



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
GREAT LAKES NATIONAL PROGRAM OFFICE
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAR 08 2012

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jaime Maliszewski
Registered Agent and General Manager
Elite Finishing, LLC
3270 South 3rd Street
Milwaukee, Wisconsin 53207

Dear Mr. Maliszewski:

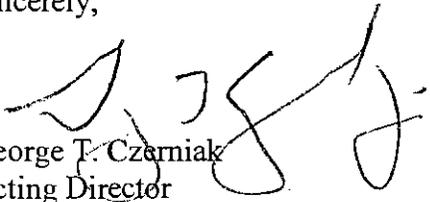
This is to advise you that the U.S. Environmental Protection Agency finds that the Elite Finishing, LLC's facility at 3270 South 3rd Street, Milwaukee Wisconsin (facility) has violated Section 112 of the Clean Air Act (CAA), 42 U.S.C. § 7412, and implementing regulations at 40 C.F.R. Part 63, Subpart N.

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, bringing a judicial civil action and bringing a judicial criminal action.

We are offering you the opportunity to request a conference with us about the violations alleged in the Finding of Violation. 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 Eleanor Kane. You may call her at (312) 353-4840 if you wish to request a conference.

Sincerely,


George T. Czarniak
Acting Director
Air and Radiation Division

cc: Bill Baumann, Chief of Compliance & Enforcement
Bureau of Air Management
Wisconsin Department of Natural Resources
PO Box 7921
Madison, WI 53707-7921

Daniel Schramm
Wisconsin Department of Natural Resources
2300 N. Dr. Martin Luther King, Jr. Dr.
Milwaukee, WI 53212

Enclosure

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Elite Finishing, LLC
Milwaukee, Wisconsin**

Proceedings Pursuant to
the Clean Air Act
42 U.S.C. § 7401 *et seq.*

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FINDING OF VIOLATION

EPA-5-12-WI-04

FINDING OF VIOLATION

The U.S. Environmental Protection Agency finds that Elite Finishing, LLC (“Elite”) is violating Section 112 of the Clean Air Act, 42 U.S.C. § 7412, and implementing regulations. Specifically, Elite is violating the National Emission Standard for Hazardous Air Pollutants for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks at 40 C.F.R. Part 63, Subpart N, as follows:

Explanation of Violations

Regulatory Authority

1. Pursuant to Section 112(d) of the Clean Air Act (Act), on January 25, 1995, EPA promulgated the National Emission Standard for Hazardous Air Pollutants (NESHAP) for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks, 60 Fed. Reg. 4948 (the Chrome Plating NESHAP). These regulations became effective on that date, and are codified at 40 C.F.R. Part 63, Subpart N; 40 C.F.R. §§63.340-63.348. The regulations were amended on July 19, 2004, 69 Fed. Reg. 42885.
2. The Chrome Plating NESHAP, at 40 C.F.R. § 63.340(a), applies to each chromium electroplating tank at facilities performing hard chromium electroplating, decorative chromium electroplating, or chromium anodizing.
3. The Chrome Plating NESHAP, at 40 C.F.R. § 63.341(a), defines “chromium electroplating tank” as the receptacle or container in which hard or decorative chromium electroplating occurs.
4. The Chrome Plating NESHAP, at 40 C.F.R. § 63.342(d)(2), states that if a chemical fume suppressant containing a wetting agent is used, chromium emissions shall be controlled by not allowing the surface tension of the bath contained within the affected tank to

exceed 35 dynes/cm² as measured by a tensiometer at any time during operation of the tank.

Factual Background

5. Elite owns and operates a decorative chromium electroplating tank at 3270 South 3rd Street in Milwaukee, Wisconsin. The tank is identified as P24 in Operating Permit 01-RSG-206-RP.
6. P24 is a receptacle in which decorative chromium electroplating occurs; it is, therefore, subject to the Chrome Plating NESHAP.
7. As required by Operating Permit 01-RSG-206-RP condition D.2, Elite uses a chemical fume suppressant containing a wetting agent to control chromium emissions.

Explanation of Violations

8. As reported by Elite in its January 31, 2008 semi-annual compliance report submitted to the Wisconsin Department of Natural Resources, between July 1, 2007 and December 31, 2007 the surface tension at P24 exceeded 35 dynes/cm² on 22 occasions. These exceedances totaled 100 hours, and accounted for 21 percent of the total operating time.

Environmental Impact of Violations

9. Violation of the Chrome Plating NESHAP increases public exposure to Chromium (VI) emissions. Chromium (VI) is a known carcinogen. Other health effects from exposure include skin irritation, respiratory problems, and kidney and liver damage.

Date

3/8/12


George F. Czerniak
Acting Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Tracy Jamison, certify that I sent a Finding of Violation, No. EPA-5-12-WI-04, by Certified Mail, Return Receipt Requested, to:

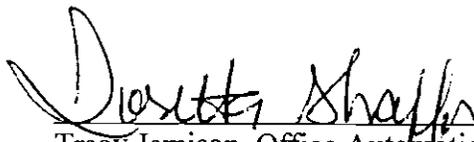
Jaime Maliszewski
Registered Agent and General Manager
Elite Finishing, LLC
3270 South 3rd Street
Milwaukee, Wisconsin 53207

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

Daniel Schramm
Wisconsin Department of Natural Resources
2300 N. Dr. Martin Luther King Junior Drive
Milwaukee, Wisconsin 53212

Bill Baumann, Chief of Compliance & Enforcement
Bureau of Air Management
Wisconsin Department of Natural Resources
PO Box 7921
Madison, WI 53707-7921

On the 9 day of March 2012.



Tracy Jamison, Office Automation Assistant
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER:

70091680 000076739320