

# Air Pollution Control Division



APC Contractual Representative  
Serving All of Stark County

## Canton City Health Department

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James M. Adams, RS, MPH  
Health Commissioner

Terri A. Dzienis  
APC Administrator

June 4, 2012

### CERTIFIED MAIL

Mr. Mike Pijar  
Tank Services, Inc.  
4936 Southway St. SW  
Canton, OH 44708

**Re: NOTICE OF VIOLATION  
Results from records request  
Facility ID # 1576001860**

Dear Mr. Pijar:

On March 15, 2012, the Canton City Health Department, Air Pollution Control Division (CCHD, APCD) sent a Notice of Violation (NOV) letter to Tank Services as a result of the findings from the Full Compliance Evaluation (FCE) conducted on December 19, 2011. Additional information was requested in that letter and on April 30, 2012, CCHD, APCD received the records requested in the NOV for emission units K001 & K002 for the years 2009, 2010 and 2011. The purpose of the requested information was to evaluate the compliance with the terms and conditions of the facility's air permit along with state and federal rules and regulations.

Below is a summary of the additional findings, violations, and actions that need to be addressed as a result of the information contained in those records.

### Finding 1:

During the review of records that were submitted to the CCHD, APCD received April 30, 2012, it was observed that the facility was exceeding the emission limitation of 128 lbs OC/day and the daily volume weighted average of no more than 3.5 lb/gal VOC as stated in the requirements of Permit to Install (PTI) 15-1300 issued August 27, 1997. In the Air Emission Summary of PTI 15-1300 for both K001 & K002 it states:

Applicable Federal & OAC Rules	Permit Allowable Mass Emissions and/or Control/Usage Requirements
3745-21-09 including but not limited to 3745-21-09 (U)(1)(c)  PTI 15-1300 BAT	Daily volume weighted average VOC content of coating of no more than 3.5 pounds/gallon 128 lbs OC/day 20 tons OC/yr 0.17 ton PM/yr

The tables below show all the days in which the emission limitation of 128 lbs OC/day and/or the daily volume weighted average of no more than 3.5 lb/gal VOC were in violation in the years 2009, 2010 and 2011. The February 14, and July 18, 2011 for K001 and December 14 and 22, 2010 for K002 128 lbs OC/day exceedances were already cited in the previous NOV dated March 15, 2012.

**Year 2009 – K001 (Booth #1)**

Date	Actual Daily volume weighted average (lb/gal)	Actual lbs OC/day
January 21, 2009		129.95
January 30, 2009		306.82
February 2, 2009		129.88
February 5, 2009		128.90
February 16, 2009		136.16
February 23, 2009		135.78
March 2, 2009		193.54
March 3, 2009		162.02
March 20, 2009		180.40
March 27, 2009		135.21
April 1, 2009		152.67
May 6, 2009		145.54
June 29, 2009	3.79	
August 7, 2009	4.09	
August 26, 2009		147.04
August 31, 2009	3.77	
September 7, 2009	4.09	
September 15, 2009		165.88

**Year 2009 – K002 (Booth #2)**

Date	Actual Daily volume weighted average (lb/gal)	Actual lbs OC/day
February 2, 2009		181.53
February 6, 2009		145.16
February 10, 2009		161.79
February 11, 2009		134.33
February 24, 2009		140.10
February 26, 2009		167.29
February 27, 2009		261.09
March 2, 2009		140.41
March 5, 2009		168.04
March 11, 2009		219.82
March 13, 2009		145.75
March 18, 2009		191.30
March 19, 2009		174.06
March 20, 2009		168.88
March 23, 2009		133.91
March 26, 2009		128.34
May 1, 2009		136.73
May 27, 2009		182.97
July 8, 2009	3.53	

Date	Actual Daily volume weighted average (lb/gal)	Actual lbs OC/day
July 24, 2009	3.57	
July 27, 2009	3.53	
August 29, 2009	3.80	
August 31, 2009	4.09	
September 2, 2009		158.74
September 10, 2009		177.89
September 11, 2009		160.36
October 28, 2009		142.30
November 17, 2009		193.21
November 19, 2009		145.86

**Year 2010 – K001 (Booth #1)**

Date	Actual Daily volume weighted average (lb/gal)	Actual lbs OC/day
March 10, 2010		132.97
March 17, 2010		132.80
March 20, 2010	3.61	

**Year 2010 – K002 (Booth #2)**

Date	Actual Daily volume weighted average (lb/gal)	Actual lbs OC/day
January 12, 2010		135.50
January 13, 2010		133.90
March 5, 2010		133.51
April 8, 2010		133.92
May 26, 2010		145.29
November 12, 2010		156.74
November 30, 2010	3.64	

**Year 2011 – K001 (Booth #1)**

Date	Actual Daily volume weighted average (lb/gal)	Actual lbs OC/day
May 16, 2011		142.05
June 24, 2011		139.67
September 12, 2011		175.71
October 15, 2011	4.22	
October 29, 2011	3.60	
November 7, 2011	3.53	
November 14, 2011		148.22
November 15, 2011	3.88	146.17
November 16, 2011	3.87	

Date	Actual Daily volume weighted average (lb/gal)	Actual lbs OC/day
November 17, 2011	4.11	146.20
November 28, 2011	3.95	
November 30, 2011		
December 10, 2011	4.12	167.54
December 12, 2011	4.32	
December 13, 2011	3.85	
December 15, 2011	4.22	

**Year 2011 – K002 (Booth #2)**

Date	Actual Daily volume weighted average (lb/gal)	Actual lbs OC/day
April 22, 2011	4.09	161.19
August 4, 2011		
August 11, 2011	3.59	
September 22, 2011	4.22	
October 3, 2011	4.21	
October 4, 2011	3.56	
October 20, 2011	4.22	
October 29, 2011	3.60	
November 1, 2011	3.92	
November 3, 2011	4.22	
November 7, 2011	3.53	156.10
November 8, 2011	3.51	
November 22, 2011		
November 23, 2011	4.27	134.82
December 1, 2011	3.89	
December 2, 2011	3.64	
December 7, 2011	4.22	
December 13, 2011	4.09	

**Violation of:**

Failure to adhere to the permit allowable mass emissions and/or control/usage requirements is considered a violation of the terms and conditions of PTI 15-1300. Violations of the terms and conditions of an issued PTI are also considered violations of Ohio Revised Code (ORC) 3704.05(C), which states:

*“No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions.”*

Not adhering to the daily volume weighted average VOC content of coating of no more than 3.5 pounds/gallon is also a violation of Ohio Administrative Code (OAC) Rule 3745-21-09(U)(1)(c).

**Finding 2:**

When comparing the copies of the records maintained at the facility with the deviation reports submitted to the CCHD, APCD it was observed that the exceedances of the 128 lbs OC/day and the daily volume weighted average of no more than 3.5 lb/gal VOC, identified in Finding 1, were not reported as deviations.

**Violation of:**

Failure to report exceedances of the allowable mass emissions and/or control/usage requirements is a violation of the Reporting Requirements in Section C. of PTI 15-1300 which states:

*"The permittee shall submit deviation (excursion) reports which include the following information:*

- 1. An identification of all exceedances of the rolling, 12-month emission limitation for organic compounds, individual HAPs, and combined HAPs for the first 12 calendar months of operation following the issuance of this permit, all exceedances of the maximum allowable cumulative emission levels;*
- 2. The permittee shall submit pressure drop deviation (excursion) reports that identify all periods of time during which the pressure drop range across the filters was outside the range specified above while the spray booth was being employed;*
- 3. An identification of all exceedances of the 128 pounds/day and 20 ton/year limit for organic compounds from this unit; and,*
- 4. An identification of any day in which the daily volume-weighted average VOC content of coatings exceeded 3.5 pounds/gallon."*

**Requested Actions:**

Submit a written compliance plan, within 30 days of receipt of this letter, describing

- the corrective actions taken thus far to no longer exceed the emission limits, and the dates completed;
- the plan of action, and timeframe for future compliance with the emission limitations (for example: submit a permit modification – 30 days, change products – immediately, training of staff on permit limitations – immediately, ect.).

Submit corrected deviations reports for the years 2009, 2010, and 2011, within 30 days of receipt of this letter listing

- the date and actual value for each day that an emission limit was exceeded;
- the corrective actions taken to prevent future deviations, if known.

**Additional Information:**

Please note that the Ohio EPA has the authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code (ORC). This letter or information pursuant to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in the ORC. The decision on whether or not to seek such penalties will be made by the Ohio EPA at a later date.

If you have any questions, please contact me at 330-489-3385 or email: [agurdy@cantonhealth.org](mailto:agurdy@cantonhealth.org).

Sincerely,



Abbie Gurdy  
Canton City Health Department

cc: Tom Kalman, Central Office, Ohio EPA  
Bruce Weinberg, Central Office, Ohio EPA

