

CITY OF TOLEDO

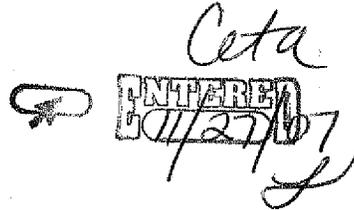


DEPARTMENT OF PUBLIC UTILITIES

November 5, 2007

CERTIFIED MAIL

Mr. Ron Hudson
Complex Environmental Manager
Johns Manville - Plant #1
6050 River Road
Waterville, Ohio 43566



RE: Notice of Violation

Dear Mr. Hudson:

Enclosed, please find a "Notice of Violation" for Johns Manville, Plant #1 (River Road) (Ohio EPA Source No. 0448000012, emissions unit P013, Direct Melt Recuperative Furnace). 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!*,

A handwritten signature in blue ink, appearing to read "Brad Faggionato", is written over a faint circular stamp.

Brad Faggionato, Engineer - Air Resources

* fDi Magazine - April 2007

Enclosure

cc: T. Casey Stephens, Commissioner, Environmental Services
Karen Granata, P.E., Chief of Air Resources
Leslie Kovacic, Law Department
John Paulian, OEPA
Lisa Holscher, USEPA Region V

T. Casey Stephens, Commissioner
DIVISION OF ENVIRONMENTAL SERVICES
Quilter Environmental Center
348 South Erie Street, Toledo, Ohio 43604-8633 USA
Telephone: 419-936-3015 Fax: 419-936-3959 E-mail: casey.stephens@toledo.oh.gov

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NOTICE OF VIOLATION

November 5, 2007

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

Johns Manville, Plant #1
6050 River Road
Waterville, Ohio 43566

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

Dates of Violation(s)

July 31 through August 16 during the 3rd Quarter, 2007

<u>Regulation(s) violated</u>	<u>Description of Source(s) and Violations(s)</u>
OAC rule 3745-77-07(B)(1) - Title V permit, emissions unit P013, Part III, section A.II.4.	Johns Manville (Plant #1 - River Road) reported sodium hydroxide (NaOH) feed pump output deviations during the third quarter reporting period of 2007 for P013 - Direct Melt Recuperative Furnace. The NaOH addition rate was less than the rate used to determine compliance 18.9% of the time during the third Quarter 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 letter, 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

Submit an application to modify the permit, proposing a more representative meter of the NaOH flow rate for this process such as gallons of NaOH per ton of glass pulled. Provide documentation of all changes to Toledo Division of Environmental Services.

Your written response and any questions regarding this Notice of Violation should be directed to Brad Faggionato at the Division of Environmental Services, 348 S. Erie Street, Toledo, Ohio 43604, or call (419) 936-3963.

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.