

ALABAMA DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF

OPELIKA FOUNDRY COMPANY

OPELIKA, ALABAMA

ORDER NO. 93-093-AP

FINDINGS OF FACT

Pursuant to the provisions of the Alabama Environmental Management Act, §22-22A-1 et seq., Code of Alabama 1975, as amended, and the Alabama Air Pollution Control Act, §22-28-1 et seq., Code of Alabama 1975, as amended, the Alabama Department of Environmental Management (hereinafter, the "Department") makes the following FINDINGS OF FACT:

1. Opelika Foundry Company (hereinafter "Opelika Foundry") operates a grey iron foundry, Air Division Facility No. 206-0004, in Opelika, Lee County, Alabama. The plant is located on Williamson Avenue in Opelika, Alabama.

2. On October 14, 1981, under the authority of §22-28-16(a), Code of Alabama 1975, as amended, the Department issued Permit to Operate, No. 206-0004-Z001, to Opelika Foundry. The permit authorized the operation of two cupola furnaces with afterburners and a baghouse.

3. ADEM Admin. Code R. 335-3-7-.01 reads as follows:

No person shall emit the carbon monoxide gases generated during the operation of a grey iron cupola, blast furnace, or basic oxygen steel furnace unless they are burned at 1300°F for 0.3 seconds or greater in a direct flame afterburner or equivalent device equipped with an indicating pyrometer which is positioned in the working area at the operator's eye level.

ISSUED 8/4/93	SERVED 8/5/93
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4. During an inspection of Opelika Foundry on April 14, 1993, Department personnel discovered that the foundry was not operating its afterburners as required in its permit and the Department's administrative code.

5. On April 29, 1993, the Department issued a Notice of Violation (NOV) to Opelika Foundry for the aforementioned problem.

6. On May 21, 1993, Opelika Foundry responded to the NOV and stated that the afterburner had "never been fully installed" and it had not been operated since the installation of the cupolas in 1981.

7. The Department sent a draft of this administrative order to Mr. Henry Burt of Opelika Foundry on June 18, 1993 and it was received by him on June 24, 1993.

8. On June 29, 1993, the Department received a written response from Mr. Burt regarding the draft administrative order.

9. On July 13, 1993, an informal conference was held between Mr. Burt and Mr. Mike Manning of Opelika Foundry and representatives of the Department.

10. As a result of representations made by Mr. Burt and Mr. Manning during the informal conference about the financial condition of the company and a financial statement of the company that was supplied with Opelika Foundry's written response, the Department adjusted the penalty amount listed in Paragraph B of this Order.

11. In determining the penalty amount that is detailed in Paragraph B of this Order, the Department considered the monies

Opelika Foundry has spent and will spend in order to provide baghouse control for processes not otherwise required to be vented through a baghouse. The new baghouse will capture additional fugitive emissions from the floor stand grinders, two blast cleaning machines, grinding booths, and the shell sand coating plant. The baghouse has additional capacity to capture additional fugitive emissions from future expansions of the facility.

#### ORDER

Based upon the foregoing FINDINGS OF FACT and pursuant to §§22-22A-5(10), 22-22A-5(12), 22-22A-5(18), 22-28-10(2) and 22-28-18, Code of Alabama 1975, as amended, it is hereby ORDERED:


A. That on or before August 13, 1993, Opelika Foundry is to install, maintain and operate an afterburner on each cupola furnace in accordance with ADEM Admin. Code 335-3-7-.01.

B. That there is hereby assessed a civil penalty against Opelika Foundry in the amount of \$5,000.00, for the violations detailed in this Order, to be paid to the Alabama Department of Environmental Management within 30 days of receipt of this Order.

C. That the failure of Opelika Foundry to comply with any of the provisions of this Order shall constitute cause for the commencement of legal or other appropriate enforcement action for the recovery of civil penalties, criminal fines, or other

appropriate relief by the Department or others against Opelika Foundry.

ORDERED and ISSUED this 4<sup>th</sup> day of August, 1993.

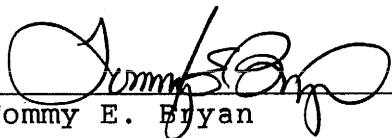
  
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Jr Leigh Pegues, Director  
Alabama Department of  
Environmental Management  
1751 Cong. W.L. Dickinson Drive  
Montgomery, Alabama 36130  
(205) 271-7700

CERTIFICATE OF SERVICE

I, Tommy E. Bryan, hereby certify that I have served the foregoing Administrative Order No. 93-093-AP upon Opelika Foundry Company by sending the same, postage paid, through the United States Mail, as Certified Mail, No. P 055 116 412, with instructions to forward and return receipt requested to:

Mr. Henry Burt  
Plant Engineer  
Opelika Foundry Company  
Post Office Box 127  
Opelika, Alabama 36803-2127

DONE this 4th day of August, 1993.

  
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Tommy E. Bryan