



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

VIA ELECTRONIC MAIL
DELIVERY RECEIPT REQUESTED

Chris Kaminski, Environmental Engineer
Federal Cartridge Company
900 Bob Ehlen Drive
Anoka, Minnesota 55303
chris.kaminski@vistaoutdoor.com

Re: Notice of Violation
Federal Cartridge Company
Anoka, Minnesota

Dear Chris Kaminski:

The U.S. Environmental Protection Agency is issuing the enclosed Notice of Violation (NOV) to Federal Cartridge Company (you) under Section 113(a) of the Clean Air Act, 42 U.S.C. § 7413(a). We find that you are violating the Minnesota State Implementation Plan at your Anoka, Minnesota facility.

Section 113 of the Clean Air Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the NOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply and the steps you will take to prevent future violations. In addition, in order to make the conference more productive, we encourage you to submit to us information responsive to the NOV prior to the conference date.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contact in this matter is Dakota Prentice. You may call him at (312) 886-6761 or email him at prentice.dakota@epa.gov to request a conference. You should make the request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,

Brian Dickens
Supervisor, Air Enforcement and Compliance Assurance Section (MN/OH)

cc: Rachel Studanski, Manager
Land and Air Compliance Section
Industrial Division
Minnesota Pollution Control Agency (MPCA)

4. On July 27, 2020, EPA approved Minnesota Administrative Rule (Minn. R.) 7009.0020 as part of the federally enforceable SIP for Minnesota.
5. Minn. R. 7009.0020 states, “No person shall emit any pollutant in such an amount or in such a manner as to cause or contribute to a violation of any Minnesota ambient air quality standard under part 7009.0080 beyond the person's property line, provided however, that in the event the general public has access to the person's property or portion thereof, the ambient air quality

standards apply in those locations. The general public does not include employees or other categories of people who have been directly authorized by the property owner to enter or remain on the property for a limited period of time and for a specific purpose.”

6. Minn. R. 7009.0100 states, “*Person* means any human being, any municipality or other governmental or political subdivision or other public agency, any public or private corporation, any partnership, firm, association, or other organization, any receiver, trustee, assignee, agent, or other legal representative of any of the foregoing, or any other legal entity, but does not include the Pollution Control Agency.”
7. Minn. R. 7009.0080 describes the Minnesota ambient air quality standard (MAAQS) for lead as 0.15 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) based on a rolling three-month average and stated that the form of the standard is such that the “[m]aximum 3-month rolling average from 3 consecutive years does not exceed the standard.”

Relevant Factual Background

8. Federal Cartridge owns and operates an ammunition manufacturing facility at 900 Bob Ehlen Drive in Anoka, Minnesota (the Facility).
9. On July 12, 2022, EPA conducted a CAA inspection of the Facility.
10. During the CAA inspection, EPA observed multiple emission units that process and emit lead.
11. On January 13, 2021, the Minnesota Pollution Control Agency (MPCA) issued a major amendment to the Facility’s operating permit (2021 Operating Permit).
12. The 2021 Operating Permit states Federal Cartridge has the potential to emit 7.4 tons per year of lead from its Facility.
13. Federal Cartridge owns and operates a Facility that is a source of lead emissions and is subject to the requirements of Minn. R. 7009.0020.
14. On December 1, 2022, MPCA commenced operation of a source-oriented lead ambient air monitor with Site ID 27-003-6021 near the Facility (MPCA Monitor).
15. The three-month average lead concentration from December 2022 through February 2023 recorded at the MPCA Monitor was $0.29 \mu\text{g}/\text{m}^3$.
16. The three-month average lead concentration from March 2023 to May 2023 recorded at the MPCA Monitor was $0.17 \mu\text{g}/\text{m}^3$.
17. The three-month average lead concentration from April 2023 to June 2023 recorded at the MPCA Monitor was $0.22 \mu\text{g}/\text{m}^3$.

Violations

18. Federal Cartridge caused or contributed to a violation of the MAAQS for lead, in violation of Minn. R. 7009.0020, from December 2022 through February 2023, March 2023 through May 2023, and April 2023 through June 2023.

Environmental Impact of Violations

19. This violation is associated with excess emissions of lead. Once lead enters the body it distributes through blood and is accumulated in the bones. Depending on the level of exposure, lead can adversely affect the nervous system, kidney function, immune system, reproductive and developmental systems and the cardiovascular system. Lead exposure also affects the oxygen carrying capacity of the blood. The most common lead effects are neurological effects in children and cardiovascular effects (e.g., high blood pressure and heart disease) in adults. Infants and young children are especially sensitive to lead, which may contribute to behavioral problems, learning deficits and lowered IQ.

Michael D. Harris
Division Director
Enforcement and Compliance Assurance Division