

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
OFFICE OF THE DIRECTOR

In the matter of administrative proceedings against **KRO-PRO, LLC**, a limited liability company, organized under the laws of the State of Michigan and doing business at 1004 East Broadway Avenue in the City of Norton Shores, County of Muskegon, State of Michigan

AQD No. 2019-09

SRN: P0906

STIPULATION FOR ENTRY OF FINAL ORDER
BY CONSENT

This proceeding resulted from allegations by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) against Kro-Pro, LLC (Company), a limited liability company organized under the laws of the State of Michigan and doing business at 1004 East Broadway Avenue, City of Norton Shores, County of Muskegon, State of Michigan, with State Registration Number (SRN) P0906 (Facility). EGLE alleges that the Company is in violation of Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, (NREPA) MCL 324.5501 *et seq.*; the Mich Admin Code, R 336.1201 (Rule 201); and the federal requirements specified in 40 CFR, Part 63, Subpart N, National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks. Specifically, EGLE alleges that the Company has installed and operated plating and polishing processes consisting of decorative copper, decorative nickel, and decorative chrome plating tanks, pickling tanks, a deburring process, grinding, buffing and polishing processes, and stripping tanks without first obtaining a Permit to Install (PTI) as cited herein and in the Violation Notice dated March 30, 2018. Additionally, EGLE alleges that the Company failed to comply with the federal requirements specified in 40 CFR, Part 63, Subpart N, National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks, as applicable to the decorative chrome plating tank. The Company and EGLE stipulate to the termination of this proceeding by entry of a Stipulation for Entry of a Final Order by Consent (Consent Order).

The Company and EGLE stipulate as follows:

1. The Natural Resources and Environmental Protection Act (NREPA) MCL 324.101 *et seq.*, is an act that controls pollution to protect the environment and natural resources in this State.

2. Article II, Pollution Control, Part 55 of the NREPA (Part 55), MCL 324.5501 *et seq.*, provides for air pollution control regulations in this State.

3. Executive Order 2019-06 renamed the Michigan Department of Environmental Quality as EGLE, and EGLE has all statutory authority, powers, duties, functions and responsibilities to administer and enforce all provisions of Part 55.

4. The EGLE Director has delegated authority to the Director of the AQD (AQD Director) to enter into this Consent Order.

5. The termination of this matter by a Consent Order pursuant to Section 5528 of Part 55, MCL 324.5528, is proper and acceptable.

6. The Company and EGLE agree that the signing of this Consent Order is for settlement purposes only and does not constitute an admission by the Company that the law has been violated.

7. This Consent Order becomes effective on the date of execution (effective date of this Consent Order) by the AQD Director.

8. The Company shall achieve compliance with the aforementioned regulations in accordance with the requirements contained in this Consent Order.

COMPLIANCE PROGRAM AND IMPLEMENTATION SCHEDULE

9.A. Permit

1. On and after the effective date of this Consent Order, the Company shall comply with PTI No. 144-18 and any subsequent permit revision. PTI No. 144-18 is attached hereto as Exhibit A of this Consent Order, incorporated by reference into this Consent Order and shall be enforceable in accordance with the provisions of this Consent Order.

GENERAL PROVISIONS

10. On and after the effective date of this Consent Order, except as otherwise provided by the administrative rules of Part 55, the Company shall not install, construct, reconstruct, relocate, alter, or modify any process or process equipment including control equipment pertaining thereto, which may emit an air contaminant, unless a permit to install which authorizes such action is issued by EGLE pursuant to Rule 201, the Company has issued a waiver pursuant to Rule 202, or the change is exempt from the requirements of Rule 201.

11. This Consent Order in no way affects the Company's responsibility to comply with any other applicable state, federal, or local laws or regulations, including without limitation, any amendments to the federal Clean Air Act, 42 USC 7401 *et seq.*, Part 55, or their rules and regulations, or to the State Implementation Plan.

12. This Consent Order constitutes a civil settlement and satisfaction as to the resolution of the violations specifically addressed herein; however, it does not resolve any criminal action that may result from these same violations.

13. The Company shall pay to the General Fund of the State of Michigan, in the form of checks made payable to the "State of Michigan" and mailed to the Michigan Department of Environment, Great Lakes, and Energy, Accounting Services Division, Cashier's Office, P.O. Box 30657, Lansing, Michigan 48909-8157, a settlement amount of \$10,000.00 which includes AQD costs for investigation and enforcement. This total settlement amount shall be paid as follows: an initial payment of \$2,000.00 shall be paid within thirty (30) days of the effective date of this consent order; a second payment of \$2,000.00 shall be paid on or before December 31, 2019; a third payment of \$2,000.00 shall be paid on or before July 31, 2020; a fourth payment of \$2,000.00 shall be paid on or before December 31, 2020; and a final payment of \$2,000.00 shall be paid on or before July 31, 2021. To ensure proper credit, all payments made pursuant to this Consent Order shall include the "Payment Identification Number AQD40213" on the front of the check and/or in the cover letter with the payment. This settlement amount is in addition to any fees, taxes, or other fines that may be imposed on the Company by law.

14. On and after the effective date of this Consent Order, if the Company fails to comply with paragraph 10 of this Consent Order, the Company is subject to a stipulated fine of

up to \$10,000.00 per violation. On and after the effective date of this Consent Order, if the Company fails to comply with paragraph 9.A.1 of this Consent Order, the Company is subject to stipulated fines of up to \$ 5,000.00 per violation. On and after the effective date of this Consent Order, if the Company fails to comply with any other provision of this Consent Order, the Company is subject to a stipulated fine of up to \$500.00 per violation. The amount of the stipulated fines imposed pursuant to this paragraph shall be within the discretion of EGLE. Stipulated fines submitted under this Consent Order shall be made by check, payable to the State of Michigan within thirty (30) days after written demand and shall be mailed to the Michigan Department of Environment, Great Lakes, and Energy, Accounting Services Division, Cashier's Office, P.O. Box 30657, Lansing, Michigan 48909-8157. To ensure proper credit, all payments shall include the "Payment Identification Number AQD40213-S" on the front of the check and/or in the cover letter with the payment. Payment of stipulated fines shall not alter or modify in any way the Company's obligation to comply with the terms and conditions of this Consent Order.

15. The AQD, at its discretion, may seek stipulated fines or statutory fines for any violation of this Consent Order which is also a violation of any provision of applicable federal and state law, rule, regulation, permit, or EGLE administrative order. However, the AQD is precluded from seeking both a stipulated fine under this Consent Order and a statutory fine for the same violation.

16. To ensure timely payment of the settlement amount assessed in paragraph 13 and any stipulated fines assessed pursuant to paragraph 14 of this Consent Order, the Company shall pay an interest penalty to the State of Michigan each time it fails to make a complete or timely payment under this Consent Order. The interest penalty shall be determined at a rate of twelve percent (12%) per year compounded annually, using the full increment of amount due as principal, calculated from the due date specified in this Consent Order until the date that delinquent payment is finally paid in full. Payment of an interest penalty by the Company shall be made to the State of Michigan in accordance with paragraph 13 of this Consent Order. Interest payments shall be applied first towards the most overdue amount or outstanding interest penalty owed by the Company before any remaining balance is applied to subsequent payment amount or interest penalty.

17. The Company agrees not to contest the legal basis for the settlement amount assessed pursuant to paragraph 13. The Company also agrees not to contest the legal basis for any stipulated fines assessed pursuant to paragraph 14 of this Consent Order but reserves the right to dispute in a court of competent jurisdiction the factual basis upon which a demand by EGLE of stipulated fines is made. In addition, the Company agrees that said fines have not been assessed by EGLE pursuant to Section 5529 of Part 55, MCL 324.5529, and therefore are not reviewable under Section 5529 of Part 55.

18. This compliance program is not a variance subject to the 12-month limitation specified in Section 5538 of Part 55, MCL 324.5538.

19. This Consent Order shall remain in full force and effect for a period of at least five (5) years. Thereafter, this Consent Order shall terminate only upon written notice of termination issued by the AQD Director. Prior to issuance of a written notice of termination, the Company shall submit a request, to the AQD Director at the Michigan Department of Environment, Great Lakes, and Energy, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, consisting of a written certification that the Company has fully complied with all the requirements of this Consent Order and has made all payments including all stipulated fines required by this Consent Order. Specifically, this certification shall include: (i) the date of compliance with each provision of the compliance program and the date any payments or stipulated fines were paid; (ii) a statement that all required information has been reported to the AQD Grand Rapids District Supervisor; (iii) confirmation that all records required to be maintained pursuant to this Consent Order are being maintained at the facility; and, (iv) such information as may be requested by the AQD Director.

20. In the event Kro-Pro, LLC, sells or transfers the Facility, it shall advise any purchaser or transferee of the existence of this Consent Order in connection with such sale or transfer. Within thirty (30) calendar days, the Company shall also notify the AQD Grand Rapids District Supervisor, in writing, of such sale or transfer, the identity and address of any purchaser or transferee, and confirm the fact that notice of this Consent Order has been given to the purchaser and/or transferee. As a condition of the sale, the Company must obtain the consent of the purchaser and/or transferee, in writing, to assume all of the obligations of this Consent Order.

A copy of that agreement shall be forwarded to the AQD Grand Rapids District Supervisor within thirty (30) days after assuming the obligations of this Consent Order.

21. Prior to the effective date of this Consent Order and pursuant to the requirements of Sections 5511 and 5528(3) of Part 55, MCL 324.5511 and MCL 5528(3), the public was notified of a 30-day public comment period and was provided the opportunity for a public hearing.

22. Section 5530 of Part 55, MCL 324.5530, may serve as a source of authority but not a limitation under which this Consent Order may be enforced. Further, Part 17 of the NREPA, MCL 324.1701 *et seq.*, and all other applicable laws and any other legal basis or applicable statute may be used to enforce this Consent Order.

23. The Company hereby stipulates that entry of this Consent Order is a result of an action by EGLE to resolve alleged violations of its facility located at 1004 East Broadway Avenue, City of Norton Shores, County of Muskegon, State of Michigan. The Company further stipulates that it will take all lawful actions necessary to fully comply with this Consent Order, even if the Company files for bankruptcy in the future. The Company will not seek discharge of the settlement amount and any stipulated fines imposed hereunder in any future bankruptcy proceedings, and the Company will take necessary steps to ensure that the settlement amount and any future stipulated fines are not discharged. The Company, during and after any future bankruptcy proceedings, will ensure that the settlement amount and any future stipulated fines remain an obligation to be paid in full by the Company to the extent allowed by applicable bankruptcy law.

The undersigned certifies that he/she is fully authorized by the Company to enter into this Consent Order and to execute and legally bind the Company to it.

KRO-PRO, LLC

JACOB ROBERT KROL, President
Print Name and Title

Jacob R. Krol
Signature

5-20-19
Date

The above signatory subscribed and sworn to before me this 20 day of May, 2019.

CARRIE ALLEN
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF MUSKEGON
My Commission Expires Feb. 15, 2021
Acting in the County of Muskegon

Carrie Allen
Notary Public Signature

Carrie Allen
Notary Public Printed Name

My Commission Expires: Feb. 15, 2021

Approved as to Content:

Mary Ann Dolehanty
Mary Ann Dolehanty, Director
AIR QUALITY DIVISION
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES,
AND ENERGY

Dated: 5/30/19

Approved as to Form:

Neil Gordon
Neil Gordon, Section Head
ENVIRONMENTAL REGULATION SECTION
ENVIRONMENT, NATURAL RESOURCES,
AND AGRICULTURE DIVISION
DEPARTMENT OF ATTORNEY GENERAL

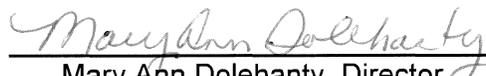
Dated: 5/24/2019

FINAL ORDER

The Director of the Air Quality Division having had opportunity to review this Consent Order and having been delegated authority to enter into Consent Orders by the Director of the Michigan Department of Environment, Great Lakes, and Energy pursuant to the provisions of Part 55 of the NREPA and otherwise being fully advised on the premises,

HAS HEREBY ORDERED that this Consent Order is approved and shall be entered in the record of EGLE as a Final Order.

MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY



Mary Ann Dolehanty, Director
Air Quality Division

Effective Date: 5/30/19

Exhibit A

**MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION**

February 7, 2019

**PERMIT TO INSTALL
144-18**

**ISSUED TO
Kro-Pro, LLC**

**LOCATED AT
1004 E. Broadway Avenue
Norton Shores, Michigan**

**IN THE COUNTY OF
Muskegon**

**STATE REGISTRATION NUMBER
P0906**

The Air Quality Division has approved this Permit to Install, pursuant to the delegation of authority from the Michigan Department of Environmental Quality. This permit is hereby issued in accordance with and subject to Section 5505(1) of Article II, Chapter I, Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. Pursuant to Air Pollution Control Rule 336.1201(1), this permit constitutes the permittee's authority to install the identified emission unit(s) in accordance with all administrative rules of the Department and the attached conditions. Operation of the emission unit(s) identified in this Permit to Install is allowed pursuant to Rule 336.1201(6).

DATE OF RECEIPT OF ALL INFORMATION REQUIRED BY RULE 203: November 20, 2018	
DATE PERMIT TO INSTALL APPROVED: February 7, 2019	SIGNATURE:
DATE PERMIT VOIDED:	SIGNATURE:
DATE PERMIT REVOKED:	SIGNATURE:

PERMIT TO INSTALL

Table of Contents

COMMON ACRONYMS	2
POLLUTANT / MEASUREMENT ABBREVIATIONS.....	3
GENERAL CONDITIONS	4
EMISSION UNIT SPECIAL CONDITIONS.....	6
EMISSION UNIT SUMMARY TABLE.....	6
EUDHC-1.....	7
FLEXIBLE GROUP SPECIAL CONDITIONS.....	10
FLEXIBLE GROUP SUMMARY TABLE.....	10
FGPLATING.....	11

COMMON ACRONYMS

AQD	Air Quality Division
BACT	Best Available Control Technology
CAA	Clean Air Act
CAM	Compliance Assurance Monitoring
CEMS	Continuous Emission Monitoring System
CFR	Code of Federal Regulations
COMS	Continuous Opacity Monitoring System
Department/department	Michigan Department of Environmental Quality
EU	Emission Unit
FG	Flexible Group
GACS	Gallons of Applied Coating Solids
GC	General Condition
GHGs	Greenhouse Gases
HVLP	High Volume Low Pressure*
ID	Identification
IRSL	Initial Risk Screening Level
ITSL	Initial Threshold Screening Level
LAER	Lowest Achievable Emission Rate
MACT	Maximum Achievable Control Technology
MAERS	Michigan Air Emissions Reporting System
MAP	Malfunction Abatement Plan
MDEQ	Michigan Department of Environmental Quality
MSDS	Material Safety Data Sheet
NA	Not Applicable
NAAQS	National Ambient Air Quality Standards
NESHAP	National Emission Standard for Hazardous Air Pollutants
NSPS	New Source Performance Standards
NSR	New Source Review
PS	Performance Specification
PSD	Prevention of Significant Deterioration
PTE	Permanent Total Enclosure
PTI	Permit to Install
RACT	Reasonable Available Control Technology
ROP	Renewable Operating Permit
SC	Special Condition
SCR	Selective Catalytic Reduction
SNCR	Selective Non-Catalytic Reduction
SRN	State Registration Number
TBD	To Be Determined
TEQ	Toxicity Equivalence Quotient
USEPA/EPA	United States Environmental Protection Agency
VE	Visible Emissions

*For HVLP applicators, the pressure measured at the gun air cap shall not exceed 10 psig

POLLUTANT / MEASUREMENT ABBREVIATIONS

acfm	Actual cubic feet per minute
BTU	British Thermal Unit
°C	Degrees Celsius
CO	Carbon Monoxide
CO ₂ e	Carbon Dioxide Equivalent
dscf	Dry standard cubic foot
dscm	Dry standard cubic meter
°F	Degrees Fahrenheit
gr	Grains
HAP	Hazardous Air Pollutant
Hg	Mercury
hr	Hour
HP	Horsepower
H ₂ S	Hydrogen Sulfide
kW	Kilowatt
lb	Pound
m	Meter
mg	Milligram
mm	Millimeter
MM	Million
MW	Megawatts
NMOC	Non-Methane Organic Compounds
NO _x	Oxides of Nitrogen
ng	Nanogram
PM	Particulate Matter
PM10	Particulate Matter equal to or less than 10 microns in diameter
PM2.5	Particulate Matter equal to or less than 2.5 microns in diameter
pph	Pounds per hour
ppm	Parts per million
ppmv	Parts per million by volume
ppmw	Parts per million by weight
psia	Pounds per square inch absolute
psig	Pounds per square inch gauge
scf	Standard cubic feet
sec	Seconds
SO ₂	Sulfur Dioxide
TAC	Toxic Air Contaminant
Temp	Temperature
THC	Total Hydrocarbons
tpy	Tons per year
µg	Microgram
µm	Micrometer or Micron
VOC	Volatile Organic Compounds
yr	Year

GENERAL CONDITIONS

1. The process or process equipment covered by this permit shall not be reconstructed, relocated, or modified, unless a Permit to Install authorizing such action is issued by the Department, except to the extent such action is exempt from the Permit to Install requirements by any applicable rule. **(R 336.1201(1))**
2. If the installation, construction, reconstruction, relocation, or modification of the equipment for which this permit has been approved has not commenced within 18 months, or has been interrupted for 18 months, this permit shall become void unless otherwise authorized by the Department. Furthermore, the permittee or the designated authorized agent shall notify the Department via the Supervisor, Permit Section, Air Quality Division, Michigan Department of Environmental Quality, P.O. Box 30260, Lansing, Michigan 48909-7760, if it is decided not to pursue the installation, construction, reconstruction, relocation, or modification of the equipment allowed by this Permit to Install. **(R 336.1201(4))**
3. If this Permit to Install is issued for a process or process equipment located at a stationary source that is not subject to the Renewable Operating Permit program requirements pursuant to Rule 210 (R 336.1210), operation of the process or process equipment is allowed by this permit if the equipment performs in accordance with the terms and conditions of this Permit to Install. **(R 336.1201(6)(b))**
4. The Department may, after notice and opportunity for a hearing, revoke this Permit to Install if evidence indicates the process or process equipment is not performing in accordance with the terms and conditions of this permit or is violating the Department's rules or the Clean Air Act. **(R 336.1201(8), Section 5510 of Act 451, PA 1994)**
5. The terms and conditions of this Permit to Install shall apply to any person or legal entity that now or hereafter owns or operates the process or process equipment at the location authorized by this Permit to Install. If the new owner or operator submits a written request to the Department pursuant to Rule 219 and the Department approves the request, this permit will be amended to reflect the change of ownership or operational control. The request must include all of the information required by subrules (1)(a), (b), and (c) of Rule 219 and shall be sent to the District Supervisor, Air Quality Division, Michigan Department of Environmental Quality. **(R 336.1219)**
6. Operation of this equipment shall not result in the emission of an air contaminant which causes injurious effects to human health or safety, animal life, plant life of significant economic value, or property, or which causes unreasonable interference with the comfortable enjoyment of life and property. **(R 336.1901)**
7. The permittee shall provide notice of an abnormal condition, start-up, shutdown, or malfunction that results in emissions of a hazardous or toxic air pollutant which continue for more than one hour in excess of any applicable standard or limitation, or emissions of any air contaminant continuing for more than two hours in excess of an applicable standard or limitation, as required in Rule 912, to the Department. The notice shall be provided not later than two business days after start-up, shutdown, or discovery of the abnormal condition or malfunction. Written reports, if required, must be filed with the Department within 10 days after the start-up or shutdown occurred, within 10 days after the abnormal conditions or malfunction has been corrected, or within 30 days of discovery of the abnormal condition or malfunction, whichever is first. The written reports shall include all of the information required in Rule 912(5). **(R 336.1912)**
8. Approval of this permit does not exempt the permittee from complying with any future applicable requirements which may be promulgated under Part 55 of 1994 PA 451, as amended or the Federal Clean Air Act.
9. Approval of this permit does not obviate the necessity of obtaining such permits or approvals from other units of government as required by law.
10. Operation of this equipment may be subject to other requirements of Part 55 of 1994 PA 451, as amended and the rules promulgated thereunder.

11. Except as provided in subrules (2) and (3) or unless the special conditions of the Permit to Install include an alternate opacity limit established pursuant to subrule (4) of Rule 301, the permittee shall not cause or permit to be discharged into the outer air from a process or process equipment a visible emission of density greater than the most stringent of the following. The grading of visible emissions shall be determined in accordance with Rule 303 (R 336.1303). **(R 336.1301)**
 - a) A six-minute average of 20 percent opacity, except for one six-minute average per hour of not more than 27 percent opacity.
 - b) A visible emission limit specified by an applicable federal new source performance standard.
 - c) A visible emission limit specified as a condition of this Permit to Install.

12. Collected air contaminants shall be removed as necessary to maintain the equipment at the required operating efficiency. The collection and disposal of air contaminants shall be performed in a manner so as to minimize the introduction of contaminants to the outer air. Transport of collected air contaminants in Priority I and II areas requires the use of material handling methods specified in Rule 370(2). **(R 336.1370)**

13. The Department may require the permittee to conduct acceptable performance tests, at the permittee's expense, in accordance with Rule 1001 and Rule 1003, under any of the conditions listed in Rule 1001. **(R 336.2001)**

EMISSION UNIT SPECIAL CONDITIONS

EMISSION UNIT SUMMARY TABLE

The descriptions provided below are for informational purposes and do not constitute enforceable conditions.

Emission Unit ID	Emission Unit Description (Including Process Equipment & Control Device(s))	Flexible Group ID
EUCHROMEPREP	Chrome plating process Strip Tanks CS-1 & HCS-1; and Rinse Tanks CS-R, HCS-1, DHCR-1, DHCR-2 & DHCR-3.	FGPLATING
EUDHC-1	Decorative Hexavalent Chrome Tank DHC-1.	FGPLATING
EUNICKELPREP	Nickel plating process Strip Tanks NS-1 & NS-2; and Rinse Tanks NS-R & BNR-1.	FGPLATING
EUBN-1	Bright Nickel Plating Tank BN-1 with a re-usable micron filter.	FGPLATING
EUCOPPERPREP	Copper plating process Acid Tank AC-1 and Rinse Tanks CCR-1, CCR-2, CCR-3, ACR-1, ACR-2 & ACR-3.	FGPLATING
EUCC-1	Copper Strike Tank CC-1.	FGPLATING
EUCLEAN	Cleaner Tank CT-1 and Rinse Tanks CR-1, CR-2 & CR-3.	FGPLATING
EURS-1	Rust Strip Tank RS-1.	FGPLATING
EUPICKLE	Acid Pickle Tanks AP-1 & AP-2; and Rinse Tanks, APR-1, APR-2, APR-3, AP2R-1, AP2R-2 & AP2R-3.	FGPLATING

Changes to the equipment described in this table are subject to the requirements of R 336.1201, except as allowed by R 336.1278 to R 336.1291.

**EUDHC-1
EMISSION UNIT CONDITIONS**

DESCRIPTION

Decorative Hexavalent Chrome Tank DHC-1.

Flexible Group ID: FGPLATING

POLLUTION CONTROL EQUIPMENT

Fume suppressant.

I. EMISSION LIMIT(S)

NA

II. MATERIAL LIMIT(S)

NA

III. PROCESS/OPERATIONAL RESTRICTION(S)

1. The permittee shall not operate EUDHC-1 unless the chemical fume suppressant containing a wetting agent is applied in quantities and at a frequency to ensure the surface tension of the tank bath does not exceed, at any time during operation, 40 dynes/cm (2.8×10^{-3} pound-force per foot) as measured by a stalagmometer or does not exceed 33 dynes/cm (2.3×10^{-3} pound-force per foot) as measured by a tensiometer. **(R 336.1224, R 336.1225, R 336.1910, R 336.1941, 40 CFR Part 63.342(d)(3))**
2. Within 30 calendar days of the date of permit approval, the permittee shall submit to the AQD District Supervisor, an approvable operation and maintenance plan. The plan shall contain all information required by 40 CFR 63.342(f)(3)(i), which includes the following:
 - a) Operation and maintenance criteria for EUDHC-1, add-on control device(s), and for the process and control device(s) monitoring equipment as well as a standardized checklist to document the operation and maintenance of the equipment;
 - b) The work practice standards for the add-on control device(s) and monitoring equipment;
 - c) Procedures to be followed to ensure that equipment or process malfunctions due to poor maintenance or other preventable conditions do not occur; and
 - d) A systematic procedure for identifying process equipment, add-on control device(s) and monitoring equipment malfunctions and for implementing corrective actions to address such malfunctions. **(R 336.1941, 40 CFR Part 63 Subparts A & N)**

IV. DESIGN/EQUIPMENT PARAMETER(S)

NA

V. TESTING/SAMPLING

Records shall be maintained on file for a period of five years. **(R 336.1201(3))**

NA

VI. MONITORING/RECORDKEEPING

Records shall be maintained on file for a period of five years. **(R 336.1201(3))**

1. The permittee shall monitor the surface tension of EUDHC-1 once every 4 hours during tank operation for the first 40 hours of tank operation. If there are no exceedances during the first 40 hours of tank operation, then surface tension measurements may be conducted once every 8 hours of tank operation for the next 40 hours of tank operation. If there are no exceedances during the 40 hours of tank operation when surface tension measurements are being conducted every 8 hours, then surface tension measurements may be conducted once every 40 hours of tank operation on an ongoing basis, until an exceedance occurs. Once an exceedance occurs as indicated through surface tension monitoring, the original monitoring schedule of once every 4 hours must be resumed and the subsequent decrease in frequency shall follow the schedule as laid out above. The minimum frequency of monitoring allowed is once every 40 hours of tank operation. An example of monitoring frequency is available at 40 CFR 63.343(c)(5)(ii)(C). The surface tension shall be monitored with a stalagmometer or tensiometer as specified in Method 306B, Appendix A of 40 CFR Part 63. **(R 336.1941, 40 CFR 63.343(c)(5))**
2. The permittee shall maintain records of inspections required to comply with applicable work practice standards of 40 CFR 63.342(f). Each inspection record shall identify the device inspected, the date, approximate time of inspection, and a brief description of the working condition of the device during the inspection. The permittee shall also record any actions taken to correct the deficiencies found during the inspection. The permittee shall keep all records on file and make them available to the Department upon request. **(R 336.1910, R 336.1941, 40 CFR Part 63 Subparts A & N)**
3. The permittee shall keep records of the surface tension of EUDHC-1, the amount of chemical fume suppressant added to EUDHC-1 and the date and time of each addition. The permittee shall keep all records on file and make them available to the Department upon request. **(R 336.1941, 40 CFR Part 63 Subparts A & N)**
4. The permittee shall monitor emissions and operating and maintenance information in accordance with the National Emission Standards for Hazardous Air Pollutants as specified in 40 CFR Part 63 Subparts A and N. The permittee shall keep records of all source emissions and operating and maintenance information on file at the facility and make them available to the Department upon request. **(R 336.1941, 40 CFR Part 63 Subparts A & N)**
5. The permittee shall keep records of the hours EUDHC-1 is operated on a daily, monthly and 12-month rolling time period basis. The permittee shall keep all records on file and make them available to the Department upon request. **(R 336.1941, 40 CFR Part 63 Subpart N)**

VII. REPORTING

1. The permittee shall submit the following notifications to the Department in accordance with 40 CFR 63.347:
 - a) A notification of the date when construction was commenced, submitted no later than 30 calendar days after such date.
 - b) A notification of the actual date of startup of the source, submitted within 30 calendar days after such date.**(R 336.1941, 40 CFR Part 63 Subparts A & N)**
2. The permittee shall submit to the AQD a report of ongoing compliance status containing information required in 40 CFR 63.347(h)(1). This report shall be submitted annually if no exceedances occurred during the reporting period. If exceedances occurred in the reporting period, the report must be submitted semi-annually until no exceedances have occurred for a year and a reduction in reporting frequency has been approved by the AQD District Supervisor. **(R 336.1941, 40 CFR 63.347(h)(2)(B)(iii))**

VIII. STACK/VENT RESTRICTION(S)

NA

IX. OTHER REQUIREMENT(S)

1. The permittee shall comply with all applicable provisions of the National Emission Standards for Hazardous Air Pollutants, as specified in 40 CFR Part 63, Subpart N for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks. **(R 336.1941, 40 CFR Part 63 Subparts A and N)**
2. Within 60 days of issuance of this permit, the permittee shall label the plating tanks and control devices according to a method acceptable to the AQD District Supervisor. Within seven days of completing the labeling, the permittee shall notify the AQD District Supervisor, in writing, as to the date the labeling was completed. **(R 336.1201)**

Footnotes:

¹ This condition is state only enforceable and was established pursuant to Rule 201(1)(b).

FLEXIBLE GROUP SPECIAL CONDITIONS

FLEXIBLE GROUP SUMMARY TABLE

The descriptions provided below are for informational purposes and do not constitute enforceable conditions.

Flexible Group ID	Flexible Group Description	Associated Emission Unit IDs
FGPLATING	Nickel, Copper and Decorative Chrome plating operations consisting of cleaning tanks, acid stripping tanks, preparation tanks, plating tanks and rinse tanks.	EUCHROMEPREP, EUDHC-1, EUNICKELPREP, EUBN-1, EUCOPPERPREP, EUC-1, EUCLEAN, EURS-1, EUPICKLE

**FGPLATING
FLEXIBLE GROUP CONDITIONS**

DESCRIPTION

Nickel, Copper and Decorative Chrome plating operations consisting of cleaning tanks, acid stripping tanks, preparation tanks, plating tanks and rinse tanks.

Emission Units: EUCHROMEPREP, EUDHC-1, EUNICKELPREP, EUBN-1, EUCOPPERPREP, EUCC-1, EUCLEAN, EURS-1, EUPICKLE.

POLLUTION CONTROL EQUIPMENT

Decorative chrome plating tank EUDHC-1 is controlled by a fume suppressant.

I. EMISSION LIMIT(S)

NA

II. MATERIAL LIMIT(S)

NA

III. PROCESS/OPERATIONAL RESTRICTION(S)

1. The permittee shall not operate FGPLATING unless a malfunction abatement plan (MAP) as described in Rule 911(2), for cleaning and plating operations, has been submitted within 60 days of permit issuance, and is implemented and maintained. If at any time the MAP fails to address or inadequately addresses an event that meets the characteristics of a malfunction, the permittee shall amend the MAP within 45 days after such an event occurs. The permittee shall also amend the MAP within 45 days, if new equipment is installed or upon request from the District Supervisor. The permittee shall submit the MAP and any amendments to the MAP to the AQD District Supervisor for review and approval. If the AQD does not notify the permittee within 90 days of submittal, the MAP or amended MAP shall be considered approved. Until an amended plan is approved, the permittee shall implement corrective procedures or operational changes to achieve compliance with all applicable emission limits. **(R 336.1225, R 336.1910, R 336.1911)**

IV. DESIGN/EQUIPMENT PARAMETER(S)

NA

V. TESTING/SAMPLING

Records shall be maintained on file for a period of five years. **(R 336.1201(3))**

NA

VI. MONITORING/RECORDKEEPING

Records shall be maintained on file for a period of five years. **(R 336.1201(3))**

NA

VII. REPORTING

NA

VIII. STACK/VENT RESTRICTION(S)

NA

IX. OTHER REQUIREMENT(S)

1. The permittee shall comply with all applicable provisions of the National Emission Standards for Hazardous Air Pollutants, as specified in 40 CFR Part 63, Subpart W for Area Source Standards for Plating and Polishing Operations. **(40 CFR Part 63, Subparts A and W)**

Footnotes:

¹ This condition is state only enforceable and was established pursuant to Rule 201(1)(b).