

# CITY OF TOLEDO



## DEPARTMENT OF PUBLIC UTILITIES

October 16, 2007

CERTIFIED MAIL  
NOTICE OF VIOLATION

Mr. Charles Baumgartner, Jr.  
Pilkington North America, Inc.  
Plant Manager  
140 Dixie Highway  
Rossford, Ohio 43460-1215



Re: Notice of Violation

Dear Mr. Baumgartner:

Enclosed is a "Notice of Violation" for Pilkington North America, Inc., (Premise number 0487010012) as a result of the compliance inspection on Sept. 27, 2007. 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!\*

A handwritten signature in blue ink that reads "Pamela Barnhart".

Pamela Barnhart  
Environmental Engineer

\* fDi Magazine-April 2007

Enclosures

cc: Casey Stephens, Commissioner, TDES  
Karen Granata, TDES  
Leslie Kovacic, Law Department, City of Toledo  
John Paulian, Ohio EPA  
Lisa Holscher, U.S. EPA

## 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

2006 week of:	F006 BH#1	F006 BH#3	F004 BH#4	F004 BH#5	Comments
Jan. 8			X	X	no pressure drop readings
Jan. 15		X	X	X	no pressure drop readings
March 5			X	X	no pressure drop readings
April 9			X	X	no pressure drop readings
April 16			X	X	no pressure drop readings
May 14			X	X	no pressure drop readings
June 4			X	X	no pressure drop readings
July 2			X	X	no pressure drop readings
July 9			X	X	no pressure drop readings
July 16	X	X	X	X	no pressure drop readings
Aug 27			X	X	no pressure drop readings
Sept. 24	X	X	X	X	no pressure drop readings
Oct. 2			X	X	no pressure drop readings
Nov. 13	X	X	X	X	no pressure drop readings; only F004 was reported as deviations in the 4 <sup>th</sup> quarterly report of 2006.
Nov. 20	X	X	X	X	no pressure drop readings; only F004 was reported as deviations in the 4 <sup>th</sup> quarterly report of 2006.
Nov. 27	X	X	X	X	no pressure drop readings; only F004 was reported as deviations in the 4 <sup>th</sup> quarterly report of 2006.

<u>Regulations Violated</u>	<u>Description of Violations</u>
OAC rule 3745-77-07(A)(3)(c) Title V permit, emission units F004 and/or F006 Part III, section A.III.1	Failure to record the pressure drop reading across each baghouse on a weekly basis for the weeks stated above.
OAC rule 3745-77-07(A)(3)(c) Title V permit, emission units F004 and/or F006 Part III, section A.IV.1.	Failure to report the deviation(s) in the quarterly reports.
OAC rule 3745-77-07(C)(1),(2) and (5) Title V permit, Part I, section A.12.	Failure to report the deviation(s) in the annual TV certification report.

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.
3. Submit revised quarterly reports for 2006.
4. Submit a revised annual TV Certification report for 2006.

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.