

Connecticut Department of

**ENERGY &  
ENVIRONMENTAL  
PROTECTION**

STATE OF CONNECTICUT

VS.

ADVANCED GRAPHICS, INC.

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Order No. 8309

**CONSENT ORDER**

A. With the agreement of Advanced Graphics, Inc. ("Respondent"), the Commissioner of Energy & Environmental Protection ("Commissioner") finds the following:

1. Advanced Graphics, Inc. ("AGI") is a custom coating and screen printing operation located at 430 Sniffens Lane in Stratford. AGI has been operating at this location since approximately July 1, 1999.
2. At the facility, the Respondent owns and operates nine (9) solvent spray booths. The spray booths are used to apply coatings containing volatile organic compounds ("VOCs") to miscellaneous metal parts and products ("metal surface coating operations").
3. The metal surface coating operations have emitted more than fifteen (15) pounds of VOCs in any one calendar day; they are therefore subject to the emission limitations of Section 22a-174-20(s)(3) of the Regulations of Connecticut State Agencies ("RCSA").
4. On 1/15/2008, Staff from the Department's Air Engineering & Enforcement Division conducted an inspection at the facility. During the inspection, Staff discovered that AGI was using coatings with a VOC-content greater than the limits listed in Section 22a-174-20(s)(3) of the RCSA ("non-compliant coating"). AGI's use of non-compliant coating(s) caused VOC emissions from the metal surface coating operations to exceed the emission standards of Section 22a-174-20(s)(3) of the RCSA.

Date Issued: May 7, 2012

5. Owners and/or operators of metal surface coating operation(s), that are subject to the emission limitations of Section 22a-174-20(s)(3) of the RCSA, are allowed to use, in the aggregate, up to fifty-five (55) gallons of non-compliant coating; provided the owner or operator of the metal surface coating operation(s) “...maintains records of such coatings in accordance with subsection (aa) of this Section”.
  6. The Respondent used more than fifty-five (55) gallons of non-compliant coating in their metal surface coating operations, and the Respondent was not maintaining records in accordance with Section 22a-174-20(aa) of the RCSA. As a result, Notice of Violation (“NOV”) No. 16135 and NOV No. 16136 were issued to the Respondent on 2/19/2008, for violating Section 22a-174-20(s)(3) and Section 22a-174-20(aa) of the RCSA, respectively.
  7. In response to NOV No. 16135, the Respondent requested, from the Commissioner, an Order to limit premise-wide VOC emissions from all surface coating operations to 1,666 pounds per month.
  8. In response to NOV No. 16136, the Respondent stated that, as of February of 2008, they are maintaining records in accordance with Section 22a-174-20(aa) of the RCSA. During a 5/19/2009 facility-wide inspection, Staff from the Air Bureau verified that the Respondent is now maintaining records in accordance with Section 22a-174-20(aa) of the RCSA.
  9. Respondent represents that the total actual emissions of VOCs from all metal surface coating operations has not exceeded 1,666 pounds in any one calendar month.
  10. Respondent represents that none of the metal surface coating operations has emitted more than forty (40) pounds of VOC emissions in any one day.
  11. By virtue of the above, the Respondent’s metal surface coating operations are eligible for the exemption provided in Section 22a-174-20(s)(7) of the RCSA. The issuance of this Consent Order will limit the Respondent’s monthly VOC emissions from metal surface coating operations to 1,666 pounds per month.
  12. By virtue of the Respondent has violated Section 22a-174-20(aa) and Section 22a-174-20(s)(3) of the RCSA.
- B. With the agreement of Respondent, the Commissioner, acting under §22a-6, §22a-171, §22a-174, §22a-177, and §22a-178 of the Connecticut General Statutes, orders Respondent as follows:
1. Respondent shall not allow emissions of VOCs from metal surface coating operations to exceed 1,666 pounds in any calendar month.
  2. Respondent shall prepare and maintain at the facility, written records of the following information for each calendar month:

- (a) The name of each coating, solvent, or diluents used in the metal surface coating operations, and the category of each coating (i.e. clear coating, air dried coating, extreme performance coating, or other coating);
  - (b) The amount of coatings, solvent, and diluents used in the metal surface coating operations;
  - (c) For coatings, the VOC content (expressed in pounds per gallon of coating); for solvents or diluents, the VOC density (expressed in pounds per gallon of solvent or diluents);
  - (d) The total VOC emissions from each coating, solvent, or diluents; and
  - (e) The total VOC emissions from the metal surface coating operations.
3. Respondent shall submit the total VOC emissions from the metal surface coating operations for each month to the Commissioner within two (2) months after the end of the calendar year during which they were prepared.
4. As long as the Respondent satisfies the provisions of Section 22a-174-20(s)(7)(A), (B), and (C) of the RCSA, and of this Consent Order, the metal surface coating operations shall be exempt from the emission limitations of Section 22a-174-20(s)(3) of the RCSA.
5. If, during any calendar month, the metal surface coating operations emit more than 1,666 pounds of VOCs, the Respondent shall immediately and permanently comply with the emission limitations of Section 22a-174-20(s)(3) of the RCSA.
6. If, and when, more than 1,666 pounds of VOCs are emitted from the metal surface coating operations during any calendar month, the exemption provided by this Consent Order to provisions of Section 22a-174-20(s)(3) of the RCSA shall, without further notice, terminate. At such time, the Respondent shall become immediately and permanently subject to the provisions of such section.
7. Civil Penalty: On or before thirty (30) days after issuance of this consent order, the Respondent shall pay a penalty of \$4,500 as the total civil penalty to be sought by the Commissioner for those, and only those, violations described in paragraph A.12. of this Consent Order.
8. Payment of penalties. Payment of penalties under this consent order shall be mailed or personally delivered to the Department of Energy & Environmental Protection, Bureau of Financial and Support Services, Accounts Receivable Office, 79 Elm Street, Hartford, CT 06106- 5127, and shall be by certified or ~~bank~~ check payable to "Treasurer, State of Connecticut." The check shall state on its face, "Bureau of Air Management civil penalty, Consent Order No. 8309.

9. Full compliance. The Respondent shall not be considered in full compliance with this Consent Order until all actions required by this Consent Order have been completed as approved and to the Commissioner's satisfaction.
10. Approvals. The Respondent shall use best efforts to submit to the Commissioner all documents required by this Order in a complete and approvable form. If the Commissioner notifies the Respondent that any document or other action is deficient, and does not approve it with conditions or modifications, it is deemed disapproved, and the Respondent shall correct the deficiencies and resubmit it within the time specified by the Commissioner or, if no time is specified by the Commissioner, within 30 days of the Commissioner's notice of deficiencies. In approving any document or other action under this Consent Order, the Commissioner may approve the document or other action as submitted or performed or with such conditions or modifications as the Commissioner deems necessary to carry out the purposes of this Consent Order. Nothing in this paragraph shall excuse noncompliance or delay.
11. Definitions. As used in this Consent Order, "Commissioner" means the Commissioner or a representative of the Commissioner.
12. Dates. The date of "issuance" of this consent order is the date the consent order is deposited in the U.S. mail or personally delivered, whichever is earlier. The date of submission to the Commissioner of any document required by this consent order shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this consent order, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is deposited in the U.S. mail or is personally delivered, whichever is earlier. Except as otherwise specified in this consent order, the word "day" as used in this consent order means calendar day. Any document or action which is required by this consent order to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed by the next day which is not a Saturday, Sunday or Connecticut or federal holiday.
13. Certification of documents. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this consent order shall be signed by Respondent or, if Respondent is not an individual, by Respondent's chief executive officer or a duly authorized representative of such officer, as those terms are defined in §22a-430-3(b)(2) of the Regulations of Connecticut State Agencies, and by the individual(s) responsible for actually preparing such document, and each such individual shall certify in writing as follows:

"I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, that the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that any false statement

made in the submitted information may be punishable as a criminal offense under §53a-157b of the Connecticut General Statutes and any other applicable law.”

14. Noncompliance. This consent order is a final order of the Commissioner with respect to the matters addressed herein, and is nonappealable and immediately enforceable. Failure to comply with this consent order may subject Respondent to an injunction and penalties.
15. False statements. Any false statement in any information submitted pursuant to this consent order may be punishable as a criminal offense under §53a-157b of the Connecticut General Statutes and any other applicable law.
16. Notice of transfer; liability of Respondent. Until the Respondent has fully complied with this Consent Order, Respondent shall notify the Commissioner in writing no later than 15 days after transferring all or any portion of the facility, the operations, the site or the business which is the subject of this Consent Order or after obtaining a new mailing or location address. The Respondent’s obligations under this Consent Order shall not be affected by the passage of title to any property to any other person or municipality.
17. Commissioner's powers. Except as provided hereinabove with respect to payment of civil penalties, nothing in this Consent Order shall affect the Commissioner's authority to institute any proceeding or take any other action to prevent or abate violations of law, prevent or abate pollution, recover costs and natural resource damages, and to impose penalties for past, present, or future violations of law. If at any time the Commissioner determines that the actions taken by Respondents pursuant to this Consent Order have not successfully corrected all violations, fully characterized the extent or degree of any pollution, or successfully abated or prevented pollution, the Commissioner may institute any proceeding to require the Respondents to undertake further investigation or further action to prevent or abate violations or pollution.
18. Respondent's obligations under law. Nothing in this Consent Order shall relieve the Respondent of other obligations under applicable federal, state and local law.
19. No assurance by Commissioner. No provision of this Consent Order and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that the actions taken by the Respondent pursuant to this Consent Order will result in compliance.
20. Access to site. Any representative of the Department of Energy & Environmental Protection may enter the facility without prior notice for the purposes of monitoring and enforcing the actions required or allowed by this Consent Order.
21. No effect on rights of other persons. This Consent Order neither creates nor affects any rights of persons or municipalities that are not parties to this Consent Order.
22. Notice to Commissioner of changes. Within 15 days of the date the Respondent becomes aware of a change in any information submitted to the Commissioner under this Consent

Order, or that any such information was inaccurate or misleading or that any relevant information was omitted, the Respondent shall submit the correct or omitted information to the Commissioner.

23. Notification of noncompliance. In the event that Respondent becomes aware that it did not or may not comply, or did not or may not comply on time, with any requirement of this consent order or of any document required hereunder, Respondent shall immediately notify by telephone the individual identified in the next paragraph and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. Within five (5) days of the initial notice, Respondent shall submit in writing the date, time, and duration of the noncompliance and the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and Respondent shall comply with any dates which may be approved in writing by the Commissioner. Notification by Respondent shall not excuse noncompliance or delay, and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically so stated by the Commissioner in writing.
24. Submission of documents. Any document required to be submitted to the Commissioner under this Consent Order, unless otherwise specified in this Consent Order or in writing by the Commissioner, shall be directed to:

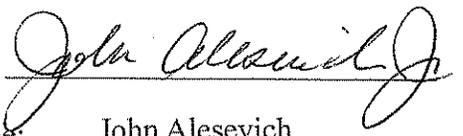
Supervisor of Administrative Enforcement  
Department of Energy & Environmental Protection  
Bureau of Air Management  
Engineering & Enforcement Division  
79 Elm Street, 5<sup>th</sup> Floor  
Hartford, Connecticut 06106-5127

The emission reports required under Paragraph B.3. of this Consent Order shall be submitted to:

Supervisor of Compliance Analysis Coordination Unit  
Department of Energy & Environmental Protection  
Bureau of Air Management  
Engineering & Enforcement Division  
79 Elm Street, 5<sup>th</sup> Floor  
Hartford, Connecticut 06106-5127

Respondent consents to the issuance of this Consent Order without further notice. The undersigned certifies that he/she is fully authorized to enter into this Consent Order and to legally bind Respondent to the terms and conditions of the Consent Order.

**ADVANCED GRAPHICS, INC.**

Signature:   
Type Name: John Alesevich  
Type Title: President  
Date: 4-27-12

Issued as a final order of the Commissioner of Energy & Environmental Protection.

  
Macky McCleary  
Deputy Commissioner

5/4/12  
Date

MAILED CERTIFIED MAIL,  
RETURN RECEIPT REQUESTED