

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
DIVISION OF AIR RESOURCES

In Re:

Victory Finishing Technologies, Inc.  
145 Globe Street  
Providence, RI 02903

In Reference to A.H. File No. 96-05-AP

CONSENT AGREEMENT

This Consent Agreement is entered by and between the Rhode Island Department of Environmental Management, Division of Air Resources (hereinafter "the Division"), and Victory Finishing Technologies, Inc. (hereinafter "Victory"), pursuant to the Rhode Island Clean Air Act, Title 23, Chapter 23 of the General Laws of Rhode Island, as amended, and the Air Pollution Control Regulations adopted in accordance therewith, and the Department of Environmental Management Act, R.I.G.L. 42-17.1-2 at seq., and constitutes an Alternative RACT determination pursuant to Air Pollution Control Regulation No. 19, entitled "Control of Volatile Organic Compounds from Surface Coating Operations," effective 13 November 1979, last amended 7 March 1996.

Victory is regulated under Air Pollution Control Regulation No. 19. In order to assure that Victory complies and/or continues to comply with the provisions of Air Pollution Control Regulation No. 19, the Division and Victory hereby agree as follows:

1. That the Division has jurisdiction over the subject matter of this Consent Agreement and over the parties consenting to this Consent Agreement.

2. That Victory is subject to the provisions of Title 23, Chapter 23 of the Rhode Island General Law, as amended, and the Air Pollution Control Regulations adopted in accordance therewith.
3. That the provisions of this Consent Agreement shall apply to, and be binding upon Victory, its officers, directors, agents, servants, employees, operators, successors and assignees and persons, firms and corporations acting under, through and for it.
4. That Victory is the owner and operator of a facility engaging in surface coating. Victory operates two (2) spray booths that emit VOC's.
5. That Victory has had actual uncontrolled Volatile Organic Compound (hereinafter "VOC") emissions in excess of 15 pounds per day since January 1990, and is, therefore, subject to the emissions limitations established in Subsection 19.3.1 of Air Pollution Control Regulation No. 19.
6. That Victory has submitted technical and economic documentation, which demonstrates to the satisfaction of the Division, that the emissions limitations established in Subsection 19.3.1 of Air Pollution Control Regulation No. 19 are not currently achievable.

7. That all 'new coatings' used by Victory shall comply with the emissions limitations established in Section 19.3.1 of Regulation No. 19. A 'new coating' shall be defined as any coating not listed in Appendix A of this Consent Agreement.
8. That all existing coatings used by Victory, listed in Appendix A of this Consent Agreement, shall comply with the emissions limitations contained in Appendix A.
9. That after 1 July 1996, the VOC content of all coatings used at Victory shall not exceed the emissions limitations established in Section 19.3.1 of Regulation No. 19, with the exception of the following applications, which shall comply with the emissions limitations contained in Appendix A of this Consent Agreement:
  1. Coatings used for special orders which specify the need to withstand corrosion testing;
  2. Coatings applied on smooth surface areas in excess of four square inches, in which compliant coatings do not adhere to properly or marks appear after drying.
10. That Victory shall demonstrate compliance with the requirements in items 7, 8 and 9, above, by maintaining records of the following information, for each day of operation:

- a. The name and identification number of each coating, as applied, on each coating line or operation;
  - b. The quantity of each coating applied;
  - c. The VOC content of each coating, in pounds of VOC per gallon of coating minus water, as applied;
  - d. The type and amount of solvent used for diluents and cleanup operations;
  - e. The type and amount of solvent recycled on-site or disposed;
  - f. For each non-complying coating used, Victory shall maintain documentation which demonstrates that a complying coating could not be used, in accordance with the applicable exception specified in item 9.
11. That until the emissions limitations specified in section 19.3.1 of Regulation No. 19 are achieved, Victory shall submit written quarterly reports, to the Division, within thirty (30) days of the end of each quarter. These reports shall summarize Victory's compliance status for that quarter, as well as, progress made toward the implementation of compliant coatings and shall include correspondence with suppliers, a summary of pre-production test runs and the names and VOC contents of compliant coatings which have replaced non-compliant coatings within the quarter.
12. That Victory shall notify the Division, in writing, of any violation of the terms of

this Consent Agreement within 10 days of the violation. Violation of any of the conditions established in this Consent Agreement may result in enforcement actions, including monetary penalties, being initiated against Victory.

13. That all records required by this Consent Agreement must be maintained by Victory, at the 145 Globe Street facility, for a period of five years, and made available to representatives of the Division and the United States Environmental Protection Agency upon request. Failure to maintain or produce the required records is a violation of this Consent Agreement.
14. That Victory shall reevaluate VOC emissions from the surface coating operations at the facility and shall submit, in writing, a RACT plan that complies with Section 19.3.3 of Air Pollution Control Regulation No. 19, to the Division, on or before 31 May 1998, and every three years thereafter until the emissions limitations specified in 19.3.1 are achieved for all coatings.
15. That it is hereby agreed and understood by the parties that the implementation of the requirements of this Consent Agreement does not relieve Victory from compliance with any and all requirements of the Rhode Island Clean Air Act and applicable Air Pollution Control Regulations, or with any applicable Air Pollution Control Regulations that become effective and/or amended subsequent to the

execution of this Consent Agreement.

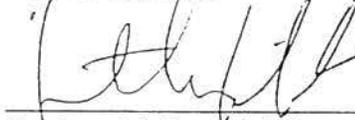
16. That this Consent Agreement shall be deemed entered as of the date of execution by the parties hereto. The Director of the Department of Environmental Management may, however, for good cause shown, defer any of the compliance dates as prescribed herein upon a timely request to do so.

Consented to in Substance and in Form:

State of Rhode Island and Providence Plantations

Department of Environmental Management

For the Director:



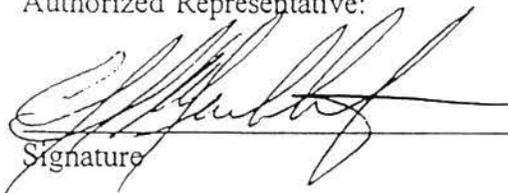
Stephen Majkut, Chief

Division of Air Resources

24 May 96  
Date

Victory Finishing Technologies, Inc. hereby agrees to the above Consent Agreement, which becomes effective immediately upon being entered and issued.

Authorized Representative:



Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

Appendix A  
Coating List

<u>Coating Name</u>	<u>Coating Identification</u>	<u>Coating VOC Content (lbs. VOC/gal of coating minus water.as applied)</u>
Whirling Lacquer	C-7240, 14205	6.05
Clear Acrylic Lacquer	C-7000, 505	7.22
Lacquer #10	C-7140	6.76
Black Tubbing Lacquer	C-7100	6.51
Clear Bake Synthetic	C-7120, C-550	5.95
Baked Flat Black Enamel	C-7250	6.71
Baked Flat White Enamel	C-7075	6.71
White Booth Coat	C-7260	6.65