

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION V

IN REGARDING:

Indiana Department of
Environmental
Management
St. Joseph County Health
Department
Air Pollution, Permit to
Operate
Dated February 6, 1986, to
A.M. General Corporation

FINDING OF VIOLATION
EPA-5-86-A-50

A PROCEEDING PURSUANT TO
SECTION 113(a)(5) OF THE
CLEAN AIR ACT, AS AMENDED
(42. U.S.C. Section 7413 (a))

INTRODUCTION

On February 6, 1986, the St. Joseph County Health Department, as duly authorized delegate of the State of Indiana, issued a permit to operate several air pollution sources operated by AM General Corporation located at 13200 McKinley, Mishawaka, Indiana.

FINDING OF VIOLATION

For reasons set forth below, the Administrator finds that the permit to operate, issued by the St. Joseph County Health Department on February 6, 1986, to AM General Corporation (AMG), failed to comply with the requirements of Indiana Air Pollution Control Regulation APC-19 Section 4 and 8 that the St. Joseph County Health Department, as duly authorized delegate of the State of Indiana, did not act in compliance with those requirements.

The permit to operate issued by St. Joseph County Health Department on February 6, 1986, to AM General Corporation increased the Volatile Organic Compounds (VOC) emissions from 197.3 tons per year to 377.0 tons per year. This VOC emission increase of 179.7 tons per year allowed to AMG, subjects the facility to Regulation APC-19.

Regulation APC-19 Section 4 b(4) requires any person proposing the construction, modification or reconstruction of a major facility which will impact on the air quality of a nonattainment area or which will be located in a nonattainment area, shall comply with the requirement of Section 8 of this regulation, as applicable.

Regulation APC-19 Section 8 requires the same person to demonstrate along with other requirements:

- (1) Increased emissions of the pollutant are to be offset and are equal to 90 percent or less of the offsetting emissions.
- (2) Application of emissions limitation devices or techniques such that the Lowest Achievable Emission Rate (LAER) for the pollutant will be achieved.

This document serves as notification that the Administrator, by duly delegated authority, has made a finding under Section 113(a)(5) of the Clean Air Act, as amended, 42 U.S.C Section 7413(a)(5), and is served on both the State of Indiana and its delegate, the St. Joseph County Health Department, as well as AM General Corporation to provide an opportunity to confer with the Administrator prior to initiation of a civil action pursuant to Section 113(b)(5). By offering the opportunity for such a conference or participating in one, the Administrator does not waive his right to commence a civil action immediately under Section 113(b).

Date: Jun 19 1986 _____

David Kee, Director
Air Management Division

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION V

In the Matter of:

AM GENERAL CORPORATION
MISHAWAKA, INDIANA

FINDING OF VIOLATION
EPA-5-86-A-49

Proceedings Pursuant to
Section 113(a)(1) of the
Clean Air Act, as amended
[42. U.S.C. Section 7413
(a)(1)]

STATUTORY AUTHORITY

This Notice of Violation is issued pursuant to Section 113(a)(1) of the Clean Air Act, as amended, [42. U.S.C. Section 7413 (a)(1)]; hereafter referred to as the "Act".

FINDINGS OF VIOLATION

The Administrator of the United States Environmental Protection Agency (U.S. EPA), by authority duly delegated to the undersigned, finds:

1. Indiana Air Pollution Control Board (IAPCB) Regulation APC-19 dealing with Permits, PSD, Emission Offsets, is part of the applicable implementation plan for the State of Indiana approved by U.S. EPA on February 16, 1982, at 47 Federal Register 6621 and establish operating and construction permit requirements pertaining to AM General Corporation's facility located at 13200 McKinley Highway, Mishawaka, Indiana.
2. As indicated more specifically below:

AM General Corporation (AMG) operates a miscellaneous metal part coating facility in Mishawaka, Indiana which is in violation of IAPCB regulation APC-19 as given below:

- (a) On February 6, 1986 AM General Corporation was issued a permit to operate, by St. Joseph County Health Department. This permit to operate allows AMG to increase its volatile organic compound (VOC) emissions from 197.3 tons per year to 377.0 tons per year. This VOC emission increase of 179.7 tons per year allowed to AMG subjects the facility to Regulation APC-19.
- (b) This permit to operate issued to AMG, failed to comply with the requirements of IAPCB regulation APC-19, Section 4 and 8 as:

- (i) the applicant did not apply emission limitation devices or techniques such that the Lowest Achievable Emission Rate (LAER) for VOC was not achieved.
- (ii) the increased VOC emissions were not offset by a reduction in VOC emission by existing facilities.

NOTICE OF VIOLATION

The Administrator of the U.S. EPA, by authority duly delegate to the undersigned, notifies the State of Indiana and the AM General Corporation, that the facility described above is in violation of the applicable implementation plan as set forth in the Finding of Violation.

Date: June 19 1986_____

David Kee, Director
Air Management Division