

CITY OF TOLEDO



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#4033

DEPARTMENT OF PUBLIC UTILITIES

November 20, 2007

CERTIFIED MAIL

Mr. Michael McVey
Toledo Shredding
275 Millard Avenue, Bldg #3
Toledo, Ohio 43605



Re: Notice of Violation

Dear Mr. McVey:

Enclosed, please find a "Notice of Violation" for Toledo Shredding. 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.

Yours from Toledo - a City of the Future!

Matthew A. Stanfield
Staff Professional Engineer

*fDi Magazine-April 2007

Enclosure

cc: Casey Stephens
Leslie Kovacik
John Paulian, OEPA
Lisa Holscher, USEPA Region V

NOTICE OF VIOLATION

November 20, 2007

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

Toledo Shredding
275 Millard Avenue, Building #3
Toledo, Ohio 43605

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

Dates of Violation(s)

January 31, 2007 and July 31, 2007

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)

By the dates listed, Toledo Shredding failed to provide the following required information as required by the respective permit terms and conditions.

F002 - roadways and parking areas Part II Section D.1:

The permittee shall submit semi-annual deviation reports that identify any of the following occurrences:

- a. each day during which an inspection was not performed by the required frequency, excluding an inspection which was not performed due to an exemption for snow and/or ice cover or precipitation; and
- b. each instance when a control measure, that was to be implemented as a result of an inspection, was not implemented.

P901 - material handling Part II Section D.1:

The permittee shall submit semi-annual deviation reports that identify any of the following occurrences:

- a. each day during which an inspection was not performed by the required frequency; and
- b. each instance when a control measure, that was to be performed as a result of an inspection, was not implemented.

P902 - metal salvage facilities Part II Section D.1:

The permittee shall submit to the Toledo Division of Environmental Services semi-annual deviation (excursion) reports that identify:

- a. the number of hours this emissions unit was operating each month and the rolling, 12-month summation of operating hours for each month in the reporting period;
- b. all periods of time during which the static pressure drop across the scrubber was not maintained at or above the required level;
- c. all periods of time during which the water application rate at the scrubber was not maintained at or above the required level;

Description of Source(s) and Violations(s)

- d. all periods of time during which the water application rate at the hammermill was not maintained at or above the required level;
- e. all periods of time during which the capture system, control device and/or monitoring equipment was not in service while the emissions unit was in operation; and
- f. any daily record showing that oil removal from the sump pit was not being performed while the emissions unit was in operation.

For each of the above emissions units, if there were no deviations during a six-month period, the permittee shall submit a semi-annual report which states that no deviations occurred during that period.

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 S. Erie Street, Toledo, Ohio 43604, or call 419-936-3938.

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.