

AGREED BOARD ORDER

LOUISVILLE METRO AIR POLLUTION CONTROL BOARD

Incident Nos. 02707 and 02731

This order is issued by the Louisville Metro Air Pollution Control Board (Board) pursuant to Kentucky Revised Statutes, Chapter 77 (Air Pollution Control).

COMPANY: Cardinal Aluminum Co.
6910 Preston Hwy.
Louisville, KY 40259-0987

REGULATIONS INVOLVED: 6.09 (Standards of Performance for Existing Process Operations--Standard for Nitrogen Oxides)

NOTICE OF VIOLATION LETTER: No. 01646, dated August 27, 2004.

BACKGROUND AND DISCUSSION:

Cardinal Aluminum Co., (Company) operates an aluminum fabrication plant pursuant to Air Pollution Control District (District) Operating Permit Nos. 401-92-0 and 402-72-0, which require the Company, among other things, to prevent the discharge of visible nitrogen oxide fumes into the atmosphere.

On at least six days between May and August, 2001, the Company allowed visible emissions of nitrogen oxide fumes to be discharged into the atmosphere, in violation of its permit and District Regulation 6.09. On July 30, 2004, NSS Environmental, Inc., submitted a report describing the investigation and corrective actions taken by the Company, which include limiting the surface area of the chemical reaction in the "Brite Dip" tank, adjusting the fume suppressant concentration, developing procedures to monitor the fume suppressant concentration, and adapting the Company's procedures to ensure proper scrubber operation. The District has confirmed that emissions are no longer visible, and the District has received no further complaints.

To fully resolve the violations alleged above of District Operating Permit Nos. 401-92-0 and 402-72-0 and District Regulation 6.09, the parties agree to this Order assessing against the Company an administrative settlement of \$6,750.

NOW THEREFORE, BE IT ORDERED THAT:

1. The Company has paid \$6,750 to the Louisville Metro Air Pollution Control District.

Cardinal Aluminum Co.
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2. The Company has reviewed this Order and consents to all its requirements and terms. Further, the 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, the Company agrees to pay filing fees and costs of such action.

4. This Order fully resolves the violations alleged in District Incident Nos. 02707 and 02731.

Dated this 19th day of January, 2005.

Louisville Metro Air Pollution Control Board:

Cardinal Aluminum Co.:

Karen A. Cassidy
Chair

By: _____
William E. Edwards III
President

Louisville Metro Air Pollution Control
District:

Jesse Goldsmith, P.E.
Engineering/Enforcement Manager

Approved as to form and legality:

Lauren Anderson
Assistant County Attorney