



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

VIA ELECTRONIC MAIL
DELIVERY RECEIPT REQUESTED

Jim Generoso, Plant Manager
Ideal Gerit Drum Ring
5000 W 73rd St Unit-B
Bedford Park, IL 60638

Re: Finding of Violation
Ideal Gerit Drum Ring
Bedford Park, IL

Dear Jim Generoso:

The U.S. Environmental Protection Agency (EPA) is issuing the enclosed Finding of Violation (FOV) to Ideal Gerit Drum Ring (Ideal Ring or you) under Section 113(a) of the Clean Air Act, 42 U.S.C. § 7413(a). We find that you are in violation of the National Emission Standards for Hazardous Air Pollutants (NESHAP) Area Source Standards for Nine Metal Fabrication and Finishing Source Categories at 40 C.F.R. Part 63 Subpart XXXXXX at your Bedford Park, IL facility.

Section 113 of the Clean Air Act gives EPA 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 FOV. 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 FOV 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 contacts in this matter are Brittany Cobb and Sasha Letuchy. You may contact Brittany Cobb at cobb.brittany@epa.gov or (312) 353-1248 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,

**SARAH
MARSHALL**

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Sarah Marshall
Supervisor, Air Enforcement and Compliance Assurance Section MI/WI

cc: Kent Mohr, Manager
Compliance Section
Bureau of Air
Illinois Environmental Protection Agency
Kent.Mohr@Illinois.gov

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

Ideal Gerit Drum Ring
Bedford Park, IL 60638

FINDING OF VIOLATION

EPA-5-22-IL-05

Proceedings Pursuant to
The Clean Air Act,
42 U.S.C. §§7401 et seq.

FINDING OF VIOLATION

The U.S. Environmental Protection Agency finds that Ideal Gerit Drum Ring (Ideal Ring) is violating Section 112 of the Clean Air Act (CAA), 42 U.S.C. § 7412. Specifically, Ideal Ring is violating the National Emission Standards for Hazardous Air Pollutants (NESHAP) Area Source Standards for Nine Metal Fabrication and Finishing Source Categories at 40 C.F.R. Part 63 Subpart XXXXXX as follows:

Regulatory Authority

National Emission Standards for Hazardous Air Pollutants

1. Pursuant to Section 112(b) of the CAA, 42 U.S.C. §7412(b), EPA designates hazardous air pollutants (HAPs), which present or may present a threat of adverse effects to human health or the environment.
2. Section 112(c) and (d) of the CAA, 42 U.S.C. § 7412(c) and (d), requires EPA to publish a list of categories of sources which EPA finds present a threat of adverse effects to human health or the environment due to emissions of HAP, and to promulgate emission standards for each source category. These standards are known as “national emission standards for hazardous air pollutants” (NESHAP). EPA codifies these requirements at 40 C.F.R. Part 63.
3. Part 63 defines an area source as any stationary source of hazardous air pollutants that is not a major source. A major source is defined as a stationary source or group of stationary sources located within a contiguous area and under a common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants.
4. On June 13, 2008, EPA issued final national air toxics standards for smaller-emitting sources, known as area sources, for nine metal fabrication and finishing source categories. These standards affect any new or existing facility that performs metal

fabrication or finishing operations which uses or emits compounds of cadmium, chromium, lead, manganese, and nickel; or uses or emits elemental forms of all except lead. 73 Fed. Reg. 42978.

5. The NESHAP for Nine Metals Fabrication and Finishing Source Categories (Subpart XXXXXX) applies to an area source that is primarily engaged in one of the following nine source categories: electrical and electronic equipment finishing operations; fabricated metal products manufacturing; fabricated plate work (boiler shops) manufacturing; fabricated structural metal manufacturing; heating equipment manufacturing, except electric; industrial machinery and equipment finishing operations; iron and steel forging; primary metal products manufacturing; and valves and pipe fittings manufacturing. 40 C.F.R. § 63.11514(a)
6. The NESHAP for Nine Metals Fabrication and Finishing Source Categories (Subpart XXXXXX) applies to new and existing welding affected sources, which is the collection of all equipment and activities necessary to perform welding operations which use materials that contain MFHAP, as defined in 40 C.F.R. § 63.11522, or have the potential to emit MFHAP. 40 C.F.R. § 63.11514(b).
7. The NESHAP at 40 C.F.R. Part 63 Subpart XXXXXX has standards and management practices, monitoring, notification, recordkeeping, and reporting requirements that are applicable to dry abrasive blasting, machining, dry grinding and polishing, spray painting, and welding operations.
8. An affected source must submit an Initial Notification; for a new affected source, no later than 120 days after initial startup, or no later than 120 days after the source becomes subject to this subpart, or November 20, 2008, whichever is later; for an existing affected source, an affected source must submit the initial notification no later than July 25, 2011, or 120 days after the source becomes subject to this subpart, whichever is later, in accordance with 40 C.F.R. § 63.11519(a)(1).
9. An affected source must submit a Notification of Compliance Status; for an existing affected source, an affected source must submit a notification of compliance status on or before November 22, 2011; for a new affected source, an affected source must submit a notification of compliance status within 120 days after initial startup, or by November 20, 2008, whichever is later, in accordance with 40 C.F.R. § 63.11519(a)(2). The Notification of Compliance Status must include, among other things, a statement by a responsible official with that official's name, title, phone number, e-mail address and signature, certifying the truth, accuracy, and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of this subpart.
10. An affected source must submit annual certification and compliance reports according to the requirements of 40 C.F.R. § 63.11519(b)(2) through (7), in accordance with 40 C.F.R. § 63.11519(b).

11. An affected source must maintain records for 5 years in accordance with 40 C.F.R. § 63.11519(c).
12. Welding operations, when using MFHAP, must operate all equipment, capture, and control devices associated with welding operations according to manufacturer's instructions in accordance with 40 C.F.R. § 63.11516(f)(1). The affected source must demonstrate compliance with the capture and control device requirement by maintaining records of the manufacturer's specifications for the capture and control devices as specified by 40 C.F.R. § 63.11519(c)(4).
13. A welding affected source must implement one or more of the management practices specified in paragraphs 40 C.F.R. § 63.11516(f)(2)(i) through (v) to minimize MFHAP emissions.
14. A welding affected source that uses 2,000 pounds or more per year of welding rod containing one or more of MFHAP are required to comply with 40 C.F.R. § 63.11516(f)(3) through (8).
15. Welding operations that use 2,000 pounds or more per year of welding rod containing one or more of MFHAP are required to comply with Tier 1 requirements in accordance with 40 C.F.R. § 63.11516(f)(3).
16. Tier 1 requires an affected source to perform visual determinations of welding fugitive emissions in accordance with 40 C.F.R. § 63.11517(b) at the primary vent, stack, exit or opening from the building containing the welding operations with EPA Method 22.
17. When visible emissions from welding are detected during a Tier 1 visual determination, a facility must perform corrective actions, in accordance with 40 C.F.R. § 63.11516(f)(4)(i) and (ii), that include, but not limited to, inspection of welding fume sources and evaluation of the proper operations and effectiveness of the management practices or fume control measures implemented in accordance with 40 C.F.R. § 63.11516(f)(2); perform a follow-up inspection for visible fugitive emissions in accordance with 40 C.F.R. § 63.11517(a); and report all instances where visible emissions are detected along with any corrective action taken and the results of subsequent follow-up inspections for visible emissions and submit with annual certifications and compliance annual report in accordance with 40 C.F.R. § 63.11519(b)(5).
18. EPA Method 22 procedures are described in 40 CFR Part 60 Appendix A-7. The duration of each Method 22 observation must be at least fifteen minutes while the facility is operating under normal conditions. Fugitive emissions are detected if present for more than six minutes of the fifteen-minutes period in accordance with 40 C.F.R. § 63.11517(a).

19. Tier 1 visual determination using EPA Method 22 must be performed daily under normal conditions in accordance with 40 C.F.R. § 63.11517(b)(1). The NESHAP rule describes a process by which a facility may reduce the frequency of its Method 22 observations of welding operations within the Tier 1 requirements 40 C.F.R. § 63.11517(b)(2)-(4).
20. If a facility detects visible emissions during two separate Tier 1 visual determinations following EPA Method 22 within any consecutive 12-month period of time, then the facility has to comply with Tier 2 visual determination requirements. These two Tier 1 visual determinations do not include any follow up inspections completed in accordance with 40 C.F.R. § 63.11516(f)(4)(i).
21. The requirements of Tier 2 visual determinations include the following, in accordance with 40 C.F.R. § 63.11516(f)(5)(i) through (iv):
 - a. Conduct a visual determination of emissions opacity at the primary vent, stack exit or opening from the building containing welding operations (as specified in 40 C.F.R. § 63.11517(c)), within 24 hours of the end of the visual determination of fugitive emissions. Tier 2 visual determinations of emission opacity must be performed in accordance with the procedures of EPA Method 9, of 40 C.F.R. Part 60 Appendix A-4 with a duration of 30 minutes. 40 C.F.R. § 63.11517(c);
 - b. Records must be kept of each visual determination of emissions opacity performed in accordance with 40 C.F.R. § 63.11519(c)(3);
 - c. Visual determinations must be included in the annual certification and compliance report as per 40 C.F.R. § 63.11519(b)(6);
 - d. For visual determinations that are less or equal than 20 percent but greater than zero, the facility must perform corrective actions including inspection of all welding fume sources, evaluation of the proper operation and effectiveness of the management practices or fume control measures implemented in accordance with 40 C.F.R. § 63.11516(f)(2) and (f)(6).
22. If a facility detects visible emissions with opacity greater than 20 percent during Tier 2 monitoring of welding operations, it must comply with Tier 3 requirements in accordance with 40 C.F.R. § 63.11516(f)(7)(i) through (v). Tier 3 visual determination requirements include:
 - a. Continue using EPA Method 9 for the visual determination of opacity;
 - b. Submit a report of exceedance of 20 percent opacity along with the annual certification and compliance report 40 C.F.R. § 63.11519(b)(8);
 - c. Prepare and implement a Site-Specific Welding Emissions Management Plan within 30 days of opacity exceedance 40 C.F.R. § 63.11516(f)(8);

- d. Maintain records of daily visual determinations of emission opacity during the Site-Specific Welding Emission Management Plan 40 C.F.R. § 63.11519(b)(9), and include these records in the annual certification and compliance report, which must include the information required by 40 C.F.R. § 63.11516(f)(8)(i)(A)-(F) of the rule, must be updated annually, and the facility must keep available a copy of the current version accessible for an inspector to review. 40 C.F.R. § 63.11516(f)(8).
- 23. Tier 2 or Tier 3 visual determination of opacity emissions must be performed once per day during each day the process is in operations in accordance with 40 C.F.R. § 63.11517(d)(1). A facility may reduce the frequency of the Tier 2 or Tier 3 visual determinations using the graduated schedule found at 40 C.F.R. § 63.11517(d)(2)-(4).
- 24. A facility may return to conducting Method 22 observations in lieu of Method 9 if after two consecutive months of performing Method 9 observations, the average of the six-minute opacities recorded during any of the Method 9 observations does not exceed 20 percent in accordance with 40 C.F.R. § 63.11517(b)(3) and (b)(4).
- 25. Facilities that use 2,000 pounds or more per year of welding rod containing one or more MFHAP are required to keep record of all visual determinations of fugitive emissions along with any corrective action taken in accordance with the requirements in 40 C.F.R. § 63.11519(c)(2).
- 26. *Capture system* means the collection of components used to capture gases and fumes released from one or more emissions points and then convey the captured gas stream to a control device or to the atmosphere. A capture system may include, but is not limited to, the following components as applicable to a given capture system design: duct intake devices, hoods, enclosures, ductwork, dampers, manifolds, plenums, and fans. 40 C.F.R. § 63.11522.
- 27. *Control device* means equipment installed on a process vent or exhaust system that reduces the quantity of a pollutant that is emitted to the air. 40 C.F.R. § 63.11522.
- 28. *Fabricated Metal Products Source Category* means establishments primarily engaged in manufacturing fabricated metal products, such as fire or burglary resistive steel safes and vaults and similar fire or burglary resistive products; and collapsible tubes of thin flexible metal. Also, establishments primarily engaged in manufacturing powder metallurgy products, metal boxes; metal ladders; metal household articles, such as ice cream freezers and ironing boards; and other fabricated metal products not elsewhere classified. 40 C.F.R. § 63.11522.
- 29. *Hazardous air pollutant* means any air pollutant listed in or pursuant to Section 112(b) of the CAA. 40 C.F.R. § 63.2.
- 30. *Material containing MFHAP* means any material that contains cadmium, chromium, lead, or nickel in amounts greater than or equal to 0.1 percent by weight (as the metal) and contains manganese in amounts greater than or equal to 1.0 percent by weight (as

the metal), as shown in formulation data provided by the manufacturer or supplier, such as the Material Safety Data Sheet for the material. 40 C.F.R. § 63.11522.

31. *Metal fabrication and finishing hazardous air pollutants (MFHAP)* means any compound of the following metals: cadmium, chromium, lead, manganese, or nickel, or any of these metals in the elemental form, with the exception of lead. 40 C.F.R. § 63.11522.
32. *Welding* means a process which joins two metal parts by melting the parts at the joint and filling the space with molten metal. 40 C.F.R. § 63.11522.
33. *Welding rod containing MFHAP* means a welding rod that contains cadmium, chromium, lead, or nickel in amounts greater than or equal to 0.1 percent by weight (as the metal), or that contains manganese in amounts greater than or equal to 1.0 percent by weight (as the metal), as shown in formulation data provided by the manufacturer or supplier, such as the Material Safety Data Sheet for the welding rod. 40 C.F.R. § 63.11522.

Background

34. Ideal Ring owns and operates a drum ring manufacturing facility at 5000 W 73rd St Unit-B, Bedford Park, IL 60638 (Facility). At the Facility, Ideal Ring operates six stationary welding stations to fabricate 12-inch and 19-inch drum rings from metal coils. Ideal Ring then coats the rings with a powder and heats the rings to bind the powder to the surface.
35. At the Facility, Ideal Ring is subject to NESHAP Nine Metals Fabrication and Finishing Source Categories at 40 C.F.R. Part 63 Subpart XXXXXX as an area source of HAPs that is primarily engaged in one of the nine source categories: Fabricated Metal Products.
36. The Facility's operations emit and have the potential to emit particulate matter (PM) and MFHAP.
37. On October 19, 2021, EPA conducted an inspection of the Facility to evaluate compliance with the CAA.
38. On December 7, 2021, January 24, 2022, and February 7, 2022, EPA requested that Ideal Ring provide the following information by December 17, 2021 and February 14, 2022: 40 CFR Part 63 Subpart XXXXXX Initial Notification and Notification of Compliance Status, annual certification and compliance reports, Annual Emissions Reports from 2018 to the present, Illinois EPA Air Permit, Safety Data Sheets (SDS) for the powder coating, SDS for all raw materials that are welded, SDS for the welding rods and the amount of welding rod/wire used (in pounds) per year from 2018 to 2021.

39. On December 10, 2021, Ideal Ring provided EPA the SDS for the welding wire used at all six welding stations, which stated that the welding wires contain 1 – 5% manganese. Therefore, the welding wire meets the definition of welding rod containing MFHAP.
40. On December 10, 2021, Ideal Ring provided EPA the SDS for the metal coils that are welded together, which states that the coils contain 0.05 – 2.45 % manganese and 0.01 – 0.42 % nickel. Therefore, the metal coil meets the definition of material containing MFHAP.
41. On February 25, 2022, Ideal Ring provided EPA emission calculations which indicated that Ideal Ring used 11,000 and 12,000 pounds of welding wire in 2019 and 2020, respectively.
42. Ideal Ring operates a welding affected source which consists of the six separate welding stations at the Facility that are a part of a collection of all equipment and activities necessary to perform welding operations which use materials that contain MFHAP, as defined in 40 C.F.R. § 63.11522.
43. To date, Ideal Ring has not provided EPA with 40 CFR Part 63 Subpart XXXXXX annual certifications and notification of compliance status report.

Violations Alleged

44. Ideal Ring failed to submit an Initial Notification and Notification of Compliance Status for the Facility, in accordance with 40 C.F.R. § 63.11519(a).
45. Ideal Ring failed to submit annual certification and compliance reports for the Facility, from January 2018 to the present, in accordance with 40 C.F.R. § 63.11519(b).
46. By failing to submit notification of compliance status, Ideal Ring failed to demonstrate compliance with management practices for welding operations at the Facility, from March 1, 2017, to the present, in accordance with 40 C.F.R. § 63.11516(f)(1).
47. By failing to submit notification of compliance status, Ideal Ring failed to demonstrate compliance with management practices for welding operations at the Facility, from March 1, 2017, to the present, in accordance with 40 C.F.R. § 63.11516(f)(2)(i)-(v).
48. By failing to submit notification of compliance status and annual certification and compliance reports, Ideal Ring failed to demonstrate compliance with the management practices or fume control measures for welding operations that use 2,000 pounds or more per year of welding rod containing one or more of MFHAP, from March 1, 2017, to the present, in accordance with 40 C.F.R. § 63.11516(f)(3) through (8).

**MICHAEL
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Michael D. Harris
Division Director
Enforcement and Compliance Assurance Division