



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

**MAR 11 2016**

REPLY TO THE ATTENTION OF:

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

James Sharp, Plant Manager  
Enthone, Inc.  
9809 Industrial Drive  
Bridgeview, IL 60455

Re: Finding of Violation  
Enthone, Inc.  
Bridgeview, Illinois

Dear Mr. Sharp:

The U.S. Environmental Protection Agency is issuing the enclosed Finding of Violation (FOV) to Enthone, Inc. (you) under Section 113(a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(3). We find that you have violated the National Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry at 40 C.F.R. Part 63, Subpart BBBBBBB at your Bridgeview, IL facility.

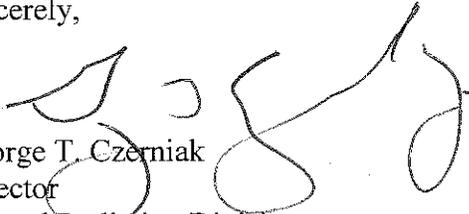
Section 113 of the Clean Air Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply and the steps you will take to prevent future violations. In addition, in order to make the conference more productive, we encourage you to submit to us information responsive to the FOV prior to the conference date.

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 contacts in this matter are Shilpa Patel and Marie St. Peter. You may call either of them at (312) 886-0120 or (312) 886-4746 respectively 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 'G. Czerniak', written over the typed name.

George T. Czerniak  
Director  
Air and Radiation Division

Enclosure

cc: Eric Jones, IEPA



5. The NESHAP at 40 C.F.R. § 63.11588 defines “chemical preparations operation” as the collection of mixing, blending, milling, and extruding equipment used to manufacture chemical preparations. A chemical preparation operation may include all, or only some, of the equipment listed above, depending on the chemical preparation being manufactured. Mixing and blending equipment may be used to process either wet or dry materials, or a combination of wet and dry materials. Milling equipment includes, but is not limited to, various types of rolling mills, rotary mills, and grinders. Extruding equipment, for the purposes of this subpart, includes direct and indirect extruders, spray driers, and prilling towers.

6. The NESHAP at 40 C.F.R. § 63.11588 defines “target HAP” as metal compounds for chromium, lead, manganese, and nickel.

7. The NESHAP at 40 C.F.R. § 63.11588 defines “target HAP-containing” as raw materials, intermediates, or products that contain one or more target HAP. Any material that contains compounds of chromium (VI), lead, or nickel in amounts greater than or equal to 0.1 percent by weight (as the metal), or manganese or chromium (III) compounds in amounts greater than or equal to 1.0 percent by weight (as the metal) is considered to be target HAP-containing. Target HAP content is shown in the formulation data provided by the manufacturer or supplier, such as the Material Safety Data Sheet for the material.

8. The NESHAP at 40 C.F.R. § 63.11588 defines “in target HAP service” as the equipment in the chemical preparation operation that either contains, contacts or is processing target HAP-containing materials.

9. 40 C.F.R. § 63.2 defines HAP as any air pollutant listed in or pursuant to section 112(b) of the Act.

10. 40 C.F.R. § 63.2 and the NESHAP at 40 C.F.R. § 63.11579(a)(2) define an “area source” as any stationary source or group of stationary sources that is not a major source as defined in § 63.2.

11. 40 C.F.R. § 63.2 defines a “major source” as any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year (TPY) or more of any hazardous air pollutant or 25 TPY or more of any combination of hazardous air pollutants, unless the Administrator establishes a lesser quantity, or in the case of radionuclides, different criteria from those specified in this sentence.

12. The NESHAP at 40 C.F.R. § 63.11579(b) refers to the affected source as all chemical preparations operations as defined in 40 C.F.R. § 63.11588.

13. 40 C.F.R. § 63.2 defines “affected source” as the collection of equipment, activities, or both within a single contiguous area and under common control that is included in a section 112(c) source category or subcategory for which a section 112(d) standard or other relevant standard is established pursuant to section 112 of the Act.

14. The NESHAP at 40 C.F.R. § 63.11584(c) requires the owner and operator of the chemical preparations operation to operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the owner or operator to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

15. The NESHAP at 40 C.F.R. § 63.11585(d)(1)(ii)(A) requires the owner and operator to maintain production records showing the dates and times the chemical preparation operation is processing target HAP-containing materials.

16. 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 Act or any other rule promulgated, issued or approved under the CAA.

#### **Factual Background**

17. Enthone owns and operates a chemical preparations facility at 9809 Industrial Drive, Bridgeview, Illinois.

18. Enthone is an area source that emits PM that contains nickel, chromium and lead in amounts greater than 0.1 percent by weight (as the metal).

19. Enthone's chemical preparations facility includes, but is not limited to the following chemical preparations operations:

- a. Powder Process
- b. Liquid Process
- c. Enplate Process
- d. Enthobrite Process
- e. Activator Process
- f. UBAC Process

20. Enthone's chemical preparations operations equipment either contains, contacts or is processing target HAP-containing materials.

21. Enthone's chemical preparations operations are subject to the NESHAP Subpart BBBBBBB. The operations and associated emission control equipment(s) are identified in the permit as the following:

- a. Powder Process: 3 Powder Blenders with 2 Scrubbers (Scrubber 1 and 2)
- b. Liquid Process: 4 Process Tanks with 1 Scrubber (Scrubber 3)
- c. Activator Process: 6 Process Tanks with 1 Scrubber (Scrubber 4)

- d. Enplate Process: 4 Process Mixing Tanks with 1 Scrubber (Scrubber 5)
- e. Enthobrite Process: 6 Process Tanks with 1 Scrubber (Scrubber 6)
- f. UBAC Process: 6 Process Tanks with 1 Scrubber (Scrubber 7)

22. Enthone's wastewater treatment process uses the same scrubber as the Activator Process.

23. On March 3, 2014, EPA conducted an on-site CAA inspection of Enthone's Bridgeview, Illinois facility.

24. On May 8, 2014, EPA issued an information request to Enthone.

25. On June 3, 2014, Enthone provided the response to EPA's information request.

26. On September 23, 2015, EPA issued a Finding of Violation to Enthone.

27. On October 20, 2015, EPA held a conference authorized under Section 113 of the CAA with Enthone.

28. Enthone's production records from December 10, 2010 to the present do not specify the dates and times the chemical preparation operations listed in paragraph 19 were processing target HAP-containing materials.

29. In response to EPA's information request, Enthone provided the following upper and lower thresholds for differential pressure and pH scrubber monitoring:

Scrubber	Differential pressure across demister pad in inches of water	pH range
Scrubber 3	0-4	7-9
Scrubber 4	0-4	7-9
Scrubber 5	0-4	7-9
Scrubber 6	0-4	7-9
Scrubber 7	0-4	7-9

30. According to daily scrubber logs, Enthone operated Scrubber 4 with a differential pressure greater than 4 inches of water across the demister pad on the dates listed in the following table:

Date	Room	Scrubber	Recorded Differential Pressure	Staff Notes
1/23/2012	Activator	4	4.4	"told maintenance pressure is high, told me its no problem"
1/24/2012	Activator	4	4.5	"told maintenance pressure is high, told me its no problem"

Date	Room	Scrubber	Recorded Differential Pressure	Staff Notes
1/26/2012	Activator	4	4.2	"told maintenance pressure is high, told me its no problem"
3/29/2011	Activator	4	4.2	
3/30/2011	Activator	4	4.3	
3/31/2011	Activator	4	4.2	
10/12/2011	Activator	4	8	

31. According to daily scrubber logs, Enthone operated Scrubber 5 with a differential pressure greater than 4 inches water across the demister pad on the dates listed in the following table:

Date	Room	Scrubber	Recorded Differential Pressure
1/18/2013	Enplate	5	5.6
1/19/2013	Enplate	5	5.2

32. According to daily scrubber logs, Enthone operated Scrubber 7 with a differential pressure greater than 4 inches of water across the demister pad on the date listed in the following table:

Date	Room	Scrubber	Recorded Differential Pressure
5/18/2011	UBAC	7	6
5/18/2011	UBAC	7	4.2

33. During the March 3, 2014 inspection EPA staff recorded the following pH values for the Scrubbers 3, 4, 6 and 7:

Scrubber Number	Operating pH during Inspection
Scrubber 3	10.56
Scrubber 4	9.5
Scrubber 6	9.72
Scrubber 7	11

### Violations

34. Enthone failed to operate and maintain Scrubbers 3-7 in a manner consistent with good air pollution control practices for minimizing emissions in violation of 40 C.F.R. § 63.11584(c).

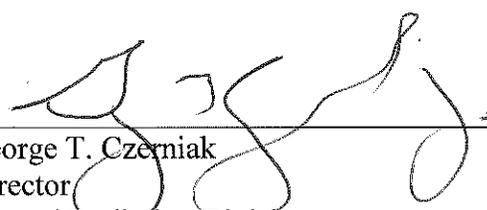
35. Enthone failed to keep production records showing the dates and times its chemical preparation operations were processing target HAP-containing materials in violation of 40 C.F.R. § 63.11585(d)(1)(ii)(A).

**Environmental Impact of Violations**

36. These violations have caused or can cause excess emissions of particulate matter. Particulate matter, especially fine particulate matter contains microscopic solids or liquid droplets, which can get deep into the lungs and cause serious health problems.

Date

3/11/16

  
George T. Czerniak  
Director  
Air and Radiation Division

**CERTIFICATE OF MAILING**

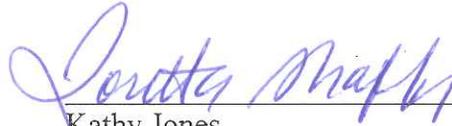
I, Kathy Jones, certify that I sent a Finding of Violation, No. EPA-5-16-IL-03, by Certified Mail, Return Receipt Requested, to:

James Sharp, Plant Manager  
Enthone, Inc.  
9809 Industrial Drive  
Bridgeview, IL 60455

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

Eric Jones, Manager  
Compliance Unit  
Bureau of Air  
Illinois Environmental Protection Agency  
P.O. Box 19506  
Springfield, Illinois 62794-9506

On the 11 day of March 2016.

  
\_\_\_\_\_  
Kathy Jones  
Program Technician  
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7009 1680 0000 7673 7890