

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:)
)
National Maintenance and) NOTICE OF VIOLATION
Repair, Inc.)
Hartford, Illinois) EPA-5-99-IL-32
)
)
Proceedings Pursuant to)
Section 113(a)(1) of the)
Clean Air Act,)
42 U.S.C. § 7413(a)(1))

NOTICE OF VIOLATION

The Administrator of the United States Environmental Protection Agency (U.S. EPA), by authority duly delegated to the undersigned, is issuing this Notice of Violation pursuant to Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). U.S. EPA finds that National Maintenance and Repair, Inc. (National) located at the Foot of Hawthorne Street, Hartford, Illinois, is in violation of the Illinois State Implementation Plan (SIP), as follows:

Statutory and Regulatory Background

1. On May 31, 1972, U.S. EPA approved the Illinois Pollution Control Board (IPCB) Rule 101 (Definitions) and IPCB Rule 103 (Permits) as part of the federally enforceable SIP for the State of Illinois. 37 Fed. Reg. 10862.
2. On November 26, 1997, U.S. EPA approved the Illinois Pollution Control Board Rule 219, Subpart E (Solvent Cleaning for the Metro East Area) as part of the federally enforceable SIP for the State of Illinois. 62 Fed. Reg. 62951.
3. On September 9, 1994, U.S. EPA approved the Illinois Pollution Control Board Rule 219, Subpart A (General Provisions) and Subpart F (Coating Operations for the Metro East Area) as part of the federally enforceable SIP for the State of Illinois. 59 Fed. Reg. 46562.
4. On October 11, 1994, U.S. EPA approved the Illinois Pollution Control Board Rule 211 (Definitions and General Provisions) as part of the federally enforceable SIP for the

State of Illinois. 59 Fed. Reg. 46567.

5. IPCB Rule 103(a)(1) prohibits any person from constructing or allowing the construction of any new emission source or any new air pollution control equipment or causing or allowing the modification of any existing emission source or air pollution control equipment without first obtaining a construction permit. IPCB Rule 103(a)(1) has been recodified at 35 Ill. Adm. Code § 201.142.
6. IPCB Rule 101 defines a "new emission source" as any emission source, the construction or modification of which is commenced on or after April 14, 1972. IPCB Rule 101 has been recodified at 35 Ill. Adm. Code § 201.102.
7. IPCB Rule 101 defines an "existing emission source" as any emission source, the construction or modification of which has commenced prior to April 14, 1972.
8. IPCB Rule 103(b)(1) prohibits any person from causing or allowing the operation of any new emission source or new air pollution control equipment of a type for which a construction permit is required without first obtaining an operating permit. IPCB Rule 103(b)(1) has been recodified at 35 Ill. Adm. Code § 201.143.
9. IPCB Rule 103(b)(2) prohibits any person from causing or allowing the operation of any existing emission source or any existing air pollution control equipment without first obtaining an operating permit. IPCB Rule 103(b)(2) has been recodified at 35 Ill. Adm. Code § 201.144.
10. 35 Ill. Adm. Code § 219.182(a)(2) prohibits any person from operating a cold cleaning degreaser unless the cover of the degreaser is closed when parts are not being handled.
11. 35 Ill. Adm. Code § 211.4370 defines "owner or operator" as any person who owns, operates, leases, controls, or supervises a source, an emission unit or air pollution control equipment.
12. 35 Ill. Adm. Code § 211.3830 defines "miscellaneous metal parts and products" as, among other things, commercial machinery, industrial machinery, fabricated metal products and any other industrial category in which metal parts or products under Standard Industrial Classification Code for Major Groups 33, 34, 35, 36, 37, 38 or 39 are coated, subject to certain exceptions including the exterior of

marine vessels.

13. 35 Ill. Adm. Code § 211.3850 defines "miscellaneous metal parts and products coating" as any protective, decorative, or functional coating applied to the surface of any metal part or metal product. Metal parts does not include coatings applied to exteriors of marine vessels.
14. 35 Ill. Adm. Code § 211.2930 defines "heavy off-highway vehicle products coating" as any protective, decorative, or functional coating applied to the surface of heavy off-highway vehicle products.
15. 35 Ill. Adm. Code § 211.2910 defines "heavy off-highway vehicle products" as heavy construction, mining, farming, or material handling equipment; heavy industrial engines; diesel-electric locomotives and associated power generation equipment; and the constituent parts of such equipment or engines.
16. 35 Ill. Adm. Code § 219.204 prohibits the owner or operator of a coating line from applying at any time any coating in which the VOM content exceeds the specified emission limitation. 35 Ill. Adm. Code § 219.204(j) specifies emission limitations for miscellaneous metal parts and products coating. 35 Ill. Adm. Code § 219.204(k) specifies emission limitations for heavy off-highway vehicle products coating.
17. 35 Ill. Adm. Code § 219.208(a) exempts coating lines that otherwise would be subject to the same subsection of Section 219.204 from emission limitations provided that combined actual emissions of volatile organic material (VOM) from all lines at the source subject to that subsection never exceed 6.8 kg/day (15 lbs/day) before the application of capture systems and control devices.
18. 35 Ill. Adm. Code 219.211(b)(2) requires any owner or operator of a coating line which is exempted from the limitations of Section 219.204 because of Section 219.208(a) to collect and record the name and identification number of each coating as applied on each coating line and the weight of VOM per volume and the volume of each coating as applied each day on each coating line. These records should be kept at the source for a period of three years.
19. 35 Ill. Adm. Code 219.211(c)(2) requires any owner or operator of a coating line subject to the limitations of

Section 219.204 and complying by means of Section 219.204 to collect and record the name and identification number of each coating as applied on each coating line and the weight of VOM per volume and the volume of each coating as applied each day on each coating line. These records should be kept at the source for a period of three years.

Factual Background

20. National owns and operates a barge and towboat cleaning and repair facility located at Foot of Hawthorn Street, Hartford, Illinois.
21. National is located in Madison County, Illinois, which is part of the Metro East Area.
22. National operates coating lines for barges and towboats.
23. National coats marine vessels and locomotive engines, diesel engine blocks and pans, and miscellaneous metal items such as propellor hubs, handrails, gangways, etc. at its facility.
24. Thomas Industrial Coatings, Inc.(Thomas), a subcontractor to National, coats barges and tow boat hulls, stairways, and other miscellaneous marine vessel items at the National facility.
25. The coatings applied by National are "miscellaneous metal parts and products coatings" as defined at Section 211.3850 or "heavy off-highway vehicle products coatings" as defined at Section 211.2930.
26. Except for coatings applied to the exterior of marine vessels, the coatings applied by Thomas are "miscellaneous metal parts and products coatings" as defined at Section 211.3850.
27. Emissions from painting and coating of barges at the National facility are subject to the organic material emission standards and limitations for the Metro East Area set forth in the Illinois SIP at Section 219.204(j) and (k) unless they are exempt under Section 219.208(a). National is also subject to the recordkeeping requirements at Section 219.211.
28. National estimates that the average daily VOM emissions from its coating operations in 1998 were 10.9 lbs. National

claims that its coating operations are not subject to the emission limits in Section 219.204(j) and (k) because of the exemption in Section 219.208(a) for coating operations that emit less than 15 lbs./day of VOMs.

29. National has no records for coating operations prior to 1998.
30. The only records National has of the paints and coatings used at the facility during 1998 were obtained from its paint vendor's inventory record. National did not collect and record on a daily basis information regarding the name and identification number of each coating as applied on each coating line, the weight of VOM per volume, and the volume of each coating as applied each day on each coating line.
31. Thomas does not collect and record on a daily basis information regarding the name and identification number of each coating as applied on each coating line, the weight of VOM per volume, and the volume of each coating as applied each day on each coating line.
32. National's painting operations used 5322 gallons of paint in 1998.
33. National's facility is capable of emitting VOMs to the atmosphere from its coating operations.
34. National does not have an operating permit for the coating operations at the facility.
35. National commenced installation of a dissolved air flotation unit in 1998.
36. The dissolved air flotation unit is capable of emitting VOMs into the atmosphere.
37. National did not obtain a construction permit for the dissolved air flotation unit.
38. National operates a knockout tank and evaporator in its wastewater treatment system.
39. The knockout tank is capable of emitting VOMs into the atmosphere.
40. The evaporator is capable of emitting VOMs into the atmosphere.

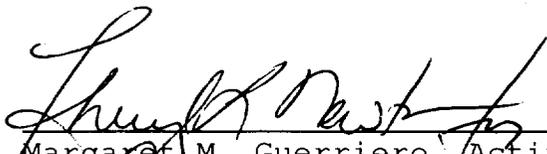
41. National does not have operating permits for the knockout tank or evaporator.
42. National has cold cleaning degreasers at its facility. During the U.S. EPA inspection on October 16, 1998, the covers of two degreasers were open and neither degreaser was in use.

Findings of Violation

43. During 1996, 1997 and 1998, National failed to collect and record on a daily basis information regarding the miscellaneous metal parts and products coatings and heavy off-highway vehicle products coatings it or Thomas applied on each of its coating lines in violation of 35 Ill. Adm. Code § 219.211(b)(2) if National's coating lines are exempt from the limitations of Section 219.204 because of Section 219.208(a) or in violation of Section 219.211(c)(2) if National is subject to the limitations of Section 219.204.
44. Throughout calendar year 1998, National conducted coating operations at its facility without an operating permit in violation of IPCB Rule 103(b)(1) if the coating operations are a "new emissions source" as defined at IPCB Rule 101 or in violation of IPCB Rule 103(b)(2) if the coating operations are an "existing emissions source" as defined at IPCB Rule 101.
45. In 1998, National constructed a dissolved air flotation unit at its facility without a construction permit in violation of IPCB Rule 103(a)(1).
46. National has operated the knockout tank in its wastewater treatment system from 1989 to present without an operating permit in violation of IPCB Rule 103(b)(1).
47. National has operated the evaporator in its wastewater treatment system from 1989 to present without an operating permit in violation of IPCB Rule 103(b)(1).

48. On October 16, 1998, National operated two cold cleaning degreasers with open covers when no parts were being handled in the degreasers in violation of Ill. Adm. Code § 219.182(a)(2).

7/27/95
Date



Margaret M. Guerriero, Acting
Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, certify that I sent a Notice of Violation, issued pursuant to the Clean Air Act, by Certified Mail, Return Receipt Requested, to:

Kimble Lehman, President
National Maintenance and Repair, Inc.
P.O. Box 38
Foot of Hawthorn Street
Hartford, Illinois 62048

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

Keith McCoy, Safety and Environment Manager
National Maintenance and Repair, Inc.
P.O. Box 38
Foot of Hawthorn Street
Hartford, Illinois 62048

David Kolaz, Chief
Compliance and Systems Management Section
Bureau of Air
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois 62702

on the 28th day of July, 1999.


Betty Williams, Secretary
AECAS, (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: P 140 779 157