

CITY OF TOLEDO



DEPARTMENT OF PUBLIC UTILITIES

April 12, 2012

CERTIFIED MAIL

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

Re: Notice of Violation HPV-GC7

Dear Mr. Stevens:

Enclosed is a "Notice of Violation" for Pilkington North America, Inc., (Premise number 0487010012) which is in non-compliance with the Permit to Install permit P0106111. 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.

Sincerely,

Pamela Barnhart
Environmental Engineer

cc: Tim Murphy, Commissioner, TDES
Karen Granata, TDES
Joyce Anagnos, Law Department, City of Toledo
John Paulian, Ohio EPA
William MacDowell, 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 (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

Sept 7, 2011 – April 12, 2012

Regulations Violated	Description of Violations
<p>OAC 3745-77 PTI P0106111, issued 6/10/2010 Section A.12.</p> <p>According to Section A.12. of P0106111, "the permittee is required to apply for a Title V permit pursuant to OAC Chapter 3745-77. The permittee shall submit a complete Title V permit application or a complete Title V permit modification application within twelve (12) months after commencing operation of the emissions units covered by this permit.</p>	<p>Failure of the permittee to properly submit a Title V permit application to incorporate emissions units K001 and K002.</p> <p>The emissions units commenced operation on 9/7/10 for K001 and 8/7/10 for K002.</p> <p>Twelve months after the units commenced operation, TES has no Title V application/modification on file.</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 Remedial Actions

It is recommended that you consider the following suggestions:

1. Update the emissions units (EU) status from an Insignificant EU in the Air Services eBusiness Center, Facility Profile, to a significant EU status. According to the definition of IEU in OAC 3745-77-01 (V)(3), "Any emission unit with uncontrolled potential emissions of five tons or less per year of any regulated air pollutant other than a hazardous air pollutant...." The uncontrolled potential emissions for K001 are 11.8 TPY and for K002 are 6.8 TPY, therefore, they do not meet the definition of IUE.
2. Submit the Title V minor permit modification application according to the guidance in "Guidance for Incorporating Facility Changes into a Title V Permit (3/9/05)" found at: http://www.epa.ohio.gov/dapc/title_v/titlev.aspx
3. Until these EU's are incorporated in the Title V permit, submit all associated permit to install reports for emission units K001 and K002 in a timely manner through Air Services eBusiness Center.

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.