



Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

November 5, 2021

CERTIFIED MAIL

Don Kaufman
Plant Director
Core Molding Technologies, Inc.
800 Manor Park Drive
Columbus, Ohio 43228

Re: Final Findings and Orders for air pollution violations

Dear Mr. Kaufman:

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,

A handwritten signature in black ink, appearing to read "James Kavalec", with a long horizontal flourish extending to the right.

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

ec: Tan Tran, DAPC
Kelly Toth/Stephanie Habinak/Mary Stone, CDO
Steve Feldmann, Legal Office

BEFORE THE

By:  Date: _____

OHIO ENVIRONMENTAL PROTECTION AGENCY

11/5/2021

In the Matter of:

Core Molding Technologies, Inc.	:	<u>Director's Final Findings</u>
800 Manor Park Drive	:	<u>and Orders</u>
Columbus, Ohio 43228	:	

PREAMBLE

It is agreed by the parties hereto as follows:

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to Core Molding Technologies, 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 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 makes the following findings:

1. Respondent is a manufacturer of sheet molding compound and a molder of fiberglass reinforced thermoset and thermoplastic materials. Respondent owns and operates a facility (Facility ID#0125041046) located at 800 Manor Park Drive, in Columbus, Ohio (Franklin County). At this facility, among other emissions units (EUs), Respondent operates Sheet Molding Compound ("SMC") Line #1 (EU P007), SMC Line #2 (EU P062), paint booths (K002, K004, R009 and R011), and the thermoset presses (EUs: P005, P008-P018, P043 and P044). The Permits to Install ("PTIs") P0110176, PTI P0107106, PTI P109323, PTI P0124609, PTI P0122171, and PTI P0108636 for these paint booths and thermoset presses were issued on July 17, 2012, December 22, 2010, February 16, 2012, July 30, 2018, February 24, 2017, and October 11, 2011, respectively. The current Title V Operating Permit ("TVPTO") P0122191 for this facility was issued on August 20, 2018 and has the expiration date of September 10, 2023.

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

3. ORC § 3704.05(G) states that no person shall violate any order, rule, or determination of the Director issued, adopted, or made under ORC Chapter 3704. OAC Rule 3745-21-25 was adopted by the Director pursuant to ORC Chapter 3704.

4. Terms and conditions of TVPTO P0122191 for EU P007 and EU P062 requires Respondent to conduct emission testing within 5 years of the most recent test (October 29, 2015). Therefore, the deadline for Respondent to complete the required test was October 29, 2020.

5. Terms and conditions of TVPTO P0122191 for EU P007 and EU P062 state that "the permittee shall operate a volatile organic compound ("VOC") emission control system that reduces the VOC emissions from the SMC manufacturing machine by at least 95% by weight."

6. Terms and conditions of TVPTO P0122191 and PTI P0122171 require Respondent to not use cleaning solvents that have a VOC content greater than 0.42 lbs VOC per gallon, except cleaners used in closed systems and used to clean cured resin from application equipment for EU P007 and EU P062.

7. Terms and conditions of TVPTO P0122191 and PTI P0108636 require Respondent to collect and record the following information for each of all the thermoset presses (EU P005, EU P008 - EU P018, EU P043 and EU P044):

- a) the company identification for the material(s) employed (i.e., sheet molding compound ("SMC"), in-mold compound ("IMC"), and mold release ("MR");
- b) the mass of SMC, IMC, and MR, as employed, in pounds;
- c) the VOC content of each material, in pound of VOC per pound of material;
- d) the VOC emission rate for SMC, IMC and MR, in pounds of VOC per day; and
- e) the VOC emission rat for SMC, IMC, and MR, in pounds of VOC per day (i.e., the summation of the pounds per day VOC emission rates for SMC, IMC and MR).

8. OAC Rule 3745-31-05(D)(1)(b), in part, specifies that the Director of Ohio EPA may impose such special terms and conditions in a permit-to-install or permit-to-install/operate ("PTIO") or Federally Enforceable PTIO as are appropriate or necessary to ensure compliance with the applicable laws and to ensure adequate protection of environmental quality.

9. On January 6, 2021, Respondent began VOC emissions testing for both EU P007 and EU P062. Based on the data gathered during the testing, Respondent reported the average reduction rate from the RTO was 88% which did not meet the allowable limit of 95% reduction by weight. Since these average measured values did not meet the allowable limit, Respondent was in violation of the Permit Standard terms and conditions of TVPTO

P0122191 for EU P007 and EU P062, OAC Rule 3745-31-05(D)(1)(b), and ORC § 3704.05(C) and (G). Respondent stopped the testing because of multiple issues with the process lines and the declining state of the RTO. Further, Respondent was in violation of the Permit Standard terms and conditions of TVPTO P0122191 for EU P007 and EU P062, OAC Rule 3745-31-05(D)(1)(b), and ORC § 3704.05(C) and (G) when it failed to conduct testing by October 29, 2020 and did not submit a request for a stack test extension.

10. On January 12, 2021, Central District Office, Division of Air Pollution Control ("CDO-DAPC") issued Respondent a notice of violation ("NOV") letter for the testing violations outlined in Findings #4 and #9.

11. On November 6, 2020, November 10, 2020, and December 1, 2020, CDO-DAPC conducted virtual site visit inspections at Respondent's facility. During these inspections, CDO-DAPC documented the followings: (1) Respondent's failure to comply with the work practice standards as identified in Finding #6 for EU P007 and EU P062, in violation of the terms and conditions of TVPTO P0122191 and PTI P0122171, OAC Rule 3745-31-05(D)(1)(b), and ORC § 3704.05(C), (G) and (J); and (2) Respondent's failure to maintain records as identified in Finding #7 for the thermoset presses (EU P005, EU P008 - EU P018, EU P043 and EU P044) from June 1, 2018 through August 27, 2020, in violation of the Terms and conditions of TVPTO P0122191 and PTI P0108636, OAC Rule 3745-31-05(D)(1)(b), and ORC § 3704.05(C), (G) and (J).

12. On February 11, 2021, CDO-DAPC issued Respondent a NOV letter for the violations outlined in Finding #11.

13. As of end of April of 2021, Respondent had not corrected any of the record-keeping and work-practice violations identified in Finding #11. Respondent has made repairs to the RTO, cleaned the ductwork, and hired contractors to resolve remaining issues with the RTO in order to plan for a future re-test. Respondent submitted an intent-to-test notification for a re-test of EUs P007 and P062 on July 9, 2021.

14. On July 27 and 28, 2021, Respondent conducted and passed the stack test for EUs P007 and P062. According to CDO-DAPC, as of August of 2021, Respondent has rectified all the violations as outlined in Findings #4 through #7, and its facility is currently in compliance with all of its applicable permit requirements.

15. The Director has given consideration to, and based her 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. Respondent shall pay the amount of forty thousand dollars (\$40,000) 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" forty thousand dollars (\$40,000). The official check shall be submitted to Carol Butler, or her successor, together with a letter identifying 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 upon Ohio EPA's receipt of the official check 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 Respondents pursuant to these Orders shall be addressed to:

Ohio EPA – Central District Office
Division of Air Pollution Control
P.O. Box 1049
Columbus, Ohio 43216-1049
Attention: Kelly Toth

and to:

Ohio EPA
Division of Air Pollution Control
P.O. Box 1049
Columbus, Ohio 43216-1049
Attn: 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 Respondents 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



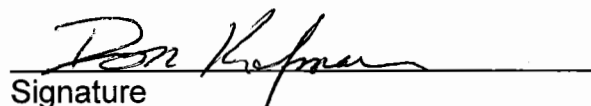
Laurie A. Stevenson
Director

11/5/2021

Date

AGREED:

Core Molding Technologies, Inc.


Signature

10-19-21

Date

Don KAUFMAN

Printed or Typed Name

Plant Director

Title