

CITY OF TOLEDO



DEPARTMENT OF PUBLIC UTILITIES

11/3/2011

Certified Mail

Carrie Jo Perry
Johns Manville Plant 7
7500 Dutch Road
Waterville, OH 43566

Re: NOTICE OF VIOLATION

Dear Ms. Perry:

Enclosed, please find a "Notice of Violation" for Johns Manville Plant 7, Ohio EPA Source No. 0448000013 P014 "9272 Mat Machine". Please review this document carefully as some action, including a written response, is required on your part.

If you have any questions, please E-mail me at brad.faggionato@epa.state.oh.us or phone me at 419-936-3963.

Sincerely,

Brad Faggionato
Toledo Department of Environmental Services

Cc: Timothy Murphy, Commissioner, Environmental Services
Karen Granata, P.E., Chief of Air Resources
Joyce Anagnos, Senior Attorney, City of Toledo
John Paulian, Central Office, Ohio EPA
William MacDowell, U.S. EPA Region V

Notice of Violation

November 3, 2011

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

Johns Manville Plant 7
7500 Dutch Road
Waterville, OH 43566

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

Dates of Violation

Various dates from July 20, 2011 through September 13, 2011

Regulation(s) Violated

ORC 3704.05(C) – No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms and conditions.

Description of Source(s) and Violation(s)

The Title V Permit for Johns Manville Plant 7 requires the permittee to operate the wet-formed fiberglass mat production process so that the average urea formaldehyde resin solids application rate in any 3-hour block period does not exceed the average application rate achieved during the most recent performance test that demonstrated compliance. [40 CFR 63.2984(a)(3)]. The third quarter deviation report for 2011 indicated that this emission unit exceeded the average application rate of urea formaldehyde resin solids for a total of 238.4 hours from July 20, 2011 to September 13, 2011.

The above violation 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 assessed, the amount will be determined after your response is reviewed.

Required Actions

Within two weeks of receipt of this letter, you shall:

1. Abate the violation 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 of action(s) taken or to be taken to prevent recurrence of the violation(s).

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.