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CLERK OF CIRCUIT
COURT
MARATHON COUNTY
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STATE OF WISCONSIN CIRCUIT COURT MARATHON COUNTY
BRANCH __

STATE OF WISCONSIN,
17 West Main Street
Post Office Box 7857
Madison, Wisconsin 53707-7857,

Plaintiff,

V.

Case No. 26-CX-____
Complex Forfeiture: 30109

CRYSTAL FINISHING SYSTEMS, INC.,
4704 Bayberry Street
Schofield, Wisconsin 54476-6097,

Defendant.

THE AMOUNT CLAIMED IS
GREATER THAN THE AMOUNT
CLAIMED UNDER WIS. STAT.
§ 799.01(1)(d).

CIVIL COMPLAINT

The State of Wisconsin by its attorneys, Attorney General Joshua L. Kaul and Assistant Attorney General Bradley J. Motl, brings this complaint against Crystal Finishing Systems, Inc. (Crystal Finishing), pursuant to Wis. Stat. §§ 285.87(1) and 299.95 at the request of the Wisconsin Department of Natural Resources (DNR), and alleges as follows:

1. Plaintiff State of Wisconsin is a sovereign state of the United States of America with its principal offices at the State Capitol in Madison, Dane County, Wisconsin.

2. The Plaintiff has enacted in Wis. Stat. ch. 285 statutes governing sources of air contaminant emissions to prevent and reduce air pollution. DNR administers regulations and issues permits authorized by those statutes.

3. Crystal Finishing, which specializes in the manufacturing and coating of aluminum products, is a domestic business corporation with its principal office at 4704 Bayberry Street, Schofield, Wisconsin, 54476. Crystal Finishing's registered agent is Mark Matthiae, located at the same address.

4. Crystal Finishing owns and operates facilities located at 2610 Ross Avenue in Schofield, Wisconsin (Schofield Plant), and at 1000 South View Drive in Mosinee, Wisconsin (Mosinee Plant).

5. The Schofield Plant consists of several processes, including: Process P02, Main Line Spray Coating Booth; Process P03, Off Line Spray Coating Booth; Process P10, Surface Coating Line for Miscellaneous Metal Parts and Products and Plastic Parts and Products; and Process P22, Surface Coating Line for Miscellaneous Metal Parts and Products and Plastic Parts and Products.

6. The Mosinee Plant consists of several processes, including Process P03, the Vertical Paint Line; and Process P10, the Paint Mixing Room.

7. Crystal Finishing has been permitted under Wisconsin's air pollution control laws since 1995.

8. DNR issued Crystal Finishing the following applicable air pollution control permits for the Schofield Plant: Operation Permit No. 737154220-P10 on December 18, 2008 (2008 Schofield Operation Permit); Construction Permit No. 13-

POY-145 on June 1, 2015 (2015 Schofield Construction Permit); Operation Permit No. 737154220-P20 on October 2, 2015 (2015 Schofield Operation Permit); Construction Permit Revision No. 13-POY-145-R1 on August 30, 2016 (2016 Schofield Construction Permit Revision); Construction Permit No. 17-POY-193 on March 26, 2019 (2019 Schofield Construction Permit); and Operation Permit No. 737154220-P30 on January 25, 2021 (2021 Schofield Operation Permit).

9. DNR issued Crystal Finishing the following applicable air pollution control permit for the Mosinee Plant: Operation Permit No. 737237380-F02 on November 29, 2018 (Mosinee Operation Permit).

10. Wisconsin Stat. § 285.66(1) states in part that “all conditions in a construction permit are permanent unless the conditions are revised through a revision of the construction permit or through the issuance of a new construction permit.”

11. Pursuant to Wis. Stat. § 285.60(7), at all times relevant to the allegations in this Complaint, Crystal Finishing was and is currently required to comply with all the terms and conditions of its air pollution control permits.

12. DNR conducted Full Compliance Evaluation inspections (FCEs) for the Schofield Plant on at least January 16, 2018, February 11, 2020, and January 25, 2022.

13. DNR conducted FCEs for the Mosinee Plant on at least August 26, 2016, and October 29, 2020.

Schofield Plant Violations

VIOLATION 1: EXCEEDANCE OF HAZARDOUS AIR POLLUTANT LIMITATIONS FROM PLANT FOUR COATING PROCESS

14. Plant 4 at the Schofield Plant contains a process, initially permitted as Process P10, that coats plastic parts and products. Because this process was renamed Process P22 effective in April of 2018, this Complaint refers to this process as the Plant 4 Coating Process.

15. Condition I.ZZZ.2.a.(2) of the 2008 Schofield Operation Permit required Crystal Finishing to limit organic hazardous air pollutant (HAP) emissions from the entire Schofield Plant to no more than 0.16 pounds per pound of coating solids used during each 12-month compliance period when coating plastic parts and products.

16. Condition I.E.6.a.(1) of the 2015 Schofield Operation Permit required Crystal Finishing to limit organic HAP emissions from the Plant 4 Coating Process to 0.16 pounds per pound of coating solids used during each 12-month compliance period.

17. Conditions I.E.6.a.(1) of the 2015 Schofield Construction Permit and the 2016 Schofield Construction Permit Revision required Crystal Finishing to limit organic HAP emissions from the Plant 4 Coating Process to 0.16 pounds per pound of coating solids used during each 12-month compliance period.

18. Condition I.E.5.a.(2) of the 2019 Schofield Construction Permit requires Crystal Finishing to limit organic HAP emissions from the Plant 4 Coating Process to 0.16 pounds per pound of coating solids used during each 12-month compliance period.

19. Records provided by Crystal Finishing to DNR indicated that that HAP emissions from the Plant 4 Coating Process were over 0.16 pounds per pound of coating solids used during each 12-month compliance period from at least October of 2014 through September of 2017, and again from April of 2018 through December of 2019.

20. Crystal Finishing violated Condition I.ZZZ.2.a.(2) of the 2008 Schofield Operation Permit at least 9 times, monthly between January of 2015 and September of 2015, by exceeding the organic HAP emissions limit of 0.16 pounds per pound of coating solids used during each 12-month compliance period for the Plant 4 Coating Process.

21. Crystal Finishing violated Condition I.E.6.a.(1) of the 2015 Schofield Operation Permit at least 45 times, monthly between October of 2015 and September of 2017, and monthly between April 2018 and December of 2019, by exceeding the organic HAP emissions limit of 0.16 pounds per pound of coating solids used during each 12-month compliance period for the Plant 4 Coating Process.

22. Crystal Finishing violated Condition I.E.6.a.(1) of the 2015 Schofield Construction Permit at least 15 times, monthly between June of 2015 and August of 2016, by exceeding the organic HAP emissions limit of 0.16 pounds per pound of coating solids used during each 12-month compliance period for the Plant 4 Coating Process.

23. Crystal Finishing violated Condition I.E.6.a.(1) of the 2016 Schofield Construction Permit Revision at least 13 times, monthly between September of 2016

and September of 2017, by exceeding the organic HAP emissions limit of 0.16 pounds per pound of coating solids used during each 12-month compliance period for the Plant 4 Coating Process.

24. Crystal Finishing violated Condition I.E.5.a.(2) of the 2019 Schofield Construction Permit at least 22 times, monthly between March of 2018 and December of 2019, by exceeding the organic HAP emissions limit of 0.16 pounds per pound of coating solids used during each 12-month compliance period for the Plant 4 Coating Process.

**VIOLATION 2: EXCEEDANCE OF HAZARDOUS AIR POLLUTANT
LIMITATIONS FROM PLANT SIX COATING PROCESS**

25. Plant 6 at the Schofield Plant contains a process, permitted as Process P10, that coats plastic parts and products. This Complaint refers to this process as the Plant 6 Coating Process.

26. Condition I.X.4.1 of the 2015 Schofield Operation Permit and the 2016 Schofield Construction Permit Revision required Crystal Finishing to limit organic HAP emissions from the entire Schofield Plant to no more than 0.16 pounds per pound of coating solids used during each 12-month compliance period when coating plastic parts and products.

27. Condition I.J.5.a.(2) of the 2019 Schofield Construction Permit requires Crystal Finishing to limit organic HAP emissions from the Plant 6 Coating Process to 0.16 pounds per pound of coating solids used during each 12-month compliance period when coating plastic parts and products.

28. Records provided by Crystal Finishing to DNR indicated that that HAP emissions from the Plant 6 Coating Process were over 0.16 pounds per pound of coating solids used during each 12-month compliance period from at least October of 2017 to December of 2019.

29. Crystal Finishing violated Condition I.X.4.1 of the 2015 Schofield Operation Permit at least 5 times, monthly between October of 2017 to February of 2018, by exceeding the organic HAP emissions limit of 0.16 pounds per pound of coating solids used during each 12-month compliance period for the Plant 6 Coating Process.

30. Crystal Finishing violated Condition I.X.4.1 of the 2016 Schofield Construction Permit Revision at least 5 times, monthly between October of 2017 to February of 2018, by exceeding the organic HAP emissions limit of 0.16 pounds per pound of coating solids used during each 12-month compliance period for the Plant 6 Coating Process.

31. Crystal Finishing violated Condition I.J.5.a.(2) of the 2019 Schofield Construction Permit at least 22 times, monthly between March of 2018 to December of 2019, by exceeding the organic HAP emissions limit of 0.16 pounds per pound of coating solids used during each 12-month compliance period for the Plant 6 Coating Process.

**VIOLATION 3: FAILURE TO MAINTAIN MINIMUM OPERATING
TEMPERATURE FOR PROCESSES P02/P03 UNDER 2019 SCHOFIELD
CONSTRUCTION PERMIT**

32. Condition III.63.3892(b) of the 2019 Schofield Construction Permit states that:

For any controlled coating operation(s) on which you use the emission rate with add-on controls option . . . you must meet the operating limits specified in Table 1 to this subpart. These operating limits apply to the emission capture and control systems on the coating operation(s) for which you use this option, and you must establish the operating limits during the performance test according to the requirements in §63.3967. You must meet the operating limits at all times after you establish them.

33. Processes P02 and P03 route to Control Device C04, a regenerative thermal oxidizer (RTO) add-on device (hereinafter the C04 RTO) that is subject to the requirements of Condition III.63.3892(b) of the 2019 Schofield Construction Permit.

34. Table 1 referenced in Condition III.63.3892(b) of the 2019 Schofield Construction Permit requires Crystal Finishing to operate the C04 RTO at or above a three-hour average temperature limit established by the most recent performance test that complies with 40 C.F.R. § 63.3967(a).

35. As of the issuance of the 2019 Schofield Construction Permit, the applicable three-hour average temperature limit for the C04 RTO was 1525.7 degrees Fahrenheit (°F).

36. Temperature readings collected by Crystal Finishing for the C04 RTO indicate that the RTO was below 1525.7°F on at least 21 days between July 1, 2019, and August 1, 2019.

37. Temperature readings collected by Crystal Finishing for the C04 RTO indicate that the RTO was below 1525.7°F on at least 25 days between December 1, 2019, and December 31, 2019.

38. On February 21, 2020, Crystal Finishing submitted a next day deviation notification (NDDN) to DNR, indicating that the three-hour average temperature for the C04 RTO had been “intermittently” below 1525.7°F since July of 2019.

39. Temperature readings collected by Crystal Finishing for the C04 RTO indicate that the RTO was below 1525.7°F during on at least two days between February 16, 2020, and February 21, 2020.

40. Temperature readings collected by Crystal Finishing for the C04 RTO indicate that the RTO was below 1525.7°F during on at least two days between April 1, 2020, and April 30, 2020.

41. Effective July 23, 2020, a performance test re-set the applicable three-hour average temperature limit for the C04 RTO to 1556°F.

42. A certified monitoring report submitted by Crystal Finishing to DNR indicated that the C04 RTO operated below 1556°F; specifically, between 1525°F and 1545°F, every day between January 1, 2021, and January 24, 2021.

43. Crystal Finishing violated Condition III.63.3892(b) of the 2019 Schofield Construction Permit on at least 72 days between July 1, 2019, and January 24, 2021, by failing to operate the C04 RTO at or above the permitted 3-hour average temperature limit.

**VIOLATION 4: FAILURE TO MAINTAIN MINIMUM OPERATING
TEMPERATURE FOR PROCESSES P02/P03 UNDER 2021 SCHOFIELD
OPERATION PERMIT**

44. Condition I.A.3.b.(2)(b) of the 2021 Schofield Operation Permit, applicable to Processes P02, P03, and the C04 RTO, states that “[t]he average RTO combustion temperature in any 3-hour period may not fall below the average combustion temperature recorded during the most recent compliance emission test demonstrating 95 [percent] control of [volatile organic compound] emissions.”

45. Condition I.A.4.a.(5)(b)1. of the 2021 Schofield Operation Permit establishes a temperature operating limit in the same manner as Condition III.63.3892(b) of the 2019 Schofield Construction Permit. *See supra*, Violation 3.

46. As of the issuance of the 2021 Schofield Operation Permit, the average combustion temperature recorded during the most recent compliance emission test demonstrating 95 percent control of volatile organic compound (VOC) emissions for the C04 RTO was 1556°F.

47. As of the issuance of the 2021 Schofield Operation Permit, the applicable three-hour average temperature limit for Control Device C04 was 1556°F.

48. A certified monitoring report submitted by Crystal Finishing to DNR indicated that the C04 RTO operated below 1556°F; specifically, between 1525°F and 1545°F, every day between January 25, 2021, and June 30, 2021.

49. Crystal Finishing violated Conditions I.A.3.b.(2)(b) and I.A.4.a.(5)(b)1. of the 2021 Schofield Operation Permit continuously between January 25, 2021, and

June 30, 2021, by failing to operate the C04 RTO at or above the permitted three-hour average temperature limit.

**VIOLATION 5: FAILURE TO CONTINUOUSLY RECORD
C04 RTO TEMPERATURE**

50. Condition I.A.3.c.(1) of the 2021 Schofield Operation Permit requires Crystal Finishing to “monitor and record the temperature of the primary chamber of [the C04 RTO] on a continuous basis.”

51. Records provided by Crystal Finishing to DNR during the January 25, 2022 FCE indicated that Crystal Finishing had failed to record the temperature of the primary chamber of the C04 RTO from at least October 1, 2020, to October 31, 2020.

52. Crystal Finishing violated Condition I.A.3.c.(1) of the 2021 Schofield Operation Permit from at least October 1, 2020, to October 31, 2020, by failing to record the temperature of the primary chamber of the C04 RTO.

**VIOLATION 6: FAILURE TO CONTINUOUSLY RECORD
C12 RTO TEMPERATURE**

53. Condition I.J.3.c.(2) of the 2021 Schofield Operation Permit, applicable to Process P10, Control Device C12 RTO, requires Crystal Finishing to “monitor and record the temperature of the primary chamber of [the C12 RTO] on a continuous basis.”

54. Records provided by Crystal Finishing to DNR during the January 25, 2022 FCE indicated that Crystal Finishing had failed to record the temperature of

the primary chamber of the C12 RTO from at least May 1, 2020, to May 4, 2020, and from October 1, 2020, to October 31, 2020.

55. Crystal Finishing violated Condition I.J.3.c.(2) of the 2021 Schofield Operation Permit from at least May 1, 2020, to May 4, 2020, and from October 1, 2020, to October 31, 2020, by failing to record the temperature of the primary chamber of the C12 RTO.

VIOLATION 7: FAILURE TO MAINTAIN MINIMUM VELOCITY THROUGH ALL NATURAL DRAFT OPENINGS FOR PROCESS P10

56. Condition I.J.4.b.(1) of the 2019 Schofield Construction Permit requires in part that Crystal Finishing maintain a minimum average inward face velocity of 200 feet per minute for all natural draft openings in the enclosure for Process P10.

57. On March 3, 2020, TRC Environmental Corporation, a consultant for Crystal Finishing, conducted a stack test, which determined that Crystal Finishing was not operating Process P10 at a pressure drop sufficient to maintain a minimum average inward face velocity of 200 feet per minute for all natural draft openings.

58. On July 21, 2020, Crystal Finishing submitted a NDDN to DNR, indicating that effective July 1, 2020, Crystal Finishing had changed the exhaust system and other components of Process P10 to resolve non-compliance with minimum average inward face velocity requirements.

59. Crystal Finishing violated Condition I.J.4.b.(1) of the 2019 Schofield Construction Permit on at least March 3, 2020, by failing to maintain a minimum average inward face velocity of 200 feet per minute for all natural draft openings in the enclosure for Process P10.

VIOLATION 8: FAILURE TO MAINTAIN MINIMUM VELOCITY THROUGH ALL NATURAL DRAFT OPENINGS FOR PROCESSES P02/P03

60. Condition I.A.4.b.(3) of the 2019 Schofield Construction Permit requires in part that Crystal Finishing maintain a minimum average inward face velocity of 200 feet per minute for all natural draft openings in the enclosure for Processes P02 and P03.

61. On July 23, 2020, TRC Environmental Corporation conducted a stack test, which determined that Crystal Finishing was not operating Processes P02 and P03 at a pressure drop sufficient to maintain a minimum average inward face velocity of 200 feet per minute for all natural draft openings.

62. Crystal Finishing submitted a Compliance Progress Report to DNR on July 31, 2023, indicating that the Facility was still not maintaining required minimum velocity for all natural draft openings for Processes P02 and P03.

63. Upon information and belief, since at least July 23, 2020, Crystal Finishing has failed to maintain a minimum average inward face velocity of 200 feet per minute for all natural draft openings in the enclosure for Processes P02 and P03

64. Crystal Finishing violated Condition I.A.4.b.(3) of the 2019 Schofield Construction Permit from at least July 23, 2020, to present, by failing to maintain a minimum average inward face velocity of 200 feet per minute for all natural draft openings in the enclosure for Processes P02 and P03.

**VIOLATION 9: FAILURE TO DEVELOP AND IMPLEMENT HAP
EMISSIONS WORK PRACTICE PLAN**

65. With exceptions not applicable to this action, Condition III.63.3893(b) of the 2019 Schofield Construction Permit requires Crystal Finishing to “develop and implement a work practice plan to minimize organic HAP emissions from the storage, mixing, and conveying of coatings, thinners and/or other additives, and cleaning materials used in, and waste materials generated by the controlled coating operation(s).

66. Condition III.63.3893(b)(1)–(5) of the 2019 Schofield Construction Permit requires the following minimum components of a HAP emissions work practice plan:

- (1) All organic-HAP-containing coatings, thinners and/or other additives, cleaning materials, and waste materials must be stored in closed containers.
- (2) Spills of organic-HAP-containing coatings, thinners and/or other additives, cleaning materials, and waste materials must be minimized.
- (3) Organic-HAP-containing coatings, thinners and/or other additives, cleaning materials, and waste materials must be conveyed from one location to another in closed containers or pipes.
- (4) Mixing vessels which contain organic-HAP-containing coatings and other materials must be closed except when adding to, removing, or mixing the contents.
- (5) Emissions of organic HAP must be minimized during cleaning of storage, mixing, and conveying equipment.

67. Condition I.ZZZ.4.a.(2)(a) of the 2021 Schofield Operation Permit required Crystal Finishing to develop and submit to DNR a HAP emissions work practice plan within 30 days of January 25, 2021.

68. Condition I.ZZZ.4.a.(2)(b) of the 2021 Schofield Operation Permit required Crystal Finishing to implement a DNR-approved HAP emissions work practice plan with 45 days of DNR approving such a plan.

69. During the February 11, 2020 FCE, Crystal Finishing was unable to provide upon DNR's request a HAP emissions work practice plan or any documentation that such a plan was implemented at the Schofield Plant.

70. At a June 9, 2020 DNR enforcement conference, Crystal Finishing provided a Paint Vault Training Sign off Sheet, indicating that the training included instructions "to cover containers to minimize the escape of solvent and vapors."

71. The Paint Vault Training Sign off Sheet did not address issues such as spillage and conveyance of HAP-containing coatings.

72. The Paint Vault Training Sign off Sheet did not meet the minimum requirements a HAP emissions work practice plan listed in Condition III.63.3893(b)(1)–(5) of the 2019 Schofield Construction Permit.

73. Crystal Finishing failed to submit a HAP emissions work plan to DNR until August 8, 2021, which was more than 30 days after January 25, 2021.

74. Crystal Finishing had implemented the HAP emissions work plan at the time of a September 2, 2021 DNR enforcement conference.

75. Crystal Finishing violated Condition III.63.3893(b) of the 2019 Schofield Construction Permit on at least February 11, 2020, and June 9, 2020, by failing to develop and implement a work practice plan to minimize organic HAP emissions at the Schofield Plant.

76. Crystal Finishing violated Condition I.ZZZ.4.a.(2) of the 2021 Schofield Operation Permit at least once, on or around February 24, 2021, by failing to comply

with deadlines related to development and implementation of a HAP emissions work plan.

VIOLATION 10: FAILURE TO COMPLY WITH DEADLINES RELATED TO PERMANENT TOTAL ENCLOSURE FOR PROCESSES P02/P03

77. Condition I.ZZZ.4.a.(1)(a) of the 2021 Schofield Operation Permit requires Crystal Finishing to “complete a third party, comprehensive review of the Permanent Total Enclosure (PTE) [for Processes P02 and P03], including a physical inspection and evaluation of control equipment and process operating parameters” within 30 days after January 25, 2021.

78. Condition I.ZZZ.4.a.(1)(b) of the 2021 Schofield Operation Permit requires Crystal Finishing to submit a report to DNR “describing the findings of the third party comprehensive review including recommendations and plans to implement the recommendations” regarding the Process P02/P03 PTE within 45 days after January 25, 2021.

79. Condition I.ZZZ.4.a.(1)(c) of the 2021 Schofield Operation Permit requires Crystal Finishing to perform a compliance test on the Process P02/P03 PTE in compliance with US EPA Method 204 within 90 days after January 25, 2021.

80. US EPA Method 204 is a prescribed test method that assesses whether a particular control device is adequately capturing emissions from a particular process.

81. Crystal Finishing failed to complete a third-party comprehensive review of the Process P02/P03 PTE until April 20–23, 2021, which was more than 30 days after January 25, 2021.

82. Crystal Finishing failed to submit a Process P02/P03 PTE third party comprehensive review to DNR until July 29, 2021, which was more than 45 days after January 25, 2021.

83. To date, Crystal Finishing has failed to conduct a compliance test on the Process P02/P03 PTE in compliance with US Method 204.

84. Crystal Finishing violated Condition I.ZZZ.4.a.(1)(a)–(c) of the 2021 Schofield Operation Permit at least three times by failing to comply with deadlines related to the Process P02/P03 PTE.

**VIOLATION 11: FAILURE TO TIMELY SUBMIT MALFUNCTION
PREVENTION AND ABATEMENT PLAN**

85. Condition I.ZZZ.4.a.(4) of the 2021 Schofield Operation Permit requires that, within 30 days after January 25, 2021, Crystal Finishing “update, implement and submit [to DNR] the Malfunction Prevention and Abatement Plan (MPAP) to prevent, detect and correct malfunctions or equipment failures which may cause any applicable emission limitation to be violated or which may cause air pollution.”

86. On August 3, 2021, Crystal Finishing submitted a NDDN to DNR, indicating that Crystal Finishing hadn’t yet submitted an updated MPAP to DNR.

87. Crystal Finishing failed to submit an updated MPAP to DNR until August 31, 2021, which was more than 30 days after January 25, 2021.

88. Crystal Finishing violated Condition I.ZZZ.4.a.(4) of the 2021 Schofield Operation Permit at least once, on or around February 24, 2021, by failing to timely submit an updated MPAP to DNR.

VIOLATION 12: FAILURE TO TIMELY SUBMIT SPRAY GUN SPECIFICATIONS FOR PROCESSES P02/P03, P10, AND P22

89. Condition I.ZZZ.4.a.(3) of the 2021 Schofield Operation Permit requires that, within 30 days after January 25, 2021, Crystal Finishing “provide manufacturer equipment specifications certifying the designed spray capacities and transfer efficiencies of each spray gun used in P02, P03, P10 and P22.”

90. Condition I.ZZZ.4.a.(5)(a) of the 2021 Schofield Operation Permit, requires in part that, within 30 days after January 25, 2021, Crystal Finishing “ensure that the spray equipment installed and operating meets the specifications identified in the permit application and supplemental information submitted to [DNR] for [the 2019 Schofield Construction Permit], as identified in the preliminary determination for [the 2019 Schofield Construction Permit].”

91. Conditions I.ZZZ.4.a.(5)(a)(i)-(iii) of the 2021 Schofield Operation Permit include the following requirements: maximum designed spray capacities; maximum number of spray guns associated with each process; and minimum designed transfer efficiencies.

92. On August 3, 2021, Crystal Finishing submitted a NDDN to DNR, indicating that Crystal Finishing would submit “technical detail” required by Condition I.ZZZ.4. of the 2021 Schofield Operation Permit by August 6, 2021.

93. Crystal Finishing submitted specifications for the Process P02/P03, P10, and P22 spray guns, along with certain usage information for each spray gun, to DNR on August 6, 2021, which was more than 30 days after January 25, 2021.

94. Crystal Finishing violated Conditions and I.ZZZ.4.a.(3) and I.ZZZ.4.a.(5) of the 2021 Schofield Operation Permit at least once, on or around February 24, 2021, by failing to timely submit spray gun specifications and related information to DNR.

**VIOLATION 13: FAILURE TO TIMELY SUBMIT COMPLIANCE
PROGRESS REPORTS**

95. Condition I.ZZZ.4.a.(6) of the 2021 Schofield Operation Permit requires that Crystal Finishing “submit compliance reports to [DNR] every month from the date of issuance of this permit until [Crystal Finishing] completes all items required by condition I.ZZZ.4.a.(1)-(5).”

96. The 2021 Schofield Operation Permit was issued on January 25, 2021.

97. Crystal Finishing failed to submit any monthly compliance progress reports until August 31, 2021.

98. Crystal Finishing had not completed all items required by Conditions I.ZZZ.4.a.(1)–(5) of the 2021 Schofield Operation Permit between January 25, 2021, and August 31, 2021. *See, e.g., supra*, Violations 9–12.

99. Crystal Finishing violated Condition I.ZZZ.4.a.(6) of the 2021 Schofield Operation Permit at least six times, monthly between February of 2021 and July of 2021, by failing to submit compliance reports to DNR.

Mosinee Plant Violations

VIOLATION 14: FAILURE TO TIMELY TRAIN PAINTERS

100. Condition I.I.1.b.(2) of the Mosinee Operation Permit requires Crystal Finishing to train and certify all new and existing personnel, including contractors, who spray apply surface coatings no later than 180 days after hiring.

101. On December 4, 2020, Crystal Finishing submitted a spreadsheet to DNR that contained a list of its employed painters, the date the employee became a painter, and the date of the employee's painter training.

102. The December 4, 2020 spreadsheet provided by Crystal Finishing listed at least one employee who had not been trained and certified within 180 days after being hired as a painter.

103. Crystal Finishing violated Condition I.I.1.b.(2) of the Mosinee Operation Permit at least once on or before December 4, 2020, by failing to train and certify all painters at the Mosinee Plant within 180 days after hiring.

VIOLATION 15: FAILURE TO PROPERLY TRAIN PAINTERS

104. Condition I.I.1.b.(1) of the Mosinee Operation Permit requires that Crystal Finishing "ensure and certify" that all painters are "trained in the proper application of surface coatings."

105. Condition I.I.1.b.(1)(b) of the Mosinee Operation Permit requires surface coating application training to include both hands-on and classroom instruction regarding spray gun equipment selection, set up, and operation; spray technique; routine spray booth and filter maintenance; and environmental compliance.

106. Condition I.I.1.b.(1)(c) of the Mosinee Operation Permit requires surface coating application training to include "a description of the methods to be used at the completion of initial or refresher training to demonstrate, document, and provide certification of successful completion of the required training."

107. On November 16, 2020, Crystal Finishing told DNR there is no classroom instruction for its painters.

108. On November 16, 2020, Crystal Finishing also told DNR that standard hands-on training for painters does not include the following components: spray gun equipment selection, set up, and operation; spray technique; routine spray booth and filter maintenance; environmental compliance; or a description of the methods to be used at the completion of initial or refresher training to demonstrate, document, and provide certification of successful completion of the required training.

109. Crystal Finishing violated Condition I.I.1.b.(1) of the Mosinee Operation Permit at least once on or before November 16, 2020, by failing to ensure and certify training on the proper application of surface coatings for all painters at the Mosinee Plant.

**VIOLATION 16: FAILURE TO MAINTAIN MINIMUM OPERATING
TEMPERATURE FOR PROCESS P03**

110. Condition I.C.2.b.(4) of the Mosinee Operation Permit requires Crystal Finishing to maintain a minimum operating temperature of 1,450°F for the combustion zone of the Process P03 RTO.

111. Operating records provided by Crystal Finishing to DNR indicate that the Process P03 RTO operating temperature fell below 1,450°F on at least August 21, August 29, and September 4 of 2019.

112. Operating records provided by Crystal Finishing to DNR indicate that the Process P03 RTO operating temperature fell below 1,450°F on at least 27 days in July 2020.

113. Crystal Finishing violated Condition I.C.2.b.(4) of the Mosinee Operation Permit at least 30 times in 2019 and 2020 by failing to maintain the Process P03 RTO operating temperature at a minimum of 1,450°F.

**VIOLATION 17: FAILURE TO COMPLY WITH VOC EMISSIONS
LIMITATION FOR PROCESS P03**

114. Condition I.C.2.a.(4) of the Mosinee Operation Permit requires the VOC emissions destruction efficiency of Process P03, RTO Control Device C03, to be at least 95.0 percent.

115. On November 30 and December 1, 2021, TRC Environmental Corporation performed VOC emissions destruction efficiency testing for RTO Control Device C03.

116. TRC Environmental Corporation's stack testing reported that the VOC emissions destruction efficiency of RTO Control Device C03 was 91.84 percent.

117. Records provided by Crystal Finishing to DNR demonstrated that the VOC emissions destruction efficiency of RTO Control Device C03 was 87.8 percent on November 30 and December 1, 2021.

118. Crystal Finishing violated Condition I.C.2.a.(4) of the Mosinee Operation Permit on at least November 30 and December 1, 2021, by operating RTO Control Device C03 at a VOC emissions destruction efficiency of less than 95.0 percent.

PENALTY PROVISIONS

119. Wisconsin Stat. § 299.95 authorizes the Attorney General to enforce Wis. Stat. ch. 285 and permits issued under that chapter, subject to exceptions not

applicable to this case. Under Wis. Stat. § 299.95, the circuit court for Dane County or the county where the violation occurred has jurisdiction to enforce Wis. Stat. ch. 285 and permits issued under that chapter “by injunctive and other relief appropriate for enforcement.”

120. Wisconsin Stat. § 285.87(1) states that any person who violates this chapter or any permit issued under this chapter shall forfeit not less than \$10 nor more than \$25,000 for each violation. Each day of continued violation is a separate offense.

RELIEF REQUESTED

WHEREFORE, Plaintiff asks the Court to enter judgment as follows:

1. Forfeitures as provided in Wis. Stat. § 285.87(1);
2. The 26 percent penalty surcharge pursuant to Wis. Stat. § 814.75(18), the 20 percent environmental surcharge pursuant to Wis. Stat. § 814.75(12), the 1 percent jail surcharge pursuant to Wis. Stat. § 814.75(14), \$25.00 in court costs pursuant to Wis. Stat. § 814.63(1), the \$13.00 crime laboratories and drug law enforcement surcharge pursuant to Wis. Stat. § 814.75(3), the \$68.00 court support services surcharge under Wis. Stat. § 814.75(2), and the \$21.50 justice information system surcharge under Wis. Stat. § 814.75(15);
3. An injunction requiring Crystal Finishing to operate the Schofield Plant and Mosinee Plant in compliance with all issued air pollution control permits and with Wisconsin laws regulating air pollution; and

4. Any other relief the Court deems just and appropriate.

Dated this 6th day of February 2026.

JOSHUA L. KAUL
Attorney General of Wisconsin

Electronically signed by Bradley J. Motl

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