

AIR POLLUTION CONTROL DISTRICT OF JEFFERSON COUNTY BOARD ORDER

INCIDENT ID 02188

This order is issued by the Air Pollution Control Board of Jefferson County (Board) pursuant to Kentucky Revised Statutes Chapter 77 AIR POLLUTION CONTROL.

COMPANY: ATOFINA Chemicals, Inc.
4350 Camp Ground Road
Louisville, Kentucky

AFFECTED FACILITY: 4350 Camp Ground Road

REGULATION INVOLVED: Air Pollution Control District of Jefferson County (District) Regulation 2.03 Permit Requirements Non-Title V Construction and Operating Permits and Demolition/Renovation Permits

POLLUTANT: VOC/HAP (methyl methacrylate and ethyl acrylate)

HIGH PRIORITY VIOLATION (HPV): Yes

NOTICE OF VIOLATION LETTER: 01206 dated October 8, 2001

INCIDENT: 02188 dated May 9th, 2000.

BACKGROUND AND DISCUSSION:

District Regulation 2.03 establishes the non-Title V permit requirements of the District.

Company operates an acrylic resin manufacturing facility pursuant to District Operating Permit No. 594-74-0. The permit limits emissions of volatile organic compounds (VOCs) to 4.5 pounds per hour and 19.7 tons per year from the KM1 and KM2 processes. Company became the owner of the facility in June 1998.

During the development of the 1999 emissions inventory, which was the first full year of operation of the facility by Company, readings from a hand-held VOC meter indicated that emissions of methyl methacrylate and ethyl acrylate (both VOCs) from the hub seal vents were potentially greater than previously reported. In May 2000, Company self-reported the exceedance to district and reduced the air flow over the KM1 and KM2 hub seals from approximately 350 cubic feet per minute (high flow rate) each to approximately 100 cubic feet per minute each (reduced flow rate) in order to lower VOC emissions.

During the period June 20 - 22, 2000, Company conducted a stack test that showed the total emissions at the high flow rate to be 10.92 pounds per hour, which exceeds the permit limit by 143%. With the reduced air flow, the stack tests indicate an emission rate of 5.67 lbs/hr, which exceeds the permit limit by 26%.

Company developed a plan to further reduce emissions from the hub seal vents, and on March 23, 2001, District received Company's implementation schedule and request for District's approval of the compliance plan. District approved the compliance plan on August 3, 2001, which provides for full compliance with permit limits by January 10, 2002.

To fully resolve the above-mentioned noncompliance with District Permit No.594-74, the parties agree to this Order requiring Company to pay an administrative settlement of \$65,000 and to bring the facility into compliance by January 10, 2002.

On October 17, 2001, a public hearing was held before the Board on the proposed settlement. Based upon the evidence presented at the hearing, the Board determined that the proposed resolution and requirements are reasonable under the circumstances.

NOW THEREFORE BE IT ORDERED THAT:

1. Company shall pay \$65,000 to District by November 16, 2001.
2. Company shall continue to operate the KM1 and KM2 processes at the reduced flow rate (approximately 100 cubic feet per minute each) until compliance with District Permit No. 594-74 has been demonstrated.
3. Company shall redesign and rebuild the hub seal ventilation system to include new fans and duct work to reduce air flow and VOC emissions to achieve compliance with Permit No. 594-74 in accordance with the following compliance schedule:

<u>Milestone</u>	<u>Completion Date</u>
Design Vent System	Complete
Procure and Install Fan	November 16, 2001
Fabricate and Install Ductwork	December 1, 2001
Program Control Systems	December 6, 2001
<u>Milestone</u>	<u>Completion Date</u>

System Start Up	December 16, 2001
Confirm Air Flow Velocity at less than 100 dscfm (total) for hub seal systems	January 10, 2002
Conduct Stack Test to Verify Compliance with Permit No. 594-74	February 9, 2002
Submit Stack Test Results to District	March 11, 2002

4. Company has reviewed this Order and consents to all its requirements and terms. Further, Company agrees to pay the cost of publishing legal notice on the public hearing.

5. Nothing herein shall be deemed to preclude Company from seeking future permit revisions for physical or operational changes at its facility consistent with District regulations.

6. In the event that it may be necessary for District to seek a court order to enforce this Order, Company agrees to pay filing fees and costs of any such action.

7. Entry of this Order fully resolves, and serves as a release from, all civil liability to District for the noncompliances listed in Incident No. 02188.

8. Company's obligations under this Order shall terminate upon Company's completion of all the requirements described in this Order to the reasonable satisfaction of District. Company shall continue to comply with all District regulations after termination of this Order.

9. Neither this Order nor the actions taken hereunder shall constitute an admission by Company of any wrongdoing regarding any of the matters referenced in the Order.

Dated this 17th day of October, 2001.

AIR POLLUTION CONTROL BOARD
OF JEFFERSON COUNTY

ATOFINA CHEMICALS, INC.

BY: _____
JOSEPH D. VIBBERT
CHAIRMAN

BY: _____
JAMES DUNN
REGIONAL GROUP PRESIDENT

AIR POLLUTION CONTROL DISTRICT
OF JEFFERSON COUNTY

Board Order
ATOFINA Chemicals, Inc.

October 17, 2001
Page 4

BY: _____
JESSE GOLDSMITH
ENGINEERING/ENFORCEMENT MANAGER

APPROVED AS TO FORM AND LEGALITY:
AIR POLLUTION CONTROL DISTRICT
OF JEFFERSON COUNTY

BY: _____
GAYLORD B. BALLARD
ATTORNEY