



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

JUN 28 2016

REPLY TO THE ATTENTION OF

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert Porcelli
Plant Manager
Electronic Plating Company Inc.
1821 South 54th Avenue
Cicero, Illinois 60804

Re: Electronic Plating Company Inc.
Administrative Order EPA-5-16-113(a)-IL-11

Dear Mr. Porcelli:

Enclosed please find an Administrative Order (Order) issued under Sections 113(a)(3) and 114(a) of the Clean Air Act (the Act), 42 U.S.C. §§ 7413(a)(3) and 7414(a). The Order requires Electronic Plating Company Inc. (EPC) to produce to the U.S. Environmental Protection Agency specified documents and information regarding EPC's facility at 1821 South 54th Avenue, Cicero, Illinois. The Order becomes effective fourteen (14) calendar days after the day you receive it, unless within that 10-day period, you request an informal conference with EPA, or submit comments, information or arguments regarding this Order, as described below.

If you wish to discuss the Order, you may request an informal conference with EPA, but you must make your request within ten (10) calendar days of your receipt of the Order. If you request an informal conference, it must be held within fourteen (14) calendar days of your request, unless you and EPA agree otherwise. You may also submit to EPA, by certified mail, within fourteen (14) calendar days after receiving this Order, any relevant written comments, information or arguments you may have regarding this Order.

Failure to comply with this Order may subject you to sanctions under the Act. You and/or your attorney may direct any questions regarding this matter to the following EPA representative:

Cathleen R. Martwick
Associate Regional Counsel
U.S. EPA, Region 5
Office of Regional Counsel (C-14J)
77 West Jackson Blvd.,
Chicago, IL 60604

Ms. Martwick can be reached at (312) 886-7166.

In view of EPC's past failure to provide information to EPA, I urge you to give this matter your immediate attention.

Sincerely,



Sarah Marshall
Chief
Air Enforcement and Compliance Assurance Section (MI/WI)

Enclosure

cc: Cathleen R. Martwick/C-14J
Yasmine Keppner-Bauman/Acting Manager, Compliance Section, Bureau of Air,
Yasmine.Keppner-Bauman@Illinois.gov

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)	
)	
Electronic Plating Company, Inc.)	ADMINISTRATIVE ORDER
)	
Proceeding Under Sections 113(a)(3))	EPA-5-16-113(a)-IL-11
and 114(a) of the Clean Air Act,)	
42 U.S.C. §§ 7413(a)(3) and 7414(a))	
)	

Administrative Order

1. The Director of the Air and Radiation Division of Region 5 of the U.S. Environmental Protection Agency, is issuing this Administrative Order (Order) to Electronic Plating Company, Inc. (EPC) under Sections 113(a)(3) and 114(a) of the Clean Air Act (the CAA), 42 U.S.C. §§ 7413(a)(3) and 7414(a).

Statutory Authority

2. Section 114(a)(1) of the CAA, 42 U.S.C. § 7414(a)(1), authorizes the Administrator of EPA to require any person who owns or operates an emission source to, among other things, “provide information required by the Administrator.” The Administrator has delegated this authority to the Director of the Air and Radiation Division of Region 5 (Director).

3. Whenever, on the basis of any information available to the Administrator of EPA, the Administrator finds that any person has violated, or is in violation of, *inter alia*, any requirement of Subchapter I of the CAA (including Section 114(a)(1) of the CAA, 42 U.S.C. § 7414(a)(1)), the Administrator is authorized by Section 113(a)(3)(B) of the CAA, 42 U.S.C. § 7413(a)(3)(B), to issue an order requiring such person to comply with the requirement or prohibition. The Administrator has delegated this authority to the Region 5 Director of the Air and Radiation Division.

Findings

4. EPC owns and operates a plating and polishing facility located at 1821 South 54th Avenue, Cicero, Illinois (Facility).
5. The Facility has been in operation since 1984.
6. EPC owns and operates electroplating nickel plating tanks, electroplating cadmium plating tanks and hexavalent and trivalent chromate conversion coating tanks.
7. EPC conducts electroplating as defined at 40 C.F.R. § 63.11511, at its electroplating nickel plating tanks and electroplating cadmium plating tanks.
8. EPC conducts conversion coating as defined at 40 C.F.R. § 63.11511, at its hexavalent and trivalent chromate conversion coating tanks.
9. Nickel, cadmium and chromium are “plating and polishing metal HAPs,” as defined at 40 C.F.R. § 63.11511.
10. EPC’s electroplating tanks contain, use or emit plating metal HAP as set forth in 40 C.F.R. § 63.11504(a)(3).
11. The Facility is an “area source of HAP emissions” as set forth at 40 C.F.R. § 63.11504(a)(2).
12. EPC owns or operates an “emission source” within the meaning of Section 114(a)(1) of the CAA, 42 U.S.C. § 7414(a)(1).
13. On May 9, 2014, EPA inspectors conducted an inspection of the Facility. *See* Exhibit 1.
14. On January 28, 2016, EPA issued to EPC a Request to Provide Information (the 114 Request) pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a). *See* Exhibit 2.
15. EPC received the 114 Request on March 2, 2016. *See* Exhibit 3.

16. EPC was required to send EPA the required information within twenty-one (21) calendar days after EPC received the 114 Request (i.e. by March 23, 2016). *See* Exhibit 2.

17. EPC did not meet the time obligation set forth in paragraph 16, nor did it contact EPA to request an extension of time to respond to the 114 Request.

18. EPA contacted EPC on March 23, 2016 and re-sent the Section 114 Request to EPC on March 24, 2016 via electronic mail (e-mail). *See* Exhibit 4.

19. EPC did not provide the required information nor did it contact EPA to request an extension of time to respond to the 114 Request.

20. EPA contacted EPC on April 15, 2016 (via telephone) and was informed that EPC received the electronic mail dated March 24, 2016, and that Mr. Heriberto Valdez would call EPA to discuss the 114 Response. Mr. Valdez never returned EPA's telephone call.

21. EPA re-sent the Section 114 Information Request on April 22, 2016 via United Parcel Service and EPC received it on April 25, 2016. *See* Exhibit 5. EPC was required to send EPA the required information within twenty-one (21) calendar days after EPC received the re-sent 114 Request (i.e. May 16, 2016).

22. EPC did not meet the time obligation set forth in paragraph 21, nor did it contact EPA to request an extension of time to respond to the re-sent 114 Request.

23. On May 25, 2016, Albana Bega of EPA sent Mr. Porcelli of EPC an e-mail message stating that EPA had not received the information sought in the 114 Request. Ms. Bega requested that EPC contact Ms. Bega or Cathleen Martwick of EPA to discuss the 114 Request. *See* Exhibit 6.

24. EPC did not respond to the May 25, 2016 e-mail message.

25. EPC has therefore violated Section 114(a)(1) of the CAA, 42 U.S.C.

§ 7414(a)(1), by failing to provide any response to the 114 Request.

Compliance Program

26. EPC must comply with all requirements of the 114 Request. Specifically, EPC must produce the information specified in the 114 Request within fourteen (14) days of this Order's effective date.

27. EPC must send all information, including the test reports, required by this Order to:

Albana Bega
Air and Radiation Division
U.S. Environmental Protection Agency
Mail Code AE-17J
77 West Jackson Boulevard
Chicago, Illinois 60604

Effective Date and Opportunity to Confer

28. Within ten (10) days after receipt of this Order, EPC may request an informal conference with EPA. Any such conference shall be held within fourteen (14) calendar days from the date of the request, unless extended by agreement of the Parties. At any conference held pursuant to the request, EPC may appear in person, participate by telephone or be represented by an attorney or other representative. If a conference is held, EPC may present any information, arguments or comments regarding this Order. This conference is not a formal evidentiary hearing, does not constitute a proceeding to challenge this Order, and does not give EPC a right to seek review of this Order. To request an informal conference, EPC should contact Ms. Martwick, Associate Regional Counsel, EPA Region 5 Office of Regional Counsel, at (312) 886-7166.

29. Regardless of whether a conference is requested, EPC may submit to EPA in writing via certified mail any relevant information, arguments or comments, and such

information must be received by EPA within fourteen (14) calendar days of EPC's receipt of this Order, unless extended by agreement of the Parties.

30. Unless EPC requests a conference or submits information pursuant to this Section of this Order, this Order is effective fourteen (14) calendar days after its receipt by EPC. If EPC requests an informal conference or submits written information pursuant to this Section, this Order will become effective ten (10) days after the informal conference or EPA's receipt of written submittals, whichever is later unless, based on information EPC presents, EPA withdraws or modifies this Order. If EPA modifies this Order based on information EPC presents, the Order, as modified, is effective upon EPC's receipt of it.

General Provisions

31. This Order is not a permit, and does not waive, modify or otherwise affect EPC's ongoing responsibility to comply with other local, state and federal ordinances, permits, licenses, laws and regulations.

32. This Order does not restrict EPA's authority to enforce Sections 113 and 114 of the CAA, or any other section of the CAA.

33. Nothing in this Order limits EPA's authority to seek appropriate relief, including penalties under Section 113 of the CAA, 42 U.S.C. § 7413, for EPC's failure to comply with the 114 Request.

34. Failure to comply with this Order may subject EPC to penalties of up to \$37,500 per day for each violation under Section 113(d) of the CAA, 42 U.S.C. § 7413(d), and 40 C.F.R. Part 19. The CAA also authorizes the Administrator of EPA to commence a civil action for a temporary and permanent injunction and to recover a civil penalty for violations of permits issued under the CAA, or other specified provisions of the CAA, 42 U.S.C. § 7413(b). The CAA

further provides for criminal penalties for knowing violations of specified provisions of the CAA, 42 U.S.C. § 7413(c).

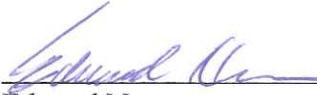
35. EPA may use any information submitted under this Order in an administrative, civil or criminal action.

36. The terms of this Order are binding on EPC, its assignees and successors. EPC 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 EPC has given the notice.

37. This Order is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501, *et seq.*, because it seeks collection of information by an agency from specific individuals or entities as part of an administrative action or investigation. To aid in our electronic recordkeeping efforts, please provide your response to this Order without staples. Paper clips and binder clips are acceptable.

**In the Matter of:
Electronic Plating Company
Administrative Order Under
Clean Air Act Sections 113(a)(3) and
114(a)**

6/28/16
Date


Edward Nam
Acting Director
Air and Radiation Division

Attachments

CERTIFICATE OF MAILING

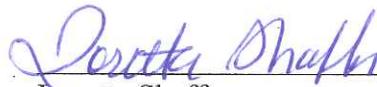
I, Loretta Shaffer, certify that I sent the Administrative Order, EPA-5-16-113(a)-IL-11, by certified mail, return receipt requested, to:

Robert Porcelli
Electronic Plating Company
1821 South 54th Avenue
Cicero, Illinois 60804

I also certify that I sent a copy of the Administrative Order, EPA-5-16-113(a)-IL-11, by electronic mail to:

Yasmine Keppner-Bauman
Yasmine.Keppner-Bauman@Illinois.gov

on the 28 day of June, 2016.



Loretta Shaffer
Program Technician
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7011 1150 0000 2640 8374