

### **What is a notice of violation?**

A notice of violation (NOV) informs a company that a rule, state law, or permit condition has been violated. A NOV is issued when a violation is observed or discovered. The purpose of a NOV is to initiate corrective action that will stop the violation and reduce pollution. To provide an incentive for continuing compliance, NOV's may result in monetary penalties.

### **This NOV found two violations:**

1. "...EPA finds that Respondent [Tonawanda Coke] operates the wet quench towers of its coke oven battery without baffle systems designed to effectively reduce particulate emissions during quenching..."

- Baffles are large wooden structures that are supposed to be inside the towers to help catch air emissions.

2. "...EPA finds that on five (5) occasions between June 28, 2005 and June 18, 2009 Respondent failed to determine its compliance with the 1,600 TDS limit in part 214 by taking the arithmetic average of the TDS concentrations of each of four (4) samples of make-up water obtained at 15-minute intervals..."

- TDS stands for Total Dissolved Solids. 214 is the part of the law that governs coke-oven batteries.

### **Next steps:**

- The company has 7 days to request a conference with the EPA. The conference must be held within 30 days that the NOV is sent.

### **Enforcement**

The EPA has the authority to take any of the following actions:

- Issue penalties of up to \$25,000 per date for each violation.
- Issue an order requiring the company to comply with the requirements of the Act.
- Bring a civil action suit.
- For violating the act the facility may be ineligible in any federal contract, grant loan or program.