

CITY OF TOLEDO



DEPARTMENT OF PUBLIC UTILITIES

Sept. 14, 2010

CERTIFIED MAIL

NOTICE OF VIOLATION - HPV-GC7

Mr. Shawn Daze
Sunoco Partners Marketing & Terminals, LP
1601 Woodville Rd.
Toledo, Ohio 43605

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Re: Notice of Violation - Regarding CEM Excess Downtime

Dear Mr. Daze:

Enclosed is a "Notice of Violation" for Sunoco Partners Marketing & Terminals, LP, (Ohio EPA premise number 0448010035) which is in non-compliance with the Title V permit. 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

cc: Timothy D. Murphy, Commissioner, TDES
Karen Granata, TDES
Joyce Anognos, City of Toledo
John Paulian, Ohio EPA
Lisa Holscher, U.S. EPA

Timothy D. Murphy, 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: tim.murphy@toledo.oh.gov

NOTICE OF VIOLATION

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

Sunoco Partners Marketing & Terminals, LP
Premise No. 0448010035
1601 Woodville Rd.
Toledo, Ohio 43605

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

Dates of Violations

Second Quarter of 2010

<u>Regulations Violated</u>	<u>Description of Violations</u>
40 CFR Part 63.8(c); 40 CFR Part 60.13(e); ORC 3704.05(C); and TV Permit issued 11/28/2007, Emissions Unit J001: Term A.III.7. "The permittee shall install, operate, and maintain equipment to continuously monitor and record organic compound (OC) emissions from this emissions unit in units of the applicable standard(s), using the detection principle of the reference method specified in the regulation(s) or this permit."	The second quarter report of 2010 indicates that the continuous emissions monitor for organic compounds had monitoring data unavailable greater than 5% of the time while operating the vapor recovery unit.

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.

Recommended Actions

1. Review the terminal's QA/QC program for the installed OC monitor and revise (if necessary) to ensure timely repair of the monitor.
2. Make future CEM repairs in a timely manner and ensure that the continuous emissions monitor is working properly.

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, or call (419) 936-3955.