

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

VS

A.H. File No. 87-2-AP

PROVIDENCE METALLIZING CO., INC.
51 FAIRLAWN AVENUE
PAWTUCKET, RI 02860

CONSENT AGREEMENT

This Consent Agreement is entered by and between the Department of Environmental Management's Division of Air and Hazardous Materials (hereinafter the Division) and Providence Metallizing Company, Inc. (hereinafter Providence Metallizing) pursuant to the Rhode Island Clean Air Act, Chapter 23-23 of the General Laws of Rhode Island, as amended, and the air pollution control regulations adopted in accordance therewith.

To comply with the provision of Air Pollution Control Regulation No. 15 entitled "Control of Organic Solvent Emissions," the Division and Providence Metallizing agree as follows:

1. That the Division has jurisdiction of the subject matter of this agreement and of the parties consenting to this decree.
2. That Providence Metallizing is subject to the provision of Title 23, Chapter 23 of the Rhode Island General Laws, as amended, and the air pollution control regulations adopted in accordance therewith.
3. That the Consent Agreement applies to Providence Metallizing Company, Inc., 51 Fairlawn Avenue, Pawtucket, Rhode Island.
4. That the provisions of this agreement shall apply to and be binding upon Providence Metallizing, its officers, directors, agents, servants, employees, operators, successors, and assignees and all persons, firms, and corporations acting under, through and for it.
5. That by 14 October 1987, and daily thereafter, Providence Metallizing shall comply with the emission limitations of 3.5 lb. VOC/gallon of coating (minus water) on a facility wide basis. Providence Metallizing will demonstrate compliance with the above emission limitation, according to the provisions of Regulation 15.4, such that the VOC emissions rate from all spray booths calculated on an equivalent solids applied basis shall be at or below 6.0 lbs VOC/gallon of solids applied on a daily basis. In accordance with the Division's Penalty Policy, a penalty of not more than \$500.00 per day of noncompliance will be paid to the Division on a monthly basis thereafter.

6. Providence Metallizing shall install air pollution control equipment on its spray paint booths as specified in the following schedule:

A.	Order date for oxidizer	18 February 1987
B.	Approval Drawings sent to Prov. Met.	8 May 1987
C.	Approval returned to Supplier	22 May 1987
D.	Application to Division for construction permit	5 June 1987
E.	Certified drawings sent to Prov. Met.	19 June 1987
F.	Shipping of Oxidizer	24 August 1987
G.	Machine shakedown/debugging	7 October 1987
H.	Production ready	14 October 1987

All air pollution control equipment is subject to the permit requirements of Rhode Island Air Pollution Control Regulations. Providence Metallizing will conduct stack testing according to the permit conditions imposed by the Division.

The method used to conduct the stack test must be the appropriate EPA test method. The stack test shall be conducted, and emission reduction credits be quantified by 14 October 1987. No spray booth may operate at greater than 3.5 lbs VOC/gallon coating after 14 October 1987 until the emission reduction credits of the control equipment are quantified. The control equipment must be operated at an efficiency sufficient to maintain the necessary emission reduction credits.

7. That written status reports will be submitted to the Division within two weeks of the date for each increment of progress specified in Item 6.

8. Providence Metallizing will record its coating usage by formula on a daily basis and compile this data into a logbook weekly. Usage records of coatings will show amounts used in controlled booths and those not controlled. Records kept will enable Division and/or EPA personnel to determine compliance with the Item 5 emissions limit of 3.5 lb. VOC/gallon of coating (minus water) on a facility wide basis. This logbook will be available for inspection by Division personnel at Providence Metallizing Co. premises only, and be kept for a minimum of three years. Yearly emission inventory data will be submitted to the Division within three months following the end of each calendar year. Nothing in this section shall preclude any authority given EPA under Section 114 of the federal Clean Air Act.

The recordkeeping requirements of this item may be relaxed when all spray booths with potential to emit VOC are connected to control equipment, with the approval of the Division.

9. If an existing coating for a specific product category is replaced and said coating had a VOC content over 3.5 lb. VOC/gallon of coating (minus water), it must be replaced with a formulation that will emit less VOC for the equivalent amount of solids applied, unless the coating is applied in a booth whose stack is controlled by approved air pollution control equipment.

10. Providence Metallizing shall allow authorized representatives of the Division access to the facility at reasonable times for the purpose of determining compliance with the Agreement and with other rules and regulations of the Division.
11. The Division acknowledges that the low/no solvent technologies implemented at Providence Metallizing pursuant to this Agreement and the manufacturing processes and appurtenances employed by Providence Metallizing may constitute proprietary information. Any and all information submitted to the Division or gathered by the Division during inspections and identified by Providence Metallizing as proprietary will not be disclosed to any non-regulatory party. If the Division determines that any information is not proprietary or a trade secret, it shall give Providence Metallizing ten (10) days written notice of the information it intends to disclose. Providence Metallizing shall have the right to challenge the Division's decision in a court of competent jurisdiction. Information relating to the emission of air contaminants cannot be considered confidential.
12. This Consent Agreement is in lieu of an administrative hearing. Violation of any of its terms shall be presented to Superior Court for enforcement.
13. It is further agreed to by the parties that this agreement has the full force of a final administrative adjudication.
14. This Consent Agreement will expire on 31 January 1989.

It is hereby agreed and understood by the parties that the implementation of said procedures does not relieve Providence Metallizing from compliance with applicable Air Pollution Control Regulations of the Division.

This Agreement becomes effective upon signature of both parties.

FOR THE DIRECTOR:

24 July 1987
Date

Thomas D. Getz
Thomas D. Getz, Chief
Division of Air and Hazardous Materials

FOR PROVIDENCE METALLIZING CO., INC.

July 16, 1987
Date

Nathaniel Sugerman
Nathaniel Sugerman, President

prov-met/cpl

15. This Consent Agreement can be reopened by DEM should compliance with federal or state laws and standards require any further effort by Providence Metallizing to reduce air pollution emissions.

Except as specifically amended herein, the Consent Agreement shall remain in full force and effect. This Agreement becomes effective upon execution by the parties.

FOR THE DIRECTOR:

4 May 1989
Date

Thomas Getz
Thomas Getz, Chief
Air and Hazardous Materials

FOR PROVIDENCE METALLIZING:

May 4, 1989
Date

Nathaniel Sugerman
Nathaniel Sugerman, President