OhioEPA
State of Ohio Environmental Protection Agency

STREET ADDRESS:
1800 WaterMark Drive
Columbus, OH 43215-1099

TELE: (614) 644-3020 FAX: (614) 644-2329

MAILING ADDRESS:
P.O. Box 1049
Columbus, OH 43216-1049

August 21, 1995

CERTIFIED MAIL

Mr. Terry Szesny
Site Manager
Sprayon Products
Division of the
Sherwin-Williams Co.
26300 Fargo Avenue
Bedford Heights, Ohio 44146
Cincinnati, Ohio 45246

Re: Final Findings & Orders for the Sprayon Products facility located in Bedford Heights, Ohio

Dear Mr. Szesny:

Transmitted herewith are the Final Findings and Orders of the Director of the Ohio EPA concerning the above-referenced matter.

You are hereby notified that this action by the Director is final and may be appealed to the Ohio Environmental Board of Review pursuant to Chapter 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Board of Review within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Board. An appeal may be filed with the Environmental Board Review at the following address:

Environmental Board of Review
236 East Town Street, Room 300
Columbus, Ohio 43215

Very truly yours,

Thomas G. Rigo, Manager
Field Operations & Permit Section
Division of Air Pollution Control

xc: Bob Staib, Cleveland DAPC
Scott Thomas, The Sherwin-Williams Co.
Carol Porter, PIC
Jim Orlemann, DAPC
Bill Juris, DAPC

BEFORE THE

OHIO ENVIRONMENTAL PROTECTION AGENCY

OHIO E.P.A.
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In the Matter of:

Sprayon Products, Inc. 26300 Fargo Avenue Bedford Heights, Ohio 44146	: : :	Director's Final Findings and Orders

PREAMBLE

The Director of the Ohio Environmental Protection Agency hereby makes the following Findings of Fact and issues the following Orders:

I. JURISDICTION

These Director's Final Findings and Orders ("Orders") are issued to Sprayon Products, Division of The Sherwin-Williams Company ("Sprayon"), pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency ("Ohio EPA") under section 3704.03 of the Ohio Revised Code ("ORC").

II. PARTIES

These Orders shall apply to and be binding upon Sprayon and its assigns and successors in interest. Sprayon's obligations under these Orders may only be altered by the written approval of the Director of the Ohio EPA.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as used in Chapter 3704 of the ORC and the regulations promulgated thereunder.

IV. FINDINGS OF FACT

The Director of the Ohio EPA has determined the following findings of fact:

1. Sprayon owns and operates an aerosol can production facility, which is located at 26300 Fargo Avenue, Bedford Heights (Cuyahoga County), Ohio. At this facility Sprayon produces pressurized aerosol cans containing various products and propellants. This facility has the following equipment and operations: storage tanks for solvents and propellants, liquid mixing tanks for various materials, aerosol can filling lines (liquid filling equipment and propellant filling equipment), aerosol can piercing operation, aerosol can cleaning, and equipment spills and leaks. These operations emit volatile

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organic compounds ("VOCs"), as defined in Ohio Administrative Code ("OAC") rule 3745-21-01(B)(6). None of these operations are governed by Control Technique Guidelines ("CTGs") developed by the United States Environmental Protection Agency ("USEPA") as set forth in 40 CFR Part 60.

2. On October 30, 1991 Sprayon submitted to Ohio EPA an engineering study on reasonably available control technology (RACT) for its VOC emitting operations pursuant to the requirements under OAC rule 3745-21-11. In response to Ohio EPA comments on the RACT engineering study, Sprayon submitted additional information to Ohio EPA on March 2, 1992, April 20, 1992, June 5, 1992, July 9, 1992, and July 28, 1992.

3. In July, 1992, the Ohio EPA proposed a site-specific VOC RACT regulation for the Sprayon facility under OAC rule 3745-21-09(RR). The proposed regulation would require Sprayon to install and operate an add-on control system for reducing VOC emissions by at least ninety-five percent, by weight, from its operations for liquid mixing, propellant filling, can cleaning, and can piercing. The cost of the add-on control system would be about $2,050 per ton of VOC reduction. On September 10, 1992, Sprayon submitted comments on the proposed regulation whereby Sprayon stated that it would submit an action plan to reduce VOC emissions through process modifications rather than controlling VOC emissions at the stack.

4. Upon review of the information provided by Sprayon in its correspondence of September 10, 1992 and September 15, 1992, the Ohio EPA requested on October 26, 1992 that Sprayon submit a detailed RACT study on the process modifications identified by Sprayon.

5. On March 15, 1993, the Director of the Ohio EPA adopted amended OAC rule 3745-21-09 (effective March 31, 1993), and the amended rule did not include any regulation under paragraph (RR) for the Sprayon facility. On June 7, 1993 the Ohio EPA submitted the March 15, 1993 amended rule to USEPA as a revision to Ohio's State Implementation Plan (SIP).

6. On November 14, 1994, pursuant to the Clean Air Act Amendments of 1990, the Ohio EPA submitted a formal request to the U.S. Environmental Protection Agency ("USEPA") to redesignate the Cleveland area, which includes Cuyahoga County and seven other counties, from a nonattainment area to an attainment area for the National Ambient Air Quality Standard ("NAAQS") for ozone.

7. On March 9, 1995, the Ohio EPA sent a letter to Sprayon that requested Sprayon to submit a RACT study that addressed the process modifications mentioned in Sprayon's September 15, 1992 letter and the issues identified in Ohio EPA's letter of October 26, 1992.

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8. On May 5, 1995, the USEPA, Region 5 informed Ohio EPA that a federally enforceable RACT rule is needed for Sprayon in order for the redesignation request for the Cleveland area to be approved.

9. On June 2, 1995, representatives of Sprayon met with staff from the Ohio EPA and U.S. EPA at the Columbus office of the Ohio EPA. An alternative to add-on control RACT for Sprayon was presented by Ohio EPA and U.S. EPA. The alternative would be based on a generic 81 percent reduction in baseline VOC emissions from the combined, affected operations at Sprayon. The basis for the generic 81 percent reduction is the Chicago Federal Implementation Plan adopted by U.S. EPA which contains a default RACT control of 81 percent for source categories that do not have a specific RACT requirement. All VOC emitting operations at Sprayon would be affected operations, except for operations that already meet a federally enforceable RACT requirement and operations that have a combined actual VOC emission not exceeding five tons per year for the baseline and subsequent years. The VOC limit would be expressed in mass of allowed VOC emissions per aerosol can filled (monthly average), and such limit would be based on an 81 percent reduction of VOC emissions from affected operations during 1990, the baseline for the Cleveland area state implementation plan for ozone. Sprayon would have one year to comply with the VOC limit. Also, Sprayon would have one year to petition for a less stringent or alternative control plan if it can be demonstrated that the generic 81 percent reduction plan is not technically feasible or economically reasonable. If the petition is denied, the 81 percent reduction requirement applies.

10. In the Federal Register of June 16, 1995, the U.S. EPA issued a final action that amended its definition of VOC to exclude the compound acetone. Therefore, any acetone emissions at Sprayon are to be excluded from the VOC emissions reported for the baseline and subsequent years.

11. For the year 1990, as reported in the RACT engineering study submitted on October 30, 1991, Sprayon produced (i.e., filled with ingredients and propellants) 95,156,950 aerosol cans and emitted VOC, excluding acetone, from the following operations: 1,290 pounds VOC from storage tanks, 2,654 pounds VOC from fugitive releases (liquid filling of aerosol cans, spills, and equipment leaks), 8,699 pounds VOC from mixing tanks, 187,614 pounds VOC from gasser operations (propellant filling of aerosol cans), 64,300 pounds VOC from can brushing operations (can cleaning), and 114,480 pounds VOC from can piercing operations. For the mixing tanks, gasser operations, can brushing operations, and can piercing operations, the total emissions were 3.9418 pounds VOC per 1000 aerosol cans produced. Based on an 81 percent reduction of the "3.9418 pounds VOC per 1000 aerosol can produced" value, the resultant VOC limit is 0.75 pound VOC per 1000 aerosol cans produced.

12. In order to obtain USEPA approval of the VOC rules

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contained in the ozone SIP and to expedite the approval of the redesignation request for the Cleveland area, the Ohio EPA is using these Orders to require Sprayon to meet the 81 percent VOC reduction in Finding 11, with the understanding that a rule change will follow at a later date.

13. The Director has given consideration to, and based his determination on, evidence relating to the technical feasibility and economic reasonableness of complying with the following Orders and their relation to benefits to the people of the State to be derived from such compliance.

V. ORDERS

The Director hereby issues the following Orders:

1. Except as provided in Order 4, Sprayon shall comply within one year from the effective date of these Orders with the VOC emission limit specified in Order 2, the recordkeeping specified in Order 2, and the reporting specified in Order 3.

2. For the mixing tanks, gasser operations, can brushing operations, and can piercing operations at Sprayon, the total VOC emissions in any month shall not exceed 0.75 pound of VOC per 1000 aerosol cans produced. The emissions for these operations shall be calculated as follows:

a) Emissions from mixing operations are the sum of emissions from loading operations and from venting. For loading operations, emissions for each batch produced shall be calculated using the formula:

$$E = P_i(X_i)V(MW_i)/RT$$

where:

E = lbs of VOC emitted/batch
P_i = vapor pressure of VOC at T, in mm Hg
X_i = mole fraction of VOC in liquid mix
V = volume of VOC charged to vessel in ft^3
R = 999mmHg ft3/lb mole°K
T = temperature in °K
MW_i = molecular weight of VOC, in lbs/lb mole

For venting, emissions for each batch produced shall be calculated using the formula:

$$E = P_i(X_i)V(MW_i)t/RT$$

where:

E = lbs of VOC emitted/batch
P_i = vapor pressure of VOC at T, in mm Hg
X_i = mole fraction of VOC in liquid mix
V = volume of saturated headspace vented to baghouse, ft^3/min
R = 999mmHg ft3/lb mole°K
T = temperature in °K
MW_i = molecular weight of VOC, in lbs/lb mole
t = time the mixer is vented to dust collector

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min/batch

These calculations shall be used to determine total emissions in a month, which will be divided by 1000 cans produced in that month to yield lbs of emissions/1000 cans produced.

b) For the gasser operations, the VOC emission rates shall be determined in accordance with OAC rule 3745-21-10(C).

c) For the can brushing operations, VOC emissions shall be assumed to equal the mass of VOC solvent consumed in the operations.

d) For the can piercing operations, VOC emissions shall be assumed to be equal to the mass of VOC propellant per can pierced, multiplied by the number of cans pierced.

3. Sprayon shall collect and record the following information each month and maintain the information at the facility for a period of three years:

a) the calculated actual VOC emissions from each of the operations subject to the VOC limit in Order 2 and documentation on the basis for each emissions calculation, including the mass of each VOC solvent used, and VOC emission test data for the gasser operation, and all other parameters necessary for calculating emissions under Order 2;

b) the number of aerosol cans produced;

c) the total actual VOC emissions per 1000 aerosol cans produced for the operations subject to the VOC limit in Order 2. Actual VOC emissions shall be calculated as described in Order 2. Sprayon may estimate emissions per can filled using data provided by the vendor of the gassing equipment in use. However, this vendor data will be superseded by any testing done in accordance with OAC rule 3745-21-10(C).

4. Sprayon shall notify the Ohio EPA of any monthly record showing that the actual VOC emission rate under Order 3(c) exceeds the limitation under Order 2. This notification shall be submitted within 45 days after the end of the month that the exceedance occurs. Sprayon shall submit to the Ohio EPA quarterly summaries of the records specified under Order 2. These quarterly summaries shall be submitted by April 30, July 31, October 31, and January 31 and shall cover the records for the previous calendar quarters. Any exceedance notification and each quarterly summary are to be submitted to:

Bureau of Engineering Services
Division of Air Pollution Control
1925 St. Clair

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Cleveland, Ohio 44114

5. Sprayon may request from the Ohio EPA a less stringent or alternative control plan within one year from the effective date of these Orders if it can be demonstrated to the satisfaction of the Ohio EPA and USEPA that the requirement under Order 2 is not technically feasible or economically reasonable. If the request is denied, the requirement under Order 2 applies.

VI. OTHER APPLICABLE LAWS

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Sprayon's facilities.

VII. TERMINATION

These Orders shall terminate upon the effective date of any USEPA approval of an Ohio EPA request for a revision to the SIP for ozone that incorporates the VOC emission control requirements prescribed in Orders 1 through 5 within OAC Chapter 3745-21.

VIII. RESERVATION OF RIGHTS

Nothing contained herein prevents the Ohio EPA from seeking legal or equitable relief to enforce the terms of these Orders or from taking other administrative, legal or equitable action as deemed appropriate and necessary, including the seeking of penalties against Sprayon for noncompliance with these Orders or with ORC Chapter 3704 and the regulations adopted thereunder. Nothing contained herein perform additional activities at the facilities pursuant to ORC Chapter 3704 or any other applicable law in the future. Nothing contained herein restricts the right of Sprayon to raise any administrative, legal, or equitable claim or defense with respect to such further actions that the Ohio EPA may seek to require of Sprayon. Nothing in these Orders limits the authority of the Ohio EPA to seek relief for violations not addressed in these Orders.

IX. NOTICE

All documents required by these Orders, unless otherwise specified in writing, shall be submitted to:

Cleveland Division of the Environment
Department of Public Health & Welfare
1925 St. Clair
Cleveland, Ohio 44114
Attn: Robert Staib, Deputy Commissioner

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and

Director
Ohio Environmental Protection Agency
1800 WaterMark Drive
P.O. Box 1049
Columbus, Ohio 43216-1049
Attn: Bob Hodanbosi, Chief, DAPC

IT IS SO ORDERED:

Donald R. Schregardus
Director
Ohio Environmental Protection Agency

AUG 18 1995
Date

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