

# CITY OF TOLEDO

## DEPARTMENT OF PUBLIC UTILITIES

May 12, 2009

### CERTIFIED MAIL

Mr. Brian R. McCornick  
Plant Manager  
Arclin  
6175 American Road  
Toledo, Ohio 43612

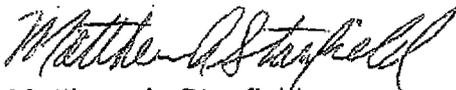
Re: Notice of Violation

Dear Mr. McCornick:

Enclosed, please find a "Notice of Violation" for Arclin (Ohio EPA Facility ID 0448011550 Emissions Units P001 and P002). Please review this document carefully as some action is required on your part.

If you have any questions, please feel free to contact me at 419-936-3938.

From Toledo - an International Award Winning City!



Matthew A. Stanfield  
Staff Professional Engineer

### Enclosure

cc: Tim-Murphy  
Karen Granata  
Joyce Anagnos  
John Paulian, OEPA  
Lisa Holscher, USEPA Region V

---

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

May 12, 2009

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

Arclin  
6175 American Road  
Toledo, Ohio 43612

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

### Dates of Violation(s)

First quarter of 2009

### Regulation(s) violated

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.

### Description of Source(s) and Violations(s)

Arclin submitted a report dated April 29, 2009 summarizing deviations occurring during the first calendar quarter of 2009. The report indicates the following deviations for Kettle 1 and Kettle 2 from PTI 04-01445 issued 1/16/2007:

1. the inlet temperature to the catalytic incinerator was not recorded from January 1 through February 16;
2. the inlet temperature to the catalytic incinerator was more than 50 degrees Fahrenheit below the inlet temperature during the most recent emission test demonstrating compliance for 379 hours from February 16 through March 31; and
3. the temperature difference across the catalytic incinerator was less than 80 percent of the average temperature difference during the most recent emission test demonstrating compliance for 103.3 hours from February 19 through March 29.

The above violation(s) may subject the violator to penalties of up to \$25,000 per violation. It is possible that a penalty may 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 2 weeks of receipt of this Notice of Violation, you shall:

1. Abate the violation(s) 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 Matthew A. Stanfield at the Division of Environmental Services, 348 South Erie Street, Toledo, Ohio 43604.

The submission of the above requested information does not constitute a waiver of Ohio EPA's authority to seek civil penalties pursuant to Ohio Revised Code § 3704.06. Ohio EPA will make a decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.