



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

**DEC 20 2012**

REPLY TO THE ATTENTION OF:

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

Mr. Ron Nuckles, General Manager  
Jupiter Aluminum Corp. - Coilcoating Division  
205 E. Carey Street  
Fairland, Indiana 46126

**Re: Finding of Violation**  
Jupiter Aluminum Corp. - Coilcoating Division  
Fairland, Indiana

Dear Mr. Nuckles:

The U.S. Environmental Protection Agency is issuing the enclosed Finding of Violation (FOV) to Jupiter Aluminum Corp. – Coilcoating Division (you). We find that you are violating Sections 112 of the Clean Air Act (CAA), 42 U.S.C. § 7412, and provisions of your Title V operating permit at your Fairland, Indiana facility.

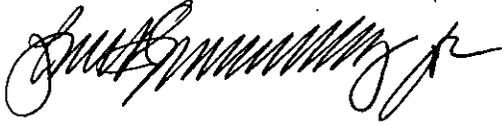
We have several enforcement options under Section 113 of the CAA, 42 U.S.C. § 7413: These options include issuing an administrative compliance order, issuing an administrative penalty order and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you the opportunity to present information on the specific findings of violation, the 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 attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contact in this matter is Eleanor Kane. You may call her at (312) 353-4840 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,

A handwritten signature in black ink, appearing to read "George T. Czerniak". The signature is fluid and cursive, with a prominent initial "G" and a long, sweeping underline.

George T. Czerniak  
Director  
Air and Radiation Division

cc: Phil Perry, Chief  
Air Compliance and Enforcement Branch  
Indiana Department of Environmental Management  
100 N. Senate Ave. (Mail Code 61-53 IGCN 1003)  
Indianapolis, IN 46204-2251

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

<b>IN THE MATTER OF:</b>	)	
	)	
<b>Jupiter Aluminum Corp. – Coilcoating</b>	)	<b>FINDING OF VIOLATION</b>
<b>Division</b>	)	
<b>Fairland, Indiana</b>	)	<b>EPA-5-13-IN-04</b>
	)	
<b>Proceedings Pursuant to the Clean Air Act,</b>	)	
<b>42 U.S.C. §§ 7401 et seq.</b>	)	
	)	

**FINDING OF VIOLATION**

The U.S. Environmental Protection Agency (EPA) finds that Jupiter Aluminum Corp. – Coilcoating Division (Jupiter) is violating Section 112 of the Clean Air Act (CAA), 42 U.S.C. § 7412, and provisions of its Title V operating permit. Specifically, Jupiter is violating the CAA as follows:

**Regulatory Authority**

1. The CAA establishes a regulatory scheme designed to protect and enhance the quality of the nation’s air so as to promote the public health and welfare and the productive capacity of its population. 42 U.S.C. § 7401(b)(1).
2. Section 112 of the CAA sets forth a national program for the control of Hazardous Air Pollutants (HAPs). 42 U.S.C. § 7412. Congress directed EPA to promulgate regulations establishing emission standards for each category or subcategory of major sources of HAPs. 42 U.S.C. § 7412(d)(1). These emission standards must require the maximum degree of reduction in emissions of HAPs that the Administrator, taking into consideration the cost of achieving such emission reduction, and any non-air quality health and environmental impacts and energy requirements, determines is achievable for the new or existing sources in the category or subcategory to which the emission standard applies. 42 U.S.C. § 7412(d)(2).
3. On June 10, 2002, EPA promulgated the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Surface Coating of Metal Coil at 40 C.F.R. Part 63, Subpart SSSS (Subpart SSSS) (67 Fed. Reg. 39812)
4. Subpart SSSS applies to any facility that performs metal coil surface coating and is a major source of HAP. 40 C.F.R. § 63.5080. The “affected source” subject to Subpart SSSS is the collection of all the coil coating lines at the facility. 40 C.F.R. § 63.5100. Existing affected sources must comply with Subpart SSSS on and after June 10, 2005. 40 C.F.R. § 63.5130.

5. Subpart SSSS at 40 C.F.R. § 63.5120 establishes emission standards for limiting organic HAP emissions from coil coating affected sources. Subpart SSSS at 40 C.F.R. § 63.5120(a)(3) provides that if the owner or operator is using an oxidizer to control organic HAP emissions, the owner or operator must operate the oxidizer such that an outlet organic HAP concentration of no greater than 20 parts per million by volume on a dry basis is achieved and the efficiency of the capture system is 100 percent.
6. Subpart SSSS at 40 C.F.R. § 63.5160(d) requires that if the owner or operator is using an add-on control device, such as an oxidizer, to comply with the emission standard in 40 C.F.R. § 63.5120, the owner or operator must conduct a performance test to establish the destruction or removal efficiency of the control device or the outlet HAP concentration achieved by the oxidizer.
7. Subpart SSSS at 40 C.F.R. § 63.5121(a) requires that the owner and operator of affected facilities using thermal oxidizer as an add-on control device establish the unit's operating limit by running a performance test to establish compliance with the NESHAP's emission standard and using the average combustion temperature during the test as the minimum operating limit for the thermal oxidizer. Subpart SSSS at 40 C.F.R. § 63.5121(a) provides that the owner or operator must meet the operating limit at all times after it is established.
8. Subpart SSSS at 40 C.F.R. § 63.5150(a)(3) requires that if the owner or operator is complying with the emission standard in 40 C.F.R. § 63.5120 through the use of an oxidizer and demonstrating continuous compliance through monitoring of an oxidizer operating parameter, the owner or operator must install, calibrate, maintain, and operate temperature monitoring equipment according to manufacturer's specifications.
9. Subpart SSSS at 40 C.F.R. § 63.5150(a)(3)(i) requires the owner or operator to verify the calibration of the oxidizer temperature monitoring equipment (chart recorder, data logger or temperature indicator) every 3 months.
10. Section 112(i)(3) of the CAA, 42 U.S.C. § 7412(i)(3), provides that after the effective date of any emission standard, limitation, or regulation promulgated pursuant to Section 112 of the CAA, no person may operate a source in violation of such standard, limitation, or regulation.
11. 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.
12. EPA granted full approval to the Indiana Title V operating permit program on December 4, 2001 (66 Fed. Reg. 62969). The program became effective on November 30, 2001.
13. Section 113(a)(3) of the CAA, 42 U.S.C. § 7413(a)(3), authorizes the Administrator to initiate an enforcement action whenever, among other things, the Administrator finds that

any person has violated or is in violation of a requirement or prohibition of Section 112 of the CAA, any NESHAP promulgated under Section 112 of the CAA, Title V of the CAA, or any rule promulgated, issued or approved under Title V of the CAA.

### **Factual Background**

14. Jupiter owns and operates a metal aluminum coil coating facility at 205 East Carey Street, Fairland, Indiana.
15. At the Jupiter facility, two coil coating lines, Line #1 and Line #2, constitute an existing affected source under Subpart SSSS and therefore are subject to the requirements of Subpart SSSS.
16. From May 22, 2007 until August 16, 2012, Jupiter operated under Part 70 (Title V) Operating Permit #T 145-21274-00013 issued by the Indiana Department of Environmental Management. A renewed permit was issued on August 16, 2012.
17. Section E.2.2 of Jupiter's Title V Operating Permit requires Jupiter to comply with specified provisions of Subpart SSSS for its two coil coating lines, which includes all of the Subpart SSSS provisions identified in this FOV.
18. Jupiter uses two oxidizers to comply with the Subpart SSSS emission standards under 40 C.F.R. § 63.5120. Each of the two coil coating lines utilizes a separate oxidizer for emission control.
19. EPA inspected the Jupiter facility on July 19, 2012.
20. EPA issued a Section 114 Information Request to Jupiter on August 6, 2012. EPA received a response from Jupiter on September 13, 2012.
21. On August 4, 2008, a performance test of the oxidizer servicing Line #1 demonstrated compliance with Subpart SSSS with an average combustion temperature of 1422°F as specified by 40 C.F.R. § 63.5160(d)(3). Therefore, 1422°F is the minimum operating limit for the oxidizer servicing Line #1 under 40 C.F.R. § 63.5121.
22. On November 21, 2007, a performance test of the oxidizer servicing Line #2 demonstrated compliance with Subpart SSSS with an average combustion temperature of 1611°F as specified by 40 C.F.R. § 63.5160(d)(3). Therefore, 1611°F is the minimum operating limit for the oxidizer servicing Line #2 under 40 C.F.R. § 63.5121.

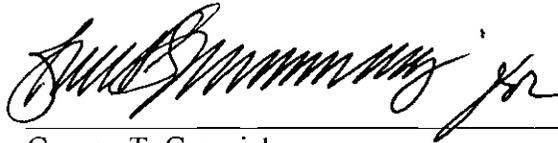
### **Violations**

23. Based on records provided by Jupiter, between August 30, 2010 and August 15, 2012, the thermal oxidizer on Line #1 operated below the minimum operating temperature at least 24% of the time the line was running, in violation of Subpart SSSS at 40 C.F.R. § 63.5121(a) and Jupiter's Title V permit.

24. Based on records provided by Jupiter, between August 29, 2010 and August 15, 2012, the thermal oxidizer on Line #2 operated below the minimum operating temperature at least 88% of the time the line was operating, in violation of Subpart SSSS at 40 C.F.R. § 63.5121(a) and Jupiter's Title V permit.
25. Based on records provided by Jupiter, during the last five year period, the devices that continuously measure the temperature in the thermal oxidizers were calibrated approximately every 4 months, in violation of 40 C.F.R. § 63.5150(a)(3)(i) and Jupiter's Title V permit.

12/20/12

\_\_\_\_\_  
Date



\_\_\_\_\_  
George T. Czerniak  
Director  
Air and Radiation Division

**CERTIFICATE OF MAILING**

I, Corretta Shaffer, certify that I sent a Finding of Violation, No. EPA-5-13-IN-04, by Certified Mail, Return Receipt Requested, to:

Mr. Ron Nuckles, General Manager  
Jupiter Aluminum Corp. – Coilcoating Division  
205 East Carey Street  
Fairland, Indiana 46126

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

Mr. Phil Perry, Chief  
Air Compliance and Enforcement Branch  
Indiana Department of Environmental Management  
100 N. Senate Ave. (Mail Code 61-53 IGCN 1003)  
Indianapolis, IN 46204-2251

On the 21 day of December 2012.

Corretta Shaffer

AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7009 1680 0000 7667 4577