



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

July 25, 2017

CERTIFIED MAIL

Mr. John Simon
President
Decorative Paint Incorporated
700 Randolph Street
Montpelier, Ohio 43543


Re: Final Findings and Orders for air pollution
violations

Dear Mr. Simon:

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,



James Kavalec, Manager
Compliance/Enforcement Section
Division of Air Pollution Control

ec: James Lee, PIC
Kara Philibin, DAPC
Lee Tullis, DAPC
Kim Rhoads, Legal
John Paulian, DAPC
Mark Budge, DAPC-NWDO
Andrea Moore, DAPC-NWDO

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

Ohio EPA JUL 25 '17
Entered Directors Journal

In the Matter of:

Decorative Paint Incorporated
700 Randolph Street
Montpelier, Ohio 43543

:
:
:

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:

I. JURISDICTION

By: Danya Lassiter Date: 7-25-17

These Director's Final Findings and Orders ("Orders") are issued to Decorative Paint Incorporated ("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 BOUND

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 rules promulgated thereunder.

IV. FINDINGS

The Director of Ohio EPA ("Director") makes the following findings:

1. Respondent owns and operates an automotive parts manufacturing and painting facility ("the facility") located at 700 Randolph Street, Montpelier, Williams County, Ohio (facility ID: 0386000027). This facility is a Title V source as defined in Ohio Administrative Code ("OAC") Rule 3745-77-01(PP).
2. The following emissions units ("EUs") at the facility are the subject of these Orders and are subject to Ohio EPA rules and regulations. These EUs are paint booths that emit volatile organic compounds ("VOCs") and organic hazardous air pollutants ("HAPs").

EUs ID	Company Description	Date Installed
K001	A-line paint booth 6	09/01/1989
K028	A-line paint booth 1	09/01/1989
K029	A-line paint booth 2	09/01/1989
K030	A-line paint booth 3	09/01/1989
K031	A-line paint booth 4	09/01/1989
K032	A-line paint booth 5	09/01/1989
K034	C-line paint booth	09/01/1989
K039	Test paint booth	09/01/1989
K040	D-line paint booth 1	09/01/1989
K041	B-line paint booth	09/01/1989
K043	D-line paint booth 2	09/01/1989
K044	D-line paint booth 3	09/01/1989

3. The National Emission Standards for Hazardous Air Pollutants for Source Categories: Surface Coating of Plastic Parts and Products (40 CFR Part 63, Subpart PPPP) requires, in part, the owner or operator of an existing general use coating affected source to limit organic HAPs emissions to no more than 0.16 pound ("lb") of organic HAPs emitted per lb coating solids used during each 12-month compliance period.

4. The requirements of 40 CFR Part 63, Subpart PPPP are incorporated in Respondent's Title V permit number P0117001 for the facility.

5. ORC § 3704.05(C) prohibits any person who is a holder of a permit issued by the Director pursuant to ORC § 3704.03 from violating any of its terms and conditions.

6. ORC § 3704.05(J)(2), in part, prohibits any person from violating any applicable requirement of a Title V permit.

7. 40 CFR Part 63, Subpart PPPP and the Title V permit require Respondent to submit semiannual compliance reports to Ohio EPA. The 2006 first semiannual compliance report was received on August 1, 2016 and the 2006 second semiannual compliance report was received on January 31, 2017. The reports stated that Respondent accepted a new job that required the use of high HAPs coatings. The following table shows that Respondent has exceeded the lb of organic HAPs emitted per lb coating solids limit since June 2016.

Month	Monthly Average (lb/lb)	Rolling 12-month average (lb/lb)	Exceedance (lb/lb)
06-16	0.2300	0.1700	0.0100
07-16	0.1900	0.1717	0.0117
08-16	0.2300	0.1758	0.0158
09-16	0.2800	0.1850	0.0250
10-16	0.2900	0.1950	0.0350
11-16	0.2500	0.2025	0.0425
12-16	0.2300	0.2083	0.0483
01-17	0.2105	0.2125	0.0525
02-17	0.1957	0.2164	0.0564
03-17	0.2249	0.2218	0.0618
04-17	0.2372	0.2290	0.0690
05-17	0.1495	0.2265	0.0665

8. Respondent allowed for the emission of excess amount of HAPs, in violation of 40 CFR Part 63, Subpart PPPP, Title V permit number P0117001, ORC § 3704.05(C), and ORC § 3704.05(J)(2).

9. On August 26, 2016, Ohio EPA's Northwest District Office ("NWDO") sent a notice of violation ("NOV") letter to Respondent for exceeding the HAPs emission rate from several EUs at the facility. The NOV requested Respondent to submit a plan and schedule for achieving compliance.

10. On September 26, 2016, NWDO received Respondent's response to the NOV. Respondent stated that it is considering either switching to low HAPs coatings or installing a thermal oxidizer unit to resolve the violations.

11. On December 28, 2016, Respondent stated that it decided to pursue the low HAPs coating compliance option; however, implementation of the new coatings was not scheduled until June 2017 to allow for conducting tests of the new coatings.

12. On May 31, 2017, Respondent relayed to Ohio EPA that, due to several issues with their customer as well as the subsequent end customers, the implementation of the new coatings will be further delayed until December 31, 2017.

13. 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 relation to benefits to the people of the State to be derived from such compliance.

V. ORDERS

The Director hereby issues the following Orders:

1. Within seven (7) days of the effective date of these Orders, Respondent shall provide a report to Ohio EPA detailing the process changes that are being implemented at the facility to assist with the reduction in HAPs emissions.
2. On or before December 31, 2017, Respondent shall complete the implementation of the new low HAPs coatings, and shall provide Ohio EPA with documentation evidencing the use of the new low HAPs coatings.
3. Until Order No. 2 is complied with, Respondent shall submit by the 5th of every month the HAPs results for the month, including the current rolling twelve-month compliance period average.
4. Commencing in January 2018, Respondent's monthly average of the HAPs emissions from the facility shall not exceed 0.16 lb of organic HAPs emitted per lb coating solids.
5. All of the submittals in Order Nos. 1 through 3 shall be made in accordance with Section X of these Orders.
6. Respondent shall pay the amount of thirty-one thousand five hundred dollars (\$31,500) 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 thirty-one thousand five hundred dollars (\$31,500). 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
P.O. Box 1049
Columbus, Ohio 43216-1049

VI. TERMINATION

Respondent's obligations under these Orders shall terminate when Respondent certifies in writing and demonstrates to the satisfaction of Ohio EPA that Respondent has performed all obligations under these Orders, these obligations have been embedded in operation permits, and the Chief of Ohio EPA's Division of Air Pollution Control acknowledges, in writing, the termination of these Orders. If Ohio EPA does not agree

that all obligations have been performed, then Ohio EPA will notify Respondent of the obligations that have not been performed, in which case Respondent shall have an opportunity to address any such deficiencies and seek termination as described above.

The certification shall contain the following attestation: "I certify that the information contained in or accompanying this certification is true, accurate and complete."

This certification shall be submitted by Respondent to Ohio EPA and shall be signed by a responsible official of Respondent. For purposes of these Orders, a responsible official is as defined in OAC Rule 3745-33-03(F)(1) for a corporation, or a corporate officer who is in charge of a principal business function of Respondent.

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 EPA
Northwest District Office
347 North Dunbridge Road
Bowling Green, Ohio 43402
Attn: Andrea Moore

and to:

Ohio EPA
Division of Air Pollution Control
P.O. Box 1049
Columbus, Ohio 43216-1049
Attention: Jim Kavalec, Manager
Compliance and Enforcement Section

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



Craig W. Butler
Director

7/23/17
Date

AGREED:

Decorative Paint Incorporated



Signature

07-10-17
Date

JOHN J. SIMON
Printed or Typed Name

PRESIDENT
Title