

Air Enforcement: U.S. Environmental Protection Agency and Delaware, Ohio Foundry Enter into Consent Agreement



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The United States Environmental Protection Agency (“EPA”) and Liberty Casting Company, LLC (“LCC”) entered into a September 13th Consent Agreement and Final Order (“CAFO”) addressing alleged violations of the Clean Air Act (“CAA”). See Docket No. CAA-05-2018-0023.

The CAFO provides that LCC owns and operates an iron foundry (“Foundry”) in Delaware, Ohio.

The Ohio Environmental Protection Agency (“OEPA”) is stated to have issued a Permit to Install (“PTI”) to LCC which identifies, among other things:

- Electric Induction Furnace LRFU5
- Electric Induction Furnace LRFU4

These emission units are identified as PO34 and PO36, respectively.

Also identified in PTI No. 01-01228 is an electric induction furnace LRFU3 (Emission Unit PO55).

The Foundry is stated to be subject to the CAA National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries (“Foundry NESHAP”).

The CAFO states that LCC failed to:

- Submit an initial notification of the subject to the Foundry NESHAP
- Develop a written startup, shutdown, malfunction plan as required by the Foundry NESHAP
- Conduct a PM performance test on PO34, PO36, and PO55 to determine compliance with a particular emission limitation
- Submit a semiannual compliance report as required by the Foundry NESHAP to the permit authority
- Conduct an initial Method 9 performance test to determine compliance with the specified opacity limit
- Conduct a subsequent performance test at a frequency of no less than once every six months to determine compliance with the specified opacity limit

LCC is stated to have conducted on April 20 and 21, 2016, initial PM performance stack testing and opacity performance testing to determine compliance with emission and opacity limits in 40 C.F.R. §§ 63.7690(a)(1)(4) and (7).

The results of the previously referenced performance stack testing are stated to indicate that emission unit PO55 emitted 0.0059 gr/dscf of PM in violation of 40 C.F.R. §§ 63.7690(a)(4). Performance stack testing is also stated to have indicated there were four instances where visible emissions from the

Foundry exceeded 20% opacity as a 6-minute average in violation of 40 C.F.R. §§ 63.7690(a)(7). Further results of performance stack testing is stated to have indicated that the Foundry emitted PM in visible emission above the emission and opacity limits of the Foundry NESHAP.

LCC completed, in December 2016, the installation of hoods, a baghouse to capture and control particulate matter emissions from its three induction furnaces, and a bag leak detection system in the baghouse.

LCC conducted PM performance stack testing and opacity performance testing on March 8 and 9, 2017, that demonstrated compliance with emission and opacity limits in 40 C.F.R. §§ 63.7690(a)(1)(4) and (7) for PO34, PO36, and PO55. Further, OEPA issued to the Foundry a Title V Permit on May 22, 2018, incorporating all Foundry NESHAP requirements to which LLC is subject.

A civil penalty of \$118,190 is assessed. Further, the CAFO requires that LLC complete a Supplemental Environmental Project which is described as the Foundry's:

. . . transition to the use of at least 20% ceramic sand in the Foundry sand mix for use in molds. During the nine months from the date of this CAFO, Liberty must evaluate performance and quality characteristics of the ceramic sand for use in making castings. Within nine months from the date of this CAFO, Liberty must have spent at least \$350,000 to implement and complete this SEP.

A copy of the [CAFO](#) can be found here.