

CITY OF TOLEDO



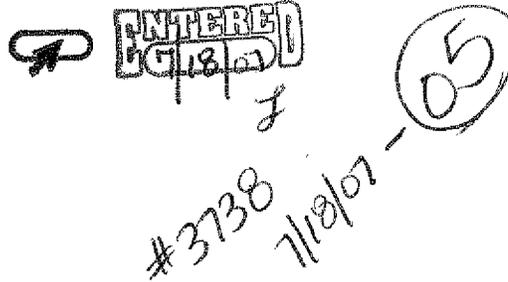
DEPARTMENT OF PUBLIC UTILITIES

May 10, 2007

CERTIFIED MAIL

NOTICE OF VIOLATION

Mr. Robert L. Stevens
Pilkington North America, Inc.
Plant Manager
140 Dixie Highway
Rossford, Ohio 43460-1215



Re: Notice of Violation - First Quarterly Report for 2007 and Annual Title V Certification Report

Dear Mr. Stevens:

Enclosed, please find a "Notice of Violation" for Pilkington North America, Inc., (Premise number 0487010012). 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) 936-3955.

Yours from Toledo - a City of the Future!*

Pamela Barnhart
Environmental Engineer

* fDi Magazine-April 2007

Enclosures

cc: Casey Stephens, Commissioner, TDES
Karen Granata, TDES
John Paulian, Ohio EPA
Lisa Holscher, U.S. EPA
Charles Baumgartner, Jr., PNA

T. Casey Stephens, 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: casey.stephens@toledo.oh.gov

NOTICE OF VIOLATION

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

Pilkington North America, Inc.
Premise No. 0487010012
140 Dixie Highway
Rossford, Ohio 43460

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

Dates of Violations

F004 and F006 - Jan.1 thru Jan. 29, 2007

P003 Malfunction - Jan. 16, 2007

P003 Exceedance of 144 tons per rolling 12-month period of PM - Jan. 1 thru March 31, 2007.

<u>Regulations Violated</u>	<u>Description of Violations</u>
<i>From the 1st quarterly report:</i>	
Title V permit, emission units F004 and F006 Part III, section A.III.1	Failure to record the pressure drop reading across each baghouse on a weekly basis for the month of January.
OAC rule 3745-15-06(B) PTI 04-01200, emission unit P003 Part I, section A.2. Part III, section A.I.1.	Failure to report a malfunction on January 16, 2007, that resulted in an exceedance of the emission limitation of 220 lb/hr of NOx.
PTI 04-01200, emission unit P003 Part III, section A.IV.6.	Failure to report the magnitude of the NOx exceedance in the CEM report.
PTI 04-01200, emission unit P003 Part III, section A.I.1.	Exceedances of the 144 tons per rolling, 12-month summation of particulate matter (PM) for the months of January, February and March.
Title V permit, emissions units P011, P012 and P014 Part III., sections A.IV.4.	To date, TDES has not received the injection timing report required in section A.III.3., due Jan. 30 of each year.

<i>From the Title V Compliance Certification Report:</i>	
Emission Units F003, F004, F005 and F006: Title V, Part III.A.III.1.	<p>The report stated that it was in compliance with the recording of the weekly pressure drop.</p> <p>The fourth quarter report indicated that the pressure drop reading was not recorded between Oct. 25 and Dec. 31, 2006, therefore it should have been stated as Intermittent compliance with an explanation in the "Excursion/Deviations" columns.</p>
Emission Unit P003: Title V, Part III.A.I.1. - H ₂ SO ₄ lbs/hr emission limit	<p>PNA stated there was a potential exceedance of the emission limit for H₂SO₄ in the TV but that it meets the revised limit in PTI 04-01200 of 2.67 lbs/hr of H₂SO₄.</p> <p>PNA failed to mention the actual emission exceedances on March 1 and April 20 during the stack tests.</p>
Emission Unit P003: Title V, Part III.A.I.1. - PM lb/hr emission limit	<p>PNA stated they were in continuous compliance with the emission limit of 41 lbs/hr.</p> <p>PNA failed to mention the emission exceedances on March 1 and May 11 during the stack tests.</p>
Emission Units: R002, R003 All terms for these emission units	<p>PNA failed to state if they were in continuous or intermittent compliance with all the terms for these emission units.</p>

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. detailed descriptions and dates of actions taken thus far to abate the violations;

- b. detailed descriptions and expeditious time schedule of actions taken or yet to be taken to remedy the violations and excess emissions, including options reviewed but not implemented; and
- c. descriptions of actions taken or to be taken to prevent recurrence of the violations.

Recommended Actions

1. For future malfunctions, use the enclosed malfunction report.
2. Submit a injection timing report for emissions units P011, P012, and P014
3. Resubmit a revised Annual TV Certification report.

Your written response and any questions regarding this Notice of Violation should be directed to Pam Barnhart at the City of Toledo, Division of Environmental Services, 348 S. Erie Street, Toledo, Ohio 43604, or call (419) 936-3955.