

CITY OF TOLEDO



DEPARTMENT OF PUBLIC UTILITIES

July 30, 2013

CERTIFIED MAIL

Mr. Larry Fioritto
Perstorp Polyols Inc.
600 Matzinger Rd.
Toledo, OH 43612-2695

Re: Notice of Violation

Dear Mr. Fioritto,

Enclosed is a "Notice of Violation" for Perstorp Polyols Inc., (Premise number 0448010133) as discovered during an inspection on July 24, 2013. Please review this document carefully as some action is required on your part.

If you have any questions regarding this matter, feel free to contact me at (419) 936-3955.

Sincerely,

Pamela Barnhart
Environmental Engineer

Enclosure

cc: Tim Murphy, Commissioner, TDES
Karen Granata, TDES
Bill Jennings, Senior Attorney
John Paulian, Ohio EPA
Brian Dickens, U.S. EPA

NOTICE OF VIOLATION

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

Perstorp Polyols Inc.
Premise No. 0448010133
600 Matzinger Rd.
Toledo, OH 43612

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

Dates of Violations

Emissions Units: T001, T004, T006, T016, T020, T021, T023, T024, T105, T106, T108, T109, T110 and T111
1st, 2nd, 3rd & 4th quarter reports for 2012 and 1st quarter report for July of 2013

<u>Regulations Violated</u>	<u>Description of Violations</u>
<p>ORC 3704.05 Prohibited Acts. (C) No person who is a holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions.</p> <p>Submit quarterly reports in accordance with the permittee's Title V permit P0108494, effective 12/1/2011, emissions units stated above, reporting term e)(1). The reporting term requires a quarterly deviation report that identifies all periods of time during which the maximum true vapor pressure of any organic liquid stored exceeded that of the organic liquid upon which the emissions limitation was based upon. See the term for each tank to identify the organic liquid.</p>	<p>The permittee failed to submit the required quarterly reports for 2012 up to the first quarter of 2013.</p>

The above violation(s) may subject the violator to **penalties** of up to \$25,000 per violation. It is possible that a penalty will 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 14 days of receipt of this Notice of Violation, you shall:

1. Abate the violations or provide for an acceptable remedy.
2. Reply in writing to this Notice of Violation. The reply shall include:
 - a. detailed descriptions and dates of actions taken thus far to abate the violations;
 - b. detailed descriptions and expeditious time schedule of actions taken or yet to be taken to remedy the violations and excess emissions, including options reviewed but not implemented; and
 - c. descriptions of actions taken or to be taken to prevent recurrence of the violations.
3. Submit the quarterly deviation reports for each quarter in 2012 through the first quarter of 2013 through Air Services eBusiness Center for the emissions units stated above from the Title V permit.
4. Be sure to indicate this as a deviation in the 2013 Annual Title V Certification report for the reporting period of 2012 and the 2014 Annual Title V Certification Report for the reporting period of 2013.

Your written response and any questions regarding this Notice of Violation should be directed to Pam Barnhart at the City of Toledo, Division of Environmental Services, 348 S. Erie Street, Toledo, Ohio 43604.