

AGREED BOARD ORDER NO. 16-04

LOUISVILLE METRO AIR POLLUTION CONTROL BOARD

Incident No. 06797

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 BYK Additives Inc. (Company), a Kentucky corporation, and is effective on the date of its adoption by the Board.

COMPANY: BYK Additives Inc.
1600 W. Hill Street
Louisville, KY 40210

REGULATIONS INVOLVED:

District Regulation 2.17: Federally Enforceable District Origin Operating Permits

NOTICE OF VIOLATION LETTER: No. 02653, dated April 5, 2016

BACKGROUND AND DISCUSSION:

Company manufactures chemical additives pursuant to Louisville Metro Air Pollution Control District (District) federally-enforceable Operating Permit No. 0073-97-F (R4). Company reported failure to keep monitoring records of certain control equipment from July 2013 through December 2015.

On December 29, 2015, Company submitted a correction to its semiannual compliance reports for July 1, 2013 through June 30, 2015. On February 25, 2016, Company submitted its second semiannual report for 2015. Company reported in these submittals that daily records of pressure drop were not recorded from July 1, 2013 through December 31, 2015, for its dust collectors. Company is required by its permits to monitor and record the pressure drop daily for eight Units. In order to demonstrate compliance, Company reported that daily recording of the pressure drop was begun on January 4, 2016, and that operators have been trained on permit requirements.

To fully address the violations of District Regulation 2.17 alleged above, the parties agree to this Order assessing against Company an administrative settlement of \$6,000. On May 18, 2016, 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 \$6,000 to the Louisville Metro Air Pollution Control District by May 18, 2016.

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. 06797, and as 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

BYK Additives Inc.

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

By: _____
Robert Weis
Engineering Manager

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