

CITY OF TOLEDO



DEPARTMENT OF PUBLIC UTILITIES

March 30, 2009

CERTIFIED MAIL

7007 0710 0003 6067 6206



Martinizing Of Oregon
3357 Navarre Avenue
Oregon, Ohio 43616
Attn: Sam Watts, Owner

Re: Notice of Violation regarding Martinizing Of Oregon [0448020049]

Dear Sam Watts:

Enclosed, please find a "Notice of Violation" for Martinizing Of Oregon [0448020049] located at 3357 Navarre Avenue, Oregon, 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
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 (TDOES) hereby serves notice that:

Martinizing Of Oregon
Premise Number 0448020049
3357 Navarre Avenue
Oregon, Ohio

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

Dates of Violations

03/24/2009

Regulations Violated	Description of Violations
40 CFR Part 63.322(k) and 63.324(d)(2); 40 CFR Part 63.323(a)(1)(ii) and 63.324(d)(5); Permit to Operate (PTO), terms Part II., sections C.1., C.2. and C.3. Monitoring and/or Record Keeping Requirements Components listed in section C.1. of the PTO shall be visually inspected each week by the permittee. C.2. The permittee shall monitor the temperature of the air-perchloroethylene gas-vapor stream on the outlet side of the refrigerated condenser weekly. C.3. The permittee shall record the volume of perc purchased each month, including zero gallons, and record the 12-month rolling summation of perc.	On March 24, 2009 during a facility inspection the operator at this facility did not keep a log of the required weekly visual inspections. On March 24, 2009 during a facility inspection the operator at this facility did not monitor and keep a weekly log of the temperature of the air-perchloroethylene gas-vapor stream on the outlet side of the refrigerated condenser. On March 24, 2009 during a facility inspection the operator at this facility did not keep a log of the 12-month rolling summation of perc.
40 CFR 63.322(o) Once a month, the permittee is to conduct the inspections of the dry cleaning equipment using a halogenated detector or PCE gas analyzer.	On March 24, 2009 during a facility inspection the operator at this facility did not keep a log of the halogen leak detector monthly checks of the dry cleaning equipment.
40 CFR 63.324(f) The permittee was to submit a notification of compliance by registered mail on or before July 28, 2008.	To date, this notification has not been received.
OAC 3745-31-02(A)(2) No person may cause, permit or allow the operation of an air contaminant source without applying for and obtaining a permit to operate.	Operating without a permit to operate. Permit expired 6/23/2003. To date, a response has not been received from the Certified Warning Letter dated October 22, 2007, requesting a permit to operate application.

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 Martinizing Of Oregon.
- Implement the additional requirements of the amended MACT, 40 CFR 63, subpart M, in particular Parts 63.322(o) and 63.324(f).
- Use the halogenated hydrocarbon detector at least once a month and count as one of the weekly visual inspections.
- Respond to the Certified Mail of October 22, 2007 to apply for a standard permit to operate or for a "General Permit".

Your written response regarding this **Notice of Violation** shall be directed to Bob Lopez, Senior Environmental Specialist, City of Toledo, Division of Environmental Services, 348 S. Erie Street, Toledo, Ohio 43604. If you should have any questions or need additional information concerning this matter please feel free to contact me at 419-936-3765 or via e-mail to Robert.Lopez@toledo.oh.gov.