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**VIOLATION OF OHIO ADMINISTRATIVE CODE
(OAC) RULE 3745-35-02 - PERMIT TO OPERATE**

04/23/90

**DOE-912-90
DOE-FMPC/WMCO
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LETTER**



Department of Energy

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FMPC Site Office
P.O. Box 398705
Cincinnati, Ohio 45239-8705
(513) 738-6319

April 23, 1990
DOE-912-90

Mr. M. B. Boswell, President
Westinghouse Materials Company
of Ohio
P. O. Box 398704
Cincinnati, Ohio 45239-8704

Dear Mr. Boswell:

**VIOLATION OF OHIO ADMINISTRATIVE CODE (OAC) RULE 3745-35-02 -
PERMIT TO OPERATE**

Reference: Letter, WMCO:R(WM):90-031, Joseph T. Grumski to William
A. Weinreich, "Waste Management Monthly Report -
January 1990", dated January 31, 1990

The referenced report indicated that sixty 30-gallon drums and one
hundred 55-gallon drums had been painted in January 1990. Since
the new drum coating line (FMPC ID #8-031) is not yet in operation,
an attempt was made to discover where this operation had taken
place.

In checking with WMCO Environmental Compliance, it was determined
that the existing coating line in Plant 1 was used. This line does
not have an air emissions permit and should not have been operated.

It can only be assumed that because the new line had been
permitted, there was no need to obtain a permit for Plant 1. But
because the new line is not yet operational, the equipment in Plant
1 ended up being used.

Operation of an existing source without a permit is a violation of
OAC Rule 3745-35-02 and it should cease immediately. The choice
is to obtain a Permit to Operate (PTO) the new line and then use
it, or obtain a PTO for the Plant 1 line.

Behram Shroff of my staff telephoned Mr. Brad Miller of SWOAPCA
on April 10, 1990 to inform him of the probable use of the Plant
1 coating line. He was also told that we would follow-up with a
letter providing information on the extent of use. Accordingly,
WMCO should provide DOE with the following:

1. A written response on the use of the Plant 1 line and its operational history for 1988, 1989 and 1990, including coatings used and actual emissions for each year. The data should also include fugitive emissions resulting from clean-up activities.
2. As a means of preventing future operations of unpermitted equipment, please provide a report listing known air contaminant sources which do not have but require a PTO. The report should also include WMCO's procedures and/or policy for their operation, including persons responsible for determining permit requirements and those responsible for authorizing operation. A schedule should also be provided for completing applications for all potential air contaminant sources presently lacking permits.

If you have any questions, please contact Behram Shroff of my staff at extension 6003.

Sincerely,



Raymond J. Hansen
Contracting Officer's
Representative

DP-84:Shroff

cc:

B. L. Queener, SE-31, ORO
S. M. Beckman, WMCO
J. T. Grumski, WMCO