



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

JUN 05 2008

REPLY TO THE ATTENTION OF:

AE-17J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Tom Maher, Vice President
BRC Rubber & Plastics, Inc.
623 West Monroe Street
Montpelier, Indiana 47359

Re: Notice of Violation
Finding of Violation
BRC Rubber & Plastics, Inc
Montpelier, Indiana

Dear Mr. Maher:

The U. S Environmental Protection Agency is issuing the enclosed Notice and Finding of Violation (NOV/FOV) to BRC Rubber & Plastics, Inc. (BRC). The NOV/FOV is being issued under Section 113(a)(1) and (a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(1) and (a)(3). We find that you are violating the terms of your Title V permit, and the National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products at 40 C.F.R. Part 63, Subpart M, at your Montpelier, Indiana, facility.

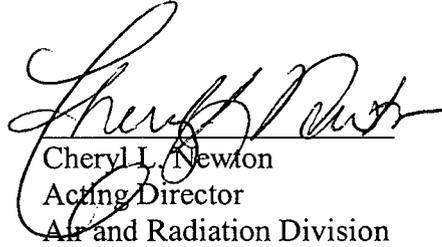
We have several enforcement options under Section 113(a)(1) and 113(a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(1) and 7413(a)(3). These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil action.

We are offering you an opportunity to confer with us about the violations alleged in the NOV/FOV. The conference will give you the opportunity to present information on the specific findings of violation, the 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 attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The technical contact in this matter is Joseph Ulfig. You may call him at (312) 353-8205 to request a conference. You should make the request as soon as possible, but no later than 10 calendar days after you receive this letter. We should hold any conference within 30 calendar days of your receipt of this letter.

Sincerely,



Cheryl L. Newton
Acting Director
Air and Radiation Division

Enclosure

cc: Craig Henry, Manager
Office of Enforcement
Indiana Department of Environmental Management

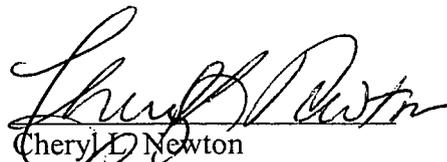
Explanation of the Violations

1. Section D.2.7 of BRC's Title V permit contains the following requirement:
 - (a) The provisions of 40 CFR Part 63, Subpart Mmmm (National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products) apply to the affected source...Pursuant to 40 CFR 63.3883(b), the Permittee must comply with these requirements on and after January 2, 2007.
2. Subpart Mmmm, at 40 C.F.R. § 63.3890(b) requires that existing affected rubber-to-metal coating sources limit organic HAP emissions to no more than 4.5 kg (37.7 lb) organic HAP per liter (gal) coating solids used during each 12-month compliance period.
3. Subpart Mmmm, at 40 C.F.R. § 63.3883 requires affected sources to comply with its requirements three years after January 2, 2004.
4. On February 26, 2008, BRC submitted a Notification of Compliance Status report pursuant to Subpart Mmmm that indicated that the facility had emissions from its coating operations in excess of the emission limit of 37.7 pounds HAPs/gallons coating solids used, during the initial 12-month compliance period.
5. By exceeding the emission limit of 37.7 pounds HAPs/gallons coating solids used in its coating operations, BRC is in violation of Subpart Mmmm, at 40 C.F.R. § 63.3890(b) and the facility's Title V Permit.
6. BRC's violation of its Title V Permit constitutes a violation of section 502 of the CAA and 40 C.F.R. § 70.7(b).

Environmental Impact of the Violations

7. Violation of the HAP emission standards increases public exposure to unhealthy exposures of HAP. Unhealthy HAP exposures may cause cancer or other serious health effects, such as reproductive effects or birth defects, as well as adverse environmental and ecological effects.

6/5/08
Date


Cheryl D. Newton
Acting Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, do hereby certify that a Notice of Violation and Finding of Violation of the Clean Air Act was sent by Certified Mail, Return Receipt Requested, to:

Tom Maher, Vice President
BRC Rubber & Plastics, Inc.
623 West Monroe Street
Montpelier, Indiana 47359

I also certify that I sent copies of the Request for Information by first class mail to:

Craig Henry, Acting Section Chief
Office of Enforcement / Air Section
Indiana Department of Environmental Management
100 N. Senate Avenue / Mail Code 60-02
Indianapolis, Indiana 46204

on the 6th day of June, 2008.


Betty Williams
Administrative Program Assistant
AECAS (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: 70010320 000601861412