



April 22, 2024

Mr. Timothy Ryan
Corporate Quality & Compliance Manager
Rohrer Corporation
717 Seville Rd.
Wadsworth, Ohio 48281

Re: Final Findings and Orders for air pollution
violations

Dear Mr. Ryan:

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: Jim Kavalec/Zachary Peterson, DAPC
Steve Feldmann/Drew Bergman, Legal Office
Laura Miracle/Sean Vadas/Sam Rubens, Akron RAQMD

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.

By: Arando J. Paston Date: 04/19/2024

BEFORE THE

OHIO ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

Rohrer Corporation	:	<u>Director's Final Findings</u>
717 Seville Rd.	:	<u>and Orders</u>
Wadsworth, Ohio 48281	:	

PREAMBLE

It is agreed by the parties hereto as follows:

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to Rohrer Corporation (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 owns and operates a printing and coating facility (Facility ID# 1652100108) located at 717 Seville Rd, in Wadsworth, Ohio (Medina County). At this facility, among other emissions units (EUs), Respondent operates a Coating Line – Steineman Blister Pak Coater (EU K009). EU K009 installed on September 15, 2021. The current permit-to-install and operate ("PTIO") P0127060 for EU K009 was issued on November 21, 2019.
2. EU K009 is an "air contaminant source" as defined by Ohio Administrative Code ("OAC") Rule 3745-15-01.

3. Term C.1.c)(1) of PTIO P0127060 requires that the average temperature within the thermal incinerator, for any 3-hour block of time 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 the emissions unit was in compliance.

4. Term C.1.b)(2)(a) of PTIO P0127060 states that all of the volatile organic compounds ("VOC") emissions from this emissions unit shall be vented to a thermal incinerator that meets the operational, monitoring, and recordkeeping requirements of this permit when the emissions unit is in operation.

5. Term C.1.b)(2)b. of PTIO P0127060 and OAC Rule 3745-21-09(B)(6) state that the permittee, in accordance with OAC Rule 3745-21-09(B)(6), has elected to demonstrate that the capture and control equipment serving this emissions unit provide not less than an 81% reduction, by weight, in the overall VOC emissions from the emissions unit, and that the control equipment has an efficiency of not less than 90%, by weight, for the VOC emissions vented to the control device.

6. Term A.7 of PTIO P0127060 and OAC Rule 3745-15-03(D) states that each permit prescribed under paragraph (B)(2) of OAC Rule 3745-15-03 shall require the owner or operator to submit a permit evaluation report ("PER"), in a form and manner prescribed by the Director, which identifies, at a minimum, any deviations from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in such permit.

7. OAC Rule 3745-21-09(B)(3)(m) states that any owner or operator of a coating line referenced in paragraphs (B)(3)(j) and (B)(3)(l) of OAC Rule 3745-21-09 shall submit to the Director by April 13th, July 31st, October 31st, and January 31st, that cover the records for the previous calendar quarter, quarter summaries of the records required by paragraphs (B)(3)(j)(v) to (B)(3)(j)(viii) and (B)(3)(l) of OAC Rule 3745-21-09.

8. ORC § 3704.05(C) states that no person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms and conditions.

9. 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.

10. On June 15, 2023, the Akron Regional Air Quality Management District ("ARAQMD"), a contractual representative of the Ohio EPA in Medina County, conducted an inspection at Respondent's facility. Based on this inspection and follow-up information provided by the Respondent, ARAQMD documented the followings: (1) from December 9, 2021 through June 21, 2023, there were 87 days that the operating temperature within the thermal oxidizer for EU K009 was below more than 50 degree Fahrenheit of the required temperature, in violation of term C.1.c)(1) of PTIO

P0127060 and ORC § 3704.05(C); (2) Respondent bypassed the thermal oxidizer serving EU K009 on January 29, 2022, February 5, 2022, February 7, 2022, February 8, 2022, and February 10, 2022, in violation of terms C.1.b)(2)(a) and C.1.b)(2)b. of PTIO P0127060, OAC Rule 3745-21-09(B)(6), and ORC § 3704.05(C) and (G); (3) failed to submit accurate temperature deviations in the annual PERs for 2021 and 2022, in violation of term A.7 of PTIO P0127060, OAC Rule 3745-15-03(D), and ORC § 3704.05(C) and (G); and (4) Respondent failed to submit quarterly summaries for the 87 days that the thermal oxidizer operated more than 50 degree below the required temperature, in violation of OAC Rule 3745-21-09(B)(3)(m) and ORC § 3704.05(G).

11. On October 2, 2023, ARAQMD issued Respondent a notice of violation (“NOV”) letter for the violations as outlined in Finding #10.

12. On November 6, 2023, Respondent responded to ARAQMD’s October 2, 2023 NOV letter. Based on its response, Respondent has resolved all the violations outlined in ARAQMD’s October 2, 2023 NOV letter.

13. 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 twenty-five thousand dollars (\$25,000) 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, a twenty-thousand-dollar (\$20,000) payment to Ohio EPA shall be made by an official check made payable to “Treasurer, State of Ohio”. 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

2. In lieu of paying five thousand dollars (\$5,000) of the civil penalty, Respondent shall, within thirty (30) days after the effective date of these Orders, remit five thousand dollars (\$5,000) to the Akron Regional Air Quality Management District to fund a supplemental environmental program (SEP). This SEP will provide funding for a lawn and garden rebate program to replace existing gasoline-powered lawn equipment with electric equipment to assist with improvement in air quality. This SEP

payment shall be by official check in the amount of five thousand dollars (\$5,000) made payable to "Fiscal Officer", Summit County Public Health, 1867 W. Market Street, Akron, Ohio 44313, noting the Lawn Program.

3. Should the Respondent fail to fund the SEP within the required time frame set forth in Order No. 2, the Respondent shall immediately submit the amount of this SEP payment (\$5,000) to Ohio EPA as a civil penalty. If the payment is submitted as a civil penalty, the payment shall be submitted by official check made payable to "Treasurer, State of Ohio" and 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:

Akron Regional Air Quality Management District
1867 West Market Street
Akron, Ohio 44313
Attention: Sam Rubens, Administrator

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



Anne M. Vogel
Director

04/19/2024

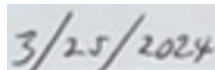
Date

AGREED:

Rohrer Corporation



Signature



Date

Chris Rautner CHRO

Printed or Typed Name and Title