

# CITY OF TOLEDO



## DEPARTMENT OF PUBLIC UTILITIES

May 29, 2012

### CERTIFIED MAIL

Mr. Michael Valigosky  
University of Toledo  
3000 Arlington Ave.  
Toledo, OH 43614

Re: Notice of Violation

Dear Mr. Valigosky:

Enclosed, please find a "Notice of Violation" for University of Toledo –Health and Science Campus, Ohio EPA premise number 0448010247, emissions units B001(Coal Fired Boiler, Wickes 53.3 mmBtu/hr coal fired boiler with electrostatic precipitator located at HSC Powerhouse). Please review this document carefully as some action is required on your part.

If you have any questions regarding this matter, please email me at [Babak.Firoozi@toledo.oh.gov](mailto:Babak.Firoozi@toledo.oh.gov) or phone me at (419) 936-3769.

Sincerely,

Babak Firoozi,  
Engineering Associate

cc: John Paulian, OEPA  
William MacDowell, USEPA Region V  
Timothy D. Murphy, Commissioner, TDOES  
Karen Granata, Chief, Air Resources, TDOES  
Joyce Anagnos, Senior Attorney, City of Toledo

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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](mailto:tim.murphy@toledo.oh.gov)

**NOTICE OF VIOLATION**

May 29, 2012

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

University of Toledo Health and Science Campus  
3000 Arlington Ave.  
Toledo, OH 43614

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

Dates of Violation

January 17, 2012 through February 17, 2012.

<u>Regulations Violated</u>	<u>Description and Dates of Violations</u>
ORC 3704.05(c) – 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.	The air permit (Title V effective 6/29/2001) for University of Toledo Health Science Campus requires the permittee to maintain records of all data obtained by the continuous opacity monitoring system including, but not limited to, percent opacity on a 6-minute block average basis, results of daily zero/span calibration checks, and magnitude of manual calibration adjustments. The permittee failed to keep records for the time span of 11,337 minutes or 25.1% of the boiler operating time for the 1 <sup>st</sup> quarter of 2012 on the dates listed above.

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. Description(s) and date(s) of action(s) taken thus far to abate the violation(s).
  - b. Description(s) and expeditious time schedule of action(s) yet to be taken to remedy the violation(s).
  - c. Description(s) of action(s) taken or to be taken to prevent recurrence of the violation(s).

Your written response and any questions regarding this Notice of Violation should be directed to Babak Firoozi at the City of Toledo Division of Environmental Services, 348 S. Eric Street, Toledo, Ohio 43604, or call (419) 936-3769.