



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

MAR 13 2007

REPLY TO THE ATTENTION OF:  
AE-17J

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Chris Amatrone  
Plant Manager  
Owens-Brockway Glass Container, Inc.  
901 North Shabbona Street  
Streator, Illinois 61364

Dear Mr. Amatrone:

This is to advise you that the United States Environmental Protection Agency (U.S. EPA) has determined that the Owens-Brockway Glass Container, Inc. (Owens-Brockway) facility at 901 North Shabbona Street, Streator, Illinois is in violation of the Clean Air Act (CAA) and associated State or local pollution control requirements. A list of the requirements violated is provided below. A Finding of Violation and Notice of Violation (FOV/NOV) for these violations is being issued and is enclosed.

The CAA requires the development of Primary and Secondary National Ambient Air Quality Standards to protect public health and welfare. To attain and maintain these standards, each State is required to develop an implementation plan. The Illinois State Implementation Plan (Illinois SIP) requires a limitation on the quantity of Particulate Matter (PM) that can be emitted into the atmosphere in any one hour period by a process emission unit. This limit is incorporated into Owens-Brockway's Construction Permit Number 01020067 and its Title V operating permit. The purpose of PM standards is to help protect the public from unhealthy exposures to particulate. Particulate emissions, in particular fine particulates, contribute to respiratory problems, lung damage and premature deaths.

U.S. EPA finds that Owens-Brockway has violated the above listed Illinois SIP requirement as incorporated into the Owens-Brockway Title V operating permit and Construction Permit Number 01020067. Since Owens-Brockway violated its Title V permit, you

have also violated Title V of the CAA and its associated regulations which require compliance with the terms and conditions of Title V permits. Additionally, in violating the Construction Permit Number 01020067, you have violated Title I of the CAA and its implementing regulations.

Section 113 of the CAA gives us several enforcement options to resolve these violations, including: issuing an administrative compliance order, issuing an administrative penalty order, bringing a judicial civil action, and bringing a judicial criminal action. The option we select, in part, depends on the efforts taken by Owens-Brockway to correct the alleged violations and the timeframe in which you can demonstrate and maintain continuous compliance with the requirements cited in the FOV/NOV.

Before we decide which enforcement option is appropriate, Section 113 of the CAA provides you with the opportunity to request a conference with us about the violations alleged in the FOV/NOV. This conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply, and the steps you will take to prevent future violations. Please plan for your facility's technical and management personnel to take part in these discussions. You may have an attorney represent and accompany you at this conference.

The U.S. EPA contact in this matter is Daniel Schaufelberger, Air and Radiation Division. You may call Mr. Schaufelberger at (312) 886-6814 if you wish to request a conference. U.S. EPA hopes that this FOV/NOV will encourage Owens-Brockway's compliance with the requirements of the Clean Air Act.

Sincerely yours,

A handwritten signature in black ink, appearing to read "S. Rothblatt", written over a horizontal line.

Stephen Rothblatt, Director  
Air and Radiation Division

Enclosure

cc: David Bloomberg, Acting Manager  
Compliance and Enforcement Section  
Illinois Environmental Protection Agency

United States Environmental Protection Agency

IN THE MATTER OF: )  
 )  
Owens-Brockway Glass ) NOTICE OF VIOLATION and  
Container, Inc. ) FINDING OF VIOLATION  
Streator, Illinois )  
 ) EPA-5-07-IL-05  
Proceedings Pursuant to )  
the Clean Air Act, )  
42 U.S.C. §§ 7401 et seq. )

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NOTICE AND FINDING OF VIOLATION

Owens-Brockway Glass Container, Inc. (you or Owens-Brockway) owns and operates a glass melting furnace at 901 North Shabbona Street, Streator, Illinois (Facility). The glass melting furnace is identified as Furnace H.

U.S. EPA is sending this Notice of Violation and Finding of Violation (NOV/FOV or Notice/Finding) to you for particulate matter (PM) emissions from a glass melting furnace, Furnace H, in excess of the limits specified in your Title V permit, Construction Permit, and the underlying statutory and regulatory requirements of the permit conditions that apply to your Facility. The underlying statutory and regulatory requirements include provisions of the Clean Air Act (the Act or CAA), its implementing regulations and the Illinois State Implementation Plan (Illinois SIP).

Section 113 of the CAA provides you with the opportunity to request a conference with us to discuss the violations alleged in the NOV/FOV. This conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply, and the steps you will take to prevent future violations. Please plan for the Facility's technical and management personnel to take part in these discussions. You may have an attorney represent and accompany you at this conference.

### Explanation of Violations

The following provides a description of the regulations Owens-Brockway violated and how Owens-Brockway violated them:

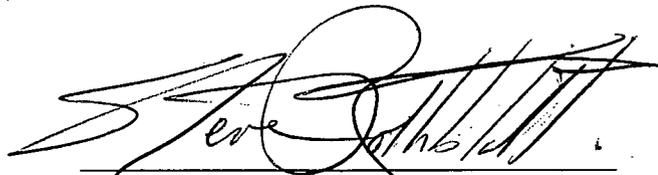
1. On July 11, 2001, the Illinois Environmental Protection Agency (IEPA) issued to Owens-Brockway, Construction Permit Number 01020067, for the addition of electric boost on Glass Melting Furnace H. Condition 2.3.b., which incorporates Illinois SIP provision 35 Ill. Adm. Code § 212.321(a), limits particulate matter emissions during any one hour period from Furnace H to rates of less than those computed by the equation  $E = A(P)^B$ ; where E is the allowable emission rate, P is the process weight rate, and A and B are unitless constants of 2.54, and 0.534, respectively.
2. IEPA issued Title V Permit 95090064 (Title V Permit) to Owens-Brockway on December 23, 2002. Condition 7.3.3.c. of the Title V Permit incorporates the Illinois SIP provision 35 Ill. Adm. Code § 212.321(a) as detailed above in Paragraph 1.
3. Based on the results of the PM stack tests conducted at Furnace H on September 15, 2005 and October 4, 2005, U.S. EPA has determined that the PM emissions from Furnace H are exceeding the allowable emission limit as identified in Paragraphs 1 and 2, above.

### Environmental Impact of Violations

4. Violation of the particulate matter standards increases public exposure to unhealthy particulate matter. Particulate matter, especially fine particulate, contributes to respiratory problems, lung damage and premature deaths.

Date

3/13/2007



Stephen Rothblatt, Director  
Air and Radiation Division