



**Environmental
Protection Agency**

John E. Kasich, **Governor**
Mary Taylor, **Lt. Governor**
Scott J.nelly, **Director**

Re: Wood County
Hirzel Canning
115 Columbus Avenue
Pemberville, OH 43450
Premise #0387000243
Notice of Violation (NOV/non-HPV)

February 24, 2012

CERTIFIED MAIL

Mr. Joe Hirzel, Plant Manager
Hirzel Canning
115 Columbus Avenue
Pemberville, Ohio 43450

Dear Mr. Hirzel:

This letter shall serve as the follow-up to the inspection conducted on January 20, 2012, at the above-referenced facility. The purpose of the inspection was to determine the compliance status of the air contaminant sources located at this facility with the rules and regulations of the Division of Air Pollution Control (DAPC).

Based on our discussions, as well as my observations during the inspection and a review of the company files at the Northwest District Office (NWDO), the findings can be summarized as follows:

1. The facility has installed and currently operates four boilers. Only one of these boilers has been permitted. Hirzel Canning installed three boilers replacing three previously permitted boilers without submitting Permit to Install and Operate (PTIO) applications. This is a violation of Ohio Administrative Code (OAC) rule 3745-31-02 and Ohio Revised Code (ORC) 3704.05. PTIO applications are required for Boilers 1, 3 and 4. In lieu of a permit application for Boiler #4, a Permit by Rule (PBR) can be submitted if natural gas is the only fuel combusted in this boiler. The PBR application can be found on Ohio EPA's website at <http://www.epa.ohio.gov/portals/27/pbr/PBRBOILER.pdf> or <http://www.epa.ohio.gov/dapc/pbr/permitbyrule.aspx>.
2. It was discovered during the inspection that Hirzel Canning operates five cooling towers. It was indicated during the inspection that it is possible these emission units may need to be permitted. A follow-up e-mail with additional information regarding what pieces of information are necessary to calculate particulate emissions from these sources was sent on January 30, 2012.

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Please submit PTIO applications for these sources. In lieu of applications, an emissions calculation can be submitted demonstrating de minimis status pursuant to OAC rule 3745-15-05.

The information requested above is to be submitted to my attention by no later than March 22, 2012. The submission of information to respond to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties pursuant to ORC section 3704.06. Ohio EPA will make the decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

If you have any questions regarding this letter, please contact me at (419) 373-3118 or mohammad.smidi@epa.state.oh.us. Thank you for taking the time out of your schedule to accommodate this inspection.

Sincerely,



Mohammad Smidi
Environmental Specialist
Division of Air Pollution Control

/lr

pc: DAPC-NWDO Facility File

ec: Alyse Johnson, DAPC-NWDO
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Tom Kalman, DAPC-CO
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