



CERTIFIED MAIL RETURN RECEIPT REQUESTED

Date : 03/15/2016

WARNING NOTICE

Owner : API INDUSTRIES INC
2 GLENSHAW ST
ORANGEBURG, NY 10962

Facility : ALUF PLASTICS DIVISION
2 GLENSHAW ST
ORANGEBURG, NY 10962

Contact : DAVID ANDERSON
2 GLENSHAW ST

ORANGEBURG, NY 10962
(845) 365-2200

PLEASE TAKE NOTICE THAT Department staff hereby allege the referenced facility is in violation of the New York State or Federal air pollution control requirements referenced below.

Compliance Status Determined On : 03/14/2016 2:30 PM

Compliance Status Determined By : MARIA ANTONIOU
NYSDEC - WHITE PLAINS SUBOFFICE
100 HILLSIDE AVE STE 1W
WHITE PLAINS, NY 10603

Basis for Determination : Response To Complaint

Comments :

Record keeping requirements were not in satisfactory order. The Facility was requested to submit the followig:

1. The dates the carbon bed was replaced since installation.
2. The records -consecutive days - of one month's DeltaP observations at the PM filters and HEPA filters.



PLEASE TAKE FURTHER NOTICE THAT you are being provided with the option to resolve the violation(s) alleged above, without further enforcement on the part of Department staff. This Warning Letter has been issued after considering the severity of the violation, the degree of harm or potential harm to public health or the environment, your willingness to correct the violation alleged, the past compliance history of the facility and the willfulness of the act. Your full cooperation is required.

PLEASE TAKE FURTHER NOTICE THAT you are hereby directed to immediately take the above-described corrective action(s) to remedy the identified violation(s). Timely completion of all required measures as set forth in this Letter, to the satisfaction of Department staff, will conclude this matter without further enforcement. To avoid the initiation of formal enforcement and the potential penalties associated therewith, you must comply with the requirements set forth herein and maintain compliance with all applicable laws and regulations. If this was a one time event that has already been noted above as having been rectified, no further action on your part is required other than to take all reasonable steps to prevent its recurrence. Department staff reserve the right to pursue further enforcement in the event of noncompliance with the requirements of this Letter, and nothing herein shall limit the Department's right to pursue enforcement for any noncompliance that is unrelated to the contents of this Notice.

PLEASE TAKE FURTHER NOTICE THAT any person who violates ECL Article 19, or any code, rule or regulation promulgated pursuant thereto, shall be liable for a civil penalty of up to \$18,000, plus an additional penalty not to exceed \$15,000 for each day that the violation continues and that such person may be enjoined from continuing such violation.

PLEASE TAKE FURTHER NOTICE THAT this Warning Letter and the underlying violation(s) alleged herein have been recorded in the New York State Department of Environmental Conservation compliance tracking system, and will be shared with the United States Environmental Protection Agency.

PLEASE TAKE FURTHER NOTICE THAT you may submit evidence to Department staff relevant to your compliance record, the nature of the violations, or any mitigating circumstances. Any such information or evidence may be used in a civil or criminal enforcement proceeding. In the event that formal enforcement proceedings are initiated or criminal charges are filed against you, pursuant to ECL §19-0505 and 6 NYCRR Part 622 you will have the right to request a hearing. You may also request an informal conference to discuss this Notice and the events to which it relates.

Any inquires, submissions or requests related to this Notice should be directed to the undersigned at (845) 256-3185.

Sincerely,

GEORGE A SWEIKERT
REGIONAL AIR POLLUTION CONTROL ENGINEER
NYSDEC - REGION 3
21 S PUTT CORNERS RD
NEW PALTZ, NY 12561-1696



COMPLIANCE STATUS - VIOLATIONS

Regulation Determinations (Violations) :

Regulation : 6 NYCRR 200.7

Period : 03/14/2016 2:30 PM

Program : SIP

Observation Record keeping inconsistencies and confusing records.