with the manufacturer's instructions and maintain maintenance logs for all carbon air filters.
13. On a quarterly basis, Golden Bag Company must certify to EPA that the filtration system (including necessary fans) are being operated at all times that the production equipment is operating. Golden Bag Company must also submit certified maintenance logs on a quarterly basis.

14. Golden Bag Company must send all reports required by this Order to:

Attention: Compliance Tracker (AE-17J)
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

15. Within one year of the effective date of this Order, Golden Bag Company must submit an application to Illinois EPA to revise their Federally Enforceable State Operating Permit to include a provision that emissions from all extruders and printers be controlled with carbon air filtration systems, and that annual emissions reports include filter maintenance logs and certifications as outlined in paragraph 13. Copies of this application must be sent to EPA at the address listed in paragraph 14.

General Provisions

16. This Order does not affect the Golden Bag Company's responsibility to comply with other federal, state and local laws.
17. This Order does not restrict EPA's authority to enforce provisions of the operating permit, the Illinois SIP, or any other section of the Clean Air Act.
18. Nothing in this Order limits the EPA's authority to seek appropriate relief, including penalties, under Section 113 of the Act, 42 U.S.C. § 7413, for Golden Bag Company violations of the permit or the SIP.
19. Failure to comply with this Order may subject Golden Bag Company to penalties of up to \$32,500 per day for each violation under Section 113 of the Act, 42 U.S.C. § 7413, and 40 C.F.R. Part 19.
20. The terms of this Order are binding on Golden Bag Company, its assignees and successors. Golden Bag Company 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 it has given the notice.
21. EPA may use any information submitted under this Order in an administrative, civil judicial or criminal action.
22. Golden Bag Company agrees to the terms of this Order.
23. This Order is effective on the date of signature by the Director of the Air and Radiation Division. This Order will terminate one year from the effective date, provided that Golden Bag Company has complied with all terms of the Order throughout its duration.

24. Each person signing this Order certifies that he or she has the authority to sign for the party whom he or she represents and to bind that party to its terms.
25. Each party agrees to pay its own costs and attorneys' fees in this action.
26. This Order constitutes the entire agreement between the parties.

AGREED AS STATED ABOVE:

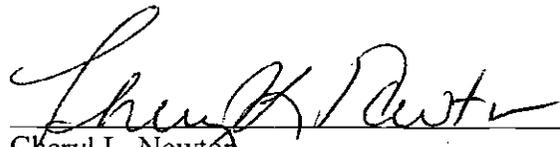
GOLDEN BAG COMPANY, INCORPORATED

By:  Date: 1.25.11
Name: Yuh-chung Chi
Title: President

AGREED AND SO ORDERED:

U.S. ENVIRONMENTAL PROTECTION AGENCY

1/31/11
Date


Cheryl L. Newton
Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, certify that I sent the Administrative Consent Order, EPA

Order No. EPA-5-11-113(a)-IL-02 to:

John Chi, President
Golden Bag Company, Incorporated
290 Illinois Street
East Dundee, Illinois

I also certify that I sent a copy of the Administrative Consent Order, EPA

Order No. EPA-5-11-113(a)-IL-02, by First Class Mail to:

Ray Pilapil, Manager
Bureau of Air
Compliance and Enforcement Section
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois 62702

On the 31st day of January 2011



Betty Williams
Administrative Program Assistant
Planning and Administration Section

CERTIFIED MAIL RECEIPT NUMBER: 7009 1680 0000 7670 2034