

AGREED BOARD ORDER NO. 13-06

LOUISVILLE METRO AIR POLLUTION CONTROL BOARD

Incident No. 06500

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 Rohm and Haas Chemicals LLC (Company), a Delaware company, and is effective on the date of its adoption by the Board.

COMPANY: Rohm and Haas Chemicals LLC
4300 Camp Ground Road
Louisville, KY 40216

REGULATIONS INVOLVED:

District Regulation 1.07: Excess Emissions During Startups, Shutdowns, and Upset Conditions
District Regulation 2.16: Title V Operating Permits

NOTICE OF VIOLATION LETTER: No. 02504, dated July 26, 2013

BACKGROUND AND DISCUSSION:

Company manufactures specialty chemicals at its facility located on Camp Ground Road pursuant to District Title V Permit No. 157-97-TV (R1). Company's Title V permit requires that emissions for the KAC Production Unit be sent to the Regenerative Thermal Oxidizer (RTO), and the RTO cannot be bypassed for more than 1.2 hours per day. A manual valve leading from the KAC production unit to the RTO was closed for unplanned maintenance work on March 27, 2012. The valve was not returned to service when the maintenance was finished, and operations ran for 12.5 days before the closed valve was found and reopened. This resulted in uncontrolled emissions events each time a transfer of one of the tanks took place, or a truck was loaded at one site. Emissions were released from the fresh air intake on the west side of the north tank farm, and were estimated to be approximately 170 pounds of volatile organic compounds. An excess emissions report was not submitted at the time of the release, but was later reported on October 12, 2012. To prevent recurrence, the Company updated the lockout procedure for this maintenance work and retrained employees on proper reconciliation processes.

To fully address the violations of District Regulations 1.07 and 2.16 alleged above, the parties agree to this Order assessing against Company an administrative settlement of \$19,500. On October 16, 2013, 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 \$19,500 to the Louisville Metro Air Pollution Control District by January 31, 2014.
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 in District Incident No. 06500, and as alleged above in this Order.
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

Rohm and Haas Chemicals LLC

By: Robert W. Powell, M.D.
Robert W. Powell, M.D.
Chairman

By: Todd Brown
Todd Brown
Site Leader

Date: Oct. 16, 2013

Date: 10/10/13

Louisville Metro Air Pollution Control District

By: Paul Aud, P.E.
Paul Aud, P.E.
Air Pollution Control Officer

Date: 10-9-13

Approved as to form and legality:

By: Stacy Fritze Dott
Stacy Fritze Dott
Assistant County Attorney