

AGREED BOARD ORDER NO. 22-04

LOUISVILLE METRO AIR POLLUTION CONTROL BOARD

Case No. ENF-APCD-22-00041

This Order is issued by the Louisville Metro Air Pollution Control Board (Board) pursuant to Kentucky Revised Statutes Chapter 77 (Air Pollution Control). This Agreement is made by and between the Board and DuPont Specialty Products USA, LLC (Company), a Delaware limited liability company, and is effective on the date of its adoption by the Board.

COMPANY: DuPont Specialty Products USA, LLC
4250 Camp Ground Road
Louisville, KY 40216

REGULATION INVOLVED:

District Regulation 2.16: *Title V Operating Permits*

NOTICE OF VIOLATION LETTER:

Case No. ENF-APCD-22-00041, dated October 7, 2022

BACKGROUND AND DISCUSSION:

Company produces vinyl fluoride pursuant to Louisville Metro Air Pollution Control District (District) Title V operating permit O-1912-22-V. Company's Title V operating permit limits multiple pollutants, including opacity, particulate matter, hazardous air pollutants, and air toxics, and requires monitoring, recording, and reporting to demonstrate that air pollution equipment is being operated properly.

On June 7, 2022, Company submitted a Notice of Excess Emission During Upset Conditions notifying the District of a possible emissions event due to observed discrepancies in hydrogen fluoride and vinyl fluoride quantities. On June 21, 2022, Company submitted a follow-up to the Notice of Excess Emissions, notifying that two valves to the scrubber were leaking hydrogen fluoride and vinyl fluoride from May 4, 2022 through June 6, 2022. Once the leak was discovered, a downstream valve was closed to stop the flow to the scrubber and the plant was shut down to replace the leaking valves. Company calculated excess emissions of 57,378 pounds of vinyl fluoride and 249 pounds of hydrogen fluoride. The District alleges the excess emissions of vinyl fluoride violated Company's Title V permit limit of 3,019 pounds for volatile organic compound emissions.

In order to demonstrate compliance, Company provided a list of corrective actions taken and preventative plans that are being implemented to avoid future malfunctions. To fully address the violations of District Regulation 2.16, and as alleged above, the parties agree to this Order assessing against Company an administrative settlement of \$7,500. A public hearing was held

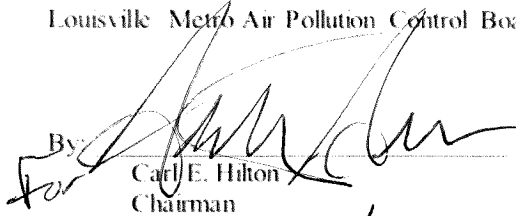
before the Board on this proposed Order. Based upon the information presented at the hearing, the Board determines that the proposed resolution and requirements contained in this Order are reasonable under the circumstances.

NOW, THEREFORE BE IT ORDERED THAT:

1. Company shall pay \$7,500 to the Louisville Metro Air Pollution Control District by January 31, 2023.
2. Company has reviewed this Order and consents to all its requirements and terms. Company agrees to pay the cost of publishing legal notice of the public hearing.
3. In the event that it is necessary for the District to seek a court order to enforce this Order, Company agrees to pay filing fees and costs of such action.
4. This Order fully resolves the violations alleged against Company in Case No. ENF-APCD-22-00041 and alleged above in this Order against Company.
5. Neither this Order nor the actions taken hereunder shall constitute an admission by Company of any wrongdoing regarding any of the matters referenced in this Order.

Louisville Metro Air Pollution Control Board

DuPont Specialty Products USA, LLC

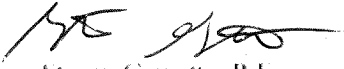
By: 
for Carl E. Hilton
Chairman

By: 
Kristopher Fange
Plant Manager

Date: 2/15/23

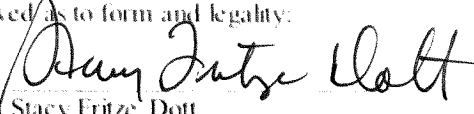
Date: 12/14/2022

Louisville Metro Air Pollution Control District

By: 
Steven Gravatte, P.E.
Compliance and Enforcement Manager

Date: 2/15/23

Approved as to form and legality:

By: 
Stacy Fritze Dott
Assistant County Attorney