

# CITY OF TOLEDO



DEPARTMENT OF PUBLIC UTILITIES  
May 17, 2010

CERTIFIED MAIL

NOTICE OF VIOLATION - HPV-GC7

Mr. James Keeler  
Sunoco, Inc.  
P.O. Box 920  
Toledo, Ohio 43697-0920

Re: Notice of Violation - Regarding CEM Excess Downtime

Dear Mr. Keeler:

Enclosed is a "Notice of Violation" for Sunoco, Inc., (Ohio EPA premise number 0448010246) 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,

A handwritten signature in cursive script that reads "Pamela Barnhart".

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  
Elaine Moore, Sunoco, Inc.

#6644  
ENTERED  
6/14/10  
2  
Response also on  
6-9-10

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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, Inc.  
Premise No. 044801246  
1819 Woodville Rd.  
Oregon, Ohio 43616

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

**Dates of Violations**

First Quarter of 2010

<u>Regulations Violated</u>	<u>Description of Violations</u>
<p>40 CFR Part 60.13(e); ORC 3704.05(C); and TV Permit issued 1/22/2004, Emissions Unit B051: Term A.III.2. "A continuous monitoring system shall be installed, calibrated, maintained, and operated by the permittee subject to the provisions of 40 CFR Part 60, Subpart J ....."</p>	<p>The first quarter report of 2010 indicates that the continuous emissions monitor for H<sub>2</sub>S had monitoring data unavailable greater than 5% of the time while operating the emissions unit for the following heaters:</p> <p>B006 (H501) – 9.67% of the time; B008 (H503) – 7.88% of the time; B009 (H504) – 7.79% of the time; B010 (H507) – 7.21% of the time; and B051 (H311) – 8.09% of the time.</p> <p>NOTE: All heaters use the same hydrogen sulfide continuous emissions monitor (AR41341).</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.

### **Recommended Actions**

1. Review Sunoco's QA/QC program for the installed H<sub>2</sub>S monitors and revise (if necessary) to ensure timely repair of the monitors.
2. Make future CEM repairs in a timely manner to ensure that the operating time with unavailable monitoring data is less than 5% of the operating time of the source.

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.