

CITY OF TOLEDO



DEPARTMENT OF PUBLIC UTILITIES

CERTIFIED MAIL

March 7, 2011

Mr. Mike Kovacs
University of Toledo
Safety and Health
2801 W. Bancroft, Mail Stop 219
Toledo, OH 43606-3390



Re: Notice of Violation

Dear Mr. Kovacs:

Enclosed, please find a "Notice of Violation" for University of Toledo –Main Campus, premise number 0448010805, emissions units B001(#1 boiler), B002(#2 boiler), B003(#3 boiler) and B010(#4 boiler). 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) 936-3769.

Very truly yours,

Babak Firoozi,
Engineering Associate

cc: John Paulian, OEPA
William MacDowell, USEPA Region V
Timothy D. Murphy, Commissioner, TDOES
✓ Karen Granata, Chief, Air Resources, TDOES
Joyce Anagnos, Senior Attorney, City of Toledo

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 hereby serves notice that:

University of Toledo
Premise No. 0448010805, Emissions Units B001, B002, B003 and B010
2801 W. Bancroft
Toledo, OH 43606

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

<u>Regulations Violated</u>	<u>Description and Dates of Violations</u>
<p>ORC 3704.05 Prohibited acts.</p> <p>(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 or conditions.</p>	<p>PTIO 04-01507 as issued effective September 2, 2008 requires in Additional Term and Condition C.1.b)(2)c. that "the permittee shall permanently shut-down the existing emissions units B001, B002, B003 and B010 within one calendar year of the start-up of this emissions unit (B011, B012, B013, B014, B015 or B016). Your March 2, 2011 letter indicates a start-up date November 13, 2008 for the new emissions units and a last date of operation April 22, 2010 for the existing emissions units at the Main Campus Central Steam Plant. Operation of the existing emissions units B001, B002, B003 or B010 after the required shutdown date of November 12, 2009 constitutes a violation of this permit term.</p> <p>PTIO 04-01507 as issued effective September 2, 2008 requires in Additional Term and Condition C.1.e)(5). that "the permittee shall report ... the actual date of permanent shutdown for the existing emissions units B001, B002, B003 and B010 no later than 13 calendar months following the start-up of this emissions unit (B011, B012, B013, B014, B015 or B016). Your March 2, 2011 letter indicates a start-up date November 13, 2008 for the new emissions units. Failure to submit a report of the actual date of shutdown prior to December 13, 2009 constitutes a</p>

	violation of this permit term.
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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. 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(s) 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 Babak Firoozi at the City of Toledo Division of Environmental Services, 348 S. Erie Street, Toledo, Ohio 43604, or call (419) 936-3769.