



Environmental  
Protection Agency

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

March 2, 2011

Certified Mail 7009 1410 0001 1839 0017

Ms. Cathy Shell, Manager  
Loss Prevention, Safety and Health  
H.J. Heinz, L.P.  
1200 North Fifth Street  
Fremont, Ohio 43420

Subject: Notice of Violation (NOV) letter for failure to submit deviation reports at H.J Heinz, L.P (0372030070).

Dear Ms. Shell:

This NOV is for H.J Heinz, L.P's (Heinz) failure to submit deviation reports in accordance with its Title V operating permit issued on December 22, 2009. The company has reporting requirements under A.2 (Standard Terms and Conditions) of its Title V permit as well as specific reporting requirements for individual emissions units identified in the permit. Failure to submit the required reports is a violation of the Title V permit and ORC 3704.05.

According to Heinz's Title V permit, the company is required to submit quarterly, semiannual and annual deviation reports. To date, Heinz has not submitted deviation reports for 2<sup>nd</sup> quarter 2010 (due on July 31, 2010), 3<sup>rd</sup> quarter 2010 (due on October 31, 2010) or semiannual reports for 1<sup>st</sup> half 2010 (due on July 31, 2010). In addition, 4<sup>th</sup> quarter 2010 deviation reports, due by January 31, 2010, were submitted late on February 8, 2010.

In order to resolve this violation, the company must submit the missing reports no later than March 16, 2011. The company must also ensure that future reports are submitted in accordance with the requirements of the company's Title V permit. Please note that the submission of the requested information to respond to this letter does not constitute a waiver of the Ohio EPA's authority to seek civil penalties pursuant to ORC section 3704.06. The Ohio EPA will make the decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

Please feel free to contact me with any comments and/or questions at 419.373.4111 or email [melanie.ray@epa.state.oh.us](mailto:melanie.ray@epa.state.oh.us).

Sincerely,

Melanie Ray  
Division of Air Pollution Control

/cs

pc: Tom Kalman, DAPC-CO  
William MacDowell, USEPA-Region V  
DAPC-NWDO Sandusky County correspondence file  
ec: Jennifer Jolliff, NWDO-DAPC  
NWDO Follow-up File

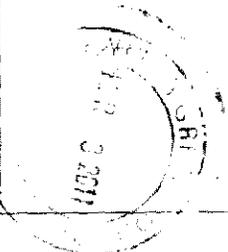
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The County Clerk

Postage	44
Registration Fee	
Insurance Fee	
Other Fees	
<b>Total</b>	<b>\$ 5.54</b>



H. J. Heiney, Jr.  
 1200 N. Fifth St.  
 Mount Airy, NC 27020

PS Form 3811, August 2006 See Reverse for Instructions

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- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
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1. Article Addressed to:  
 The County Clerk  
 1200 N. Fifth St.  
 Mount Airy, NC 27020

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4. Restricted Delivery? (Extra Fee)  Yes

7009 1410 0001 1839 0017 *[Signature]*