



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

SEP 23 2015

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James Sharp, Plant Manager
Enthone, Inc.
9809 Industrial Drive
Bridgeview, IL 60455

Re: Finding of Violation
Enthone, Inc.
Bridgeview, Illinois

Dear Mr. Sharp:

The U.S. Environmental Protection Agency is issuing the enclosed Finding of Violation (FOV) to Enthone, Inc. (you) under Section 113(a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(3). We find that you have violated the National Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry at 40 C.F.R. Part 63, Subpart BBBBBBB at your Bridgeview, IL facility.

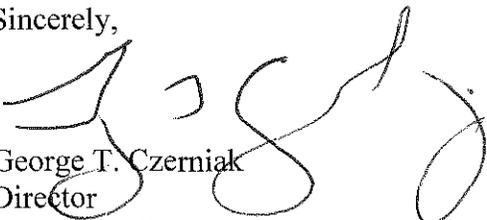
Section 113 of the Clean Air Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply and the steps you will take to prevent future violations. In addition, in order to make the conference more productive, we encourage you to submit to us information responsive to the FOV prior to the conference date.

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 EPA contact in this matter is Shilpa Patel. You may call her at (312) 886-0120 to request a conference. You should make the request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,



George T. Czerniak
Director
Air and Radiation Division

Enclosure

cc: Eric Jones, IEPA

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Enthone, Inc.
Bridgeview, IL**

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

)
)
)
)
)
)
)
)
)
)
)

FINDING OF VIOLATION

EPA-5-15-IL-15

FINDING OF VIOLATION

The U.S. Environmental Protection Agency is issuing this Finding of Violation (FOV) to Enthone, Inc. (Enthone) for violating Section 110 and 112 of the Clean Air Act, 42 U.S.C. §§ 7410 and 7412. Specifically, Enthone is violating the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Area Sources: Chemical Preparations Industry at 40 C.F.R. Part 63, Subpart BBBBBBBB (Subpart BBBBBBBB), as promulgated pursuant to Section 112 of the Clean Air Act (CAA), 42 U.S.C. § 7412, as follows:

Regulatory Authority

NESHAP for Chemical Preparations Industry

1. Under Section 112 of the CAA, the Administrator of EPA promulgated the NESHAP for Area Sources: Chemical Preparations Industry at 40 C.F.R. Part 63 Subpart BBBBBBBB; 40 C.F.R. § 63.11579 *et seq.*
2. The NESHAP for Area Sources: Chemical Preparations Industry applies to chemical preparations facilities that are stationary area sources of hazardous air pollutants (HAP) and have at least one chemical preparations operation in target HAP service as defined by 40 C.F.R. § 63.11588.
3. The NESHAP at 40 C.F.R. § 63.11588 defines “chemical preparation” as a target HAP-containing product, or intermediate used in the manufacture of other products, manufactured in a process operation described by the NAICS code 325998 if the operation manufactures target HAP-containing products or intermediates other than indelible ink, India ink, writing ink, and stamp pad ink. Indelible ink, India ink, writing ink, and stamp pad ink manufacturing operations are subject to regulation by the paints and allied products area source rule.
4. The NESHAP at 40 C.F.R. § 63.11588 defines “chemical preparations facility” as any facility-wide collection of chemical preparation operations.

5. The NESHAP at 40 C.F.R. § 63.11588 defines “chemical preparations operation” as the collection of mixing, blending, milling, and extruding equipment used to manufacture chemical preparations. A chemical preparation operation may include all, or only some, of the equipment listed above, depending on the chemical preparation being manufactured. Mixing and blending equipment may be used to process either wet or dry materials, or a combination of wet and dry materials. Milling equipment includes, but is not limited to, various types of rolling mills, rotary mills, and grinders. Extruding equipment, for the purposes of this subpart, includes direct and indirect extruders, spray driers, and prilling towers.

6. The NESHAP at 40 C.F.R. § 63.11588 defines “target HAP” as metal compounds for chromium, lead, manganese, and nickel.

7. The NESHAP at 40 C.F.R. § 63.11588 defines “target HAP-containing” as raw materials, intermediates, or products that contain one or more target HAP. Any material that contains compounds of chromium (VI), lead, or nickel in amounts greater than or equal to 0.1 percent by weight (as the metal), or manganese or chromium (III) compounds in amounts greater than or equal to 1.0 percent by weight (as the metal) is considered to be target HAP-containing. Target HAP content is shown in the formulation data provided by the manufacturer or supplier, such as the Material Safety Data Sheet for the material.

8. The NESHAP at 40 C.F.R. § 63.11588 defines “in target HAP service” as the equipment in the chemical preparation operation that either contains, contacts or is processing target HAP-containing materials.

9. 40 C.F.R. § 63.2 defines HAP as any air pollutant listed in or pursuant to section 112(b) of the Act.

10. 40 C.F.R. § 63.2 and the NESHAP at 40 C.F.R. § 63.11579(a)(2) define an “area source” as any stationary source or group of stationary sources that is not a major source as defined in § 63.2.

11. 40 C.F.R. § 63.2 defines a “major source” as any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year (TPY) or more of any hazardous air pollutant or 25 TPY or more of any combination of hazardous air pollutants, unless the Administrator establishes a lesser quantity, or in the case of radionuclides, different criteria from those specified in this sentence.

12. The NESHAP at 40 C.F.R. § 63.11579(b) refers to the affected source as all chemical preparations operations as defined in 40 C.F.R. § 63.11588.

13. 40 C.F.R. § 63.2 defines “affected source” as the collection of equipment, activities, or both within a single contiguous area and under common control that is included in a section 112(c) source category or subcategory for which a section 112(d) standard or other relevant standard is established pursuant to section 112 of the Act.

14. The NESHAP at 40 C.F.R. § 63.11584(c) requires the owner and operator of the chemical preparations operation to operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the owner or operator to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

15. Section 113(a)(3) of the CAA, 42 U.S.C. § 7413(a)(3), authorizes the Administrator to initiate an enforcement action whenever, among other things, the Administrator finds that any person has violated or is in violation of a requirement or prohibition of Title V of the Act or any other rule promulgated, issued or approved under the CAA.

Factual Background

16. Enthone owns and operates a chemical preparations facility at 9809 Industrial Drive, Bridgeview, Illinois.

17. Enthone is an area source that emits PM that contains nickel, chromium and lead in amounts greater than 0.1 percent by weight (as the metal).

18. Enthone's chemical preparations facility includes, but is not limited to the following chemical preparations operations:

- a. Powder Process
- b. Liquid Process
- c. Enplate Process
- d. Enthobrite Process

19. Enthone's chemical preparations operations equipment either contains, contacts or is processing target HAP-containing materials.

20. Enthone's chemical preparations operations are subject to the NESHAP Subpart BBBBBBBB. The operations and associated emission control equipment(s) are identified in the permit as the following:

- a. Powder Process: 3 Powder Blenders with 2 Scrubbers (Scrubber 1 and 2)
- b. Liquid Process: 4 Process Tanks with 1 Scrubber (Scrubber 3)
- c. Enplate Process: 4 Process Mixing Tanks with 1 Scrubber (Scrubber 5)
- d. Enthobrite Process: 6 Process Tanks with 1 Scrubber (Scrubber 6)

21. On May 8, 2014, EPA issued an information request to Enthone.

22. On June 3, 2014, Enthone provided the response to EPA's information request.

23. Based on the scrubber maintenance records and the process operation records for Powder, Liquid, Enplate, and Enthobrite Processes and associated scrubbers, the processes were operated during time periods when the associated scrubber required maintenance. The tables below highlight those periods and the identified maintenance required:

Scrubber ID (Process)	Description of Scrubber Issue	Duration of Scrubber Issue	Days of Operation during the period
Scrubber 2 (Powder)	Chrome Scrubber in the Powder Room will not start	Feb 3, 2011 through Feb 7, 2011	1 day
Scrubber 2 (Powder)	Chrome Scrubber in the Powder Room needs demister pad cleaned	May 4, 2010 through June 15, 2010	3 days
Scrubber 2 (Powder)	Chrome Scrubber pressure alarm is not working	March 9, 2011 through March 17, 2011	1 days
Scrubber 3 (Liquid)	The scrubber in the Liquid Room keeps shutting off	May 23, 2011 through June 27, 2011	8 days
Scrubber 5 (Enplate)	The scrubber pump in the Enplate Room keeps shutting off.	April 16, 2014 through April 21, 2014	3 days
Scrubber 5 (Enplate)	The scrubber's acid pump in the Enplate Room does not work.	January 21, 2011 through August 24, 2011	81 days
Scrubber 6 (Enthobrite)	The scrubber in the Enthobrite Room does not work properly	July 8, 2013 through July 29, 2013	8 days

Violations

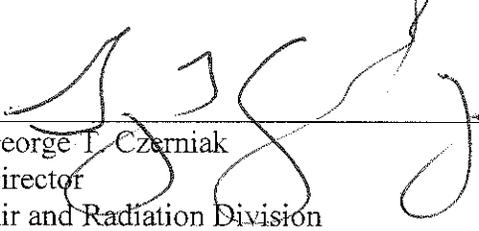
24. Enthone failed to operate and maintain its affected source, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions in violation of 40 C.F.R. § 63.11584(c).

Environmental Impact of Violations

25. These violations have caused or can cause excess emissions of particulate matter. Particulate matter, especially fine particulate matter contains microscopic solids or liquid droplets, which can get deep into the lungs and cause serious health problems.

Date

9/23/15


George T. Czerniak
Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Finding of Violation, No. EPA-5-15-IL-15, by Certified Mail, Return Receipt Requested, to:

James Sharp, Plant Manager
Enthone, Inc.
9809 Industrial Drive
Bridgeview, IL 60455

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

Eric Jones, Manager
Compliance Unit
Bureau of Air
Illinois Environmental Protection Agency
P.O. Box 19506
Springfield, Illinois 62794-9506

On the 24 day of September 2015.

for Kathy Jones
Loretta Shaffer
Program Technician
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7014 2870 0001 9581 4267