



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

**JUN 28 2013**

REPLY TO THE ATTENTION OF:

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

Kevin Kuhnke  
Senior Plant Engineer  
The Swan Corporation  
200 Swan Avenue  
Centralia, Illinois 62801

Dear Mr. Kuhnke:

This is to advise you that the U.S. Environmental Protection Agency has determined that The Swan Corporation's (Swan) facility at 200 Swan Avenue, Centralia, Illinois (facility) is in violation of the Clean Air Act (CAA) and associated state or local pollution control requirements. A list of the requirements violated is provided below. 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. The Illinois State Implementation Plan (Illinois SIP) includes the requirement to limit the discharge of any photochemically reactive organic compound to less than 8 pounds per hour. The purpose of the photochemically reactive organic compound limit is to help protect the public from unhealthy exposures to ground-level ozone. Ground-level ozone is formed by the reaction of photochemically reactive organic compounds with nitrogen oxides in the presence of sunlight. Ground-level ozone contributes to respiratory problems such as increased susceptibility to respiratory infection, pulmonary inflammation, painful deep breathing, aggravated asthma, and reduced lung capacity.

Based upon emission testing of a thick molding compound (TMC) machine conducted by Swan in April 2013, U.S. EPA finds that Swan's facility violated the above-listed Illinois SIP requirement. Since the CAA rule and regulation listed above is listed as an applicable requirement in Swan's Title V Permit, a violation of this emissions limit also constitutes a violation of Swan's Title V Permit.

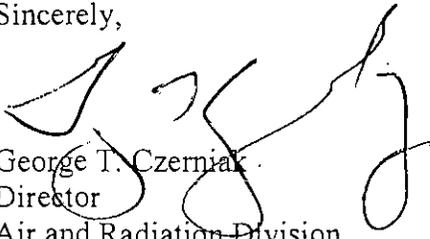
Section 113 of the CAA gives us several enforcement options to resolve these violations, including: issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil action.

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 Katie Owens. You may call her at (312) 886-6097 if you wish to request a conference. EPA hopes that this NOV/FOV will encourage Swan's compliance with the requirements of the CAA.

Sincerely,



George T. Czerniak  
Director  
Air and Radiation Division

cc: Ray Pilapil, IEPA

Enclosure

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

IN THE MATTER OF:	)	
	)	
The Swan Corporation	)	NOTICE OF VIOLATION and
Centralia, Illinois	)	FINDING OF VIOLATION
	)	
	)	EPA-5-13-IL-38
Proceedings Pursuant to	)	
the Clean Air Act	)	
42 U.S.C. § 7401 <i>et seq.</i>	)	

**NOTICE AND FINDING OF VIOLATION**

The Swan Corporation (Swan) owns and operates a fiberglass reinforced plastic composite fixtures manufacturing plant at 200 Swan Avenue, Centralia, Illinois (facility).

The U.S. Environmental Protection Agency is sending this Notice of Violation and Finding of Violation (NOV/FOV or Notice) to notify you of violations of the Clean Air Act (the "Act" or "CAA"), the Illinois State Implementation Plan ("SIP"), and specific provisions of the operating permit issued to Swan on February 13, 2003 under Title V of the CAA.

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.

Statutory and Regulatory Provisions

1. Section 113(a)(1) of the CAA, 42 U.S.C. § 7413(a)(1), 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 an applicable implementation plan or permit.
2. 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 Title V of the CAA, or any rule promulgated, issued or approved under Title V of the CAA.

3. 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.
4. 40 C.F.R. § 70.1(b) provides that all sources subject to Part 70 regulations shall have a permit to operate that assures compliance by the source with all applicable requirements.

#### Illinois SIP Requirements

5. Section 110 of the CAA, 42 U.S.C. § 7410, requires each state to adopt and submit to EPA for approval a SIP that provides for implementation, maintenance, and enforcement of the National Ambient Air Quality Standards.
6. EPA approved the Illinois Environmental Protection Agency's (IEPA) rules for photochemically reactive materials at 35 IAC 215.301 as the federally enforceable Illinois SIP on February 21, 1980 (45 Fed. Reg. 11472).
7. The Illinois SIP at 35 Ill. Admin. Code § 215.301 states that no person shall cause or allow the discharge of more than 3.6 kg/hr (8 lbs/hr) of organic material into the atmosphere from any emission source, except as provided in Sections 215.302, 215.303, 215.304 and the following exception: If no odor nuisance exists the limitation of the Subpart shall apply only to the photochemically reactive material.

#### Title V Operating Permit Requirements

8. EPA fully approved the Illinois Title V program, effective November 30, 2001. 66 Fed. Reg. 62946 (December 4, 2001).
9. IEPA issued Swan's Centralia, Illinois plant a Title V Permit on February 13, 2003. One emission source regulated by the Title V permit is the Thick Molding Compound (EU3) unit.
10. Swan's Title V Permit Section 7.2.3(b) prohibits Swan from causing or allowing the discharge of more than 8 pounds per hour of organic material into the atmosphere from an effected emission unit pursuant to 35 IAC 215.301. If no odor nuisance exists this limitation applies only to photochemically reactive material.

### Factual Background

11. Swan owns and operates a fiberglass reinforced plastic composite fixtures manufacturing plant at 200 Swan Avenue, Centralia, Illinois.
12. Swan operates two Thick Molding Compound (TMC) machines, the south TMC Machine (TMC Machine #1) and the north TMC Machine (TMC Machine #2) at the Centralia facility. The TMC machines are designated as part of single emission unit EU3 in Section 7.2.2 of Swan's Title V Permit.
13. The TMC room does not allow simultaneous operation of both TMC machines. The TMC machines have the same components, dimensions and design capacity. The exposed TMC compound surface area, where styrene evaporates, is identical for both machines.
14. Swan's TMC process uses polyester resins and low profile additives (polystyrene resin) that contain styrene monomer.
15. Styrene is a photochemically reactive organic compound emitted from Swan's permitted emission unit EU3.
16. Swan employs no control device to reduce emissions of photochemically reactive compounds from emission unit EU3.
17. On September 5, 2012, EPA issued a Section 114 Request for Information to Swan. The request required Swan to measure the emissions of volatile organic compounds (VOC) from emission unit EU3.
18. On April 6, 2013, Swan conducted an emissions test on the emission unit EU3 using EPA Reference Test Methods 1, 2, 3, 4, 18 and 25A at 40 C.F.R. Part 60 Appendix A and Test Method 204 at 40 C.F.R. Part 51 Appendix M.
19. As part of its May 10, 2013 response to EPA's Information Request, Swan provided its Final Report on the emissions test, entitled "Development of a Styrene Emission Factor for the Thick Molding Compound (TMC) Sheet Stock Production."
20. According to Swan's April 6, 2013 stack test and the May 10, 2013 Final Report received in response to the September 5, 2012 Request for Information, Swan emits in excess of 8 pounds per hour on emission unit EU3.

### Violations

21. By emitting photochemically reactive organic material from emission unit EU3 in excess of 8 lbs/hr, Swan has violated and continues to violate 35 Ill. Admin. Code § 215.301.

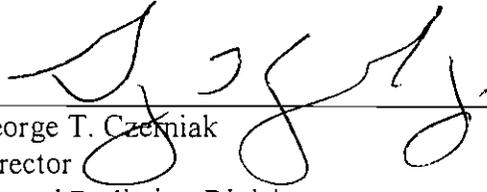
22. By emitting photochemically reactive organic material into the atmosphere at a rate in excess of 8 lbs/hr, Swan has violated and continues to violate Section 502(a) of the CAA, 42 U.S.C. § 7661a(a), and Section 7.2.3(b) of its Title V Permit.

Environmental Impact of Violations

23. Violation of the SIP Standards increases public exposure to unhealthy levels of air pollution including ground-level ozone which contributes to respiratory problems such as increased susceptibility to respiratory infection, pulmonary inflammation, painful deep breathing, aggravated asthma and reduced lung capacity.
24. Styrene is a suspected human carcinogen. Chronic exposure to styrene in humans results in effects on the central nervous systems (CNS) with symptoms such as headache, fatigue, weakness, depression, CNS dysfunction, hearing loss, and minor effects on kidney enzyme functions and on the blood.

Date

6/28/13

  
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-5-13-IL-38, by Certified Mail, Return Receipt Requested, to:

Kevin Kuhnke  
The Swan Corporation  
200 Swan Avenue  
Centralia, Illinois 62801

I also certify that I sent copies of the Notice of Violation and Finding of Violation 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 28 day of June 2013.



CERTIFIED MAIL RECEIPT NUMBER: 7009 1680 0000 9963