

AGREED BOARD ORDER NO. 15-05

LOUISVILLE METRO AIR POLLUTION CONTROL BOARD

Incident No. 06725

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 Anderson Wood Products Company (Company), a Kentucky corporation, and is effective on the date of its adoption by the Board.

COMPANY: Anderson Wood Products Company
1381 Beech Street
Louisville, KY 40211

REGULATIONS INVOLVED:

District Regulation 5.02: Adoption and Incorporation by Reference of National Emission Standards for Hazardous Air Pollutants

40 CFR 63, Subpart JJJJJ: National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources

NOTICE OF VIOLATION LETTER: No. 02603, dated April 27, 2015

BACKGROUND AND DISCUSSION:

Company is a manufacturer of hardwood products and is subject to the requirements of Louisville Metro Air Pollution Control District (District) operating permits. On March 17, 2015, the District conducted a site visit to confirm and obtain information regarding Company's compliance with the Area Source Boiler MACT, or 40 CFR 63, Subpart JJJJJ.

The District discovered that Company had failed to submit an initial notification, conduct a performance tune-up, or perform an energy assessment as required by the MACT. In order to demonstrate compliance, Company has submitted its initial notification, and has agreed to conduct a performance tune-up and energy assessment no later than September 30, 2015.

To fully address the violations of District Regulation 5.02 and 40 CFR 63, Subpart JJJJJ alleged above, the parties agree to this Order assessing against Company an administrative

settlement of \$10,000. On September 16, 2015, 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 \$10,000 to the Louisville Metro Air Pollution Control District by September 16, 2015.

2. Company shall conduct a performance tune-up and energy assessment pursuant to 40 CFR 63, Subpart JJJJJJ, no later than September 30, 2015.

3. Company shall submit notification of compliance status of paragraph 2 pursuant to 40 CFR 63.11225(a)(4), no later than October 16, 2015.

4. Company shall pay stipulated penalties in the amount of \$1,000 per month for each month or portion of a month that compliance with paragraph 2 is not achieved.

5. 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.

6. 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.

7. This Order fully resolves the violations alleged in District Incident No. 06725, and as alleged above in this Order against Company.

8. 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

Anderson Wood Products Company

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

By: _____
Sidney Anderson, III
President

Date: _____

Date: _____

Louisville Metro Air Pollution Control District

By: _____
Matt King, P.E.
Compliance and Enforcement Manager

Date: _____

Approved as to form and legality:

By: _____
Stacy Fritze Dott
Assistant County Attorney