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ATTN: Don Squires, BWP

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CC
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
SOUTHEAST REGIONAL OFFICE
20 RIVERSIDE DRIVE, LAKEVILLE, MA 02347

JANE SWIFT
Governor

BOB DURAND
Secretary

LAUREN A. LISS
Commissioner

July 22, 2002

Donald Morrison, Vice President
Eureka Manufacturing Co., Inc.
47 Elm Street
Norton, Massachusetts 02766-0917

RE: **FINAL APPROVAL**
Application for: BWP AQ 02
Non-Major Comprehensive Plan Application
Transmittal No.: 108088
Application No.: 4P95094
Source No.: 0342
Action Code: E-V7

AT: Eureka Manufacturing Co., Inc.
47 Elm Street
Norton, Massachusetts 02766

Dear Mr. Morrison:

The Department of Environmental Protection, Southeast Region, Bureau of Waste Prevention, has reviewed your letter dated July 15, 2002 concerning the Conditional Approval (4P95094) dated October 31, 1995 issued by the Department to Eureka Manufacturing Company, Inc., (herein referred to as "Eureka" or "facility") 47 Elm Street, Norton, Massachusetts. Your letter requested that the Department issue a Final Approval that will further limit volatile organic compounds in topcoats and sealers used at Eureka and to incorporate into the Final Approval (4P95094) terms and conditions of the Limited Plan Application (4P96156) approval dated March 17, 1997.

The applications 4P95094 and 4P96156 were submitted in accordance with Section 7.02 Plan Approval and Emission Limitations as contained in 310 CMR 7.00 "Air Pollution Control Regulations" adopted by the Department pursuant to the authority granted by Massachusetts General Laws, Chapter 111, Section 142 A-E and Chapter 21C, Sections 4 and 6.

The Department's review has been limited to air pollution regulation compliance and does not relieve you of the obligation to comply with all other permitting requirements.

Application 4P95094 was submitted over the seal and signature of Christophe M. Henry, P.E. No. 36172 of Environmental Science Services.

Eureka proposes to continue their current methods of manufacturing and use of solvent-based stains, sealers, shades, and lacquers using Mach II spray guns in the nine (9) existing spray booths. In addition, Eureka shall retain two (2) existing Mach I HVLP spray guns in Spray Booths No. 7 and No. 8 (one for each booth). Eureka applies coatings to wooden chests, wooden game boards, miscellaneous metal parts, and miscellaneous wood products at their facility in the nine (9) approved spray booths. All coating materials are applied and exhausted at room ambient temperatures using the approved spray guns, which operate at 30-50 pounds per square inch (psi) pressure range.

The Department is of the opinion that the applications (4P96094 and 4P96156) as revised per your letter dated July 22, 2002 are in conformance with current air pollution control engineering practices and hereby grants FINAL APPROVAL subject to the following provisions:

A. OPERATIONAL LIMITS:

1. Eureka shall achieve and maintain a minimum particulate matter control efficiency of 95.0 percent on all spray booths.
2. Eureka shall maintain a minimum paint transfer efficiency of 65.0 percent for the two (2) Mach I HVLP spray guns in Booths No. 7 and No. 8.

B. PRODUCTION LIMITS:

None

C. EMISSION LIMITS:

1. Eureka shall limit the VOC content of all coatings, on an "as applied" basis, as follows:
 - a. Toner 839.0 pounds of VOC per gallon of solids.
 - b. Stain 94.3 pounds of VOC per gallon of solids.
 - c. Filler 28.6 pounds of VOC per gallon of solids.
 - d. Sealers¹ 19.4 pounds of VOC per gallon of solids.
 - e. Shade 166.8 pounds of VOC per gallon of solids.
 - f. Topcoats² 18.3 pounds of VOC per gallon of solids.

NOTES: 1. Limit achieved no later than Dec. 31, 2002. Prior to Dec. 31 2002, sealers shall be limited to 32.1 pounds of VOC per gallon of solids, as applied.
2. Limit achieved no later than Dec. 31, 2002. Prior to Dec. 31 2002, topcoats shall be limited to 32.0 pounds of VOC per gallon of solids, as applied.

2. Eureka shall limit the emissions of volatile organic compounds (VOCs), and particulate matter (PM) from the spray booths and associated cleanup activities on a daily, monthly, and annual basis in accordance with Table A.

TABLE A
EUREKA MANUFACTURING CO., INC.
EMISSION LIMITATIONS

Spray booths	Emissions				
	VOC (coatings & cleanup)			PM	
	lbs per day	tons per month	tons per year ¹	per month	per year ¹
1-9	1,477	9.0	49.26	1.0 ton	5.51 tons
9	147	note ²	4.9	15 lbs	79 lbs
Total	1,477	9.0	49.26	1.0 ton	5.51 tons

Notes: 1. "Per year" based on a consecutive 12-month period.

2. Spray booth 9 is subject to the monthly facility wide limitation.

3. Eureka shall limit VOC emissions from the facility's two (2) boilers to 0.13 tons per consecutive 12-month period. The above VOC emissions totals were calculated using EPA AP-42 emission factors of 0.34 pounds of VOC per 1,000 gallons of No. 2 fuel oil and 5.28 pounds of VOC per one million cubic foot of natural gas. The emissions reflect a maximum energy input rating of 3,640,000 Btu per hour for Boiler No. 1, burning No. 2 fuel oil for 8,760 hours per consecutive 12-month period and a maximum energy input rating of 3,753,000 Btu per hour for Boiler No. 2, burning natural gas for 8,760 hours per consecutive 12-month period.
4. Hazardous Air Pollutants (HAPs) emissions, as listed in the 1990 Clean Air Act (CAA) Amendments Section 112(b), shall be less than 10 tons per year for any single HAP and less than 25 tons per year for total aggregate HAPs.

D. RECORD KEEPING REQUIREMENTS:

1. Eureka shall maintain a detailed record keeping system to track VOC and HAP emissions to demonstrate compliance with all VOC and HAP emission limits (i.e. daily, monthly and yearly) contained in this approval. Eureka shall adopt the following record keeping procedure, enabling the Department to confirm VOC and HAP emission quantities.
 - a. A daily log, containing coating entity, VOC content, HAP content, solids content, usage quantities, inventory and coating disposal records and quantity of VOC and

HAP emissions shall be kept at all times in a complete and accurate fashion, readily available for Department inspection.

- b. Beginning and end of each year inventory records, hazardous waste disposal records, as well as purchase records for all VOC and HAP containing materials, will be maintained such that the Department may check these against plant logs.
 - c. Upon request of the Department, Eureka will obtain and submit a statement from any and all suppliers of VOC and HAP containing materials (paints, stains, fillers, cleaning solvents, etc.), specifying the amounts purchased by Eureka in any calendar year.
2. A copy of these records must be kept readily available on-site for a period of five (5) years and shall be available to Department and/or US EPA personnel upon request.

E. NOTIFICATIONS AND REPORTING:

1. All notifications and reporting required by this Conditional Approval shall be made to the attention of:

Department of Environmental Protection
Bureau of Waste Prevention
20 Riverside Drive
Lakeville, Massachusetts 02347

Attn: Gerald A. Monte, Chief
Compliance and Enforcement Section

Telephone: (508) 946-2825
Fax: (508) 947-6557
(508) 946-2835

F. SPECIAL CONDITIONS:

1. This Final Approval supersedes the following previously issued Department approvals: LPA 4P96156 dated March 17, 1997; CPA 4P95094, dated October 31, 1995; and LPA 4P92010 dated May 21, 1992.

G. GENERAL CONDITIONS:

1. If any nuisance condition(s) should be generated by the operation of this facility, then the facility shall take immediate appropriate steps to abate the nuisance condition(s), including shutdown if necessary.
2. If asbestos remediation/removal should be required as a result of the approved construction, reconstruction, or alteration of this facility, removal/remediation of asbestos shall be done in accordance with Regulation 310 CMR 7.15 in its entirety and 310 CMR 4.00.

3. The facility shall allow Department and/or USEPA personnel access to the plant site, buildings, and all pertinent records at all times for the purpose of making inspections and surveys, collecting samples, obtaining data, and reviewing records.
4. Please be advised that this Conditional Approval does not negate the responsibility of the facility to comply with other applicable federal, state, or local regulations now or in the future.
5. This Conditional Approval may be suspended, modified, or revoked by the Department if, at any time, the Department determines that the facility is violating any condition or part of this Conditional Approval.
6. The Department's Compliance/Enforcement Chief for the Bureau of Waste Prevention at this Office must be notified by telephone, or fax as soon as possible after the occurrence of any upsets or malfunctions to the facility equipment, air pollution control equipment, or monitoring equipment that result in an excess emission to the air and/or a condition of air pollution.
7. In accordance with Regulation 310 CMR 7.12, the facility shall register on a form obtained from the Department such information as the Department may request including:
 - a. The nature and amounts of emissions from the facility;
 - b. Information that may be needed to determine the nature and amounts of emissions from the facility;
 - c. Any other information pertaining to the facility that the Department requires; and
 - d. Information required by Regulation 310 CMR 7.12(1)(a) to be submitted in accordance with 310 CMR 7.12 (1)(b).
8. Any proposed increase in emissions above the limits contained in this Conditional Approval must first be approved in writing by the Department pursuant to the Department's Air Pollution Control Regulations. In addition, any increase may subject the facility to additional regulatory requirements.
9. The ability of the facility to maintain emission rates at or below the levels stated in this Conditional Approval shall be demonstrated to the Department in the future if deemed necessary.
10. Any future compliance tests that may be required at this facility shall be conducted in accordance with procedures set forth by the appropriate EPA Reference Test Methods and Air Pollution Control Regulations, 310 CMR 7.00, Section 7.13. A written pretest protocol must be submitted to this Office for written Department approval at least 30 days prior to the actual test. A test results report shall be submitted to this Office within 30 days after the completion of any required compliance testing.

11. The facility shall comply with all provisions contained in this Conditional Approval. Should there be any differences between provisions contained in "General Conditions" and provisions contained elsewhere in the Conditional Approval, the latter shall govern.
12. The facility shall be constructed and operated in strict accordance with the application approved herein. Should there be any differences between the aforementioned application and this approval letter, this approval letter shall govern.
13. The facility shall continue to investigate pollution prevention, which includes the feasibility of implementing alternative technologies or reformulated raw material inputs which will lead to the decrease of overall emissions from the facility to the environment (air emissions, solvent waste, etc.). The facility shall record any information supplied to them relative to reducing overall emissions and pollution prevention techniques. This information, as well as any progress toward decreasing overall emissions to the environment, shall be recorded in an environmental logbook or similar record keeping system.

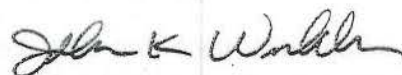
The Department has determined that the filing of an Environmental Notification Form (ENF) with the Secretary of Environmental Affairs, for air quality control purposes, was not required prior to this action by the Department. Notwithstanding this determination, the Massachusetts Environmental Policy Act (MEPA) and Regulation 301 CMR 11.00, Section 11.04, provide certain "Fail-Safe Provisions" that allow the Secretary to require the filing of an ENF and/or an Environmental Impact Report at a later time.

The enforceable conditions contained herein establish the federally enforceable status of this **FINAL APPROVAL**. The Department reserves the right to require changes in the standard operating and/or maintenance procedure, record keeping system, and to require additional process monitoring if it is determined necessary by the Department to ensure continuous compliance with the Air Quality Control Regulations contained in 310 CMR 7.00.

This Approval is an action of the Department; you have a limited right to appeal. Please refer to the enclosed "APPEAL" information, Attachment 1.

Should you have any questions concerning this Conditional Approval, please contact Thomas Cushing at (508) 946-2824.

Very truly yours,



John K. Winkler, Chief
Permit Section
Bureau of Waste Prevention

Attachment 1: Appeal of Approval

cc: Earth Tech
196 Baker Avenue
Concord, MA 01742-2167
Attn: Steven Babcock, P.E.

Fire Department
70 East Main Street
Norton, MA 02766

Board of Health
Town Hall
70 East Main Street
Norton, MA 02766
Attn: Chairperson

DEP/BWP/BC-Boston
Attn: Donald Squires
Yi Tian

DEP/BWP-SERO
Attn: Gerald Monte

ATTACHMENT No. 1

APPEAL OF APPROVAL

This Approval is an action of the Department. If you are aggrieved by this action, you may request an adjudicatory hearing. A request for a hearing must be made in writing and postmarked within twenty-one (21) days of the date of issuance of this Approval.

Under 310 CMR 1.01(6)(b), the request must state clearly and concisely the facts, which are the grounds for the request, and the relief sought. Additionally, the request must state why the Approval is not consistent with applicable laws and regulations.

The hearing request along with a valid check payable to Commonwealth of Massachusetts in the amount of one hundred dollars (\$100.00) must be mailed to:

Commonwealth of Massachusetts
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The request will be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver as described below.

The filing fee is not required if the appellant is a city or town (or municipal agency), county, or district of the Commonwealth of Massachusetts, or a municipal housing authority.

The Department may waive the adjudicatory hearing filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request as provided above, an affidavit setting forth the facts believed to support the claim of undue financial hardship.