



STATE OF CONNECTICUT	)	Order No. 8341
	)	
VS.	)	
	)	
TRANS FLEX PACKAGERS, INC.	)	
	)	
	)	

CONSENT ORDER

- A. With the agreement of Trans Flex Packagers, Inc. ("Respondent"), the Commissioner of Energy and Environmental Protection ("Commissioner") finds the following:
  - 1. Respondent is a corporation doing business at 34 Burnham Avenue in Unionville, Connecticut ("facility").
  - 2. At the facility, the Respondent operates two flexographic printing presses with dryers, a Carro Mono Coroflex Model 120 with a gas dryer and a CMF Superflex Model 100 with an electric dryer (collectively the "printing operations"). The Respondent is subject to Section 22a-174-20(v) of the Regulations of Connecticut State Agencies ("RCSA") pertaining to graphic arts rotogravures and flexography.
  - 3. On May 14, 1999, New Source Review Permit ("NSR") #062-0026 was issued to the Respondent. NSR Permit #062-0026 requires that Volatile Organic Compound ("VOC") emissions from both presses be controlled by a Wolverine catalytic oxidizer.
  - 4. Pursuant to NSR Permit #062-0026 Part II, "The oxidizer shall always operate during normal printing presses operations and, during cleaning procedures using VOC based solvents." Pursuant to NSR Permit #062-0026 Part VI, "the source shall maintain daily records of all inks, solvent, and cleaners used..." and "Records as required by this permit shall be kept on site for a period of no less than five (5) years and submitted upon request." Pursuant to NSR Permit #062-0026 Part VII, "Stack emission/performance testing shall be required once every five years for the following: VOC, Capture and Destruction efficiency."
  - 5. Pursuant to Section 22a-174-20(v)(2)(C)(iii) of the RCSA, "The owner or operator of a packaging rotogravure, publication rotogravure or flexographic printing facility subject to this regulation and employing solvent containing ink shall not cause, or permit the



discharge into the atmosphere, of any volatile organic compounds unless the owner or operator installs and operates a system demonstrated to have control efficiency equivalent to or greater than the above required 90 percent and approved by the Commissioner by permit or order.”

6. On October 23, 2012, an Air Pollution Control Engineer inspected this facility and determined that the Respondent failed to operate the oxidizer while operating the printing presses. The Respondent failed to make and maintain daily records of inks and solvents. The Respondent failed to perform testing on the oxidizer to determine overall destruction efficiency every five years. The last testing was performed on May 12, 1998.
7. On June 30, 2012, Notice of Violation #17024 was issued to the Respondent for failing to comply with the terms of NSR Permits #062-0026 and RSCA 22a-174-20(v).
8. On March 18, 2014, an Air Pollution Control Engineer inspected this facility and determined that the violations were still continuing. Notice of Violation #17186 was issued to the Respondent for the continued failure to comply with the same terms of NSR Permits #062-0026 and RSCA Section 22a-174-20(v).
9. By virtue of above, the Respondent violated NSR Permit #062-0026, and Sections 22a-174-3a(h) and 22a-174-20(v) of the RSCA.
10. Pursuant to RSCA Section 22a-174-20(v)(5), “In lieu of requiring an owner or operator to implement reasonably available control technology pursuant to this subsection, the commissioner may, by permit or order, limit potential emissions of volatile organic compounds to:
  - a. less than fifty (50) tons per calendar year in a serious nonattainment area for ozone; or
  - b. less than twenty-five (25) tons per calendar year in a severe nonattainment area for ozone.”
11. The Commissioner has determined that the Respondent’s VOC emissions from the printing presses have not exceeded 50 tons per calendar year.
12. Pursuant to Section 22a-174-33(d)(1)(D) of the RSCA, “the commissioner may, by permit or by order, limit all aggregate potential emissions of regulated air pollutants from such premises to less than the following amounts: Ten (10) tons per year of any hazardous air pollutant, twenty-five (25) tons per year of any combination of hazardous air pollutants (“HAPs”), or the quantity established by the Administrator pursuant to 40 CFR 63.”
13. The Commissioner has determined that the Respondent’s total federal HAPs emissions from the printing operation have not exceeded 10 tons per year.
- B. With the agreement of the Respondent, the Commissioner, pursuant to Sections 22a-6, 22a-171, 22a-174, 22a-177, and 22a-178 of the Connecticut General Statutes, orders as follows:



1. Within sixty (60) days of the issuance of this consent order, the Respondent shall develop and submit for the Commissioner's approval a system that tracks all inks and solvents ("materials") used in the printing operations. Additionally, such system shall include records in accordance with Part B.4 of this consent order and shall be in the form of a spreadsheet or equivalent to accurately calculate daily, monthly and rolling 12-month materials usage and emissions of VOCs and HAPs.
2. Pursuant to RCSA Section 22a-174-20(v)(5), the Respondent shall limit the total VOC emissions from the printing operations to 14.9 tons per year based on a rolling 12-month total. In addition, the Respondent shall limit the total HAP emissions to 9.9 tons per 1 month rolling total from the printing operations.
3. Upon issuance of this consent order, the Respondent may request revocation of NSR Permit #062-0026. After receiving written notification that Permit #062-0026 has been revoked, the Respondent may discontinue the operation of the oxidizer.
4. Record Keeping. The Respondent shall make and keep such records that are necessary to reliably calculate actual daily, monthly and annual emissions of VOCs and HAPs from the printing operations. The Respondent shall keep each record required by this consent order at the printing operations for five years after the date that such record is made. Such records shall be available for the Commissioner's inspection upon demand and shall include at least the following:
  - a. The name and description of each ink and solvent used at the facility including density in pounds per gallon;
  - b. The VOC content of each ink and solvent by weight;
  - c. The total HAP content of each ink and solvent by weight;
  - d. The amount of each ink and solvent used in gallons for the printing operations;
  - e. The total daily, monthly and rolling 12 month VOC emissions from the printing operations; and
  - f. The total daily, monthly and rolling 12 month HAP emissions from the printing operations.
5. On or before March 1<sup>st</sup> of each year, Respondent shall submit a report to the Commissioner, stating the total VOC and HAP emissions from the printing operations emitted during each month in the previous calendar year.



6. Civil Penalty. Respondent agrees to pay a civil penalty amount of one thousand dollars (\$1,000.00) in two separate, successive payments in the amount of five hundred dollars (\$500.00), to be paid on or before thirty (30) and ninety (90) days from the date of issuance of this consent order.
7. Payment of penalties. Payment of penalties under this Consent Order shall be mailed or personally delivered to Bureau of Financial & Support Services--Accounts Receivable Office ["F&SS"], Department of Energy and Environmental Protection, 79 Elm Street, Hartford, CT 06106, and shall be by certified or bank check payable to the "Treasurer, State of Connecticut." The check shall state on its face, "Air Management Civil Penalty, Engineering and Enforcement Division, Consent Order No. 8341".
8. Full compliance. 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.
9. Approvals. Respondent shall use best efforts to submit to the Commissioner all documents required by this Consent Order in a complete and approvable form. If the Commissioner notifies Respondent that any document or other action is deficient, and does not approve it with conditions or modifications, it is deemed disapproved, and 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.
10. Definitions. As used in this Consent Order, "Commissioner" means the Commissioner or a representative of the Commissioner.
11. 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.



12. 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 Section §53a-157b of the Connecticut General Statutes and any other applicable law."

13. Noncompliance. This consent order is a final order of the Commissioner with respect to the matters addressed herein, and is non-appealable and immediately enforceable. Failure to comply with this Consent Order may subject Respondent to an injunction and penalties.
14. 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.
15. Notice of transfer; liability of Respondent. Until 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. 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.
16. Commissioner's powers. 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 Respondents to undertake further investigation or further action to prevent or abate violations or pollution.
17. Respondent's obligations under law. Nothing in this Consent Order shall relieve Respondent of other obligations under applicable federal, state and local law.



18. 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 Respondent pursuant to this Consent Order will result in compliance.
19. Access to site. Any representative of the Department of Energy and 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.
20. 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.
21. Notice to Commissioner of changes. Within 15 days of the date 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, Respondent shall submit the correct or omitted information to the Commissioner.
22. 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 Bureau of Air Management Unit 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.
23. 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:

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

The emissions reports required under Paragraph B.4 of this Consent order shall be directed to:



Supervisor of Compliance Analysis Coordination Unit  
Engineering and Enforcement Division  
Bureau of Air Management  
Department of Energy and Environmental Protection  
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.

**Trans Flex Packagers, Inc.**

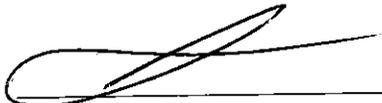
Signature: Michael L. Kaplan

Type Name: Michael L. Kaplan

Type Title: President

Date: 7/10/14

Issued as an order of the Commissioner of Energy and Environmental Protection.

  
Macky McCleary  
Deputy Commissioner

Date 7/18/14

TOWN OF FARMINGTON  
LAND RECORDS

MM/am

