

AKRON REGIONAL
AIR QUALITY MANAGEMENT DISTRICT

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

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L. M. Malcolm, P.E.
Administrator

November 30, 2010

CERTIFIED MAIL
High Priority Violator
Criterion 7

Michelle Poole
Bemis Company, Inc.
1972 Akron Peninsula Road
Akron, OH 44313

Dear Michelle Poole:

RE: NOTICE OF VIOLATION

The October 29, 2010 quarterly deviation report submitted by Bemis Company, Inc. for emissions units K003, K008, K010, K016, K020, K021, and P010 has been reviewed by the Akron Regional Air Quality Management District (ARAQMD). Several deviations were disclosed in this report.

On July 26, 2010 and from August 27, 2010 to September 8, 2010, 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 because the data logger locked up from a power failure and the backup strip chart's paper was jammed. I must advise you that Bemis Company, Inc. operated the above-mentioned emissions units in violation of one or more of 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, 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.

The total exhaust flow for emissions units K003, K008, K010, K016, K020, and K021 was not measured during the first three calendar quarters of 2010. I must advise you the Bemis Company, Inc. operated emissions units K003, K008, K010, K016, K020, and K021 in violation of one or more of the following: OAC rule 3745-31-05(A)(3), OAC rule 3745-77-07(C)(1), 40 CFR Part 64, PTI #16-02184, PTI #16-02495, and/or the Title V permit which require the permittee to measure the total exhaust flow rate from the above-mentioned emissions units at the outlet of each emissions unit with a minimum frequency of once per calendar quarter while these emissions units are in operation with the exception of PTI 16-02184 which allows for a semiannual monitoring frequency as long as there is no deviation of the total exhaust flow rate for emissions units K008, K010, K016, and K020.

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July
The above-mentioned monitoring and record keeping deviations that occurred during the first semiannual period of 2010 (January 1st – June 30th) should have been reported in the July 31, 2010 semiannual deviation. Not reporting the monitoring and record keeping deviations in the January 31, 2010 semiannual deviation report would constitute a violation of one or more of the following: OAC rule 3745-77-07(A)(3)(c)(ii), PTI #16-02184, PTI #16-02495, and/or the Title V permit for emissions units K003, K008, K010, K016, K020, and K021. Please be aware the monitoring and record keeping deviations that occurred during the second semiannual period of 2010 (July 1st – December 31st) must be reported in the January 31, 2011 semiannual deviation report.

From March 1, 2007 until October 29, 2010, a photochemically reactive solvent was employed in emissions unit P010. This constitutes a violation of PTI 16-02489 and PTI P00104938 which require the permittee to not employ any liquid organic materials that meet the definition of photochemically react material as defined in OAC rule 3745-21-01(C)(5) for this emissions unit.

The PTIs also require the permittee to notify ARAQMD in writing if a photochemically reactive material is employed for this emissions unit within 45 days after such an occurrence. This constitutes a violation of PTI 16-02489 and PTI P00104938. Please be aware that this reporting deviation will need to be report in the January 31, 2011 semiannual deviation report.

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: Mr. Tom Kalman - Ohio EPA, DAPC