

CITY OF TOLEDO



DEPARTMENT OF PUBLIC UTILITIES

October 24, 2007

CERTIFIED MAIL

Mr. Chris Schlachter
Johnson Controls Battery Group
10300 Industrial Road
Holland, Ohio 43528



Re: Notice of Violation

Dear Mr. Schlachter:

Enclosed, please find a "Notice of Violation" for Johnson Controls Battery Group, Inc., Ohio EPA Emissions Unit Id. 0448002011 P067-P070. Please review this document carefully as some action is required on your part.

If you have any questions, please feel free to contact me.

Yours from Toledo - a City of the Future!

Mary J. Lehman-Schmidt, P.E.

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*fDi Magazine-April 2007

Enclosure

cc: Casey Stephens, TDOES
Karen Granata, TDOES
Leslie Kovacik, Toledo Law Department
John Paulian, OEPA
Lisa Holscher, USEPA Region V

NOTICE OF VIOLATION

October 24, 2007

The City of Toledo Division of Environmental Services hereby serves notice that:

Johnson Controls Battery Group, Inc.
10300 Industrial Road
Holland, Ohio 43528

has violated the following environmental laws, orders, rules, or regulations on the indicated dates at the above address:

Dates of Violation(s)

August 7, 2007 and ongoing

Regulation(s) violated

Description of Source(s) and Violations(s)

ORC 3704.05(C)

During stack testing performed on this date, Johnson Controls Battery Group, Inc. demonstrated actual emissions of the criteria pollutant lead in excess of the emission limitations established by PTI 04-01454 as issued December 26, 2006 and modified January 16, 2007.

The above violation(s) may subject the violator to penalties of up to \$25,000 per violation. It is possible that a penalty may be assessed in this case. If a penalty is to be assessed, the amount will be determined after your response is reviewed.

Required Actions

Within 2 weeks of receipt of this Notice of Violation, you shall:

1. Abate the violation(s) or provide for an acceptable remedy.
2. Reply in writing to this Notice of Violation. The reply shall include:
 - a. description(s) and date(s) of action(s) taken thus far to abate the violation(s).
 - b. description(s) and expeditious time schedule of action(s) yet to be taken to remedy the violation(s).
 - c. description(s) of action(s) taken or to be taken to prevent recurrence

of the violation(s).

Recommended Actions

Within 2 weeks of receipt of this Notice of Violation:

Submit a schedule for retesting the air pollution control (Y3 Baghouse) for emissions units P067-P070.

Your written response and any questions regarding this Notice of Violation should be directed to Mary J. Lehman-Schmidt at the Division of Environmental Services, 348 S. Erie Street, Toledo, Ohio 43604, or call 419-936-3956.

The submission of the above requested information does not constitute a waiver of Ohio EPA's authority to seek civil penalties pursuant to Ohio Revised Code § 3704.06. Ohio EPA will make a decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

