

October 18, 2013

CERTIFIED MAIL

Mr. Terry Ulmer
Vice President
Kenton Iron Products, Inc.
347 Vine Street
Kenton, Ohio 43326

Re: Final Findings and Orders for:
violations of Ohio EPA's air pollution
control laws and regulations at Kenton
Iron Products' facility located at 13917
Vision Drive in Kenton

Dear Mr. Ulmer:

Transmitted herewith are the Final Findings and Orders ("Orders") of the Director of Ohio EPA concerning the above-referenced matter.

Please note that the effective date of the Orders is the date that the Orders were entered into the Ohio EPA Director's journal, which is the date that is stamped on the first page of the Orders.

Sincerely,

Bruce D. Weinberg, Manager
Compliance and Enforcement Section
Division of Air Pollution Control

BDW/lg

xc: Carol Hester, PIC
John Paulian, CO/DAPC
Carol Butler, Fiscal Office
Jennifer Jolliff, NWDO
Jim Kavalec, CO/DAPC
Marcus Glasgow, Legal Office

OHIO E.P.A.

OCT 18 2013

BEFORE THE

ENTERED DIRECTOR'S JOURNAL

OHIO ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

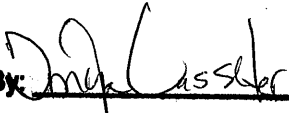
Kenton Iron Products, Inc.
13917 Vision Drive
Kenton, Ohio 43326

: Director's Final Findings
: and Orders

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

PREAMBLE

It is agreed by the parties hereto as follows:

By:  Date: 10-18-13

I. JURISDICTION

These Director's Final Findings and Orders ("Orders") are issued to Kenton Iron Products, Inc. ("Respondent") pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency ("Ohio EPA") under Ohio Revised Code ("ORC") §§ 3704.03 and 3745.01.

II. PARTIES

These Orders shall apply to and be binding upon Respondent and successors in interest liable under Ohio law. No change in ownership of Respondent or of the Facility (as hereinafter defined) shall in any way alter Respondent's obligations under these Orders.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC Chapter 3704 and the regulations promulgated thereunder.

IV. FINDINGS

The Director of Ohio EPA makes the following findings:

1. Respondent owns and operates a grey and ductile iron foundry (Facility ID# 0333010042) located at 13917 Vision Drive, in Kenton, Ohio (Hardin County).
2. In 2002, Ohio EPA discovered that Respondent had failed to obtain permits-to-install (PTIs) and permits-to-operate (PTOs) for numerous emissions units (EUs) at this facility, in violation OAC Rules 3745-31-02 and former 3745-35-02, and ORC § 3704.05(G). On August 17, 2006, Respondent submitted PTI applications to Ohio EPA.

On June 10, 2008, Ohio EPA issued PTIs 03-17447 and 03-17197 to Respondent for EU P005 (mold making operation - Mixer VMX 1) and EU F004 (Pangborn shotblast unit). EUs P005 and F004 are "air contaminant sources," as defined in OAC Rules 3745-15-01(C) and (X).

3. On July 21, 2011, Ohio EPA conducted an inspection at the facility and determined that Respondent had permanently shut down emissions units P005 and F004 and replaced them with a larger capacity shotblast unit and a mold making operation (EUs P006 and F008) without first obtaining a permit-to-install and operate (PTIO), in violation of OAC Rule 3745-31-02 and ORC § 3704.05(G). By letter dated August 25, 2011, Ohio EPA notified Respondent of the violations and the need to submit PTIO applications for these emissions units within 30 days.

4. On September 23, 2011, Respondent submitted a PTIO application for EU F008. On October 3, 2011, Ohio EPA notified Respondent that the PTIO application was determined to be technically incomplete. By letter dated December 22, 2011, Ohio EPA notified Respondent that the PTIO application for EU F008 was being returned based upon the fact that Respondent had failed to address the deficiencies in the original PTIO application. In addition, Ohio EPA notified Respondent that it was still operating EUs P006 and F008 without a PTIO, in violation of OAC Rule 3745-31-02 and ORC § 3704.05(G).

5. On May 25, 2012, Ohio EPA received complete PTIO applications for EUs P006 and F008. On April 11, 2013, PTIOs P0109931 and P0110117 were issued for EUs P006 and F008.

6. The Director has given consideration to, and based his determination on, evidence relating to the technical feasibility and economic reasonableness of complying with the following Orders and their benefits to the people of the State to be derived from such compliance.

V. ORDERS

The Director hereby issues the following Orders:

1. Respondent shall pay the amount of six thousand two hundred and thirty-six dollars (~~\$6,236~~) in settlement of Ohio EPA's claims for civil penalties, which may be assessed pursuant to ORC Chapter 3704. Within thirty (30) days after the effective date of these Orders, payment to Ohio EPA shall be made by an official check made payable to "Treasurer, State of Ohio" for five thousand dollars (\$5,000) of the total amount [split to Fund 6960 and Fund 6A10]. The official check shall be submitted to Carol Butler, or her successor, together with a letter identifying the Respondent, to:

Ohio EPA
Office of Fiscal Administration
50 West Town Street, Suite 700
P.O. Box 1049
Columbus, Ohio 43216-1049

2. In lieu of paying the remaining one thousand two hundred and thirty-six dollars (\$1,236) of the civil penalty, Respondent shall, within thirty (30) days of the effective date of these Orders, fund a Supplemental Environmental Project ("SEP") by making a contribution in the amount of \$1,236 to the Ohio EPA's Clean Diesel School Bus Program Fund (Fund 5CD0). Respondent shall tender an official check made payable to "Treasurer, State of Ohio" for \$1,236. The official check shall be submitted to Carol Butler, or her successor, together with a letter identifying the Respondent and Fund 5CD0, to the above-stated address.

3. A copy of each of the above checks shall be sent to Bruce Weinberg, Environmental Manager, Enforcement Section, or his successor, at the following address:

Ohio EPA
Division of Air Pollution Control
50 West Town Street, Suite 700
P.O. Box 1049
Columbus, Ohio 43216-1049

4. Should Respondent fail to fund the SEP within the required time frame set forth in Order 2, Respondent shall immediately pay to Ohio EPA \$1,236 of the civil penalty in accordance with the procedures in Order 1.

VI. TERMINATION

Respondent's obligations under these Orders shall terminate upon Ohio EPA's receipt of the official checks required by Section V of these Orders.

VII. OTHER CLAIMS

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership or corporation, not a party to these Orders, for any liability arising from, or related to, operations by Respondent.

VIII. OTHER APPLICABLE LAWS

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, State and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Respondent.

IX. MODIFICATIONS

These Orders may be modified by agreement of the parties hereto. Modifications shall be in writing and shall be effective on the date entered in the journal of the Director of Ohio EPA.

X. NOTICE

All documents required to be submitted by Respondent pursuant to these Orders shall be addressed to:

Ohio Environmental Protection Agency
347 North Dunbridge Road
Bowling Green, Ohio 43402
Attn: Mark Budge

and to:

Ohio Environmental Protection Agency
Division of Air Pollution Control
50 West Town Street, Suite 700
P.O. Box 1049
Columbus, Ohio 43216-1049
Attn: Bruce Weinberg

or to such persons and addresses as may hereafter be otherwise specified in writing by Ohio EPA.

XI. RESERVATION OF RIGHTS

Ohio EPA and Respondent each reserve all rights, privileges and causes of action, except as specifically waived in Section XII of these Orders.

XII. WAIVER

In order to resolve disputed claims, without admission of fact, violation or liability, and in lieu of further enforcement action by Ohio EPA for only the violations specifically cited in these Orders, Respondent consents to the issuance of these Orders and agrees to comply with these Orders. Compliance with these Orders shall be a full accord and satisfaction for Respondent's liability for the violations specifically cited herein.

Respondent hereby waives the right to appeal the issuance, terms and conditions, and service of these Orders, and Respondent hereby waives any and all rights Respondent may have to seek administrative or judicial review of these Orders either in law or equity.

Notwithstanding the preceding, Ohio EPA and Respondent agree that if these Orders are appealed by any other party to the Environmental Review Appeals Commission, or any court, Respondent retains the right to intervene and participate in such appeal. In such an event, Respondent shall continue to comply with these Orders notwithstanding such appeal and intervention unless these Orders are stayed, vacated or modified.

XIII. EFFECTIVE DATE

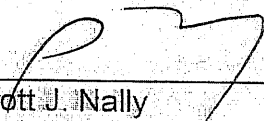
The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

XIV. SIGNATORY AUTHORITY

Each undersigned representative of a party to these Orders certifies that he or she is fully authorized to enter into these Orders and to legally bind such party to these Orders.

ORDERED AND AGREED:

Ohio Environmental Protection Agency



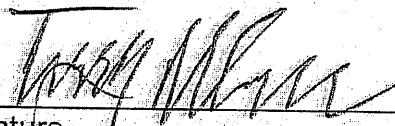
Scott J. Nally
Director

10/10/13

Date

AGREED:

Kenton Iron Products, Inc.



Signature

Terry Oliver

Printed or Typed Name

10-15-13

Date

Vice President

Title