

CITY OF TOLEDO



DEPARTMENT OF PUBLIC UTILITIES

February 6, 2008



CERTIFIED MAIL

Mr. Jeffery Smith
Creative Products, Inc.
1430 Kieswetter Road
Holland, Ohio 43528

Re: Notice of Violation
non-HPV - GC-3

Dear Mr. Smith:

Enclosed, please find a "Notice of Violation" for Creative Products (Ohio EPA Source No. 0448002090, emissions unit P006, 250 pound mixer and associated closed molding process, 250-2). Please review this document carefully as some action is required on your part.

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

From Toledo - an International Award Winning City!

A handwritten signature in cursive that reads "Mary J. Lehman-Schmidt".

Mary J. Lehman-Schmidt, P.E.
Engineer - Air Resources

Enclosure

cc: Timothy D. Murphy, Acting Commissioner, TDOES
Karen Granata, P.E., Chief of Air Resources
Leslie Kovacic, Law Department
John Paulian, OEPA
Lisa Holscher, USEPA Region V



NOTICE OF VIOLATION

February 6, 2008

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

Creative Products, Inc.
1430 Kieswetter 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)

December 13-14, 2007 and December 17-21, 2007 (4th Quarter, 2007)

<u>Regulation(s) violated</u>	<u>Description of Source(s) and Violations(s)</u>
OAC rule 3745-31-05(C) - The director may impose such special terms and conditions as are appropriate or necessary to ensure compliance with the applicable laws and to ensure adequate protection of environmental quality.	Creative Products, Inc. reported the use of a clear polyester resin (SIL95BA-41, 37.1% styrene content) in excess of the permitted maximum styrene monomer 34% weight limit for 7 days during the fourth quarter reporting period of 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

The permittee shall submit quarterly reports with a revised format that more clearly identifies the reporting requirements for each individual emissions unit at the facility when deviations have occurred. In addition to the information currently provided, the report shall indicate which of the reported resins were pigmented resins (18% styrene limitation) and which reported resins were clear resins (34% styrene limitation). The report shall indicate whether compliance was maintained with the maximum styrene monomer weight percent for both pigmented resins used and all other polyester resins used, and, whether compliance was maintained with the prohibition on the use of non-compliant resins and/or photochemically reactive cleanup materials/HAPs-containing cleanup materials. This information shall be provided for each individual emissions unit. The report shall identify all periods of time during which the noncompliant materials were in use. This revised reporting format should be submitted to the Toledo Division of Environmental Services beginning with the next quarterly report.

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.