

Bob Eckdall BAM/AM



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

Southeast District Headquarters
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February 26, 1996

FID #: 241014180
Ref. File:4530-1

Certified Mail

Mr. Michael Davis
Manager, Air and Chemical Management Programs
G E Medical Systems
4855 W. Electric Avenue
West Milwaukee, WI 53214

Dear Mr. Davis:

RE: Consent Order AM-96-200

In a letter dated September 15, 1995, you requested approval from the Department to use an equivalent control system as the method of compliance with NR432.03, Wis. Adm. Code for the cold cleaning operation at the 4855 W. Electric Avenue facility.

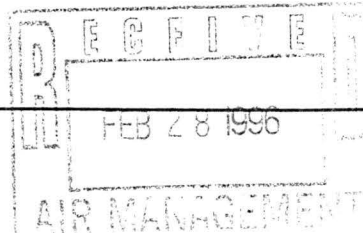
The Department has approved you request through the enclosed decision. This Decision requires G E Medical to modify and operate the cold cleaner in accordance with the specifications described in the letter dated September 15, 1995.

If you have any questions regarding this decision, please contact Lynette Check at (414) 263-8675.

Sincerely,

Lynette Check
Air Management Engineer
Southeast District

cc: BAM AM/7
SED Casefile



**BEFORE THE
STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES**

In the matter of organic compound emissions from)
a cold cleaning operation at the GE Medical) No. AM-96-200
System facility located at 4855 W. Electric Ave.)
Milwaukee, Wisconsin.)

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION

FINDINGS OF FACT

The Department of Natural Resources, hereinafter Department, finds that:

1. GE Medical Systems (GEM) is located at 4855 W. Electric Ave. in Milwaukee, Wisconsin. GEM owns and operates a cold cleaning operation identified as process P11 which is part of an automated batch chemical treatment process for X-ray tubes.
2. GEM's facility constitutes an existing source of organic compound emissions within the State of Wisconsin which is subject to the requirements of s. NR423.03, Wis. Adm. Code.
3. Section NR423.03(2)(c)3., Wis. Adm. Code, requires that the owner or operator of an individual cold cleaner located in Milwaukee County and which has an open area greater than 1.1 square feet comply with the requirements of s. NR423.03(3), Wis. Adm. Code.
4. Section NR423.03(3)(d) and (i), Wis. Adm. Code, states that an owner or operator of a cold cleaning facility shall install one of the following control devices if the solvent volatility is greater than 4.5 KPa (0.6 psia) measured at 38°C (100°F), or if the solvent is heated above 49°C(120°F):
 - (1) Freeboard that gives a freeboard ratio greater than or equal to 1.0; or
 - (2) Water cover (solvent must be insoluble in and heavier than water); or
 - (3) Other system of equivalent control, such as refrigerator chiller or carbon adsorption, approved by the Department.
5. Section NR423.03(3)(j), Wis. Adm. Code, states that if a system of equivalent control is chosen under s. NR423.03(3)(d), Wis. Adm. Code, the level of control shall be equivalent to that achieved under a freeboard ratio of 1.0.
6. Section NR423.03(9), Wis. Adm. Code, states that any equivalent control system approved by the Department under s. NR423.03(3)(d)3. or (j), Wis. Adm. Code, shall be submitted to and will not become effective for federal purposes until approved by, the

Administrator of the U.S. Environmental Protection Agency or designee as a source-specific revision to Wisconsin's state implementation plan for ozone.

7. On September 15, 1995 GEM requested approval from the Department to use an equivalent control system as the method of compliance with s. NR423.03, Wis. Adm. Code, for the cold cleaning operation at the facility.

8. The Department has determined that the control system described in the GEM request dated September 15, 1995 is equivalent to a freeboard ratio of 1.0.

CONCLUSION OF LAW

The Department concludes that:

1. The Department is authorized by ss.144.31(1)(a) and 227.11, Stats., to promulgate rules implementing and consistent with ss. 144.30 to 144.426 and 144.96 Stats.

2. Pursuant to its authority, the Department has promulgated chapters NR400 to 494, Wis. Adm. Code, which include the emission limitations in s. NR423.03, Wis. Adm. Code.

3. Under s. NR423.03(3)(d) and (j), Wis. Adm. Code, the Department has the authority to approve the use of equivalent control systems for cold cleaning operations.

4. The issuance of this decision is reasonable and necessary to effectuate the purposes of ss. 144.30 to 144.426, Stats., and s. NR423.03(3)(d) and (j), Wis. Adm. Code.

5. This decision is enforceable under ss. 144.423 and 144.426, Stats. and ch. NR494, Wis. Adm. Code.

DECISION

The Department therefore approves the use of an equivalent control system under s. NR423.03(3)(d)3. and (j), Wis. Adm. Code, for the cold cleaning operation identified by the process number P11 and located at GEM's facility at 4855 W. Electric Ave. Milwaukee, Wisconsin subject to the following conditions:

1. GEM shall modify the existing cold cleaner as described in its letter dated September 15, 1995.
2. GEM shall operate the modified cold cleaner in accordance with the operating sequence described in its letter dated September 15, 1995.
3. This approval shall not become effective for federal purposes until approved by the Administrator of the U.S. Environmental Protection Agency or his designee as a source-specific revision to the Wisconsin's state implementation plan for ozone, pursuant to s. NR423.03(9), Wis. Adm. Code.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
For the Secretary



Donald F. Theiler, Director
Bureau of Air Management

Dated: 2/20/96

NOTICE OF APPEAL RIGHTS

If you believe you have a right to challenge this decision, you should know that Wisconsin statutes and administrative rules establish time periods within which requests to review Department decision must be filed. For judicial review of a decision pursuant to ss. 227.52 and 227.53 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 shall name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to s. 227.42, Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30 days period for filing a petition for judicial review.

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