

CITY OF TOLEDO



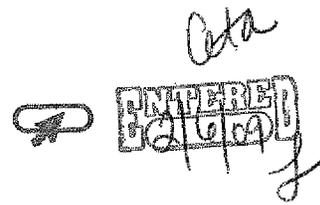
DEPARTMENT OF PUBLIC UTILITIES

February 2, 2009

CERTIFIED MAIL

7007 0710 0003 6067 6053

Champion Cleaners
1542 South Avenue
Toledo, Ohio 43609



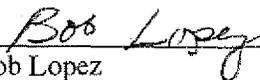
Re: Notice of Violation Regarding Champion Cleaners [0448011485]

Dear Ms. Lynette Kahle:

Enclosed, please find a "Notice of Violation" for Champion Cleaners, [0448011485], located at 1542 South Avenue, Toledo, Ohio. 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 - 3765.

From Toledo – an International Award Winning City!



Bob Lopez
Senior Environmental Specialist

cc: Tim Murphy, Commissioner, TDES
Karen Granata, Air Chief, TDES
Pam Barnhart, TDES
Joyce Anagnos, Senior Attorney
John Paulian, Ohio EPA
Lisa Hoischer, 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 (TDOES) hereby serves notice that:

Champion Cleaners
Premise Number 0448011485
1542 South Avenue
Toledo, Ohio

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

Dates of Violations

01/29/2009

Regulations Violated	Description of Violations
40 CFR Part 63.322(k) and 63.324(d)(3); 40 CFR Part 63.323(a)(1)(ii) and 63.324(d)(5); Permit to Operate (PTO), terms Part II., section C. 1. and 3.e. Monitoring and/or Record Keeping Requirements The permittee is required to perform biweekly visual inspections as part of a leak detection and repair program; repair leaks within 24 hours; order parts within 2 days and have them installed within 5 days of receipt.	On January 29, 2009, during a facility inspection, the permittee failed to provide records/log of the required biweekly visual inspection of the dry cleaning equipment. There was no log to indicate that the leaks were repaired within 24 hours. No log of the repair parts ordered or any paper work to indicate that the repair parts were ordered within 2 days or if the repair parts were installed within 5 days of receipt.
40 CFR Part 63.324(d) PTO terms Part II., section C. 3. a. thru c. The permittee is required to maintain a log of the perc purchases; calculation of the yearly perc consumption;	Not all receipts of perchloroethylene purchases were available on site. The 12-month rolling summation was not available in a log.
40 CFR Part 63.324 (f) A notification of compliance status was to be sent by registered mail on or before July 28, 2008 to indicate if the permittee is in compliance with 63.322.	The notification of compliance status was not sent to Ohio EPA or to Environmental Services.

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 fourteen (14) days of receipt of this Notice of Violation, the permittee shall:

1. Abate the violations or provide for an acceptable remedy.
2. Reply in writing to this Notice of Violation within fourteen (14) days of receipt. The reply shall include:
 - a. descriptions and dates of actions taken thus far to abate the violation(s);
 - b. descriptions and expeditious time schedule of actions yet to be taken to remedy the violation(s); and
 - c. descriptions of actions taken or to be taken to prevent recurrence of the violation(s).

Recommended Remedial Actions

It is recommended that you consider the following suggestions:

- Implement all monitoring, recordkeeping, reporting and testing requirements of the Permit to Operate at Champion Cleaners.
- Implement the additional requirements of the amended MACT, 40 CFR 63, subpart M, in particular Parts 63.322(o) and 63.324(f).
- Once you are in compliance with the above, send by registered mail, the *Notification of Compliance Status Report* forms to the 4 locations stated in the instructions.
- Use the halogenated hydrocarbon detector at least once a month and count as one of the weekly visual inspections.

Your written response and questions regarding this **Notice of Violation** should be directed to Bob Lopez at Toledo Division of Environmental Services, 348 S. Erie Street, Toledo, Ohio 43604, or call (419) 936-3765.