



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Regional Headquarters
2300 N. Dr. ML King Drive, Box 12436
Milwaukee, Wisconsin 53212-0436
TELEPHONE 414-263-8500
FAX 414-263-8716
TDD 414-263-8713

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

File Code: 4530
FID #: 241026720

Greg Mitchell - Plant Manager
Marconi Communications
6565 North 60th Street
Milwaukee, WI 53223

Dear Mr. Mitchell:

Your application for an air pollution control elective operation permit has been processed in accordance with s. 285.62, Wis. Stats. The enclosed elective operation permit is issued to provide authorization for your source to operate a lock lubrication operation in accordance with the requirements and conditions set forth within Parts I and II of the permit. Please read it carefully. The elective operation permit expires 5 years from the date of issuance. Application for renewal of an elective operation permit must be submitted no later than 12 months and no earlier than 18 months before the expiration date. No permittee may continue operation of a source after the operation permit expires, unless the permittee submits a timely and complete application for the renewal of the permit.

A copy of the permit should be available at the source for inspection by any authorized representative of the Department. Questions about this permit should be directed to the Southeast Region Air Program, 2300 North Martin Luther King, Jr. Drive, P.O. Box 12436, Milwaukee, WI 53212, phone (414) 263-8500.

NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that Wisconsin statutes establish time periods within which requests to review Department decisions must be filed.

To request a contested case hearing pursuant to s. 285.81, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for a contested case hearing on the Secretary of the Department of Natural Resources. Any such petition for hearing shall set forth specifically the issue sought to be reviewed, the interest of the petitioner, the reasons why a hearing is warranted and the relief desired.

FILE COPY



Quality Natural Resources Management
Through Excellent Customer Service



For judicial review of a decision pursuant to ss. 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

This notice is provided pursuant to s. 227.48(2), Wis. Stats.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES



Dan Hellenberg
Southeast Regional Air Program
Wisconsin DNR

c: Jeff Hanson - AM/7
Air Enforcement Branch - EPA, Region V

DRAFT AIR POLLUTION CONTROL OPERATION PERMIT

EI FACILITY NO. 241026720

PERMIT NOS. 99-DJH-281-OP

STACK NO.(S). S30, S31, S32, S33

SOURCE NO.(S). P30, P31, P32, P33

In compliance with the provisions of Chapter 285, Wis. Stats., and Chapters NR 400 to NR 499, Wis. Adm. Code,

Name of Source: Marconi Communications

Street Address: 6565 North 60th Street
Milwaukee, Wisconsin

Responsible Official & Title: Greg Mitchell - Plant Manager

is required to operate coating operations as described in the plans and specifications dated December 10, 1999 in conformity with the conditions herein.

This authorization requires compliance by the permit holder with the emission limitations, monitoring requirements and other terms and conditions set forth in Parts I and II hereof.

Dated at Milwaukee, Wisconsin this 8th day of June, 2000.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
For the Secretary

By 
Daniel Schramm, Air Supervisor
Southeast Region Air Program

PART I

APPLICABLE LIMITATIONS

I. Coating Operations (P30, P31, P32, Old P33)

Pollutant	Applicable Wis. Adm. Code or Wis. Statute	Limitation/Requirement
Volatile Organic Compounds	Sec. 285.65(5), Wis. Stats.	Do Not Operate

II. Touchup booth (P33)

Pollutant	Applicable Wis. Adm. Code or Wis. Statute	Limitation/Requirement
Particulate Matter	s. NR 415.05(2), Wis. Adm. Code	0.2 lbs/1000 lb exhaust gas
Volatile Organic Compounds	Sec. NR 422.15(3)(b)	3.5 lb VOC/gal coating, excluding water
Visible Emissions	s. NR 431.05(1), Wis. Adm. Code	20 percent opacity

Note that the number P33 was used in the past to describe a dip coat and spraying operation. The number P33 now describes just the touchup booth.

A. SPECIFIC LIMITATIONS

1. VOC usage from the touchup booth P33 shall be limited to 2.0 TPY, calculated on a 12 month rolling average. Records shall be kept to show coating volume use and VOC content of the coating, as well as the calculated usage. The total usage report for each month shall be available by the 15th day of the following month. Compliance demonstration records shall be stored for at least five years and be made available to the Department upon request.
2. The Department certifies a VOC emission reduction of 26.5 tons as a result of the replacement of older coating operations with a powder coating operation. Quantification and use of this emission reduction is subject to applicable state and federal requirements and to subsequent rule development by the Department.

**BEFORE THE DEPARTMENT OF NATURAL RESOURCES
AIR MANAGEMENT PROGRAM
FINDINGS OF FACT
CONCLUSIONS OF LAW
AND DECISION**

Findings of Fact

The Department of Natural Resources (DNR) finds that:

- 1) Marconi Communications, 6565 North 60th Street, Milwaukee, Wisconsin, has applied for an air pollution control elective operation permit. The authorized representative of the facility is Greg Mitchell, President and Chief Operating Officer.
- 2) Marconi submitted an air pollution control elective operation permit application including plans and specifications and additional information on December 10, 1999.
- 3) DNR has reviewed Marconi's air pollution control elective operation permit application, plans, specifications and other information available to DNR.
- 4) DNR has prepared an analysis and a Preliminary Determination on the approvability of the operation permit application.
- 5) DNR has complied with the procedures set forth in s. 285.62, Wis. Stats.
- 6) The air contaminant source meets all of the applicable criteria in ss. 285.63 and 285.64, Wis. Stats.
- 7) DNR has complied with the requirements of s. 1.11, Wis. Stats., and ch. NR 150, Wis. Adm. Code.

Conclusions of Law

DNR concludes that:

- 1) DNR has authority under sec. 285.11(1), Wis. Stats., to promulgate rules contained in chs. NR 400-499, Wis. Adm. Code, including but not limited to rules containing emission limits, compliance schedules and compliance determination methods.
- 2) DNR has the authority under ss. 285.11(1), (5), and (6), 285.27(1) and (2) and 285.65, Wis. Stats., and chs. NR 400-499, Wis. Adm. Code, to establish emission limits for sources of air pollution.
- 3) DNR has the authority to issue air pollution control permits and to include conditions in such permits under ss. 285.60, 285.62, 285.63, 285.64 and 285.65, Wis. Stats.
- 4) The emission limits included in this permit are authorized by ss. 285.65, Wis. Stats., and NR 400-499, Wis. Adm. Code.

- 5) DNR is required to comply with sec. 1.11, Wis. Stats., and ch. NR 150, Wis. Adm. Code, in conjunction with issuing an air pollution control permit.

Decision

Marconi Communications is authorized to operate a coating operation in conformity with the emission limits, monitoring, record keeping and reporting requirements and specific and general conditions set forth in this permit.

PART II
GENERAL PERMIT CONDITIONS
FOR DIRECT STATIONARY SOURCES

A. Scope

This permit is valid only for the structure, building, facility, equipment or operation specifically identified herein. All emissions authorized hereby shall be in compliance with the terms and conditions of Parts I and II of this permit. (s. 285.60(7), Wis. Stats.)

B. Emissions Prohibited

Unless the Department has approved an exception under s. NR 436.03(2), no person may cause, allow, or permit emissions of any air contaminant into the ambient air in excess of the limits set in chs. NR 400 to 499, Wis. Adm. Code. (s. NR 436.03(1), Wis. Adm. Code)

C. General Emission Limits

1. No person may cause, allow, or permit particulate matter to be emitted into the ambient air which substantially contributes to exceeding of an air standard, or creates air pollution. (s. NR 415.03, Wis. Adm. Code).
2. No person may cause, allow, or permit any materials to be handled, transported, or stored without taking precautions to prevent particulate matter from becoming airborne. Nor may a person allow a structure, a parking lot, or a road to be used, constructed, altered, repaired, sand blasted or demolished without taking such precautions. Such precautions shall include, but not be limited to the following (s. NR 415.04, Wis. Adm. Code):
 - a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, or construction operations.
 - b. Application of asphalt, oil, water, suitable chemicals, or plastic covering on dirt roads, material stockpiles, and other surfaces which can create airborne dust, provided such application does not create a hydrocarbon, odor, or water pollution problem.
 - c. Installation and use of hoods, fans and air cleaning devices to enclose and vent the areas where dusty materials are handled.
 - d. Covering or securing of materials likely to become airborne while being moved on public roads, railroads, or navigable waters.
 - e. Conduct of agricultural practices such as tilling of land or application of fertilizers in such manner as not to create air pollution.
 - f. The paving or maintenance of roadway areas so as not to create air pollution.
3. No person may cause, allow or permit emission of sulfur or sulfur compounds into the ambient air which substantially contribute to the exceeding of an air standard or cause air pollution. (s. NR 417.025, Wis. Adm. Code).
4. No person may cause, allow or permit organic compound emissions into the ambient air which substantially contribute to the exceeding of an air standard or cause air pollution. (s. NR 419.03(1), Wis. Adm. Code).

5. No person may cause, allow or permit the disposal of more than 5.7 liters (1.5 gallons) of any liquid Volatile Organic Compound (VOC) waste, or of any liquid, semisolid or solid waste materials containing more than 5.7 liters (1.5 gallons) of any VOC, in any one day from a facility in a manner that would permit their evaporation into the ambient air during the ozone season. This includes, but is not limited to, the disposal of VOC which must be removed from VOC control devices so as to maintain the control devices at their required operating efficiency. Disposal during the ozone season shall be by methods approved by the Department, such as incineration, recovery for reuse, or transfer in closed containers to an acceptable disposal facility, such that the quantity of VOC which evaporates into the ambient air does not exceed 15% (by weight) or 5.7 liters (1.5 gallons) in any one day, whichever is larger. (s. NR 419.04, Wis. Adm. Code).
6. No person may cause, allow or permit emissions of carbon monoxide to the ambient air which substantially contribute to the exceeding of an air standard or cause air pollution. (s. NR 426.03, Wis. Adm. Code).
7. No person may cause, allow or permit emissions into the ambient air of lead or lead compounds which substantially contribute to the exceeding of an air standard or air increment, or which create air pollution. (s. NR 427.025, Wis. Adm. Code).
8. No person may cause, allow, or permit nitrogen oxides or nitrogen compounds to be emitted to the ambient air which substantially contribute to the exceeding of an air standard or cause air pollution. (s. NR 428.03, Wis. Adm. Code).
9. No person may cause, allow or permit emission into the ambient air of any substance or combination of substances in such quantities that an objectionable odor is determined to result unless preventive measures satisfactory to the Department are taken to abate or control such emission. (s. NR 429.03(1), Wis. Adm. Code*)
10. Open burning is prohibited except as provided in s. NR 429.04, Wis. Adm. Code. (s. NR 429.04, Wis. Adm. Code*)
11. No person may cause, allow or permit emissions into the ambient air from any direct or portable source in excess of one of the limits specified in ch. NR 431, Wis. Adm. Code. Where the presence of uncombined water is the only reason for failure to meet the requirements of ch. NR 431, Wis. Adm. Code, such failure is not a violation of the chapter. (s. NR 431.03, Wis. Adm. Code).
12. No person may cause, allow, or permit emissions into the ambient air of any hazardous substance in such quantity, concentration, or duration as to be injurious to human health, plant or animal life unless the purpose of that emission is for the control of plant or animal life. Hazardous substances include, but are not limited to, hazardous air contaminants listed in Tables 1 to 4 of s. NR 445.04, Wis. Adm. Code. (s. NR 445.03, Wis. Adm. Code*).
13. Chapter NR 447, Wis. Adm. Code, applies to all air contaminant sources which may emit asbestos, to their owners and operators and to any person whose action causes the emission of asbestos to the ambient air, including demolition and renovation activities. Chapter NR 447, Wis. Adm. Code, establishes emission limitations for asbestos air contaminant sources, establishes emission procedures to be followed when working with asbestos materials and contains additional reporting and record keeping requirements for owners or operators of asbestos air contaminant sources in order to protect air quality. (ch. NR 447, Wis. Adm. Code)
14. When the department requires instrumentation to monitor the operation of air pollution control equipment, or to monitor source

performance. the instrument shall measure operational variables with the following accuracy: (s. NR 439.055(4), Wis. Adm. Code)

- a. The temperature monitoring device shall have an accuracy of 0.5% of the temperature being measured in degrees Fahrenheit or $\pm 5^{\circ}\text{F}$ of the temperature being measured, or the equivalent in degrees Celsius (centigrade), whichever is greater.
 - b. The pressure drop monitoring device shall be accurate to within 5% of the pressure drop being measured or within ± 1 inch of water column, whichever is greater.
 - c. The current, voltage, flow or pH monitoring device shall be accurate to within 5% of the specific variable being measured.
15. All instruments used for measuring source or air pollution control equipment operational variables shall be calibrated yearly or at a frequency based on good engineering practice as established by operational history, whichever is more frequent. (s. NR 439.055(4), Wis. Adm. Code)

D. Reporting Requirements

1. The Department shall be notified of the following events:

<u>Event</u>	<u>Timing</u>
a. Hazardous substance air spill	Immediate call: 1-800-943-0003
b. Malfunction or other unscheduled event which causes or may cause any emission limitation to be exceeded (except certain visible emission limit exceedances - see s. NR 439.03(4), Wis. Adm. Code.).	Notification by next business day of any such event at the source which is not reported in advance to the Department. Report the cause and duration of the exceedance, the period of time considered necessary for correction, and measures taken to minimize emissions during the period.
c. Deviation from any other condition specified in this permit.	Notification by next business day identifying the deviation, cause, duration and steps taken to prevent recurrence.

(ss. 292.11(2) and 285.65(10), Wis. Stats., and ss. NR 439.03(4) and 445.08, Wis. Adm. Code)

2. The permittee shall report to the Department, in advance, schedules for planned shutdown and startup of air pollution control equipment and the measures to be taken to minimize the down time of the control equipment while the source is operating. Scheduled maintenance or any other scheduled event, including startup, shutdown or sootblowing procedures which have been approved by the Department under s. NR 436.03(2)(b), which causes an emission limit to be exceeded shall also be reported in advance to the Department. Advance reporting pursuant to this permit condition does not relieve any person from the duty to comply with any applicable emission limitations. (s. NR 439.03(6), Wis. Adm. Code)
3. Except for information determined to be confidential under s. 285.70(2), Wis. Stats., any information or reports obtained by the Department in the administration of ss. 285.01 to 285.87 and 299.15, Wis. Stats., will be available for public inspection at the offices of the Department. (s. 285.70(1), Wis. Stats.)

E. Right of Entry and Inspection

The permittee shall allow authorized representatives of the Department to enter upon the permittee's premises at any reasonable time, to have access to and examine any record relating to emissions or required to be kept, and to make any inspection necessary to ascertain compliance with air pollution control laws and the terms of this permit. The Department may, for the purpose of determining a source's compliance with applicable requirements, sample or monitor at reasonable times production materials or other substances or operational parameters. (ss. 285.13(6) and 285.19, Wis. Stats., and s. NR 439.05, Wis. Adm. Code)

F. Malfunction Prevention and Abatement Plans

The owner or operator of any direct or portable source which may emit hazardous substances or emits more than 15 pounds in any day or 3 pounds in any hour of any air contaminant for which emission limits have been adopted shall prepare a written malfunction prevention and abatement plan to prevent, detect, and correct malfunctions or equipment failures which may cause any applicable emission limitation to be violated or which may cause air pollution. Any such plan shall be carried out by the owner or operator. The plan shall be updated at least every 5 years. The Department may require the plan to be submitted for review and approval. (s. NR 439.11, Wis. Adm. Code)

G. Emission Control Action Plan

For source(s) covered by this permit which emit 0.25 tons or more per day of any air contaminant for which air standards have been adopted, the permittee shall prepare an emission control action program, consistent with good industrial practice and safe operating procedures, for reducing the emission of air contaminants into the outdoor atmosphere during periods of an air pollution alert, air pollution warning or air pollution emergency declared under s. NR 493.03(2), Wis. Adm. Code. The emission control action program shall be in writing, available on the premises and is subject to review and approval by the Department on request. (s. NR 493.04, Wis. Adm. Code*)

H. Construction, Reconstruction, Replacement, Relocation or Modification

1. Unless the replacement is authorized by a permit or is exempt under s. NR 406.04, Wis. Adm. Code, replacement of the source(s) covered by this permit is prohibited. (s. 285.60(1)(a), Wis. Stats.)
2. No person may commence construction, reconstruction, replacement, relocation or modification of a stationary source unless the person has a construction permit for the source or unless the source is exempt from the requirement to obtain a permit under s. 285.60(5), Wis. Stats., or under ch. NR 406, Wis. Adm. Code. Applications for the construction permit shall be submitted on forms which are available from the Department at its Madison headquarters and district offices. (s. 285.60(1)(a), Wis. Stats.)

Note: The address of the Madison headquarters is: Wisconsin Department of Natural Resources, Bureau of Air Management, P. O. Box 7921, Madison, WI 53707, Attention: Permit Application Forms

3. For new or modified sources for which no construction permit is required, the application for an operation permit shall be filed before the source commences construction or modification. (s. NR 407.04, Wis. Adm. Code).

I. Payment of Construction Permit Application Fees

Any person who obtains a construction permit shall pay the application fee within thirty days of the date of the billing statement. (s. NR 410.03(4), Wis. Adm. Code)

J. Construction Permit Revision, Suspension, and Revocation

A construction permit may be suspended, revoked or revised, in whole or in part, for cause. (s. NR 406.11, Wis. Adm. Code.)

K. Circumvention

1. The installation or use of any article, machine, equipment, process, or method which conceals an emission which would otherwise constitute a violation of an applicable rule is prohibited unless written approval has been obtained from the Department. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance and the unnecessary separation of an operation into parts to avoid coverage by a rule that applies only to operations larger than a specified size. (s. NR 439.10, Wis. Adm. Code)
2. No one may render inaccurate any monitoring device or method required under ch. NR 439, Wis. Adm. Code, or in this permit. (s. NR 439.03(12), Wis. Adm. Code).

L. Violations

Any owner or operator who fails to construct a stationary source in accordance with the application as approved by the department; any owner or operator who fails to construct and operate a stationary source in accordance with conditions imposed by the department under s. 285.65, Wis. Stats.; any owner or operator who modifies a stationary source in violation of conditions imposed by the department under s. 285.65, Wis. Stats.; or any owner or operator who commences construction or modification of a stationary source without applying for and receiving a permit as required under this chapter or ch. NR 408 shall be considered in violation of s. 285.60, Wis. Stats. (s. NR 406.10, Wis. Adm. Code)

M. Duty to Comply

Approval to construct or modify does not relieve any owner or operator of the responsibility to comply with the emission limits of chs. NR 400 to 499, the air quality standards of ch. NR 404 or the control strategies of all local, state and federal regulations which are part of the state implementation plan. (s. NR 406.13, Wis. Adm. Code)

N. Recordkeeping Requirements

1. The permittee shall maintain the following records:
 - a. Records of all sampling, testing and monitoring conducted or required under chs. NR 400 to 499 or under this permit. Records of sampling, testing or monitoring shall include the following:
 - 1) The date, monitoring site and time and duration of sampling, testing, monitoring or measurements.
 - 2) The dates the analyses were performed.
 - 3) The company or entity that performed the analysis.
 - 4) The analytical techniques or methods used, including supporting information such as calibration and maintenance records of all original recording charts for continuous monitoring instrumentation including emissions or equipment monitors.
 - 5) The results of the analyses.
 - 6) The relevant operating conditions that existed at the time of sampling, testing, monitoring or measurement.
 - b. Records detailing all malfunctions which cause any applicable emission limitation to be exceeded, including logs to document the implementation of the plan required under s. NR 439.11, Wis. Adm. Code;

c. Records detailing all activities specified in any compliance schedule approved by the Department under chs. NR 400 to 499, Wis. Adm. Code; and

d. Any other records relating to the emission of air contaminants which may be requested in writing by the Department.

(s. NR 439.04, Wis. Adm. Code)

2. Copies of all records and reports required under this permit shall be retained by the permittee for a period of 5 years. (s. NR 439.04(2), Wis. Adm. Code)

O. Required Air Emission Inventory Reports

The permittee shall annually submit to the Department an emission inventory report of annual, actual emissions or throughput information in accordance with ch. NR 438, Wis. Adm. Code. (s. NR 438.03, Wis. Adm. Code)

P. Annual Emission Fees

The permittee shall pay an annual emissions fee to the Department at the rate specified in s. 285.69(2), Wis. Stats. (ss. NR 410.04 and NR 407.09(1)(e), Wis. Adm. Code)

Note: an "*" is used to indicate portions of the Wis. Adm. Code that have not been submitted to U.S. EPA as part of the Wisconsin State Implementation Plan and so are not Federally enforceable.