

CITY OF TOLEDO



DEPARTMENT OF PUBLIC UTILITIES

April 10, 2007

CERTIFIED MAIL

Dynea USA, Inc.
Ms. Robyn Sigler
6175 American Rd
Toledo, OH 43612

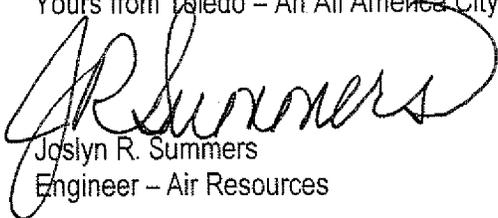
Re: Notice of Violation

Dear Ms. Sigler:

Enclosed, please find a "Notice of Violation" for Dynea USA, Inc, 0448011550, emissions units P001 and P002 Please review this document carefully as some action is required on your part.

If you have any questions, please feel free to contact me.

Yours from Toledo – An All America City!


Joslyn R. Summers
Engineer – Air Resources



JRS/jrs

enclosure

cc: T. Casey Stephens, Commissioner, TDES
Karen Granata, PE, Chief-Air Resources, TDES
John Paulian, DAPC Enforcement, OEPA
Lisa Hoischer, Region V, USEPA
Leslie Kovacik, Law Department, City of Toledo

NOTICE OF VIOLATION

April 10, 2007

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

Dynea USA, Inc.
6175 American Road
Toledo, OH 43612

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

Dates of Violation(s)

December 27 – December 28, 2006

Regulation(s) Violated
OAC 3745-21-09(E.E)

Description of source(s) and violations

Results of the 12/2006 stack test indicate that the catalytic incinerator controls for emissions units P001 & P002, failed to demonstrate the minimum destruction efficiency per OAC rule 3745-21-09(E.E). Permit to Install 04-01445 states for P001 and P002;

"The permittee shall vent emissions to a catalytic incinerator that is designed and operated to:

- i. reduce emissions of total organic compounds (less methane and ethane) with an efficiency of at least 98%, by weight or
- ii. emit VOC at a concentration less than 20 parts per million by volume, dry basis.

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 Joslyn Summers at the Division of Environmental Services, 348 S. Erie Street, Toledo, Ohio 43604, or call 419-936-3942.

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.