



January 24, 2024

Mr. Matt Jackson  
Core Molding Technologies, Inc.  
800 Manor Park Drive  
Columbus, Ohio 43228

Re:    Final Findings and Orders for air pollution  
      violations

Dear Mr. Jackson:

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 that reads "Joshua S. Koch".

Joshua S. Koch, Manager  
Compliance/Enforcement Section  
Division of Air Pollution Control

ec:    James Kavalec/Zachary Peterson/Tan Tran, DAPC-CO  
      Stephanie Habinak/Mary Stone, DAPC-CDO  
      Steve Feldmann/Drew Bergman, Legal Office

BEFORE THE

OHIO ENVIRONMENTAL PROTECTION AGENCY

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	:	

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: 01/24/2024

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), and SMC Line #2 (EU P062), paint booths (K002, K004, R009 and R011), Calcium Carbonate Storage Silo (EU P006), and the thermoset presses (EUs: P005, P008-P018, P043 and P044). The Permit to Install ("PTI") PTI P0122171 for EUs P007 and P062 was issued on February 24, 2017. The PTI for EU P006 was issued on July 17, 2012. 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. Ohio Administrative Code ("OAC") Rule 3745-21-25 was adopted by the Director pursuant to ORC Chapter 3704.

4. OAC Rule 3745-15-06(B)(1) states that, in the event that any emission source, air pollution control equipment, or related facility breaks down in such a manner as to cause the emission of air contaminants in violation of any applicable law, the person responsible for such equipment shall immediately notify the Ohio EPA District Office or delegate agency of such failure or breakdown. If the malfunction continues for more than seventy-two hours, the source owner or operator shall provide a written statement to the Director within two weeks of the date the malfunction occurred.

5. OAC Rule 3745-15-06(B)(2) states that the Ohio EPA District Office or delegate agency shall be notified when the condition causing the failure or breakdown has been corrected and the equipment is again in operation. Notification of the correction of the condition causing the failure or breakdown may be given verbally if the duration of the malfunction is seventy-two hours or less. Otherwise, such notification shall be in writing.

6. OAC Rule 3745-17-07(A)(1)(a) states that, except as otherwise specified in paragraph (A)(1)(b), (A)(2) and (A)(3) of this rule, visible particulate emissions from any stack shall not exceed twenty percent opacity, as a six-minute average.

7. OAC Rule 3745-21-25(D)(8) states that, except where exempted under paragraph (D)(9) of this rule, any owner or operator of a SMC manufacturing machine shall install and operate a volatile organic compound ("VOC") emission control system that reduces the VOC emissions from the SMC manufacturing machine by at least ninety-five percent by weight (i.e., an overall control efficiency of at least ninety-five percent by weight).

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. Term A.5 of PTI P0122171 for EUs P007 and P062 states that the malfunction, i.e., upset, of any emissions units or any associated air pollution systems(s) shall be reported to the Ohio EPA, Central District Office, Division of Air Pollution Control ("CDO-DAPC") in accordance with the paragraph (B) of OAC Rule 3745-15-06. (The definition of an upset condition shall be the same as that used in OAC Rule 3745-16-06(B)(1) for a malfunction.) The verbal and written reports shall be

submitted pursuant to OAC Rule 3745-15-06. Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s).

10. Terms C.1.b)(2)g. and C.2.d)(2) of PTI P0122171 for EUs P007 and P062 state that the combustion temperature within the regenerative thermal oxidizer ("RTO"), when the emissions unit is in operation, shall not be more than 50 degrees Fahrenheit below the average temperature during the most recent emission test that demonstrated that the emissions unit was in compliance. The same condition appears in terms C.2.b)(2)g and C.4.d)(2) of the Title V permit P0122191. Based on the emission test conducted on July 28 and 29, 2021, the combustion temperature within the RTO shall not be less than 1575 degrees Fahrenheit.

11. Term C.1.b)(2)b of PTI P0122171 and term C.2.b)(2)b of the Title V permit P0122191 for EUs P007 and P062 state that the permittee shall operate a VOC emission control system that reduces the VOC emissions from the SMC manufacturing machine by at least 95% by weight.

12. Term C.1.d)(6)b of PTI P0110176 and term C.1.d)(6) of the Title V permit P0122191 for EU K002 requires, in part, that Respondent to maintain monthly records of the following information:

- a. the coating usage for each month in gallons,
- b. the total monthly VOC emissions, in tons,
- c. the rolling, 12-month summation of the coating usage figures, in gallons,  
and,
- d. the rolling, 12-month VOC emissions in tons.

13. Term A.27 of the Title V permit P0122191 for EUs P007 and P062 states that the malfunction of any emissions units or any associated air pollution control system(s) shall be reported to the appropriate Ohio EPA District Office or local air agency in accordance with paragraph (B) of OAC Rule 3745-15-06. Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s).

14. On October 5, 2022, Ohio EPA, Central District office, Division of Air Pollution Control ("CDO-DAPC") received a voicemail from Respondent concerning a malfunction of the RTO controlling EUs P007 and P062. According to the information provided by Respondent, Respondent: (1) failed to immediately notify CDO-DAPC of the malfunctions of the RTO for EUs P007 and P062 that occurred on the following dates in 2022: July 11<sup>th</sup>, September 5<sup>th</sup>-6<sup>th</sup>, and September 25<sup>th</sup>-October 1<sup>st</sup>, and October 6<sup>th</sup>; (2) failed to submit a written notification of the malfunction within two weeks of occurrence for the malfunctions lasting longer than 72 hours; and (3) failed to shutdown EUs P007 and P062 during the malfunctions of the RTO controlling these emissions units. Based on these facts, Respondent was in violation of OAC Rules 3745-15-06(B)(1) and (2), and 3745-31-

05(D)(1)(b), Term A.5 of PTI P0122171, Term A.27 of the Title V permit P0122191, and ORC § 3704.05(C), (G) and (J).

15. Also, based on the information obtained by CDO-DAPC, Respondent failed to reduce the VOC emissions from EUs P007 and P062 at least 95% by weight on the following dates in 2022: July 11<sup>th</sup>, September 5<sup>th</sup>-6<sup>th</sup>, September 25<sup>th</sup>-October 1<sup>st</sup>, and October 6<sup>th</sup>, in violation of OAC Rules 3745-21-25(D)(8), and 3745-31-05(D)(1)(b), terms C.1.b)(2)b and C.2.b)(2)a of PTI P0122171, terms C.2.b)(2)b and C.4.b)(2)b of the Title V permit P0122191, and ORC § 3704.05(C), (G) and (J).

16. In addition, Respondent failed to maintain the combustion temperature within the RTO controlling EUs P007 and P062 at or above 1575 degrees Fahrenheit on the following dates in 2022: July 11<sup>th</sup>, September 5<sup>th</sup>-6<sup>th</sup>, September 25<sup>th</sup>-October 1<sup>st</sup>, and October 6<sup>th</sup> in violation of OAC Rule 3745-31-05(D)(1)(b), terms C.1.b)(2)g. and C.2.d)(2) of PTI P0122171, terms C.2.b)(2)g and C.4.d)(2) of the Title V permit P0122191, and ORC § 3704.05(C), (G) and (J).

17. On November 14, 2022, CDO-DAPC issued Respondent a notice of violation ("NOV") letter for the violations outlined in Findings #14 through #16.

18. On November 22 and December 14, 2022, Respondent responded to CDO-DAPC's November 14, 2022 NOV. In these responses, Respondent submitted various documents indicating that personnel training and internal malfunction response plans to prevent future RTO malfunctions for the operation of EUs P007 and P062, had been updated.

19. On April 13, 2023, CDO-DAPC conducted a Full Compliance Evaluation site visit at Respondent's facility. During this site visit, CDO-DAPC documented ten (10) work-practice and record-keeping deficiencies/violations associated with Respondent's facility as required by PTI P0122171 and Title V permit P0122191. As a result, on July 6, 2023, CDO-DAPC issued Respondent a NOV letter for these violations.

20. On August 7, 2023, Respondent responded to CDO-DAPC's April 13, 2023 NOV letter. In its response, Respondent outlined steps that the company has taken to correct the violations as outlined in the April 13, 2023 NOV letter.

21. On October 18 and November 1, 2023, CDO-DAPC conducted site visits at Respondent's facility. During these sites visits, CDO-DAPC documented: (1) Respondent failed to maintain required records for EU K002, in violations of the term C.1.d)(6)b of PTI P0110176 and term C.1.d)(6) of the Title V permit P0122191, and ORC § 3704.05(C) and (J), and (2) Respondent exceeded the twenty percent opacity limit by using Method 9 for EU P006, in violation of OAC Rule 3745-17-07(A)(1)a) and ORC § 3704.05(G).

22. On November 8, 2023, CDO-DAPC conducted another site visit at Respondent's facility. At this site visit, CDO-DAPC documented that all outstanding violations had been resolved

and that Respondent's facility is currently in compliance with all applicable rules and regulations.

23. 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:

Respondent shall pay the amount of fifty-eight thousand dollars (\$58,000) 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" fifty-eight thousand dollars (\$58,000). 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: Stephanie Habinak

and to:

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



January 24, 2024

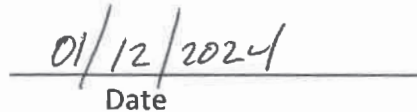
\_\_\_\_\_  
Anne M. Vogel  
Director

Date

**AGREED:**

**Core Molding Technologies, Inc.**

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Printed or Typed Name

  
\_\_\_\_\_  
Printed or Typed Name



Title