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

SEP 30 2016

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Shane Richardson
Environmental Manager
Quemetco, Inc.
7870 W. Morris Street
Indianapolis, Indiana 46231

Re: Notice and Finding of Violation
Quemetco, Inc.
Indianapolis, Indiana

Dear Mr. Richardson:

The U.S. Environmental Protection Agency is issuing the enclosed Notice of Violation and Finding of Violation (NOV/FOV) to Quemetco, Inc. (Quemetco) under Section 113(a)(1) and (a)(3) of the Clean Air Act (CAA), 42 U.S.C. §§ 7413(a)(1) and (a)(3) of the CAA. We find that you have violated the CAA, the Facility's Title V operating permit, the National Emissions Standards for Hazardous Air Pollutants (NESHAP) General Provisions (40 C.F.R. Part 63, Subpart A), the NESHAP for Secondary Lead Smelting (40 C.F.R. Part 63, Subpart X), and the Indiana State Implementation Plan at your Indianapolis, Indiana facility.

Section 113 of the CAA, 42 U.S.C. § 7413, gives us several enforcement options. 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 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 NOV/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 Nidhi O'Meara from our Office of Regional Counsel. You may call her at (312) 886-0568 or email her at omeara.nidhi@epa.gov 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,

Edward Nam
Acting Director
Air and Radiation Division

Enclosure

cc: Phil Perry, Indiana Department of Environmental Management

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:	)	
	)	
Quemetco, Inc.	)	**NOTICE OF VIOLATION AND**
Indianapolis, Indiana	)	**FINDING OF VIOLATION**
	)	
Proceedings Pursuant to	)	
Sections 113(a)(1) and (a)(3)	)	**EPA-5-16-IN-15**
of the Clean Air Act	)	
42 U.S.C. §§ 7413(a)(1) and (a)(3)	)	

NOTICE AND FINDING OF VIOLATION

The U.S. Environmental Protection Agency is issuing this Notice of Violation and Finding of Violation (NOV/FOV) to Quemetco, Inc. (Quemetco) to notify you that we have found violations of the Clean Air Act (CAA), 42 U.S.C. §§ 7401-7671q, and its implementing regulations at the Quemetco facility located at 7870 W. Morris Street, Indianapolis, Indiana (the Facility). The statutory and regulatory background, factual background, findings of violation, and the environmental impact of these violations are set forth in detail below.

This NOV/FOV is issued in accordance with Sections 113(a)(1) and (a)(3) of the CAA, 42 U.S.C. §§ 7413(a)(1) and (a)(3), which authorize the Administrator to take certain enforcement actions after notifying a person that it is in violation of the CAA. The Administrator has delegated the authority to issue this NOV/FOV to the Regional Administrator, who in turn has re-delegated that authority to the Director of the Air and Radiation Division for Region 5 of the EPA.

Statutory and Regulatory Background

National Emission Standards for Hazardous Air Pollutants

1. Section 112(c) of the CAA, 42 U.S.C. § 7412(c), requires the EPA to publish a list of all categories and subcategories of new and existing "major sources" of hazardous air pollutants (HAPs), and establish emissions standards for the categories and subcategories. These emission standards are known as National Emission Standards for Hazardous Air Pollutants (NESHAP). The EPA codified these standards at 40 C.F.R. Parts 61 and 63.

2. Section 112(a)(1) of the CAA, 42 U.S.C. § 7412(a)(1), defines "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 or more of any HAP, or 25 tons per year or more of any combination of HAPs." *See also* 40 C.F.R. § 63.2.

3. Section 111(a)(3) of the CAA, 42 U.S.C. § 7411(a)(3), defines "stationary source" as "any building, structure, facility, or installation, which emits or may emit any air pollutant." *See*

also Section 112(a)(3) of the CAA, 42 U.S.C. § 7412(a)(3) and 40 C.F.R. § 63.2.

4. Section 112(a)(6) of the CAA, 42 U.S.C. § 7412(a)(6), defines "hazardous air pollutant" as "any air pollutant listed in or pursuant to" Section 112(b) of the CAA, and includes, among other pollutants, lead compounds. *See also* 40 C.F.R. § 63.2.

5. Section 112(i)(3) of the CAA, 42 U.S.C. § 7412(i)(3), prohibits any person subject to a NESHAP from operating an existing source in violation of a NESHAP after its effective date. *See also* 40 C.F.R. §§ 61.05 and 63.4.

The NESHAP General Provisions

6. The General Provisions for the NESHAP are codified at 40 C.F.R. Part 63, Subpart A.

7. 40 C.F.R. § 63.8(c)(2)(i) requires that all continuous monitoring systems, such as differential pressure monitors, be installed such that representative measures of emissions or process parameters from the effective source are obtained.

8. 40 C.F.R. § 63.9(h) requires that the owner or operator of an affected source submit to the Administrator a notification of compliance status.

9. 40 C.F.R. § 63.9(h)(2)(ii) specifies that the notification must be sent before the close of business on the 60th day following the completion of the relevant compliance demonstration activity specified in the relevant standard.

10. 40 C.F.R. § 63.10(b)(1) requires that the owner or operator of an affected source to maintain files of all information required by 40 C.F.R. Part 63 in a form suitable and readily available for expeditious inspection and review.

11. 40 C.F.R. § 63.10(b)(2)(vii) requires that the owner or operator of an affected source maintain relevant records of required measurements needed to demonstrate compliance with a relevant standard (including, but not limited to, 15-minute averages of continuous monitoring system data, raw performance testing measurements, and raw performance evaluation measurements, that support data that the source is required to report).

The NESHAP for Secondary Lead Smelting

12. Pursuant to Section 112 of the CAA, 42 U.S.C. § 7412, the EPA promulgated a NESHAP for Secondary Lead Smelting, which has been amended periodically and is codified at 40 C.F.R. Part 63, Subpart X (the Secondary Lead NESHAP). *See* 60 Fed. Reg. 32587 (June 23, 1995); 62 Fed. Reg. 32216 (June 17, 1997); 64 Fed. Reg. 4572 (January 29, 1999); 64 Fed. Reg. 69643 (December 14, 1999); 70 Fed. Reg. 75320 (December 19, 2005); and 77 Fed. Reg. 555 (January 5, 2012).

13. 40 C.F.R. § 63.541(a) states that an owner or operator of a reverberatory and/or electric furnace is subject to the Secondary Lead NESHAP.

14. 40 C.F.R. § 63.541(b) states that Table 1 of the Secondary Lead NESHAP specifies which provisions of the NESHAP General Provisions, at 40 C.F.R. Part 63, Subpart A, apply to owners and operators that are subject to the Secondary Lead NESHAP under 40 C.F.R. Part 63, Subpart X.

15. 40 C.F.R. § 63.541(c) states that any owner or operator subject to 40 C.F.R. Part 63, Subpart X, is also subject to Title V permitting requirements under 40 C.F.R. Parts 70 or 71, as applicable.

16. 40 C.F.R. § 63.541(d) states that emissions standards in 40 CFR Part 63, Subpart X, apply at all times.

Definitions

17. 40 C.F.R. § 63.542 defines "affected source" in pertinent part as "any of the following sources at a secondary lead smelter: Blast, reverberatory, rotary, and electric furnaces."

18. 40 C.F.R. § 63.542 defines "leeward wall" as "the furthest exterior wall of a total enclosure that is opposite the windward wall."

19. 40 C.F.R. § 63.542 defines "windward wall" as "the exterior wall of a total enclosure that is most impacted by the wind in its most prevailing direction determined by a wind rose using available data from the closest representative meteorological station. When openings into enclosures are not impacted by ambient wind due to the enclosure being part of a larger structure, the owner or operator may designate which wall of the enclosure to define as the windward wall."

20. 40 C.F.R. § 63.542 defines "total enclosure" as "a containment building that is completely enclosed with a floor, walls, and a roof to prevent exposure to the elements and to assure containment of lead bearing material with limited openings to allow access and egress for people and vehicles. The total enclosure must provide an effective barrier against fugitive dust emissions such that the direction of air flow through any openings is inward and the enclosure is maintained under constant negative pressure."

Process Vents Standards

21. 40 C.F.R. § 63.543(f) states that if an affected source does not combine the furnace charging process fugitive emissions with the furnace process emissions, and discharges such emissions to the atmosphere through separate emissions points, the affected source must maintain the total hydrocarbons (THC) concentration in the exhaust gas at or below 20 parts per million by volume, expressed as propane.

22. 40 C.F.R. § 63.543(h) states that following the initial performance or compliance test to demonstrate compliance with the THC emissions limits in 40 C.F.R. § 63.543 (c) and (f), an affected source must conduct an annual performance test for THC emissions from each process vent that has established limits for THC (no later than 12 calendar months following the previous compliance test), unless the affected source installs and operates a continuous emission monitoring system (CEMS) meeting the requirements of 40 C.F.R. § 63.8.

23. 40 C.F.R. § 63.543(l) requires an affected source to submit a signed statement in the Notification of Compliance Status report that indicates that startups and shutdowns are being conducted according to the manufacturer's recommended procedures, if available, and the standard operating procedures are designed to minimize emissions of THC.

Total Enclosure Standards

24. 40 C.F.R. § 63.544(c)(1) requires that a process fugitive emissions source ventilate the total enclosure continuously to ensure negative pressure values of at least 0.013 mm of mercury (0.007 inches of water).

Compliance Dates

25. 40 C.F.R. § 63.546 states that an owner or operator of a reverberatory and/or electric furnace that commenced construction or reconstruction on or before May 19, 2011, must demonstrate compliance with the requirements of 40 C.F.R. Part 63, Subpart X, no later than January 6, 2014.

Test Methods

26. 40 C.F.R. § 63.547(a)(5) specifies that, when testing to determine compliance with lead compound emission standards, facilities must use EPA Method 12 or 29 with a minimum sample volume of 2.0 dry standard cubic meters, or 70 dry standard cubic feet (dscf), for each run.

Monitoring Requirements

27. 40 C.F.R. § 63.548(j) requires an affected source to demonstrate continuous compliance with the THC and D/F emissions standards.

28. 40 C.F.R. § 63.548(j)(1) requires an affected source to install, calibrate, maintain, and continuously operate a device to monitor and record the temperature of the afterburner or furnace exhaust streams consistent with the requirements for continuous monitoring systems in 40 C.F.R. § 63.8.

29. 40 C.F.R. § 63.548(j)(4) states that to demonstrate continuous compliance with the standards for THC and Dioxin and Furans (D/F), the affected source must maintain an afterburner or exhaust temperature such that the average temperature in any 3-hour period does not fall more than 28 °C (50°F) below the average established pursuant to 40 C.F.R. § 63.548(j)(3).

30. 40 C.F.R. § 63.548(k) states that the affected source must install, operate, and maintain a digital differential pressure monitoring system to continuously monitor each total enclosure.

31. 40 C.F.R. § 63.548(k)(1) states that, for buildings with a total ground surface area of 10,000 square feet or more, a minimum of one building digital differential pressure monitoring system must be maintained at the leeward wall, at the windward wall, and at an exterior wall that connects the leeward and windward walls.

Recordkeeping and Reporting Requirements

32. 40 C.F.R. § 63.550(a)(1) requires that records must be maintained in a form suitable and readily available for expeditious review, in accordance with 40 C.F.R. § 63.10(b)(1).

33. 40 C.F.R. § 63.550(c)(5) requires that electronic records of the output from the continuous temperature monitor required in 40 C.F.R. § 63.548(j)(1) are maintained for a period of five years, along with an identification of periods when the 3-hour average temperature fell below the minimum established under 40 C.F.R. § 63.548(j)(4), and an explanation of the corrective actions taken.

34. 40 C.F.R. § 63.550(c)(6) requires that facilities maintain electronic records of the continuous pressure monitors for the total enclosures required in 40 C.F.R. § 63.544(c)(1) for a period of five years.

35. Table 1 of the Secondary Lead NESHAP incorporates 40 C.F.R. §§ 63.4, 63.8(c)(2)(i), 63.9(h), 63.10(b)(1) and 63.10(b)(2)(vii) by reference.

The Indiana State Implementation Plan

36. Section 110 of the CAA, 42 U.S.C. § 7410, requires each state to adopt and submit to the EPA a plan that provides for the implementation, maintenance, and enforcement of primary and secondary NAAQS in the state. Upon approval by the EPA, the plan becomes part of the applicable State Implementation Plan (SIP) for the state. *See also* 40 C.F.R. 52, Subpart P.

37. On March 29, 2007, the EPA approved the Indiana SIP requirement at Title 326 IAC 2-6-3 and 2-6-4 (effective May 29, 2007). 72 Fed. Reg. 14678.

38. The Indiana SIP, at 326 IAC 2-6-3(b)(1), provides that facilities located in Marion County submit, starting in 2005 and every three years thereafter, an emission statement covering the previous calendar year.

39. The Indiana SIP, at 326 IAC 2-6-4(a)(2), requires that the triennial emission statements include estimated actual emissions of Volatile Organic Compounds (VOC). On November 14, 1995, the EPA approved the Indiana SIP requirement at Title 326 IAC 2-7-3 and 2-7-4 (effective December 14, 1995). 60 Fed. Reg. 57188.

40. The Indiana SIP, at 326 IAC 2-7-3, provides that it is unlawful to violate any requirement of a permit issued under Title V or to operate a major source except in compliance with a permit issued by a permitting authority under Title V.

41. The Indiana SIP, at 326 IAC 2-7-4, requires that a source submit a complete permit application which, among other things, identifies all emissions of pollutants for which the source is major and emission rates of all pollutants.

42. The Indiana SIP, at 326 IAC 2-7-4(b), states that any applicant who fails to submit any relevant facts shall, upon becoming aware of the failure or incorrect submittal, promptly submit the supplementary facts or corrected information.

Title V Permit Program

43. Title V of the CAA, 42 U.S.C. §§ 7661-7661f, establishes an operating permit program for major sources of air pollution.

44. In accordance with Section 502(b) of the CAA, 42 U.S.C. § 7661a(b), the EPA promulgated regulations establishing the minimum elements of a Title V permit program to be administered by any air pollution control agency. See 57 Fed. Reg. 32295 (July 21, 1992). Those regulations are codified at 40 C.F.R. Part 70.

45. Section 502(d) of the CAA, 42 U.S.C. § 7661a(d), provides that each state must submit to the EPA a permit program meeting the requirements of Title V.

46. On December 4, 2001, EPA granted Indiana final approval of its Title V CAA Permit Program, effective November 30, 2001. 66 Fed. Reg. 62969. *See also 40 C.F.R. Part 70, Appendix A.*

47. Section 502(a) of the CAA, 42 U.S.C. § 7661a(a), and 40 C.F.R. § 70.7(b) provide that, after the effective date of any permit program approved or promulgated under Title V of the CAA, no source subject to Title V may operate except in compliance with a Title V permit.

48. 40 C.F.R. § 70.5(a) provides that "for each part 70 source, the owner or operator shall submit a timely and complete permit application in accordance with this section."

49. 40 C.F.R. § 70.5(c) provides the information that is to be provided in a permit application for such application to be considered complete. The required information includes all emissions of pollutants for which the source is major, and all emissions of regulated air pollutants. A permit application shall describe all emissions of regulated air pollutants emitted from any emissions unit, except where such units are exempted under 40 C.F.R. § 70.5(c).

50. 40 C.F.R. § 70.5(d) requires that the permit application contain a certification by a responsible official of truth, accuracy, and completeness.

51. 40 C.F.R. § 70.6(b)(1) provides that all terms and conditions in a Title V permit are enforceable by the EPA.

Quemetco Title V Permit Requirements

52. The Facility operates under a Title V Permit, Air Emission Permit No .T097-27020-00079, issued my IDEM on September 13, 2011 (Title V Permit). There were permit modifications on May 15, 2012, October 18, 2012, December 12, 2012, April 11, 2013, September 27, 2013, and significant permit modifications on March 28, 2013, (No. 097-32501-00079) and March 18, 2016 (No. 097-35395-00079).

53. The Title V Permits, at Condition C.18, require that Quemetco submit an emission statement every three years pursuant to 326 IAC 2-6-3(b)(1).

54. The Title V Permits, at Section E.2.2, identify the provisions of the Secondary Lead NESHAP that are applicable to the Facility.

Relevant Factual Background

55. Quemetco owns and operates a secondary lead smelting facility, which includes among other things, a reverberatory furnace, an electric arc furnace, refining kettles and a rotary dryer, located at 7870 W. Morris Street, Indianapolis, Indiana (the Facility).

56. The Facility is therefore subject to the requirements of the Secondary Lead NESHAP (40 C.F.R. Part 63, Subpart X).

57. EPA conducted an inspection of the Facility on or about July 21, 2014, to assess compliance with the CAA.

58. On June 23, 2015, EPA issued an information request to the Facility under Section 114 of the CAA, 42 U.S.C. § 7412, (2015 Information Request).

59. On August 3, September 1, and October 23, 2015, EPA received Quemetco's responses to the 2015 Information Request. On March 21, 2016 and April 20, 2016, Quemetco provided supplemental information to the responses.

Total Enclosure Requirements

60. The total enclosure at the Quemetco facility has a total ground surface area of 10,000 square feet or more.

61. During the inspection, the EPA inspectors observed three differential pressure monitors on the Facility's roof.

62. The EPA inspectors observed that the three differential pressure monitors were contained within boxes that protect the devices from exposure to wind.

63. From January 6, 2014, to present, Quemetco maintained analog circle charts, instead of electronic records, to record the 15-minute rolling average from each total enclosure differential pressure monitor.

64. These records were not in a form that allowed for an expeditious inspection and review of the records to determine compliance with 40 C.F.R. § 63.544(c)(1).

THC Performance Testing

65. The reverberatory furnace charging process fugitive emissions at the Facility are not combined with the furnace process emissions at the Facility.

66. The reverberatory furnace charging process fugitive emissions are discharged to the atmosphere through a separate emission point (BH #41 to Stack 100A).

67. From July 6, 2014, to the present, Quemetco had not performed the initial or annual emissions testing at Stack 100A, as required by 40 C.F.R. § 63.543(h).

THC and D/F Continuous Compliance Demonstration/Monitoring

68. From January 6 to June 30, 2014, Quemetco did not monitor and record the temperature from its exhaust furnace streams, as required by 40 C.F.R. § 63.548(j)(1).

69. From July 1, 2014, to the present, Quemetco maintained analog circle charts, instead of electronic records, to record the 3-hour rolling average temperature measured at each furnace exhaust, as required by 40 C.F.R. § 550(c)(5).

70. These records were not in a form that allowed for an expeditious inspection and review of the records to determine compliance with 40 C.F.R. § 63.548(j)(4).

Notification of Compliance Status

71. From at least September 6, 2014, to the present, Quemetco did not submit a notification of compliance status that indicated that startups and shutdowns were being conducted according to the manufacturer's recommended procedures, as required 40 C.F.R. §§ 63.9(h) and 63.543(l).

Lead Performance Testing

72. From March 10 to March 20, 2014, Quemetco performed emissions testing to demonstrate compliance with lead emission standards at the following emission points:

    a. The exhaust of the reverberatory furnace and the electric arc slag reduction furnace measured at the exhaust from Baghouse #035 and Scrubber #046 (Duct after 046);
    b. The exhaust of the reverberatory furnace and the electric arc slag reduction furnace measured at the duct downstream (Stack 100B);
    c. The General Building Ventilation of bin 10 feed storage area (identified as Stack S-103); and
    d. The General Building Ventilation of slag warehouse dumping bin and slag dump truck loading (identified as GV105).

73. For each of the lead emissions tests listed in paragraph 72, above, the sample volume collected during each run of the test did not meet the minimum volume of 70 dscf, as required by 40 C.F.R. § 63.547(a)(5).

VOC Emissions

74. Quemetco operates a Wet Electrostatic Precipitator (WESP), which collects and controls emissions from a number of sources at the facility including, among others, the reverberatory furnace, the slag reduction furnace, the refinery, and the rotary dryer. The WESP is designed to reduce lead and particulate emissions.

75. Quemetco conducted performance testing at the WESP from April through June 2012.

76. This test measured a THC emission rate of 45.14 pounds per hour (lb/hr), as methane, at the inlet to the WESP, and a THC emission rate of 41.6 lb/hr, as methane, at the WESP stack.

77. These emission rates correspond to an annual VOC (as methane) potential to emit of 197.7 tons per year (tpy) and 182.2 tpy, respectively.

78. Quemetco conducted an additional performance testing at the WESP from August 26 through August 29, 2014.

79. This test measured a THC emission rate, as propane, of 32.84 lb/hr.

80. This emission rate corresponds to an annual VOC (as propane) potential to emit of 143.8 tpy.

81. On June 28, 1996, Quemetco submitted an initial application for a Title V Operating Permit. The application did not include information on VOC emissions for any unit at the facility.

82. On June 27, 2011, Quemetco submitted to IDEM a Triennial Emissions Statement for the reporting year 2010. Quemetco reported the total VOC emissions for the facility as 4.87 tons.

83. On July 1, 2014, Quemetco submitted to IDEM a Triennial Emissions Statement providing the annual emissions for reporting year 2013. Quemetco reported the total VOC emissions for the facility as 5.29 tons.

Findings of Violations

Total Enclosure Requirements

84. From January 6, 2014, to the present, Quemetco violated and continues to violate 40 C.F.R. § 63.548(k)(1) by failing to maintain differential pressure monitoring systems at the leeward wall, the windward wall and at an exterior wall that connects the leeward and windward walls.

85. From January 6, 2014, to the present, Quemetco violated and continues to violate 40 C.F.R. § 63.8(c)(2)(i) because the differential pressure monitors are installed such that representative measures of negative pressure values are not being obtained.

86. From January 6, 2014, to the present, Quemetco violated and continues to violate 40 C.F.R. §§ 63.10(b)(1), 63.550(a)(1), and 63.550(c)(6) by failing to maintain electronic records of the continuous pressure for the total enclosure in a form suitable and readily available for expeditious inspection and review.

THC Performance Testing

87. From July 6, 2014, to the present, Quemetco violated and continues to violate 40 C.F.R.

§ 63.543(h) by failing to perform initial and annual emissions testing to demonstrate compliance with the THC emission limit at 40 C.F.R. § 63.543(f).

THC and D/F Compliance Demonstration/Monitoring

88. From January 6 to June 30, 2014, Quemetco violated 40 C.F.R. § 63.548(j)(1) by failing to monitor and record the temperature from its exhaust furnace streams.

89. From July 1, 2014, to the present, Quemetco violated and continues to violate 40 C.F.R. §§ 63.10(b)(1), 63.10(b)(2)(vii), 63.550(a)(1), and 63.550(c)(5) by failing to maintain electronic records of the 3-hour average temperature measured at each furnace exhaust in a form suitable and readily available for expeditious inspection and review.

Notification of Compliance Status

90. From September 6, 2014, to the present, Quemetco violated 40 C.F.R. §§ 63.9(h) and 63.543(l) by failing to submit a notification of compliance status that indicated that startups and shutdowns were being conducted according to the manufacturer's recommended procedures.

Lead Performance Testing

91. From March 10 through 20, 2014, Quemetco violated 40 C.F.R § 63.547(a)(5) by failing to collect a minimum sample value of 70 dscf for each run to determine compliance with the lead compound standards when performing emissions testing at:

a. The exhaust of the reverberatory furnace and the electric arc slag reduction furnace measured at the exhaust from Baghouse #035 and Scrubber #046 (Duct after 046);
b. The exhaust of the reverberatory furnace and the electric arc slag reduction furnace measured at the duct downstream (Stack 100B);
c. The General Building Ventilation of bin 10 feed storage area (identified as Stack S-103); and
d. The General Building Ventilation of slag warehouse dumping bin and slag dump truck loading (identified as GV105).

VOC Emissions

92. From June 2012 to the present, Quemetco violated and continues to violate 40 C.F.R. § 70.5(a), 70.5(c), and 70.5(d), and 326 IAC 2-7-4 by failing to include VOC emissions, for which the facility is a major source, in its Title V permit application or in any permit modification submitted thereafter.

93. From June 2012 to the present, Quemetco violated 326 IAC 2-6-3(b)(1), 326 IAC 2-6-4(a)(2), and Condition C.18 of the Title V Permits, by underreporting VOC emission from the facility as a whole for reporting year 2013.

Environmental and Health Impacts of Violations

94. Quemetco's violations may have resulted in increased emissions of lead. Lead can affect almost every organ in the body, but is most detrimental to the nervous system. In children, low levels of lead in the blood can result in permanent damage to the brain and nervous system, leading to behavior and learning problems, lower IQ, hearing problems, slowed growth, and anemia. In adults, lead has nervous system effects, cardiovascular effects, and causes decreased kidney function. Lead can also lead to reproductive problems for both men and women and has serious effects on pregnancy and developing fetuses.

95. Quemetco's violations may have resulted in increased emissions of THC and VOCs. These compounds can cause eye, nose, and throat irritation, headaches, loss of coordination, nausea, and damage to the liver, kidney, and central nervous system. VOCs are precursors in the formation of atmospheric and ground-level ozone, a photochemical oxidant associated with a number of detrimental health and environmental effects. Breathing ozone contributes to a variety of health problems including chest pain, coughing, throat irritation, and congestion. It can worsen bronchitis, emphysema, and asthma. Ground-level ozone also can reduce lung function and inflame lung tissue. Repeated exposure may permanently scar lung tissue.

96. Quemetco's violations may have caused increased emissions of D/F. D/F can cause a number of health effects. The most well-known member of the D/F family is 2,3,7,8 TCDD, which is a suspected human carcinogen. In addition, people exposed to D/F have experienced changes in hormone levels. Studies show that animals exposed to D/F experienced changes in their hormone systems, changes in the development of the fetus, decreased ability to reproduce, and suppressed immune system.

9/30/16
Date

Edward Nam
Acting Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Notice of Violation and Finding of Violation, No. EPA-5-16-IN-15 by Certified Mail, Return Receipt Requested, to:

Shane Richardson
Environmental Manager
Quemetco, Inc.
7870 W. Morris Street
Indianapolis, Indiana 46231

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

Mr. Phil Perry, Chief
Air Compliance and Enforcement Branch
Indiana Department of Environmental Management
100 N. Senate Ave.
Mail Code 61-53 IGCN 1003
Indianapolis, IN 46204-2251

On the 30 day of September 2016.

Cathy Jones

for Loretta Shaffer
Program Technician
AECAB, PAS

Certificate Mail Receipt Number: 7009 1680 0000 7646 9654