

MARICOPA COUNTY AIR QUALITY DEPARTMENT

IN THE MATTER OF:

Wallnox Enterprises, Inc.
dba Desert Sun Fiberglass
21412 N. 14th Ave.
Phoenix, Arizona 85027

Defendant

ORDER OF ABATEMENT

NO. 2008-003

The Control Officer has reasonable cause to believe, and finds that Wallnox Enterprises, Inc. dba Desert Sun Fiberglass is in violation of Maricopa County Air Pollution Control Regulation Permit Condition #21 and Permit Condition #11 of Permit Number V97002 as evidenced by NOV #101123 & 101124 issued to Wallnox Enterprises, Inc. dba Desert Sun Fiberglass on August 12, 2008 & August 13, 2008 respectively.

1. Wallnox Enterprises, Inc. dba Desert Sun Fiberglass failed to file semi-annual monitoring reports with the Control Officer, Attn: Large Source Compliance Supervisor.

The Permittee shall file semi-annual monitoring reports with the Control Officer, Attn: Large Source Compliance Supervisor. The initial reporting period shall begin on the permit issuance date and shall cover a period of 6 months or less. The second and subsequent reporting periods shall be in 6 month intervals after the end of the initial reporting period. The

semiannual monitoring reports shall be filed within 30 days after the end of the reporting period. Each report shall cover all instances of deviations from these permit conditions during the reporting period, the cause of the deviations if any were present, and any applicable corrective actions taken. Each report shall be certified as to its truth, accuracy and completeness by a responsible official in the manner required by County Rule 210 § 301.7 and 305.1(e), and which shall contain subsections A through F of this Permit Condition.

2. Wallnox Enterprises, Inc. dba Desert Sun Fiberglass failed to pay fees to the Control Officer under ARS-49-480(d) and County Rule 280 §301.2.

The Permittee shall pay fees to the Control Officer under ARS 49-480(D) and County Rule 280.

The owner or operator of a Title V source shall pay an annual administrative fee plus an emissions-based fee as follows:

a. The applicable annual administrative fee from the table below, as adjusted annually under section 304 of this rule. The fee is due on the anniversary date of the initial permit covering construction and startup of operations and annually thereafter on that date.

The annual permit fee for reinforced plastics is \$9,910.

b. An emissions-based fee of \$14.51 per ton of actual emissions of all regulated pollutants emitted during the previous calendar year as determined by Section 305 of this Rule.

WHEREFORE, pursuant to the authority granted in A.R.S. § 49-511 Wallnox Enterprises, Inc. dba Desert Sun Fiberglass is ordered:

- A. To submit complete semi-annual monitoring reports for the period of March 1, 2007 through August 31, 2007 and September 1, 2007 through February 29, 2008 within 30-days of the effective date of this Order.
- B. To submit to MCAQD all past-due permit fees for Permit Number V97002 in the amount of \$9,910.00 and late fees in the amount of \$100.00 totaling \$10,010.00 within 30-days of the effective date of this Order.

The duration of this Order shall be one year or until the Order is fully complied with, whichever is sooner. This Order is in addition to and shall in no way limit the Control Officer's authority to seek civil penalties for the violations pursuant to A.R.S. § 49-513 or injunctive relief pursuant to A.R.S. § 49-512. Each day the facility listed above operates without complying with Rule 200, § 301 is a separate violation, subject to a potential civil penalty of up to \$10,000 per violation per day.

Wallnox Enterprises, Inc. dba Desert Sun Fiberglass is entitled to a hearing before the Hearing Board regarding this Order if the hearing is requested in writing within 30 days after the date of issuance of the Order.

ORDERED this fifteenth day of December, 2008.

LAWRENCE ODLE
CONTROL OFFICER,
MARICOPA COUNTY
AIR QUALITY DEPARTMENT

A handwritten signature in black ink, appearing to read "Lawrence Odle", written over a horizontal line. The signature is cursive and extends to the right of the line.