



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

JAN 04 2007

REPLY TO THE ATTENTION OF

AE-17J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Thomas Wienckowski, President
Wienmar, Inc. d/b/a Marble Works
1601 LaFox
South Elgin, IL 60177

Dear Mr. Wienckowski:

This is to advise you that the United States Environmental Protection Agency (U.S. EPA) has determined that the Marble Works facility at 1601 LaFox, South Elgin, Illinois (Facility) is in violation of the Clean Air Act (Act) and associated state pollution control requirements. A list of the requirements violated is provided below. We are today issuing to you a Notice of Violation (NOV) for the identified violations.

The Act 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. Illinois's State Implementation Plan (Illinois SIP) requires, among other things, that sources of air pollutants to obtain construction and operating permits. Marble Works's Joint Construction and Lifetime Operating Permit (Permit I.D. No. 089080AAW) includes the following requirements to limit Volatile Organic Materials (VOM) emissions, and to enable Marble Works to be considered a minor source of VOM and Hazardous Air Pollutant (e.g., styrene) emissions:

1. Gelcoat usage less than 1.85 tons per month,
2. Gelcoat VOM/Styrene content less than 50 percent by weight,
3. VOM/Styrene emissions of less than 0.6 tons per month from gelcoat,

4. VOM/Styrene emissions less than 5.98 tons per year from gelcoat,
5. VOM/Styrene emissions less than 8.98 tons per year from gelcoat and resin,
6. Resin usage less than 4.78 tons per month, and
7. Content of clear gelcoat monomer content less than 50 percent by weight.

The U.S. EPA finds that the Marble Works facility has violated the above listed requirements contained in Marble Works's Permit, which was issued pursuant to the Illinois SIP. The purpose of VOM standards is to reduce the amount of ground level ozone formed, which may cause shortness of breath, coughing, wheezing, and eye and nose irritation.

Section 113 of the Act gives us several enforcement options to resolve these violations, including: issuing an administrative compliance order, issuing an administrative penalty order, bringing a judicial civil action, and bringing a judicial criminal action. The option we select, in part, depends on the efforts taken by Marble Works to correct the identified violations and the timeframe in which you can demonstrate and maintain continuous compliance with the requirements identified in the NOV.

Section 113 of the Act provides you with the opportunity to request a conference with us about the violations alleged in the NOV. Before we decide which enforcement option is appropriate, 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 U.S. EPA contact in this matter is Shannon Downey. You may call her at 312-353-2151 if you wish to request a conference. The U.S. EPA hopes that this NOV will encourage Marble Works's compliance with the requirements of the Act.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Stephen Rothblatt". The signature is stylized with large, sweeping loops and a long horizontal stroke at the end.

Stephen Rothblatt, Division Director
Air and Radiation Division

Enclosure

cc: David Bloomberg, Acting Manager
Compliance and Systems Management Section
Illinois Environmental Protection Agency

United States Environmental Protection Agency

IN THE MATTER OF:)	
)	
Wienmar, Inc.)	NOTICE OF VIOLATION
d/b/a Marble Works)	
South Elgin, IL 60177)	EPA-5-07-01-IL
)	
Proceedings Pursuant to)	
the Clean Air Act,)	
42 U.S.C. §§ 7401 et seq.)	

NOTICE AND FINDING OF VIOLATION

Marble Works (you) owns and operates marble casting and gelcoat spray lay-up operations at Marble Works 1601 LaFox, South Elgin, IL 60177 (Facility).

The United States Environmental Protection Agency (U.S. EPA) is sending this Notice of Violation (NOV) to notify you that we have found your gelcoat and resin usage, the VOM/Styrene and monomer content of your gelcoat, and your VOM/Styrene emissions (tons/mo and tons/year) are in excess of the limits specified in your Joint Construction and Lifetime Operating Permit, issued pursuant to the Illinois State Implementation Plan (Illinois SIP), at your Facility. These exceedances constitute violations of the Clean Air Act (Act).

Section 113 of the Act provides you with the opportunity to request a conference with us to discuss the violations identified in this NOV. 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.

Explanation of Violations

The following provides a description of the requirements Marble Works violated and Marble Works's violations of those requirements:

1. Illinois Environmental Protection Agency (IEPA) issued a Joint Construction and Lifetime Operating Permit (Permit I.D. No. 089080AAW) to the Facility on March 14, 2001. Condition No. 3 of the Permit contains the following limitations:
 - a. Gelcoat usage less than 1.85 tons per month,
 - b. Gelcoat VOM/Styrene content less than 50 percent by weight,
 - c. VOM/Styrene emissions less than 0.6 tons per month from gelcoat,
 - d. VOM/Styrene emissions less than 5.98 tons per year from gelcoat,
 - e. VOM/Styrene emissions less than 8.98 tons per year for gelcoat and resin, and
 - f. Resin usage less than 4.78 tons per month.

2. Permit condition No. 12 incorporates Illinois SIP provision 35 Ill. Adm. Code § 218.666(a)(1)(A)(iii), which limits clear gelcoat monomer content to less than 50 percent by weight as applied.

3. Based on an evaluation of information provided by Marble Works in its "40 CFR 63 Subpart WWWW MACT Annual/Semi-annual Compliance Reports," the U.S. EPA has determined that Marble Works has exceeded the limits as described in Paragraph Nos. 1 and 2 above as follows:

Dates	Permit Limit	Description of Violation
Jan 2005 - Jun 2006	Gelcoat usage less than 1.85 tons per month	Exceeded limit 18 times
Jan 2005 - Jun 2006	Gelcoat VOM/Styrene content less than 50 percent by weight	Exceeded limit with Gelcoat CG-7400 clear
Jan 2005 - Jun 2006	VOM/Styrene emissions less than 0.6 tons per month from gelcoat	Exceeded limit 16 times
Jan 2005 - Jun 2006	VOM/Styrene emissions less than 5.98 tons	Exceeded limit 7 times

	per year from gelcoat	
Jan 2005 - Jun 2006	VOM/Styrene emissions less than 8.98 tons per year for gelcoat and resin	Exceeded limit 7 times
Jan 2005 - Jun 2006	Resin usage less than 4.78 tons per month	Exceeded limit 15 times
Dates	Permit/SIP Limit	Description of Violation
Jan 2005 - Jun 2006	Clearcoat gelcoat monomer content less than 50 percent by weight as applied	Exceeded limit with Gelcoat CG-7400 clear

Environmental Impact of Violations

4. Violation of VOM standards increases the amount of ground level ozone. Ozone may cause shortness of breath, coughing, wheezing, and eye and nose irritation. Ozone is especially dangerous to older adults, children, asthmatics and persons with other chronic respiratory ailments.
5. Violation of Hazardous Air Pollutant limits (e.g., styrene) may cause serious health effects including birth defects and cancer. Hazardous Air Pollutants also cause harmful environmental and ecological effects.

1/4/2007
Date



Stephen Rothblatt, Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, certify that I sent a Notice and Finding of Violation, No. EPA-5-07-01-IL, by Certified Mail, Return Receipt Requested, to:

Thomas Wienckowski, President
Marble Works
1601 LaFox
South Elgin, IL 60177

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

David Bloomberg, Acting Manager
Compliance and Systems Management Section
Illinois Environmental Protection Agency
1021 North Grand Avenue
Springfield, Illinois 62702

on the 8th day of January, 2007.


Betty Williams, Secretary
AECAS (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0005 89202177