



AKRON REGIONAL
AIR QUALITY MANAGEMENT DISTRICT

*Agent of the Ohio Environmental Protection Agency • Division of the Akron Health Department
Serving Medina, Portage and Summit Counties*

TELEPHONE: (330) 375-2480
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L. M. Malcolm, P.E.
Administrator

March 16, 2010

CERTIFIED MAIL
High Priority Violator
Criterion 7

Michelle Poole
Pechiney Plastic Packaging Inc.
1972 Akron Peninsula Road
Akron, OH 44313

Dear Michelle Poole:

RE: NOTICE OF VIOLATION

The October 30, 2009 quarterly deviation report and the February 15, 2010 Annual Title V Compliance Certification submitted by Pechiney Plastic Packaging Inc. for emissions units K003, K008, K010, K016, K020, K021, and P010 have been reviewed by the Akron Regional Air Quality Management District (ARAQMD). A monitoring and record keeping violation was disclosed in these reports. From July 13, 2009 until September 21, 2009, the temperature immediately upstream and downstream of the incinerator's catalyst bed during the operation of any of the above-mentioned emissions units was not continuously recorded due to a data logger communication error.

I must advise you that Pechiney Plastic Packaging Inc. operated the above-mentioned emissions units in violation of one or more the following: Ohio Administrative Code (OAC) rule 3745-21-09(B)(3)(n), OAC rule 3745-31-05(A)(3), OAC rule 3745-77-07(C)(1), 40 CFR Part 64.3, Permit to Install (PTI) #16-02184, PTI #16-02495, PTI P0104938, and/or the Title V permit which require the permittee to continuously record the temperature immediately upstream and downstream of the incinerator's catalyst bed during operation of any of the above-mentioned emissions units.

Not retaining the above-mentioned temperature data would also constitute a violation of OAC rule 3745-77-07(A)(3)(b)(ii), PTI #16-02184, PTI #16-02495, PTI P0104938, and the Title V permit which requires each record of any monitoring data to be retained for a period of five years from the date the record was created.

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Additionally, the permittee is required to submit a complete Title V permit application or a complete Title V permit modification application within twelve (12) months after commencing operation of an emissions unit covered by a PTI. Emissions units K021 and P010 were issued installation permits and have commenced operation over 12 months ago. Pechiney Plastic Packaging Inc. has not submitted a complete Title V permit application or Title V modification application for these emissions units. This constitutes a violation of OAC rule 3745-77-04(D), PTI #16-02495, and PTI P0104938.

No later than fourteen (14 days) from the receipt of this letter, please submit a complete compliance plan and time schedule to this agency to bring emissions units K003, K008, K010, K016, K020, K021, and P010 into compliance with regulatory and permit requirements. The plan and schedule must contain specific steps that either are or will be taken to bring this facility into compliance along with their corresponding deadlines or milestone dates. If you need additional time, please notify this agency in writing.

The submission of the compliance plan and time schedule does not constitute a waiver of the authority of either the Ohio EPA or US EPA to seek penalties in this matter. The decision to pursue, or decline to pursue, additional enforcement action in this case will be made at a later date.

If you have any questions, please contact me at (330)375-2480 extension 4239 or e-mail at lmiracle@akronohio.gov.

Sincerely,



Laura Miracle
Air Quality Engineer II

c: Ms. Lisa Holscher - US EPA
Mr. Tom Kalman - Ohio EPA, DAPC