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STATE OF CONNECTICUT	)	Order No. 20543
	)	
V.	)	
	)	
ROEHM AMERICA, LLC	)	
	)	

CONSENT ORDER

A. With the agreement of Roehm America, LLC ("Respondent"), the Commissioner of Energy & Environmental Protection ("Commissioner") finds the following:

1. The Respondent maintains and operates a polymer manufacturing facility at 528 South Cherry Street, Wallingford, Connecticut ("facility").

2. At the facility, the Respondent operates the following processes:
   a. Raw Material Storage Tanks/Vessels
   b. Monomer Preparation
   c. Polymer Production
   d. Grafted Rubber Preparation
   e. Solvent Recovery Operations
   f. Dye Preparation
   g. Post Color Operations
   h. Equipment leaks and fugitive emissions.

3. The processes referenced in paragraph A.2 of this Consent Order are subject to Permit No. 189-0237-TV; 40 CFR Part 63 Subpart FFFF; and Regs., Conn. State Agencies § 22a-174-32.

4. On August 1, 2019, the Respondent acquired the facility from Evonik Cyro, formerly Cyro Industries ("predecessors"). Prior to August 1, 2019, the predecessors operated pursuant to Consent Order 8268, issued on February 28, 2007, which established reasonably available control technology ("RACT") for volatile organic compounds ("VOC").

5. The Respondent indicates that since acquiring the facility, the Respondent continues to operate the same processes referenced in paragraph A.2 of this Consent Order as those operated by its predecessors, without any physical changes to or changes in the method of operation of such processes, except as provided for in paragraph A.6 of this Consent Order.

6. The Respondent has replaced the underground storage vessels referenced in paragraph A.2.a of this Consent Order with aboveground storage vessels. Those aboveground storage vessels

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are subject to the applicable VOC control measures at 40 CFR Part 63, Subpart FFFF.

7. The respondent is not a party to Consent Order 8268 and therefore is not subject to the requirements of such Consent Order.

8. On January 16, 2020, the Respondent submitted a letter requesting that that the Department of Energy and Environmental Protection ("Department") issue an order prescribing RACT, as established in Consent Order 8268, for its facility.

B. The Commissioner, acting under §§ 22a-6, 22a-171, 22a-174, 22a-177, and 22a-178 of the Connecticut General Statutes, orders the Respondent as follows:

1. The Respondent shall not place, store, or hold in any stationary storage vessel with a capacity between 100 gallons and 10,000 gallons any VOCs with a vapor pressure of 0.40 pounds per square inch or greater under actual storage conditions unless such vessel is either:
    a. Equipped with a permanent submerged fill pipe with a discharge point eighteen inches or less from the bottom of the storage vessel, or
    b. Capable of maintaining working pressures sufficient at all times to prevent vapor or gas loss to the atmosphere.

2. The Respondent shall not place, store, or hold in any stationary storage vessel with a capacity equal to or greater than 10,000 gallons any VOCs with a vapor pressure of 0.40 pounds per square inch or greater under actual storage conditions unless such vessel is either:
    a. Equipped with a vapor recovery system which collects all VOC vapors and gases discharged from the tank and a vapor return or disposal system that is designed to process such vapors so as to reduce their emission to the atmosphere by at least 95 percent by weight.
    b. Other equipment capable of achieving emissions reductions equivalent to those required in accordance with paragraph B.2.a. of this Consent Order

3. At all times, the Respondent shall operate and maintain a VOC capture and recovery device or devices that shall continually achieve, at least, an 85 percent reduction in uncontrolled emissions from the following processes:
    a. Monomer Preparation
    b. Polymer Production
    c. Grafted Rubber Preparation
    d. Solvent Recovery Operations
    e. Dye Preparation
    f. Post Color Operation

    The Respondent shall not allow VOC emissions from the VOC capture and recovery device(s) to exceed 10 percent of the mass of VOC entering the control system.

4. Leak Detection and Repair (LDAR): Notwithstanding, the provisions of Regs., Conn. State

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Agencies §§ 22a-174-20(x)(2) and 22a-174-20(x)(13)(A), the Respondent shall perform LDAR activities in accordance with either Regs., Conn. State Agencies §§ 22a-174-20(x)(3) through 22a-174-20(x)(13)(F) or applicable LDAR standards set forth in Parts 61 or 63 of Title 40 of the Code of Federal Regulations; whichever is more stringent.

5. Operations and Maintenance Plan: Within ninety (90) days after the issuance of this Consent Order, the Respondent shall submit an updated Operations and Maintenance Plan for the equipment specified in paragraph B.2 of this Consent Order and the VOC capture and recovery devices required in paragraph B.3 of this Consent Order. Such updated plan shall include at least the following: as necessary, updated operating procedures, parameters to be monitored to indicate compliance with the requirements of paragraphs B.2 and B.3 of this Consent Order, acceptable ranges of values for the parameters to be monitored, the monitoring frequency, a description of the schedule of adsorption media regeneration or solvent recovery cycles, a schedule of periodic maintenance events, and operator training. The Respondent shall operate and maintain the VOC capture and recovery devices required in paragraphs B.2 and B.3 of this Consent Order in accordance with the approved updated Operations and Maintenance Plan and in accordance with paragraphs B.2 and B.3 of this Consent Order. Prior to implementing any change to the updated Operations and Maintenance Plan that may increase emissions or reduce the overall control efficiency of the devices required in paragraphs B.2 and B.3 of this Consent Order, the Respondent shall request in writing approval of such changes from the Commissioner and the U.S. Environmental Protection Agency (EPA), and obtain the Commissioner's and the EPA's written approval.

6. Emissions Calculation Methodology: Within ninety (90) days after the issuance of this Consent Order, the Respondent shall review the previously submitted and Department-approved emission calculation document under paragraph A.6 of Consent Order 8268 and, if necessary, shall update and submit, for the Commissioner's review and written approval, such document. The emission calculation document shall describe the methods used to calculate actual emissions from all the VOC-emitting processes operated at the facility. The document shall provide references for any emissions models used, the data inputs for any such model, a listing of emissions factors used, and the sources of any emissions factors used. The Respondent shall calculate and record emissions in accordance with the emissions calculation document approved by the Commissioner. The Respondent shall not alter the method of calculating emissions until the Respondent submits the alteration to the Commissioner and the EPA, in writing, and obtains the Commissioner's and EPA's approval of the alteration in writing.

7. Record Keeping and Reporting. The Respondent shall make and keep records of the following:
    a. All manufacturer's literature, operating manuals, and warranty information pertaining to VOC capture and recovery device(s).
    b. Safety Data Sheets for all raw materials that result in the emission of Volatile Organic Compounds.
    c. A log of maintenance and repair events performed on VOC capture and recovery devices specified in paragraphs B.2 and B.3 of this Consent Order,

Docusign Envelope ID: E98B8970-32A0-8B73-814E-31FF4B92F47B

which shall include: a description of the event, the date the event occurred, and a list of parts repaired and or replaced during the event.

d. In accordance with the frequency specified in the updated Operations and Maintenance Plan that is approved in accordance with paragraph B.5 of this Consent Order, the Respondent shall record all control device operating parameters specified in the updated Operations and Maintenance Plan.

e. All periods of operations during which the control device operating parameters deviate from the acceptable ranges in the Respondent's approved updated Operations and Maintenance plan while the processes described in paragraph A.3 of this Consent order are operating. The Respondent shall make and keep records of LDAR activities in accordance with the LDAR provisions prescribed in paragraph B.4 of this Consent Order.

f. Control device operating hours, including date and time. Such records shall also be distinguished between periods of solvent adsorption and adsorption media regeneration.

g. An up-to-date diagram of the facility indicating the emission units that are directly controlled by the VOC capture and recovery devices specified in paragraphs B.2 and B.3 of this Consent Order.

h. For the purposes of determining actual monthly and annual emissions of VOC from this facility, the monthly quantity of each virgin, VOC-containing raw material and the monthly quantity of each recycled/recovered raw material added to the processes described in paragraph B.3 of this Consent Order.

i. LDAR activities in accordance with the LDAR provisions prescribed in paragraph B.4 of this Consent Order.

j. On or before the 15th day of each month, for each of the processes described in paragraph B.3 of this Consent Order, the Respondent shall calculate and record the following:

    i. total emissions of VOC discharged during the previous calendar month

    ii. the total emissions of VOC discharged during the period of 12 consecutive months ending with the previous month.

k. On or before the first day of March of each year, the Respondent shall submit, for the previous calendar year, the monthly and annual emission records, deviation records, and maintenance and repair records referenced in paragraphs B.7.c, B.7.e, B.7.j of this Consent Order.

The Respondent shall maintain all records required by this Consent Order for a period of no less than five years from the date of recording and shall make such records available to the Commissioner or the U.S. Environmental Protection Agency ("EPA") upon request.

8. Emissions testing. The Respondent shall perform stack emissions testing as required under this Consent Order to evaluate the performance of the VOC capture and recovery device(s) required pursuant to paragraph B.3 of this Consent Order in accordance with Section 22a-174-5 of the Regulations and the following:

    a. For each emission testing, the Respondent shall submit an Intent-to-Test

Docusign Envelope ID: E98B8970-32A0-8B73-814E-31FF4B92F47B

(ITT) package consisting of an ITT form (Form AE404) and a test protocol describing the performance of emissions testing to evaluate the performance of the VOC capture and recovery device(s) to ensure compliance with Paragraph B.3. The test protocol shall be consistent with the Bureau's Emission Source Test Guideline specifying the test methodology to be followed and the conditions under which the facility and VOC capture and recovery device(s) will be operated. The protocol shall provide a detailed analysis of the product types and corresponding production rates that result in the maximum hourly VOC emissions from the processes described in Paragraph B.3. Emissions testing shall be performed using products and production rates that correspond to no less than 90% of the maximum hourly VOC emissions from each process. All proposed test methods must comply with appropriate Federal test methods or other methods acceptable to the Commissioner. The ITT package must demonstrate compliance with applicable requirements of the Code of Federal Regulations (CFR) Title 40 Parts 51, 60 and 61. The Bureau must approve any proposed test methods that deviate from those specified in these Regulations prior to stack testing. All sampling ports shall be installed and located in compliance with 40 CFR Part 60 Appendix A, Method 1. Final plans showing the location of all sampling ports shall be submitted with the ITT package.

b. The Respondent shall respond to any inquiry or notice of deficiency from the Commissioner or her agent regarding the ITT package within thirty (30) days of the Respondent's receipt of said notice.

c. Not more than ninety (90) days after receiving the approval of the Commissioner or her designee regarding the ITT package, the Respondent shall complete emissions testing in accordance with the approved ITT package. The Respondent shall contact the Bureau of Air Management's Source Monitoring Group to schedule a date and time that would allow the Commissioner or her designee to witness the emissions tests.

d. Not more than sixty (60) days after the completion of the emissions tests, the Respondent shall submit a written report providing the results of the emissions tests.

e. Respondent shall respond to any inquiry or notice of deficiency from the Commissioner or her agent regarding the report within fifteen (15) days of the Respondent's receipt of said notice.

f. Respondent shall repeat emissions testing, such that no less than two programs of emissions testing are performed during each span of five consecutive calendar years from the date of the initial test performed in accordance with this order. The Respondent shall allow at least 730 days between the conduct of each program of emissions tests. At least 120 days prior to the anticipated due date of the test, the Respondent shall submit an ITT package that conforms to the requirements of Subparagraph B.8.a. Regarding the performance of repeat emission testing, the Respondent shall act in accordance with Subparagraphs B.8.b-B.8.e of this consent order with respect to the submission of each ITT Package pursuant to this

Docusign Envelope ID: E98B8970-32A0-8B73-814E-31FF4B92F47B

subparagraph.

9. Replacement of the VOC capture and recovery device(s): The Respondent shall notify the Department in writing of plans to replace VOC capture and recovery device(s) not less than 180 days prior to the date planned for the replacement, unless such replacement is due to a catastrophic failure or the control system is destroyed by some act other than negligent operation. The replacement shall not occur unless the Respondent demonstrates, to the Commissioner's satisfaction, that the design of the replacement system should result in emissions reductions that are at least equivalent to the requirements of paragraphs B.3 of this Consent Order.

10. Emission Control and/or Monitoring System Malfunctions: In the event of a malfunction of the VOC capture and recovery device(s) or any associated parametric monitoring systems, the Respondent shall comply with the provisions of Section 22a-174-7 of the Regulations.

11. 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.

12. Approvals. Respondent shall use best efforts to submit to the Commissioner documents, if any, 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.

13. Definitions. As used in this Consent Order, "Commissioner" means the Commissioner or a representative of the Commissioner.

14. 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

Docusign Envelope ID: E98B8970-32A0-8B73-814E-31FF4B92F47B

Connecticut or federal holiday.

15. 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 Respondent or Respondent's chief executive officer 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."

16. 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.

17. 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.

18. 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.

19. 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 Respondent 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 Respondent to undertake further investigation or further action to prevent or abate violations or pollution.

20. Respondent's obligations under law. Nothing in this Consent Order shall relieve Respondent

Docusign Envelope ID: E98B8970-32A0-8B73-814E-31FF4B92F47B

of other obligations under applicable federal, state and local law.

21. 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.

22. Access to site. Any representative of the Department of Environmental Protection may enter the facility without prior notice for the purpose of monitoring and enforcing the actions required or allowed by this Consent Order.

23. 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.

24. 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.

25. 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.

26. Submission of documents. Any document required to be submitted to the Commissioner under this Consent Order shall, unless otherwise specified in writing by the Commissioner, be directed to:

Supervisor
Department of Energy and Environmental Protection
Bureau of Air Management
Compliance Analysis Coordination Unit
79 Elm Street
Hartford, Connecticut 06106-5127
860 424-4152

Docusign Envelope ID: E98B8970-32A0-8B73-814E-31FF4B92F47B

The 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 the Respondent to the terms and conditions of the consent order.

Roehm America, LLC

Signature: Signed by: David Rodriguez 36233EFD0E294E8...

Type Name: David Rodriguez

Type Title: Safety Manager

Date: 5/27/2026

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

Signed by: 1D46FF81817649B...

Emma Cimino, Deputy Commissioner
Department of Energy and Environmental Protection

5/29/2026
Date

TOWN OF WALLINGFORD
LAND RECORDS