

Not a HPV

CITY OF TOLEDO



DEPARTMENT OF PUBLIC UTILITIES

July 20, 2009

CERTIFIED MAIL

Mr. Thomas Jesionowski
Vice President
Pexco Packaging Corporation
795 Berdan Avenue
Toledo, Ohio 43610

Re: Notice of Violation

Dear Mr. Jesionowski:

Enclosed, please find a "Notice of Violation" for Pexco Packaging Corporation (Ohio EPA Facility ID 0448011635 Emissions Units K001, K002, K003, and P001). Please review this document carefully as some action is required on your part.

If you have any questions, please feel free to contact me at 419-936-3938.

From Toledo - an International Award Winning City!

Matthew A. Stanfield
Staff Professional Engineer

Enclosure

cc: Tim Murphy
Karen Granata
Joyce Anagnos
John Paulian, OEPA
Lisa Holscher, USEPA Region V

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

July 17, 2009

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

Pexco Packaging Corporation
795 Berdan Avenue
Toledo, Ohio 43610

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

Dates of Violation(s)

January 13, 2009 – July 16, 2009

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 or conditions.

Description of Source(s) and Violations(s)

The following records required by Permit to Install and Operate P0104056 were not being maintained:

all 3-hour blocks of time, when the emissions unit was in operation, during which the average temperature of the exhaust gases immediately before the catalyst bed was more than 50 degrees Fahrenheit below the average temperature measured during the most recent emissions test that demonstrated the emissions unit(s) was/were in compliance;

all 3-hour blocks of time, when the emissions unit was in operation, during which the average temperature difference across the catalyst bed was less than 80 percent of the average temperature difference measured during the most recent emissions test that demonstrated the emissions unit(s) was/were in compliance;

a log or record of the operating time for the capture (collection) system, catalytic incinerator, and monitoring equipment;

monthly volume-weighted average VOC content of all inks;

monthly volume-weighted average VOC content of all reducer/cleanup materials;

calculated, controlled monthly VOC emission rate for all coatings and cleanup materials, in tons; and

controlled VOC emissions, in tons per year as a rolling, 12-month summation of the monthly VOC emissions.

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

Required Actions

Within 2 weeks of receipt of this Notice of Violation, you shall:

1. Abate the violation(s) 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 Matthew A. Stanfield at the Division of Environmental Services, 348 South Erie Street, Toledo, Ohio 43604.

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.

