Daily update 2/13/16

Enforcement Confidential

New info based on:

- Katie McClintock talked to Dave Monro 11:00 am 2-13
- New press articles
- Conversation with Greg Fried in OECA Air Enforcement Division 12:00 pm 2-12
- New Research

1. Bullseye Glass
    a. Met with ODEQ and Oregon DOJ (Paul Garrahan) on Friday.
    b. They agreed to stop using hex chromium but not trivalent chromium. Each year, they estimate they used 2000 lbs of hexavalent chromium and additional trivalent chromium.
    c. State said that did not alleviate all of their concerns because trivalent can be converted to hexavalent at the temperatures in their furnace (according to Oregon live article the state doesn't think they can compel them)
    d. Bullseye has a lot of attorneys involved but still wants to do right thing – owners were in tears Friday.
2. Uroboros
    a. Was only using hex chromium (no trivalent). Agreed to stop using. Between cadmium and chromium, it is 2/3 of product. Indicated they will likely shut down.
    b. Less sophisticated, but this company still is large on the world stage (along with companies below).
    c. OR looking into small business funding including low interest grants and technical support, assuming they qualify.
3. Oregon next steps
    a. DEQ and OHA are setting up an incident command center. I think the plan is to have some coordination with EPA on this. Dave Monro, who has been running point will be able to focus on solutions.
    b. Looking to enter into Mutual Agreement and Orders (MAOs) with both Bullseye and Uroboros. They cannot compel them to sign the agreement, but if signed, is an enforceable order with stips and deadlines. Dave thinks both are willing to enter this. They are not interested in us coming in with 303 or 114 at this point.
    c. Oregon has not asked for verification that Bullseye or Uroboros have stopped using arsenic, cadmium, and chromium but asked me to reach out to their permit engineers about how to do this.
    d. Any order would likely include allowing operation for short periods with these chemicals so they can conduct a stack test. Since each melt is 24 hours, it would mean 24 hours of potential emissions.
    e. Oregon asked for any support on testing/controls from OAQPS. Asked us to connect them to George Davis and Greg Grunow (permit engineers)
4. Spectrum
    a. Inspecting on Wednesday 2/16 with Puget Sound's permit writer and inspector. Zach Hedgpeth, Katie Owens, and Katie McClintock from EPA will be going.

b. Spectrum also has a partnership with Uroboros called System 96 which is listed as being in Woodinville and sells many products under that company name worldwide. We will need to inspect this source as well if not at the same location as Spectrum. The co-ownership may be complicated and will likely need company records.
c. Puget sound will consider monitoring afterwards.
d. **Ex. 5 - Deliberative Process**

5. Other color glass – with the help from HQ (Sara Froikin) I think we have identified the 8 major color glass companies (In addition to Spectrum, System 96, Bullseye and Uroboros)
    a. Kokomo (Indiana), Wissmach (West Virginia), Youghiogheny (Pennsylvania) and Armstrong (Georgia). My memory is the Bullseye and Uroboros mentioned a competitor in Ohio but I don't see another large company, but we will keep looking.
    b. This weekend I will prepare a 114 based on the questions we asked and the records we asked for at Uroboros and Bullseye. Will aim to get it approved and sent out from HQ as soon as possible. Hopefully mid-late the week of the 15th.
    c. HQ will organize a conference calls with the main regions: Regions 3, 4, 5, 10. We have worked with glass contacts on the larger manufacturers so we have a technical base to work from.
6. Other metals/chromium
    a. Oregon asked for support in tracking down these issues elsewhere, especially regarding chromium.
    b. Larger glass plants – They were told the large manufacturer Owens-Brockway in Portland uses chromium (common green colorant and Owens makes beer bottles, so make sense).
    c. Other operations. Dave talked about tracking suppliers and we discussed using 114s to get information about who is using hexavalent chromium. I will start looking into this with HQ help as well.
7. Press
    a. OBP piece yesterday - https://soundcloud.com/opb-state-of-wonder/latest-on-bullseye-uroboros-emissions
    b. Chromium article today - http://www.oregonlive.com/environment/index.ssf/2016/02/bullseye_uroboros_chromium_hea.html
    c. Our desk statement went out.
8. Monitoring
    a. I told Dave we were sending monitors but he wasn't aware of it. They welcome the support. Without speciated chromium hard for them to require them to stop using trivalent.
9. Other
    a. I am using a one-drive account to organize all the files and post these daily updates based on any new information. My hope would be we could reduce email and I will always keep the share up to date (and press and others can as well) so that all information is accessible. I've invited a wide swatch of people but please let me know if I should invite others. If this format doesn't work, also let me know.

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Next Steps:

Katie – Write 114 for color glass manufacturers

Katie/Zach/Madonna – Connect technical folks in HQ with Greg and George

Katie and HQ – Research chromium distributers and try to prepare a 114 for Region 10 immediately.