



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

AUG 29 2011

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Christine Freeman
Environmental Protection Manager
Naval Surface Warfare Center Crane Division
Code 5090 Ser 0592/8218
300 Highway 361
Crane, Indiana 47522

Dear Ms. Freeman:

Enclosed is an executed copy of an Administrative Order between Crane Army Ammunition Activity (CAAA) and the U.S. Environmental Protection Agency. This Order resolves the June 10, 2010, Finding of Violation that was issued to CAAA. If you have any questions regarding the Order, please contact Charles Hall of my staff at (312) 353-3443.

Sincerely,

William L. MacDowell for

William L. MacDowell, Chief
Minnesota/Ohio Air Enforcement and Compliance Assurance
Section

cc: Phil Perry, Indiana Department of Environmental Management

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)	Administrative Consent Order
)	
Crane Army Ammunition Activity)	EPA-5-11-IN-01
Crane, Indiana)	
)	
Proceeding pursuant to Sections 113(a)(3) and)	
114(a) of the Clean Air Act, 42 U.S.C.)	
§§ 7413(a)(3) and 7414(a)(1).)	

Administrative Consent Order

1. The Director of the Air and Radiation Division, U.S. Environmental Protection Agency, Region 5, is issuing this Order to Crane Army Ammunition Activity (CAAA), as the Operator of the process, under Sections 113(a)(3) and 114(a)(1) of the Clean Air Act (Act), 42 U.S.C. §§ 7413(a)(3) and 7414(a)(1).

Statutory and Regulatory Background

2. The Administrator of EPA may promulgate regulations establishing National Emission Standards for Hazardous Air Pollutants (NESHAP) under Section 112 of the Act, 42 U.S.C. § 7412.
3. Under Section 112 of the Act, the Administrator promulgated the NESHAP for Hazardous Waste Combustors at 40 C.F.R. Part 63, Subpart EEE (HWC MACT). The HWC MACT applies to CAAA's Ammunition Peculiar Equipment 1236 Deactivation Furnace (APE 1236 DF) at the Naval Surface Warfare Center Crane Division, 300 Highway 361, Crane, Indiana (NSWC Crane).
4. The HWC MACT requires the owner and operator of an existing hazardous waste incinerator to not discharge or cause combustion gases to be emitted into the atmosphere that contains cadmium and lead, combined emissions, in excess of 230 micrograms per dry standard cubic meter, corrected to 7 percent oxygen ($\mu\text{g}/\text{dscm} @ 7\% \text{O}_2$). See 40 C.F.R. § 63.1219(a)(3).
5. Under Section 113(a)(3) of the Act, 42 U.S.C. § 7413(a)(3), the Administrator of EPA may issue an order requiring compliance to any person who has violated or is violating the NESHAP regulations. The Administrator has delegated this authority to the Director of the Air and Radiation Division.
6. The Administrator of EPA may require any person who owns or operates an emission source to sample emissions and provide information as the Administrator requires under Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1). The Administrator has delegated

this authority to the Director of the Air and Radiation Division.

Findings

7. CAAA owns and operates the APE 1236 DF for the Permit holder, Naval Surface Warfare Center Crane Division, 300 Highway 361, Crane, Indiana.
8. CAAA owns and operates the APE 1236 DF, an existing hazardous waste incinerator. Therefore, CAAA is subject to the HWC MACT.
9. CAAA owns or operates an "emission source" within the meaning of Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1). Therefore, CAAA is subject to the requirements of Section 114(a)(1).
10. On June 10, 2010, EPA issued to CAAA a Finding of Violation alleging that CAAA violated 40 C.F.R. § 63.1219(a)(3) in the HWC MACT by discharging combustion gases into the atmosphere that contained cadmium and lead in excess of 230 µg/dscm @ 7% O₂.
11. On July 22, 2010, representatives of CAAA and EPA discussed the June 10, 2010, Finding of Violation. CAAA violated the NESHAP for Hazardous Waste Combustors at 40 C.F.R. § 63, Subpart EEE.
12. On November 1 and 2, 2010, CAAA demonstrated compliance with the cadmium and lead emission standard for existing hazardous waste incinerators.

Compliance Program

13. By the effective date of this order, CAAA must maintain compliance with the HWC MACT at its Crane, Indiana, facility.
14. CAAA must perform the baghouse leak test as described in its Operation and Maintenance Plan after each leak detector alarm and once every 2 weeks for the first 3 months of operations after the effective date of this order. If CAAA does not detect any leaks during this initial 3-month period, then CAAA must conduct a leak test once every 3 months. If CAAA detects leaks in the first 3 months of operation, then the 2-week schedule shall remain in effect for an additional 3 months for a total of 6 months following the date the APE 1236 DF is restarted. CAAA must also conduct a leak test whenever there is a change or event that could impact the baghouse performance.
15. For each calendar quarter, CAAA must prepare a report that summarizes its leak detection findings and any necessary corrective actions.
16. CAAA must send all reports required by this Order to:

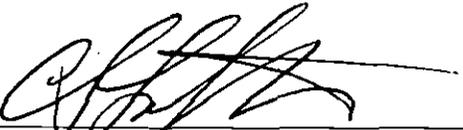
Attention: Compliance Tracker (AE-17J)
Air Enforcement and Compliance Assurance Branch
EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604.

General Provisions

17. This Order does not affect CAAA's responsibility to comply with other local, state, and federal laws and regulations.
18. This Order does not restrict EPA's authority to enforce Section 112 of the Act, or any other section of the Act.
19. Nothing in this Order limits EPA's authority to seek appropriate relief, including penalties under Section 113 of the Act, 42 U.S.C. § 7413, for CAAA's violation of the NESHAP for Hazardous Waste Combustors.
20. Failure to comply with this Order may subject CAAA to penalties of up to \$37,500 per day for each violation under Section 113 of the Act, 42 U.S.C. § 7413, 73 FR 75345, (Dec. 11, 2008) and 74 FR 627, (Jan. 7, 2009).
21. The terms of this Order are binding on CAAA, its assignees and successors. CAAA 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 CAAA has given the notice.
22. 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 record keeping efforts, please provide your response to this Order without staples. Paper clips, binder clips, and 3-ring binders are acceptable.
23. EPA may use any information submitted under this Order in an administrative, civil or criminal action.
24. CAAA agrees to the terms of this Order and NSWC Crane as permit holder commits that the Operator, CAAA, will comply with the terms and conditions of this Order.

25. This Order is effective on the date of signature by the Director of the Air and Radiation Division. This Order will terminate 1 year from the effective date, provided that CAAA has complied with all terms of the Order throughout its duration.

16 August 2011
Date



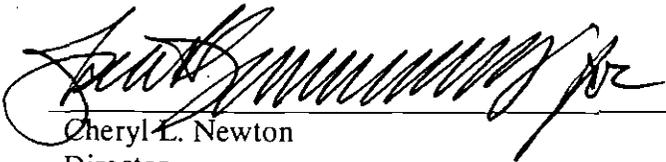
Captain Charles LaSota
U.S. Navy
COMMANDING OFFICER, NSWC CRANE

18 August 2011
Date



Colonel Linwood B. Clark
U.S. Army
Commanding
Crane Army Ammunition Activity

8/29/11
Date



Cheryl L. Newton
Director
Air and Radiation Division

Enclosure

CERTIFICATE OF MAILING

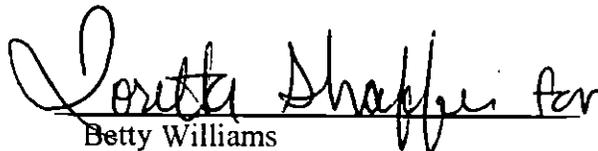
I, Betty Williams, certify that I sent the Administrative Consent Order, EPA Order No. EPA-5-11-IN-01, by Certified Mail, Return Receipt Requested, to:

Christine Freeman
Environmental Protection Manager
Naval Surface Warfare Center Crane Division
Code 5090 Ser 0592/8218
300 Highway 361
Crane, Indiana 47522

I also certify that I sent a copy of the Administrative Consent Order, EPA Order No. EPA-5-11-IN-01, by First Class Mail to:

Phil Perry
Chief, Compliance Branch
Office of Air Quality
Indiana Department of Environmental Management
100 North Senate Avenue, MC 61-53 IGCN 1003
Indianapolis, Indiana 46204

on the 2nd day of September 2011


Betty Williams
Administrative Program Assistant
PAS

Certified Mail Receipt Number: 7009 1680 0000 7670 0252