



REGION 5

CHICAGO, IL 60604

VIA ELECTRONIC MAIL
DELIVERY RECEIPT REQUESTED

Keith Pontow, P.E., Sr. Environmental Engineer
Wieland Rolled Products North America, LLC
305 Lewis and Clark Blvd.
East Alton, Illinois 62024
keith.pontow@wieland.com

Re: Finding of Violation
Wieland Rolled Products North America, LLC
East Alton, Illinois

Dear Keith Pontow:

The U.S. Environmental Protection Agency is issuing the enclosed Finding of Violation (FOV) to Wieland Rolled Products North America, LLC (Wieland or you) under Section 113(a)(3) of the Clean Air Act (CAA), 42 U.S.C. § 7413(a)(3). We find that you are violating or have violated Title V of the CAA at your East Alton, Illinois facility.

Section 113 of the CAA 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 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 contact in this matter is Ethan Chatfield. You may call him at (312) 886-5112 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,

Nathan Frank
Supervisor, Air Enforcement and Compliance Assurance
Section (IL/IN)

Enclosure

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

Steve Poplawski
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steve.poplawski@bclplaw.com

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

Wieland Rolled Products North America, LLC
East Alton, Illinois

FINDING OF VIOLATION

Proceedings Pursuant to
Section 113(a)(3) of the
Clean Air Act, 42 U.S.C.
§ 7413(a)(3)

EPA-5-2024-IL-06

FINDING OF VIOLATION

The U.S. Environmental Protection Agency (EPA) is issuing this Finding of Violation under Section 113(a)(3) of the Clean Air Act (CAA), 42 U.S.C. § 7413(a)(3). EPA finds that Wieland Rolled Products North America LLC (Wieland) is violating or has violated Title V of the CAA as follows:

Statutory and Regulatory Background

1. The CAA is designed to, among other things, protect and enhance the quality of the nation's air so as to promote the public health and welfare and the productive capacity of its population. See Section 101(b)(1) of the CAA, 40 U.S.C. § 7401(b)(1).
2. Title V of the CAA, 42 U.S.C. §§ 7661-7661f, establishes an operating permit program for sources of air pollution.
3. In accordance with Section 502(b) of the CAA, 42 U.S.C. § 7661a(b), EPA promulgated regulations establishing the minimum elements of a Title V permit program to be administered by any air pollution control agency. See 57 Fed. Reg. 32295 (July 21, 1992). Those regulations are codified at 40 C.F.R. Part 70.
4. Section 502(d) of the CAA, 42 U.S.C. § 7661a(d), provides that each state must submit to EPA an operating permit program meeting the requirements of Title V.
5. Section 502(a) of the CAA, 42 U.S.C. § 7661a(a), and 40 C.F.R. § 70.7(b) provide that, after the effective date of any permit program approved or promulgated under Title V of the CAA, no source subject to Title V may operate except in compliance with a Title V operating permit.
6. Pursuant to 40 C.F.R. § 70.6(b)(1), all terms and conditions contained in a Title V permit are enforceable by EPA.
7. EPA fully approved the Illinois Title V program on December 4, 2001. See 66 Fed. Reg. 62946 (effective on November 30, 2001).
8. 415 Illinois Compiled Statutes (ILCS) 5/39.5 contains the Illinois Clean Air Act Permit Program (CAAPP) pursuant to Title V of the CAA. The regulations governing the Illinois Title V permitting

program are codified at 35 Illinois Administrative Code (IAC) 201 and are federally enforceable pursuant to CAA Section 113(a)(3).

9. 415 ILCS 5/39.5.6 provides that it shall be unlawful for any person to violate any terms or conditions of a permit issued under this Section, to operate any CAAPP source except in compliance with a permit issued by the Agency under this Section or to violate any other applicable requirements and that all terms and conditions of a permit issued under this section are enforceable by EPA and citizens under the CAA, except those, if any, that are specifically designated as not being federally enforceable in the permit pursuant to paragraph 7(m) of this Section.

Relevant Factual Background

10. Wieland owns and operates a brass and bronze production plant at 305 Lewis and Clark Blvd, East Alton, Illinois (the Facility).
11. On April 28, 2020, IEPA issued a Revised CAAPP permit to Wieland Rolled Products North America, LLC (Permit number 07110030).
12. Condition 4.1.2 (h)(i)(A) of Wieland's Revised CAAPP permit states that, "pursuant to Construction Permit #03060079, lead emissions from Ascast furnaces 1, Ascast furnaces 2, and #1 through #5 DC Casting Unit shall not exceed the following limits 0.005 lbs/hour and 0.025 tons/year."
13. On September 13, 2019, Wieland conducted a stack test of the #5 DC Casting Unit controlled by No 3 Baghouse (BH-5). Wieland reported a lead emissions rate from only No 3 Baghouse of 0.00376 lbs/hour.
14. According to Wieland's response to EPA's April 30, 2018 information request, No 3 Baghouse is only one of three baghouses controlling lead emissions from Ascast furnaces 1, Ascast furnaces 2, and #1 through #5 DC Casting Units.
15. On February 14-15, 2023 and May 5-6, 2023, Wieland conducted another set of stack tests of all three baghouses (2023 Stack Tests); the No 4, 2, and 3 Baghouses (BH-1, BH-4, and BH-5) and reported lead emissions rates from each of 0.00072, 0.00065, and 0.028 lbs/hour, respectively. The combined lead emissions from all 3 baghouses was 0.02937 lbs/hr.
16. During the 2023 Stack Tests Wieland also reported annual lead emissions rates from the No 4, 2, and 3 Baghouses (BH-1, BH-4, and BH-5) of 0.0027, 0.0024, and 0.110 tons/year, respectively. The combined annual lead emissions from all 3 baghouses was 0.115 tons/year).

Violations

17. Wieland violated and continues to violate Condition 4.1.2 (h)(i)(A) of Wieland's CAAPP permit by exceeding its permitted lead emission limit.

Environmental Impact of Violations

18. These violations have caused or can cause excess emissions of lead. 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 currently 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