

# AGENDA FOR THE JANUARY 14, 2010 EC MEETING

## CASES TO BE CLOSED:

Sugar Creek Packing Co. (Washington Court House)	#2698	112r	Final F&Os	Sherri/Don
Sugar Creek Packing Co. (Dayton)	#2719	112r	Final F&Os	Sherri/Don
New Day Farms, LLC (VC)/ Henning Construction Company	#2750	CDO	Final F&Os	John/Steve
Reichert Excavating Incorporated	#2784			
Precision Environmental Company	#2760	Akron	DWL	Tom/Steve
ConSun Food Industries, Inc. (Convenient Food Mart GDFs #736 and #746)	#2813	NEDO	Final F&Os	Tom/Don
Brent Saionz, d.b.a. Simon Excavating	#2870	NWDO	Unil. F&Os	Tom/Marc
Ron Smith	#2874	NWDO	Unil. F&Os	Tom/Steve

## PENDING CASES:

NewKor, Inc.	#2811	Cleveland	Prop. F&Os	John/Steve
Pexco Packaging Corporation	#2878	Toledo	DWL	John/Don

## OTHER BUSINESS:

- (1) Distribute updated schedule of progress for resolving all "old" cases for 2008.
- (2) Distribute updated schedule of progress on resolving all "old" cases for 2009.
- (3) Distribute updated schedule of progress on resolving all "old" cases for 2010.
- (4) **Bryan is scheduled to provide food for today's meeting at 3:00 p.m. in DAPC Rm C.**
- (5) The next meeting is scheduled for Thursday, January 28, 2010 at 3:00 p.m. in DAPC Rm C. Marc is scheduled for food. (Future food schedule: Tom for February 11; Steve for February 25.)

# ENFORCEMENT COMMITTEE MEETING MINUTES

(January 14, 2010)

<b>Case Number:</b> 2698	<b>Dates:</b>
<b>Entity:</b> Sugar Creek Packing Co. (Washington Courthouse)	<b>EAR:</b> 01/30/08
<b>Field Office:</b> 112r	<b>DWL:</b> N/A
<b>Contact:</b> Sherri Swihart	<b>F&amp;Os:</b> 01/14/10
<b>Attorney:</b> Donald L. Vanterpool	<b>Referral:</b> N/A
	<b>Dismissal:</b> N/A

**Background:** Sugar Creek Packing Co. ("Sugar Creek") is a bacon producing facility located 2101 ½ Kenskill Avenue in Washington Courthouse. Anhydrous ammonia is used as a refrigerant in its process. Sugar Creek failed to submit a Risk Management Plan ("RMP") in June 1999. The date the RMP was received by USEPA is September 11, 2007. Ohio EPA DAPC inspected the facility on January 3, 2008, and discovered minor deficiencies. The company claimed that it prepared a RMP in 2004, but it was not submitted to Ohio EPA. The minor deficiencies were not included in the penalty calculation due to the fact that initial audits were compliance assistance. Unless a company does not submit the supporting documentation for deficiencies in a timely manner, Ohio EPA will assist them with RMP compliance. This enforcement action is based solely on the late submission of the RMP, which is in violation of OAC Rule 3745-104-38(B) and ORC § 3753.06.

On April 7, 2008, proposed Director's Final Findings and Orders ("F&Os") were sent to Sugar Creek to attempt an administrative settlement of the violations at the Washington Courthouse facility. The F&Os propose to require Sugar Creek to (1) pay a civil penalty of \$49,280 within 14 days of the effective date of the F&Os, with \$9,856 of that amount to be directed to the Clean Diesel School Bus Program Fund, and (2) implement the compliant RMP program thereafter.

Ohio EPA DAPC met with facility representatives on December 14, 2009, and a settlement was reached.

**Action:** On January 14, 2010, final F&Os were issued to Sugar Creek for its Washington Courthouse facility. The F&Os require Sugar Creek to implement the compliant RMP program and pay a civil penalty of \$5,312 as outlined in the following:

- (1) Within 14 days after the effective date of the F&Os, pay Ohio EPA the amount of \$4,250 of the total penalty, which is to be deposited into the RMP fund established pursuant to ORC § 3753.05; and
- (2) Within 30 days after the effective date of the F&Os, pay Ohio EPA's Clean Diesel School Bus Program Fund the amount of \$1,062 of the total penalty, as a SEP.

**Case Closed**



<b>Case Number:</b> 2719	<b>Dates:</b>
<b>Entity:</b> Sugar Creek Packing Co. (Dayton)	<b>EAR:</b> 04/24/08
<b>Field Office:</b> 112r	<b>DWL:</b> N/A
<b>Contact:</b> Sherri Swihart	<b>F&amp;Os:</b> 01/14/10
<b>Attorney:</b> Donald L. Vanterpool	<b>Referral:</b> N/A
	<b>Dismissal:</b> N/A

**Background:** Sugar Creek Packing Co. ("Sugar Creek") is a bacon producing facility located on 1241 North Gettysburg Avenue in Dayton. Anhydrous ammonia is used as a refrigerant in its process. Sugar Creek failed to submit a Risk Management Plan ("RMP") when the anhydrous ammonia in the process exceeded the 10,000 pound threshold in 2002, due to the addition of a second refrigeration process. The specific date for startup of the process was unavailable from Sugar Creek representatives. The date the RMP was received by USEPA is August 31, 2007. Ohio EPA DAPC inspected the facility on March 26, 2008, and no deficiencies were discovered. This enforcement action is based solely on the late submission of the RMP, which is in violation of OAC Rule 3745-104-38(B) and ORC § 3753.06.

On July 28, 2008, proposed Director's Final Findings and Orders ("F&Os") were sent to Sugar Creek to attempt an administrative settlement of the violations at the Dayton facility. The F&Os proposed to require Sugar Creek to (1) pay a civil penalty of \$41,760 within 14 days of the effective date of the F&Os, with \$8,352 of that amount to be directed to the Clean Diesel School Bus Program Fund, and (2) implement the compliant RMP program thereafter.

Ohio EPA DAPC met with facility representatives on December 14, 2009, and a settlement was reached, including the performance of a SEP.

**Action:** On January 14, 2010, final F&Os were issued to Sugar Creek for its Dayton facility. The F&Os require Sugar Creek to implement the compliant RMP program and pay a civil penalty of \$10,880 as outlined in the following:

- (1) Within 14 days after the effective date of the F&Os, pay Ohio EPA the amount of \$4,656 of the total penalty, which is to be deposited into the RMP fund established pursuant to ORC § 3753.05;
- (2) Within 30 days after the effective date of the F&Os, pay Ohio EPA's Clean Diesel School Bus Program Fund the amount of \$2,176 of the total penalty, as a SEP; and
- (3) Within six months after the effective date of the F&Os and in lieu of paying the remaining \$4,048 of the total penalty, spend at least \$4,048 on a SEP consisting of the installation of a wet rotoclone for emissions unit P003 (impingement oven) at Sugar Creek's Washington Courthouse facility to control particulate emissions from the unit thereafter. By August 1, 2010, Sugar Creek is to submit documentation of the expenditure of at least \$4,048 to Ohio EPA.

**Case Closed**



<b>Case Number:</b> 2750 and 2784	<b>Dates:</b>
<b>Entity:</b> New Day Farms, LLC (2750) Reichart Excavating, Inc. (2784) Henning Construction Co. (2750)	<b>EAR:</b> 12/04/08 <b>VC:</b> 08/21/08
<b>Field Office:</b> CDO	<b>F&amp;Os:</b> 01/12/10
<b>Contact:</b> Eric Yates / John Paulian	<b>Referral:</b> N/A
<b>Attorney:</b> Stephen Feldmann	<b>Dismissal:</b> N/A

**Background:** On March 20, 2009, proposed Director's Final Findings and Orders ("F&Os") were issued to New Day Farms, LLC, Henning Construction Co., and Reichart Excavating, Inc. The F&Os assessed a civil penalty of \$92,000, of which 20% was to be directed to fund Ohio EPA's Clean Diesel School Bus Program.

Henning Construction Co. was hired by New Day Farms, LLC to be the general contractor for a demolition project involving several large poultry barns at New Day

Farms, LLC located at 27322 State Route 739 in Raymond, Ohio. Reichart Excavating, Inc. was hired by Henning Construction Co. to be the demolition contractor for the job. On June 12, 2008, Ohio EPA Central District Office ("CDO") received an anonymous complaint that demolition of the poultry barns was occurring at New Day Farms, LLC. The complainant was concerned that the poultry barns contained asbestos.

On June 12, 2008, CDO visited New Day Farms, LLC and inspected the demolition project. When CDO arrived on site, two barns had already been demolished and removed from the site. Two additional barns were in the process of being demolished. Samples collected from a hard transite material present in each of the barns indicated the presence of asbestos above the regulated level.

During the June 12, 2008 inspection, CDO discovered multiple violations of OAC Chapter 3745-20. Specifically, the actions at the demolition sites violated:

- OAC Rule 3745-20-02(A) by failing to conduct a thorough inspection for asbestos prior to beginning the demolition.
- OAC Rule 3745-20-03(A) by failing to provide notification of demolition or renovation at least ten working days before the beginning of any demolition operation.
- OAC Rule 3745-20-04(A)(1) by failing to remove all regulated asbestos-containing material ("RACM") prior to conducting demolition activities.
- OAC Rule 3745-20-04(B)(1) by not having an authorized person trained in the provisions of OAC Chapter 3745-20 on site during demolition.
- OAC Rule 3745-20-05(B)(1) by failing to control visible emissions during the demolition.
- OAC Rule 3745-20-04(A)(6)(a) by failing to adequately wet RACM after stripping or removal and prior to collection for disposal.
- OAC Rule 3745-20-04(C) by failing to ensure that all RACM, which has been damaged or made friable by demolition, is repaired, encapsulated, or removed in accordance with OAC Rule 3745-20-05.
- ORC § 3704.05(G) by not complying with the above regulations adopted by the Director pursuant to ORC Chapter 3704.

After CDO visited the facility, the demolition project was halted and Central Insulation Services was hired to complete the asbestos abatement. The final asbestos abatement was completed on August 15, 2008.

After settlement negotiations, a final civil penalty of \$50,000 was agreed to by all parties.

**Action:** On January 12, 2010, final F&Os were issued to New Day Farms, LLC, Henning Construction Co., and Reichart Excavating, Inc. The F&Os require the parties to pay a civil penalty of \$50,000, of which 20% will be directed to fund Ohio EPA's Clean Diesel School Bus Program.

### Case Closed



<b>Case Number:</b> 2760	<b>Dates:</b>
<b>Entity:</b> Precision Environmental Company	<b>EAR:</b> 10/22/08
<b>Field Office:</b> Akron	<b>DWL:</b> 01/12/10
<b>Contact:</b> Patty Porter / Tom Kalman	<b>F&amp;Os:</b> 12/18/08 (prop.)
<b>Attorney:</b> Stephen Feldmann	<b>Referral:</b> N/A
	<b>Dismissal:</b> N/A

**Background:** On December 18, 2008, proposed Director's Final Findings and Orders ("F&Os") were sent to Precision Environmental Company ("Precision"), an asbestos abatement contractor of 5500 Old Brecksville Road, Independence, Ohio. The purpose of the F&Os was to attempt an administrative settlement of the notification violation of the asbestos emission control standards of OAC Chapter 3745-20 that occurred for a demolition project involving four residential structures previously located at 363 Powers Street, 503 Exchange Street, 364/366 Moon Drive, and 505 Nash Street in Akron, Ohio. The F&Os proposed to require the company to pay a civil penalty of \$24,000 within 14 days after the effective date of the F&Os, of which \$4,800 was to be directed to the Ohio EPA Clean Diesel School Bus Program Fund as a SEP. The penalty for the notification violation was increased due to this being a second offense within the last five years. However, a mitigation for cooperation of 20 percent was provided.

Precision was hired by the University of Akron to remove regulated asbestos-containing material from these four residential structures prior to their demolition. These structures, along with five other residential structures, were to be demolished by

Precision as part of a larger project involving the demolition of a number of residential structures. The combination of the amounts of regulated asbestos-containing material from all of the structures involved in the overall project and in Precision's portion of the project exceeded the work practice threshold in OAC Rule 3745-20-02(B)(1) and, therefore, the asbestos removal and demolition of the four structures, as well as the other five residential structures, were subject to the notification and work practice requirements of OAC Chapter 3745-20.

Through telephone conversations with the University of Akron and Precision, the Akron Regional Air Quality Management District ("ARAQMD") discovered that Precision had removed regulated asbestos-containing material from the four structures prior to submitting the required notification pursuant to OAC Rule 3745-20-03(A). (The required notifications were submitted for the other five structures.) On June 24, 2008, Precision submitted a late notification to ARAQMD, which confirmed that regulated asbestos-containing material had been removed in April 2008. In accordance with USEPA policy, a late notification is tantamount to no notice if it is received after the asbestos removal is completed. Therefore, Precision violated OAC Rule 3745-20-03(A) and ORC § 3704.05(G) by failing to submit a timely notification. This violation was cited in the proposed F&Os.

On August 6, 2008, ARAQMD sent notice of violation ("NOV") letters to Precision and the University of Akron for the failure to timely submit a notification. On August 11, 2008, the University of Akron replied to the NOV letter, saying that Precision had full responsibility for submitting the notification. The response also stated that EA Group had been hired to oversee the project, that all applicable work practice requirements of OAC Chapter 3745-20 had been followed, and that no substantive violations had occurred. Similarly, Precision replied to the NOV letter on August 12, 2008, stating that the regulated asbestos-containing material was properly removed and the failure to timely submit the notice was due to its misunderstanding of the notification requirements. Precision also stated that it had submitted timely individual notices for five of the nine project structures it was involved in. The company claimed it had received inconsistent guidance from Ohio EPA field offices regarding how to submit notifications for multiple structure abatement projects. In one project, a field office informed Precision to submit an individual notification for each residential structure containing more than one of the threshold levels of regulated asbestos-containing material.

Precision's failure to timely submit the notification did not provide ARAQMD the opportunity to confirm that the asbestos was properly removed from the four structures that contained regulated asbestos-containing material less than the threshold levels.

However, ARAQMD and DAPC have concluded that the University of Akron's statement and the involvement of EA Group provided reliable confirmation that Precision probably performed the asbestos removal in compliance with the work practice requirements. Nevertheless, the DAPC decided to pursue this notification violation because the failure to notify hindered ARAQMD's ability to inspect the removal and because Precision is an asbestos abatement contractor and should have known about the requirements.

After Precision received the proposed F&Os of December 18, 2008, a meeting was held on February 12, 2009 among Ohio EPA, ARAQMD and Precision. During the meeting, Precision refused to pursue settlement with F&Os with a civil penalty even after Ohio EPA offered to reduce the penalty to \$4,000 by considering the violation as a failure to submit complete notifications for the notifications submitted for the five residential structures that each contained above threshold levels of regulated asbestos-containing material. Precision's attorney and Ohio EPA then exchanged a number of e-mails relating to Precision's allegation that inconsistent guidance was being given out by Ohio EPA field offices. Precision was informed that the proper approach, which Precision had followed in several other previous multiple structure projects, was to have someone file information with Ohio EPA on the scope of a large project and then individual contractors could submit a notification on their portion of work and reference that large project.

After an impasse was reached, the Director's Office decided that the pursuit of F&Os with civil penalty should be dropped. Since Precision was agreeable to a Director's warning letter, it was recommended to the Director that such a letter be sent to Precision.

**Action:** On January 12, 2010, a Director's warning letter was sent to Precision in resolution of this case. The warning letter indicates the Agency normally pursues such notification violations with civil penalties. However, the letter further states that, based on information provided by the University of Akron and the EA Group, Ohio EPA is confident that the regulated asbestos-containing material was properly removed from these structures. The letter concludes that the Ohio EPA is not going to pursue administrative orders and assess civil penalties for this violation; therefore, Ohio EPA is withdrawing the proposed F&Os of December 18, 2009, and is requesting Precision to submit to Ohio EPA, within 14 days after the receipt of the letter, a written commitment to comply with all applicable demolition and renovation rules in the future.

**Case Closed**



<b>Case Number:</b> 2813	<b>Dates:</b>
<b>Entity:</b> ConSun Food Industries, Inc. (Convenient Food Mart #736 and #746)	<b>EAR:</b> 03/27/09
<b>Field Office:</b> NEDO	<b>DWL:</b> N/A
<b>Contact:</b> Jim Kavalec / Tom Kalman	<b>F&amp;Os:</b> 01/14/10
<b>Attorney:</b> Donald L. Vanterpool	<b>Referral:</b> N/A
	<b>Dismissal:</b> N/A

**Background:** On July 9, 2009, proposed Director's Final Findings and Orders ("F&Os") were sent to ConSun Food Industries, Inc. ("ConSun"), of 123 North Gateway Boulevard in Elyria, Ohio, to attempt an administrative settlement of the violations of air pollution control rules and law associated with ConSun's gasoline dispensing facility ("GDF") located at 5375 West Erie Street in Lorain (Convenient Food Mart #746). The F&Os would require ConSun to:

- (1) within 30 days after the effective date of the F&Os, submit a Permit-by-Rule notification pursuant to OAC Rule 3745-31-03(A)(4)(a);
- (2) within 120 days after the effective date of the F&Os, install a Stage II vapor control system for the GDF, and thereafter operate and maintain such system in compliance with OAC Rule 3745-21-09(DDD);
- (3) within 14 days of the completion of installation of a Stage II vapor control system, certify in writing to Ohio EPA that the system was installed in accordance with OAC Rule 3745-21-09(DDD) and the CARB standard associated with the Stage II vapor control system;
- (4) within 30 days after the effective date of these Orders, make all necessary repairs to the Stage I vapor balance system, and thereafter operate and maintain such system in compliance with OAC Rule 3745-21-09(R);
- (5) within 14 days of the completion of the repairs to the Stage I vapor balance system, certify in writing to Ohio EPA that the system was repaired in accordance with manufacturer's specifications; and
- (6) within 30 days after the effective date of the F&Os, pay a civil penalty of \$40,000 to Ohio EPA, of which \$8,000 is to be directed to the Ohio EPA's Clean Diesel School Bus Program Fund as a SEP.

With respect to GDF #746, the proposed F&Os addressed ConSun's failure to install, operate and maintain a Stage II vapor control system at the GDF while continuing to dispense gasoline from at least May 2005 to the present, in violation of OAC Rule 3745-21-09(DDD)(1) and ORC § 3704.05(G). ConSun did have an independent small business marketer classification in a 1997 permit to operate and was exempt from Stage II control requirements; however that status was revoked in August of 2007. ConSun committed to installing Stage II controls by November 2007, but never did so. Also, the proposed F&Os addressed the violation of OAC Rule 3745-21-09(R)(2) and ORC § 3704.05(G) from July 30, 2008 to the present, due to ConSun's failure to keep the Stage I vapor control system in good working order and free from leaks.

(See the EC Meeting Minutes of July 16, 2009 for additional background information.)

On July 15, 2009, Northeast District Office of Ohio EPA indicated to Central Office that the violations at ConSun's GDF at 8703 West Ridge Road, Elyria, Ohio (Convenient Food Mart #736) needed to be added to the current case with ConSun. Therefore, on August 4, 2009, revised proposed F&Os were sent to ConSun that also addressed the violations at GDF #736. Those violations involved the failure to successfully pass the annual Stage II vapor control system tests since the test in April 2006. ConSun failed the A/L ratio test for dispensers #1, 2, 3 and 4 on April 26, 2006; failed the static leak and A/L ratio test for dispenser #4 on April 2, 2007; failed the A/L ratio test for dispenser #4 on March 31, 2008; and failed the A/L ratio test for dispensers #1, 3 and 4 on March 31, 2009. ConSun continued to operate the dispensers despite these test failures, which were each corrected within a couple of months, in violation of OAC Rule 3745-21-09(DDD)(1)(c) and ORC § 3704.05(G).

The August 4, 2009, revised proposed F&Os contained two additional orders when compared to the July 9, 2009 proposed F&Os. For GDF #736 and for the next two ozone seasons, the F&Os proposed to require ConSun to conduct weekly inspections of the Stage II vapor control system during the period from March 15, 2010 to October 31, 2010 and from March 15, 2011 to October 31, 2011, and perform and pass static leak and A/L ratio tests during March and August of 2010 and 2011. Also, the civil penalty was increased to \$46,700, of which \$9,340 was to be directed to Ohio EPA's Clean Diesel School Bus Program Fund as a SEP.

In a letter dated August 31, 2009, ConSun certified that it had made all of the necessary repairs to the Stage I vapor control system for GDF #746. Also, ConSun ceased dispensing gasoline at GDF #746 as of August 13, 2009 due to the cost of installing a Stage II vapor control system.

After receipt of the proposed F&Os of August 4, 2009, ConSun attempted to argue that GDF #746 was an independent small business marketer ("ISBM") and had gasoline sales of less than 50,000 gallons per month, i.e., that it continued to be exempt from the Stage II vapor control system requirements. ConSun submitted documentation to support its argument that the GDF obtained more than 50 percent of its income from gasoline sales. However, it erroneously assumed that "income" meant profit. Ohio EPA sent ConSun information to support its position that income meant sales. Since at least 2005, ConSun has had a monthly throughput greater than 10,000 gallons per month but never exceeded 50,000 gallons per month. Based upon the information submitted by ConSun, its annual sales of gasoline were less than 50% of the total store sales; therefore, ConSun does not meet the definition of an ISBM and needed to install a Stage II vapor control system since at least 2005. ConSun eventually dropped this argument.

On December 21, 2009, a meeting was held with ConSun, during which a settlement was reached with the proposed F&Os. The penalty was significantly reduced since Ohio EPA did not know that GDF #746 had ceased dispensing gasoline in August 2009 and that repairs of the Stage I system at GDF #746 were done within 2 weeks.

**Action:** On January 14, 2010, final F&Os were issued to ConSun in resolution of the violations that occurred at GDFs #736 and #746. The F&Os require ConSun to do the following:

- (1) Prior to any resumption of gasoline dispensing at GDF #746, submit a permit-by-rule notification to Ohio EPA, in accordance with OAC Rule 3745-31-03(A)(4)(a);
- (2) Prior to any resumption of gasoline dispensing at GDF #746, install a Stage II vapor control system at the GDF, in accordance with OAC Rule 3745-21-09(DDD) and the CARB standards associated with the selected Stage II vapor control system being installed, and operate and maintain such system in compliance with those requirements;
- (3) Within 14 days of completing installation of the Stage II vapor control system at GDF #746, submit a written certification indicating that the system was installed in accordance with the requirements mentioned in item (2) above;
- (4) For the next two ozone seasons (i.e., April 1 to October 31, 2010 and April 1 to October 31, 2011) and starting by at least March 15, 2010 and March 15, 2011 and continuing until October 31, 2010 and October 31, 2011, respectively, conduct weekly inspections of the Stage II vapor control system at GDF #736,

checking for leaks, malfunctions or damage to the system, keep records of the inspections and any repairs made, and submit copies of the records of the weekly inspections by August 14 of each year for the period from March 15 through July 31 of each year and by November 14 of each year for the period from August 1 through October 31 of each year;

- (5) For the next two ozone seasons (i.e., April 1 to October 31, 2010 and April 1 to October 31, 2011), perform and successfully pass the static leak and A/L ratio tests at GDF #736, during March and August of each ozone season, notify Ohio EPA of each such test by at least 14 days prior to any test, and submit the results of each test within 14 days after completion of the tests; and
- (6) Pay a civil penalty of \$17,250 in accordance with the following payment plan:
  - within 30 days after the effective date of the F&Os, pay \$1,600 to Ohio EPA,
  - within 30 days after the effective date of the F&Os, pay \$3,450 to Ohio EPA's Clean Diesel School Bus Program Fund as a SEP,
  - within 120 days after the effective date of the F&Os, pay \$4,000,
  - within 210 days after the effective date of the F&Os, pay \$4,000, and
  - within 300 days after the effective date of the F&Os, pay \$4,200.

**Case Closed**



<b>Case Number:</b> 2870	<b>Dates:</b>
<b>Entity:</b> Brent Saionz, d.b.a. Simon Excavating	<b>EAR:</b> 10/15/09
<b>Field Office:</b> NWDO	<b>DWL:</b> N/A
<b>Contact:</b> Tan Tran / Tom Kalman	<b>F&amp;Os:</b> 01/13/10 (unil.)
<b>Attorney:</b> Marcus Glasgow	<b>Referral:</b> N/A
	<b>Dismissal:</b> N/A

**Background:** Brent Saionz, d.b.a. Simon Excavating, has a business address of 670 West County Road 73, Fremont, Ohio. He was hired by Redline Racing, LLC to perform a land-clearing project at its commercial property located at 708 Bartson Road, Ballville Township, Sandusky County, Ohio ("the property"). This commercial property

is located in a "restricted area" pursuant to the open burning standards in OAC Chapter 3745-19.

On August 6, 2009, Northwest District Office of Ohio EPA ("NWDO") conducted an investigation at the property in response to a complaint that it received on August 4, 2009. Upon entering the property in the dirt track area, the NWDO inspector observed open burning of commercial waste material. A 20 foot x 20 foot pile of ash, stumps, brush, and tire belts was observed smoldering. Since prohibited open burning was being conducted in a restricted area, Mr. Saionz and the property owner violated OAC Rule 3745-19-03(A) and ORC § 3704.05(G).

On September 9, 2009, the NWDO inspector returned to the property to conduct an investigation of open burning at another area of the property known as the motorcross track. At this area, the NWDO inspector observed four sites containing the recent remnants of open burning of commercial waste. Since open burning of commercial waste was conducted in a restricted area, Mr. Saionz and the property owner violated OAC Rule 3745-19-03(A) and ORC § 3704.05(G).

On September 16, 2009, NWDO sent a Notice of Violation ("NOV") letter to Mr. Saionz for the violations that were observed on August 6 and September 9, 2009. The NOV letter requested that he cease all such open burning.

On October 15, 2009, NWDO submitted an Enforcement Action Request to Central Office for the violations and requested that unilateral Director's Final Findings and Orders ("F&Os") with a civil penalty, as provided by OAC Rule 3745-19-06, be issued.

**Action:** On January 13, 2010, unilateral F&Os were issued to Mr. Saionz to address the violations of OAC Rule 3745-19-03(A) and ORC § 3704.05(G). The F&Os require Mr. Saionz to cease all open burning in violation of OAC Chapter 3745-19 upon the effective date of the F&Os and maintain compliance thereafter. Also, the F&Os require Mr. Saionz to pay Ohio EPA a civil penalty of \$2,000 within 14 days after the effective date of the F&Os. The civil penalty was determined using the provisions of OAC Rule 3745-19-06, i.e., a penalty factor of \$1,000 per day per violation and two days of open burning on commercial property.

It was decided to not pursue penalties against the property owner because it was not known if that company actually authorized the open burning by Mr. Saionz.

**Case Closed**



**Case Number:** 2874  
**Entity:** Ron Smith  
**Field Office:** NWDO  
**Contact:** Felix Udeani / Tom Kalman  
**Attorney:** Stephen Feldmann

**Dates:**  
**EAR:** 11/09/09  
**DWL:** N/A  
**F&Os:** 01/12/10 (unil.)  
**Referral:** N/A  
**Dismissal:** N/A

**Background:** Ron Smith owns the residential property located at 16899 Kellogg Road in Washington Township of Wood County, Ohio. This property is located in an “unrestricted area” as provided in OAC Chapter 3745-19 concerning the open burning standards.

On October 22, 2009, Mr. Smith conducted open burning on his property of a pile of trash (15 feet x 25 feet x 7 feet in size), consisting of multiple mattresses, a bathroom sink, two rolls of fiber glass insulation, metal fencing, brush, wood, several metal bars with 1/2-inch thick rubberized coating on them and 11 tires, in violation of OAC Rule 3745-19-04(A) and ORC § 3704.05(G).

On October 29, 2009, Ohio EPA issued a notice of violation letter to Mr. Smith for the above-mentioned open burning violation.

On November 9, 2009, the Northwest District Office of Ohio EPA submitted an Enforcement Action Request to Central Office for the violation and requested that unilateral Director’s Final Findings and Orders (“F&Os”) with a civil penalty, as provided by OAC Rule 3745-19-06, be issued.

**Action:** On January 12, 2010, unilateral Director’s Final Findings and Orders (“F&Os”) were issued to Mr. Smith to address the violation of OAC Rule 3745-19-04(A). The F&Os require Mr. Smith to immediately cease all open burning in violation of OAC Rule 3745-19-04(A) and pay Ohio EPA a civil penalty of \$250 within 30 days after the effective date of the F&Os. The penalty was based on the provisions of OAC Rule 3745-19-06, i.e., a penalty factor of \$250 per day per violation and one day of violation on residential property. This single incident of open burning in violation of OAC Rule 3745-19-04(A) is being pursued because of the size and contents of the fire.

**Case Closed**



**Case Number:** 2811  
**Entity:** NewKor, Inc.  
**Field Office:** CDAQ  
**Contact:** Eric Yates / John Paulian  
**Attorney:** Stephen Feldmann

**Dates:**  
**EAR:** 03/30/09  
**DWL:** N/A  
**F&Os:** 01/12/10 (prop.)  
**Referral:** N/A  
**Dismissal:** N/A

**Background:** NewKor, Inc. ("NewKor") owns and operates a manufacturing facility ("facility") located at 10410 Berea Road in Cleveland. At the facility, NewKor operates numerous pieces of equipment for the production of paper roller tubes used in military launching tubes, paint roller tubes, tape cores, and paper mailing machines. Among the equipment are various emissions units that emit methanol, phenol, and formaldehyde, which are "hazardous air pollutants."

The primary emissions units at the facility consist of two dip tanks and two drying ovens. Permits to operate were issued for the dip tanks and drying ovens in 1986 and 1989, respectively. Those permits expired in 1989 and 1992. To date, the facility is operating under those expired permits. The current President of the facility, Gordon Barr, began operation of the facility in 1999 and has never submitted renewal applications.

Over the years CDAQ has received numerous odor complaints against NewKor. Those complaints became more frequent beginning in 2007 when new residential development began in the vicinity of NewKor. Although the odor complaints have come largely from two people, DAPC believes the odors generated by NewKor are creating a public nuisance, in violation of OAC Rule 3745-15-07 and ORC § 3704.05(G).

As a result of investigating the odor complaints, CDAQ discovered that NewKor was operating under expired permits and also that NewKor's emissions of VOCs are higher than previously thought. It has since been determined that the facility is a "major source" of VOCs and hazardous air pollutants, on both an actual and potential basis, as defined in OAC Rule 3745-77-01(W). Based on records reviewed by CDAQ, the facility has been a major source of VOCs and hazardous air pollutants prior to and at all times since Mr. Barr took ownership of the facility in 1999. As a major source, NewKor failed to submit a timely Title V permit application and pay the associated Title V fees, in violation of OAC Rules 3745-77-02, 3745-77-04 and 3745-78-02, and ORC § 3704.05(G) and (J)(2).

Upon being notified of the above violations by CDAQ in 2008, Mr. Barr began working with OCAPP to develop a permitting strategy. Mr. Barr and OCAPP were unable to develop a permitting strategy that would allow NewKor to avoid obtaining a Title V

permit. NewKor has also unsuccessfully attempted to adjust the solvent content in its coating mixture to lower emission levels to below the Title V permitting threshold.

While reviewing applicable rule requirements for NewKor, it was determined that OAC Rule 3745-21-11, which was rescinded in April 2009, would have applied to NewKor at the time that Mr. Barr took ownership of the facility. OAC Rule 3745-21-11 required any facility that has the potential to emit one hundred tons or more of VOCs to complete an engineering study to determine the technical and economic feasibility of reducing the VOC emissions from the sources at the facility. We have determined that NewKor had and continues to have a potential to emit greater than one hundred tons of VOCs per year and did not complete the engineering study required by OAC Rule 3745-21-11, in violation of that rule and ORC § 3704.05(G). (Because this facility is a major source of VOC emissions and has been located in an ozone nonattainment area, RACT requirements should have been established for this facility, in OAC Chapter 3745-21, over 10 years ago. That didn't happen because CDAQ, until recently, was not aware that this major source existed.)

In the Orders DAPC is seeking to have NewKor perform a study similar to what was previously required and institute reasonably available control technology ("RACT") control measures. This is because DAPC believes such a study and controls are needed to reduce the odor nuisance.

**Action:** On January 12, 2010, proposed Director's Final Findings and Orders ("F&Os") were issued to NewKor. The F&Os propose to require NewKor to:

1. Pay a civil penalty of \$155,000, of which 20% would go to the Clean Diesel School Bus Program Fund as a SEP.
2. Submit a Title V permit application within 90 days of the effective date of the F&Os.
3. Submit Title V permit fee emission reports within 120 days of the effective date of the F&Os for calendar years 1999 through 2008.
4. Within 150 days of the effective date of the F&Os, complete and submit an engineering study to DAPC to determine whether it is cost effective to control VOC emissions responsible for odor complaints. The engineering study will follow the same basic outline as the RACT requirements in OAC Rule 3745-21-11. Since OAC Rule 3745-21-11 was rescinded in April 2009, DAPC's ability to require NewKor to complete the RACT study is

legally questionable even though case law would indicate that pursuit of criminal penalties would be allowed. DAPC does not have the authority to require NewKor to complete the RACT study. DAPC's hope is that it will be able to persuade NewKor to complete the engineering study in exchange for some mitigation of the penalty. If NewKor does not complete the engineering study, DAPC would have to complete the study and then go through the rulemaking process in order to establish applicable emissions limits for NewKor.

**Case Continued**



<b>Case Number:</b> 2878	<b>Dates:</b>
<b>Entity:</b> Pexco Packaging Corp.	<b>EAR:</b> 12/01/09
<b>Field Office:</b> TDOES	<b>DWL:</b> 01/12/10
<b>Contact:</b> Eric Yates / John Paulian	<b>F&amp;Os:</b> N/A
<b>Attorney:</b> Donald L. Vanterpool	<b>Referral:</b> N/A
	<b>Dismissal:</b> N/A

**Background:** Pexco Packaging Corp. ("Pexco") operates a manufacturing facility located at 795 Berdan Avenue in Toledo (OEPA facility ID # 0448011635). At the facility, Pexco manufactures plastic bags and other plastic products used in the grocery and retail markets.

On January 13, 2009, PTIO 01-04056 was issued for emissions units K001, K002 and K003 (flexographic printing presses). The PTIO was a renewal permit that replaced the original PTI issued in 1993. The new PTIO increased the record-keeping requirements required of the facility. Additionally, the new PTIO required the facility to conduct compliance testing of emissions units K001, K002 and K003 within 90 days of the permit being issued (i.e. by April 13, 2009).

To date, Pexco has failed to maintain the new records required by the PTIO and has failed to conduct compliance testing as required by the PTIO.

The City of Toledo Division of Environmental Services ("TDOES") informed Pexco of these violations of the PTIO in NOV letters dated April 28, July 20, and November 2, 2009. Pexco has stated that conducting compliance testing would create a financial

burden on the company. Pexco has committed to submit the records required by the permit but, to date, the records have not been submitted.

TDOES referred the case to Central Office hoping that a warning letter would provide the company with the motivation to submit the required records and also conduct the compliance testing required by the PTIO.

If Pexco fails to respond to a Director's warning letter, then DAPC's recommendation would be to pursue escalated enforcement through Findings and Orders with civil penalties.

**Action:** On January 12, 2010, a Director's warning letter was sent to Pexco to encourage it to follow the terms and conditions of its PTIO.

**Case Continued**



ACTIONS & MINUTES APPROVED BY:

  
Bob Hodanbosi, Chief, DAPC

**NEXT MEETING:**

January 28, 2010

3:00 p.m.

DAPC Room C

## PENDING AIR ENFORCEMENT COMMITTEE CASES

Total Unresolved Cases (82)

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
2527	Carneuse Lime, Inc., Maple Grove Facility (HPV)	NWDO	DV/UD	11/05/02	06/19/06
2671	Mar-Zane, Inc. (Plant #1)	CDO	MG/JP	12/11/06	10/25/07
2676	OmniSource Corporation - Lima Division	NWDO	MG/MM	02/23/06	11/08/07
2685	Quickrete - Cleveland Plant	Akron	DV/UD	10/17/07	12/14/07
2701 (VC)	City of Dayton, Advanced Wastewater Treatment Facility	RAPCA	BZ/JK	02/19/08	02/19/08
2722	Tuscarwas County YMCA, M-Cor Inc., Raeder Construction, et al.	SEDO	BZ/UD	12/20/07	05/05/08
2726	Glick Real Estate LTD/All-Type Demolition and Excavating (asbestos)	Canton	BZ/FU	05/19/06	05/19/08
2731 (112r)	H. B. Fuller Company	N/A	DV/KJ	03/26/08	06/04/08
2739	BP - Husky Refining LLC	TDES	BZ/JP	08/01/07	07/18/08
2744	The Afco Group (asbestos)	NEDO	BZ/JK	02/14/08	08/06/08
2745	OmniSource Corporation	NWDO	MG/MM	12/14/05	08/11/08
2752	Allied Corporation (Plant #75)	Akron	MG/JP	01/29/05	09/02/08
2775	Selvey's Dirt Works / Famous Supply (asbestos)	NWDO	DV/UD	06/12/08	11/05/08
2777	Sawbrook Steel LLC	HAMCO	BZ/MM	11/13/06	11/07/08
2781	Great Lakes Crushing, Ltd. (asbestos)	NEDO	SF/PP	06/18/08	11/18/08
2782	International Converter, Inc. - Caldwell (HPV)	SEDO	DV/FU	07/05/08	11/26/08
2789	Complete Clearing, Inc. (asbestos)	NWDO	MG/PP	07/09/08	02/05/09
2790	Erie Materials, Inc.	NWDO	SF/TT	04/16/08	02/05/09
2791	Carneuse Lime, Inc. (Millersville) (HPV)	NWDO	DV/FU	02/14/06	02/09/09
2793	Combs' Trucking Incorporated	HAMCO	SF/MM	07/16/08	02/09/09
2794	Kenmore Construction Co., Inc.	Akron	DV/UD	05/14/08	02/13/09
2795	Evans Landscaping, Inc.	HAMCO	MG/TT	05/01/08	02/23/09
2803	Wheeling Brake Band & Friction Mfg., Inc./Investment Capital of America, Inc./Rob Burgess Enterprises, LLC (asbestos) (multi-media case, DSIWM lead)	SEDO	DV/PP	01/13/09	02/26/09
2806	Ramon Patel, d.b.a. Marathon Quick Mart	NEDO	DV/JK	10/21/08	03/02/09
2810	Ellwood Engineered Castings Co. (HPV)	NEDO	DV/TT	02/25/09	03/13/09

**PENDING AIR ENFORCEMENT COMMITTEE CASES**

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
2811	NewKor, Inc.	Cleve.	SF/EY	01/27/09	03/30/09
2814	Barrett Paving Materials, Inc. (HPV)	HAMCO	SF/PP	01/16/08	04/01/09
2815	Royal Sebring Properties, Inc., a.k.a. Zee Tech Warehousing	M-TAPCA	MG/JK	09/17/07	04/02/09
2817	S.H. Bell Company	NEDO	MG/TK	01/16/08	04/21/09
2819	Masonic Temple/The New Victorians, Inc./AHC, Inc. (asbestos)	CDO	DV/	01/24/08	04/27/09
2820	Bailey PVS Oxides Delta, L.L.C.	NWDO	MG/JK	03/29/07	04/27/09
2821	OmniSource Corporation, Mansfield Division	NWDO	MG/MM	05/08/08	05/04/09
2822	J. S. Paris Excavating, Inc./Signature Development Group, LLC (asbestos)	MTAPCA	SF/TT	03/11/08	04/28/09
2823	Rudzik Excavating, Inc./Charles J. Arendas (asbestos)	MTAPCA	DV/FU	02/27/09	05/11/09
2824	Ariel Corporation (HPV)	CDO	MG/EY	04/02/08	05/18/09
2826	Staker Alloys, Inc.	RAPCA	DV/FU	11/14/07	05/29/09
2827	Evelyn M. (Burger) Koch (asbestos)	MTAPCA	MG/UD	07/21/08	06/01/09
2829(VC)	ODNR, Division of Forestry (regarding the Shawnee State Forest open burning)	Ports.	DV/JP	04/24/09	06/03/09
2833	Veterans of Foreign Wars Post 6519 (asbestos)	Lake Co.	DV/TT	04/29/08	06/22/09
2834	Foti Contracting, LLC	Akron	MG/FU	10/23/08	06/29/09
2835	Elyria Foundry Company (HPV)	NEDO	SF/PP	10/18/07	07/13/09
2839	Liberty Gas USA, LLC (Middle Avenue GDF in Elyria and Clark Oil 1163 in Lorain)	NEDO	DV/JK	07/07/09	07/21/09
2840	Von Vittersan Le Copla USA LLC Delaware Corporation (asbestos)	MTAPCA	MG/UD	07/03/08	07/23/09
2841	Salvatore Sorice/Michael A. Kernan (asbestos)	MTAPCA	SF/MM	03/13/09	07/27/09
2844	Iten Industries, Inc. (Plant 1) (HPV)	NEDO	SF/MM	04/18/08	07/28/09
2847	Ultimate Building Systems, Ltd.	HAMCO	SF/FU	04/29/08	08/03/09
2848	Sandusky Dock Corporation	NWDO	BZJO	07/27/08	08/06/09
2849	Dean Calhoun/Tim Gearhart (asbestos)	NWDO	DV/MM	03/27/09	08/11/09
2850	Yochman Excavating, Inc. (open burning)	M-TAPCA	MG/PP	03/23/09	08/05/09
2852	AOHW Corporation/Hasper Leggett (asbestos)	M-TAPCA	DV/UD	03/25/09	08/11/09

## PENDING AIR ENFORCEMENT COMMITTEE CASES

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
2853	Valentine Contractors, Inc.	Akron	MG/TT	05/30/08	08/17/09
2854	Ohio Turnpike Commission (Vermillion Valley and Middle Ridge Service Plazas)	NEDO	SF/JK	05/19/09	09/03/09
2855	Lakeside Fuel Mini-Mart	NEDO	DV/JK	02/09/09	09/09/09
2856	Dorothy Jeannine Slessman	NWDO	MG/MM	08/02/09	09/14/09
2857	Pure Gas Incorporated (East Erie St. GDF in Lorain)	NEDO	SF/JK	09/09/09	09/22/09
2858	Burnham Foundry, LLC	SEDO	DV/TK	04/01/08	09/22/09
2859	Rollin Cooke, d.b.a. Concord Sunoco, Cooke's Car Care, Incorporated, and Munson Corners Sunoco	NEDO	MG/JK	07/20/09	09/17/09
2860	Richard C. Zahn	Akron	SF/PP	06/15/09	09/14/09
2861	Scott Klem	Akron	DV/TT	08/14/09	09/14/09
2864	Forest Creek Mobile Home Park	HAMCO	SF/FU	03/19/09	09/25/09
2865	Great Lakes Construction Co.	HAMCO	DV/UD	05/07/09	09/25/09
2866	3M Medina (HPV)	Akron	MG/PP	08/27/09	09/29/09
2867 (VC)	ODNR, Division of Forestry (regarding another Shawnee Forest open burning)	Ports.	SF/JP	04/02/09	09/02/09
2869	Bridgestone APM Company, Foam Products Division (HPV)	NWDO	DV/EY	02/11/08	10/06/09
2871	Ali Mohammad, d.b.a. Marathon Oil 2992	NWDO	SF/JK	05/12/09	10/15/09
2872	Piper Excavation (asbestos and open burning)	NWDO	DV/JK	11/24/08	11/03/09
2873	Hanani Marathon - Superior	Cleve.	MG/EY		11/04/09
2875	Belle-Aire Cleaners	Akron	DV/		11/13/09
2877	Murphy Oil USA, Inc. (GDFs #6630, #7294, and #7371)	NEDO	SF/JK	07/27/09	11/30/09
2878	Pexco Packaging Corp.	TDES	DV/EY	03/13/09	12/01/09
2879 (112r)	City of Youngstown Wastewater Treatment Plant	N/A	MG/SS		12/04/09
2880	Prime Properties Limited Partnership, d.b.a. Prime #5	Cleve.	SF/EY		12/07/09
2881	Tube City IMS, LLC	NWDO	DV		12/10/09
2883	The Andersons Marathon Ethanol, LLC	RAPCA	MG/		12/28/09
2884 (112r)	Eaton Aeroquip, Inc.	N/A	SF/KJ		12/30/09
2885	Hughes-Roller Building Co./Sovereign SP, LLC (asbestos)	NEDO	MG/UD	07/07/09	12/08/09
2886	David Rose, d.b.a. Rose Excavating/Jacqueline MacAleese (asbestos)	NEDO	DV/TT	10/17/08	12/08/09

**PENDING AIR ENFORCEMENT COMMITTEE CASES**

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
2887	Kimberly Dailey	SWDO	SF/EY		01/07/10
2888	Titan Tire Corporation	NWDO	MG/		01/20/10
2889	Kaz Paving, Inc./George Koustis (asbestos)	Lake Co.	DV/PP	01/08/09	01/15/10
2890	Seth Powers	Akron	SF/TT	02/05/09	01/15/10
2891	Stocker's Excavating LLC/Yoho Excavating, Inc. (asbestos)	MTAPCA	MG/FU	07/30/09	01/18/10

# Summary of the Final Disposition of Air Enforcement Committee Cases Processed During Calendar Year 2010

## January

Docket #	Case Name	Rank	Field Office	EC Contact	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	Direcor's F&O's	Referred to AGO
2870	Brent Saionz, d.b.a. Simon Excavating	3	NWDO	TK	TT	MG	10/15/09					01/13/10	
2874	Ron Smith	3	NWDO	TK	FU	SF	11/09/09					01/12/10	

**Total for the month of January = 8**

## Summary of Compliance with Effective Findings and Orders

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Ball & Sons Construction (11/08/96)	Civil penalty: (\$1,000.00)	563513	11/22/96	Y	FSC**
*****					
Smith Foundry & Machine Co. (12/31/96)	Civil penalty: (\$25,000.00)				
	\$5,000.00	530404	01/31/97		01/23/97
	\$5,000.00	530405	01/31/98		01/23/98
	\$5,000.00	530406	01/31/99		01/19/99
	\$5,000.00	530407	01/31/00	Y	ACT**
	\$5,000.00	541831	01/31/01	Y	ACT**
	AC		01/15/97		N/A*
	IC		06/16/97		N/A*
	CC		08/15/97		N/A*
	Conduct emission tests - submit results		10/15/97		N/A*
* The cupola has been removed. The 12/96 F&O's were revised to reflect the installation of electric induction furnaces rather than controls for the cupola.					
*****					
Mark Fuerst (02/08/00)	Civil penalty (\$10,000.00)				
	to ODNR \$2,000.00	606212	03/08/00	Y	FSC**
	to OEPA \$2,000.00	172154	04/08/00	Y	*
	\$2,000.00	172155	05/08/00	Y	FSC**
	\$2,000.00	172156	06/08/00	Y	FSC**
	\$2,000.00	172157	07/08/00	Y	FSC**
* Paid \$1,654 on 2/10/09. \$165.40 of that amount was paid to AGO.					
*****					
American Environmental Abatement Company, Inc. (12/29/00)	Civil penalty: (\$2,500)				
	to OEPA \$2,000	206005	01/12/01		01/16/01
	to ODNR \$500	564224	01/29/01	N	
*****					
Anco Properties (06/19/01)	Civil penalty: (\$23,000)				
	to OEPA \$4,600	224714	09/19/01	Y	FSC**
	\$4,600	224715	12/19/01	Y	FSC**
	\$4,600	224716	03/19/02	Y	FSC**
	\$4,600	224717	06/19/02	Y	FSC**
	to ODNR \$4,600	613129	07/19/01	N	FSC**
*****					
Superior Demolition and Excavating (12/28/01)	Civil penalty: (\$15,000)				
	to ODNR \$3,000	270395	01/11/02		01/10/02
	to OEPA \$3,000	270396	01/28/02		02/11/02
	\$3,000	270397	02/28/02		03/14/02
	\$3,000	270398	03/28/02		04/23/02
	\$3,000	270399	04/28/02	Y	UNC**
*****					

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	Cert. y/n	Completion Date	
Richard and Joby Hackett (04/04/02)	Civil penalty: (\$3,000)					
	to OEPA	\$150	279226	09/04/02	Y	RTN**
		\$150	279227	10/04/02	Y	RTN**
		\$150	279228	11/04/02	Y	RTN**
		\$150	279229	12/04/02	Y	RTN**
		\$150	279230	01/04/03	Y	RTN**
		\$150	279231	02/04/03	Y	RTN**
		\$150	279232	03/04/03	Y	RTN**
		\$1,350	279233	04/04/03	Y	RTN**
	to ODNR	\$150		05/04/02		
	\$150		06/04/02			
	\$150		07/04/02			
	\$150		08/04/02			
*****						
Schloss Materials Company (09/18/02)	Civil penalty: (\$6,000)					
	to OEPA	\$4,000	304257	10/02/02		09/30/02
	to ODNR	\$2,000	564243	10/18/02	N	
	pave entrance & access road to facility			10/31/02		06/03/04*
* CDAQ inspection date						
*****						
City of Oregon (09/16/02)	Civil penalty: (\$10,000)					
	to OEPA	\$8,000	304256	09/30/02		09/30/02
	to ODNR	\$2,000	564249	09/30/02	N	
	conduct asbestos fire training			02/01/03		01/8-14-15&29/03
*****						
Cleveland Industrial Drum Service, Inc. (10/30/02)	Civil penalty: (\$1,000)					
	to OEPA	\$800	314152	11/13/02		06/24/03
	to ODNR	\$200	564255	11/30/02	N	
*****						
M & J Excavating (11/27/02)	Civil penalty: (\$2,450)					
	to ODNR	\$490	564257	12/27/02		09/25/02
	to OEPA	\$392	333074	01/27/03	Y	09/27/03
		\$392	333075	02/27/03	Y	10/25/03*
		\$392	333076	03/27/03	Y	UNC
		\$392	333077	04/27/03	Y	01/24/04*
	\$392	333078	05/27/03	Y	01/24/04*	
*****						
Chris Corso (12/02/02)	Civil penalty: (\$7,000)					
	to OEPA	\$1,600	319940	12/16/02		12/16/02
		\$2,000	319941	03/02/03		09/04/03
		\$2,000	319942	06/02/03		09/27/03
	to ODNR	\$1,400	614162	01/02/03	N	
*****						

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Goldline Wrecking Co. (12/23/02)	Civil penalty: (\$35,000)				
	to OEPA \$ 8,000	333227	04/23/03		06/30/04*
	\$10,000	333228	12/23/03	Y	10/27/08**
	\$10,000	333229	06/23/04	Y	10/27/08**
	to ODNR \$ 7,000		01/23/03		01/22/03

\* The AGO Special Counsel collected \$8,134.92. The AGO kept \$723.13 of that amount.

\*\* Ohio EPA agreed to a payment of \$13,150 to satisfy the remaining claim of \$20,000. Special Counsel received \$4,339.50 and the AGO received \$1,183.50 of the \$13,150 for their collection services.

\*\*\*\*\*

Glo-Mar Masonry (02/06/03)	Civil penalty: (\$8,500)				
	to ODNR \$1,700	583375	03/06/03	Y	
	to OEPA \$ 500	336723	03/06/03	P	06/23/03
	\$2,100	336724	06/06/03	Y	01/24/04
	\$2,100	336725	08/06/03	Y	04/24/04
	\$2,100	336726	02/06/04	Y	03/26/05* (\$680.60)

\* Account Certified to AGO. Three partial payments made totaling (\$680), still owe \$1,419.40

\*\*\*\*\*

Ford Motor Company, Cleveland Casting Plant (12/24/03)	Civil penalty: (\$40,000)	413303	01/31/04		01/07/04
	Submit modeling analysis		02/29/04		

\*\*\*\*\*

Minerya Enterprises, Inc. (12/31/03)	Civil penalty: (\$41,125)				
	\$3,500	413351	01/31/04	Y	07/29/04a
	\$3,500	413352	03/02/04	Y	06/16/05b
	\$3,500	413353	04/02/04	Y	08/12/05c
	\$3,500	413354	05/03/04	Y	06/15/05d
	\$3,500	413355	06/03/04	Y	07/22/05e
	\$3,500	413356	07/04/04	Y	08/12/05f
	\$3,500	413357	08/04/04	Y	07/23/04
	\$3,500	413358	09/04/04	Y	12/24/05h
	\$3,500	413359	10/04/04	Y	12/24/05
	\$3,500	413360	11/04/04		07/29/05
\$3,500	413361	12/04/04	Y	11/10/05	
\$2,625	413362	01/04/05	Y	12/05/05i	

a. Paid \$3,501.92, of which \$315.17 was kept by AGO and \$3,186.75 was put into OEPA's account. The remaining \$1.92 is interest charged.

b. Paid \$53.70 to resolve this claim. \$4.83 of that amount was AGO's share. \$48.87 was put in OEPA's account.

c. Paid \$831.54 to resolve this claim. \$74.84 of that amount was AGO's share. \$756.70 was put in OEPA's account.

d. Paid \$3,574.03 to resolve this claim. \$321.66 of that amount was AGO's share. \$3,252.37 was put in OEPA's account.

e. Paid \$2,211.00 to resolve this claim. \$198.99 of that amount was AGO's share. \$2,012.01 was put in OEPA's account.

f. Paid \$3,903.47 to resolve this claim. \$351.31 of that amount was AGO's share. \$3,552.16 was put in OEPA's account.

h. Paid \$3,500 to resolve this claim. \$315 of that amount was AGO's share. \$3,185 was put in OEPA's account.

I. Paid \$1,141.96 to resolve claim. \$102.78 of that amount was AGO's share. \$1,039.18 was put in OEPA's account.

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Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date	
Hydraulic Press Brick (04/28/04)	Civil penalty: (\$19,000)					
	\$7,000	439209	05/12/04		05/12/04	
	\$7,000	439210	08/12/04		05/12/04	
	Submit P <sup>2</sup> reports			07/28/04		07/26/04
				10/28/04		10/25/04
				01/28/05		01/21/05
				03/28/05		N/A
Submit cost of P <sup>2</sup> study		04/05/05				
*****						
Kerry's Motor World (05/13/04)	Civil penalty: (\$3,000.00)	443684	05/27/04	Y		
*****						
John Dubuk (12/29/04)	Civil penalty: (\$10,000.00)					
	\$834.00	489979	01/28/05		01/24/05	
	\$834.00	489980	02/27/05		02/24/05	
	\$834.00	489981	03/29/05		03/26/05	
	\$834.00	489982	04/28/05	Y	07/29/06	
	\$834.00	489983	05/28/05	Y	UNC**	
	\$834.00	489984	06/27/05	Y	07/29/06	
	\$834.00	489985	07/27/05	Y	UNC**	
	\$834.00	489986	08/26/05	Y	UNC**	
	\$834.00	489987	09/25/05	Y	UNC**	
	\$834.00	489988	10/25/05	Y	UNC**	
\$834.00	489989	11/24/05	Y	UNC**		
\$826.00	489990	12/24/05	Y	UNC**		
*****						
C & J Contractors (12/21/04)	Civil penalty: (\$5,600.00)	479998	01/21/05	Y	*	
* This account is Certified and still open--various payments have been made (10/05-05/06) totaling \$2,150, leaving a balance of \$3,450. *****						
Bohanan Investments, Inc. (04/14/05 - Court Order, Default Judgement)	Civil penalty: (\$127,900.00)	550712	04/14/05	Y		
*****						

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date	
Columbus Steel Drum (07/06/05 - Consent Order)	Civil penalty: (\$500,000.00)					
	Bus Fund	\$25,000	514606	07/31/05	09/20/05	
		\$25,000	514607	10/01/05	10/12/05	
		\$25,000	514608	01/01/06	02/08/06	
		\$25,000	514609	04/01/06	04/21/06	
	OEPA	\$25,000	514163	07/01/06	07/10/06	
		\$25,000	514164	10/01/06	10/30/06	
		\$25,000	514165	01/01/07	01/09/07	
		\$25,000	514166	04/01/07	04/11/07	
		\$25,000	514167	07/01/07	08/01/07	
		\$25,000	514168	10/01/07	10/17/07	
		\$25,000	514169	01/01/08	03/12/08	
		\$25,000	514170	04/01/08	04/15/08	
		\$25,000	514171	07/01/08	07/01/08	
		\$25,000	514172	10/01/08	10/01/08	
		\$25,000	514173	01/01/09	04/08/09	
		\$25,000	514174	04/01/09	07/17/09	
		\$21,250	514175	07/01/09	10/15/09	
		\$21,250	726464	09/01/09	12/01/09	
		\$21,250	726465	11/01/09	11/30/09	
		\$21,250	726466	12/01/09		
		Submit PTI app. for K001-K003		08/06/05		05/31/05
		Award contracts		30 days from issuance of PTI		
	IC		60 days from issuance of PTI		07/16/06	
	CC		180 days from issuance of PTI		07/13/07	
	Perform stack tests		210 days from issuance of PTI		07/03/07	
	Submit ITT for P015 & P016		07/20/05		06/07/05	
	Perform stack tests		12/27/05		06/23/05	
	Submit PTI app. for P015 & P016		30 days after submission of test results		09/22/05	
	Award Contracts		30 days from issuance of PTI		*	
	IC		60 days from issuance of PTI		*	
	CC		120 days from issuance of PTI		*	
	Perform stack tests		150 days from issuance of PTI		*	
	Perform stack tests for P001, P005, P012 & P013		09/06/05		07/5-7/05	

\* PTI not issued due to the continued incomplete nature of the PTI application.

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Alfred Nickles Bakery, Inc. (08/24/05)	Civil penalty: (\$37,800)				
	OEPA	\$10,240	519964	09/24/05	09/23/05
	Bus Fund	\$7,560	519965	09/24/05	09/23/05
	Submit P <sup>2</sup> report			11/24/05	
	Submit P <sup>2</sup> report			02/24/06	
	Submit final P <sup>2</sup> report			05/24/06	
	Submit documentation of costs			08/24/06	

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Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date	
Shell Construction, Inc. (09/26/05)	Civil penalty: (\$3,700)					
	OEPA	\$100.00	526004	10/26/05	09/27/05	
		\$100.00	526005	11/25/05	11/10/05	
		\$100.00	526006	12/25/05	12/20/05	
		\$100.00	526007	01/24/06	10/28/06	
		\$100.00	526008	02/23/06	10/28/06	
		\$100.00	526009	03/25/06	10/28/06	
		\$100.00	526010	04/24/06	09/13/06	
		\$100.00	526011	05/24/06	09/13/06	
		\$100.00	526012	06/23/06	09/13/06	
		\$100.00	526013	07/23/06	09/13/06	
		\$100.00	526014	08/22/06	11/02/06	
		\$100.00	526015	09/21/06	11/02/06	
		\$100.00	526016	10/21/06	11/02/06	
		\$100.00	526017	11/20/06	11/02/06	
		\$100.00	526018	12/20/06	11/14/06	
		\$100.00	526019	01/19/07	11/30/06	
		\$100.00	526020	02/18/07	11/30/06	
		\$100.00	526021	03/20/07	12/18/06	
		\$100.00	526022	04/19/07	01/10/07	
		\$100.00	526023	05/19/07	02/02/07	
		\$100.00	526024	06/18/07	03/01/07	
		\$100.00	526025	07/18/07	03/12/07	
		\$100.00	526026	08/17/07	05/07/07	
		\$100.00	526027	09/16/07	06/27/07	
		\$100.00	526028	10/16/07	06/27/07	
		\$100.00	526029	11/15/07	06/27/07	
		\$100.00	529030	12/15/07	06/27/07	
		\$100.00	526031	01/14/08	08/13/07	
		\$100.00	526032	02/13/08	08/13/07	
		\$100.00	526033	03/14/08	10/24/07	
		\$100.00	526034	04/13/08	10/24/07	
		\$100.00	526035	05/13/08	10/24/07	
		\$100.00	526036	06/12/08	Y	05/07/09
		\$100.00	526037	07/12/08	Y	
		\$100.00	526038	08/11/08	Y	05/07/09
		\$100.00	526039	09/10/08	Y	05/07/09
		\$100.00	526040	10/10/08	Y	

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Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date	
Environmental Affairs Management (12/29/05)	Civil penalty: (\$10,000)					
	OEPA	\$1,000	541425		03/06/06	
		\$1,000	541426	03/29/06	Y	FSC**
		\$1,000	541427	05/28/06	Y	FSC**
		\$1,000	541428	06/27/06	Y	12/28/07
		\$1,000	541429	07/27/06	Y	FSC**
		\$1,000	541430	08/26/06	Y	FSC**
		\$1,000	541431	09/25/06	Y	FSC**
		\$1,000	541432	10/25/06	Y	ACT**
	Bus Fund	\$1,000	541433	01/28/06		01/25/06
	\$1,000	541434	02/27/06		02/25/06	

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Cargill, Incorporated (03/03/06 - Consent Decree) * - CD modification on 11/26/08	Civil penalty: (\$61,538)					
	OEPA	\$30,769	551695	03/27/06		04/03/06
	RAPCA	\$30,769	----	03/27/06		03/29/06
	Pay Title V permit fees	\$216,133.86		02/27/06		09/28/05
	Contribute \$75,000 to RAPCA's wood stove replacement program			04/15/06		03/21/06
	Retire B005			09/01/07		09/14/06
	Install LNB & FGR for B006			03/03/11		
	Propose final VOC solvent loss limit for Sidney			02/27/09		
	Comply w/final VOC solvent loss limit for Sidney			02/27/10		
	Meet 95% control for VOC or 10 ppm for P067 & P582 at Dayton			02/27/09		06/17/08
	Meet 98% control for VOC for P057, P031, P052, P088, & P072 at Dayton			09/01/10		
	Meet control equipment operating parameters for P032, P033 and P034 at Dayton			02/28/10*		
	Test and establish an allowable short-term VOC limit for each scrubber stack serving P032, P033 and P034 at Dayton			02/28/10*		
	Submit permit applications for P032, P033 and P034 at Dayton to incorporate control equipment operating parameters and VOC emission limits			09/01/10*		
	Submit PTI application to cap VOC and NOx emissions from Dayton at less than 854 tons/yr			09/01/10*		
	Comply w/ emission cap for Dayton			09/01/10*		
	Submit odor control optimization report for Dayton			09/01/06		08/29/06
	Meet 90% control for CO or 100 ppm for P067 and P582 at Dayton			02/27/09		06/17/08
	Meet 90% control for CO or 100 ppm for P057, P031, P052, P088 & P072			09/01/10		

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Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Sunoco, Inc. (03/20/06 - Consent Decree)	SEP Project (\$50,000)				
	Pay contractor for project		04/20/06		08/01/06
	Install SCR for FCCU		12/31/09		
	Install WGS for FCCU		12/31/09		
	Comply with NSPS for SO <sub>2</sub> and opacity for FCCU		12/31/09		
	Comply with NSPS for PM for FCCU		03/20/06		03/20/06
	Comply with NSPS for CO for FCCU		03/20/08		03/27/08
	Reduce NOx emissions from heaters and boilers greater than 40mm Btu/hr by at least 2,189 tons/yr		03/20/14		
	Achieve 2/3 of 2,189 tons/yr NOx reduction		03/20/10		
	Submit a detailed NOx Control Plan		07/20/06		07/05/06
	Install a second Claus train and 2 TGUs at the SRP		12/31/09		
	Submit optimization study for the SRP		09/20/06		09/10/06
	Implement recommendations of optimization study for SRP		03/20/07		03/12/07
	Propose interim performance standards for SRP		03/20/07		03/12/07
	Submit enhanced O & M plans for SRP and TGUs		09/20/06		09/08/06
	Submit Phase One review and verification of the TAB and BWON compliance status for 2 refineries		11/20/06		11/03/06
	Modify procedures for annual review of process information for benzene waste streams		09/20/06		08/01/06
	Implement annual benzene training for employees		06/20/06		06/08/06
	Develop SOPs for all benzene control equipment		09/20/06		09/08/06
	Submit schematics for waste/slop/off-spec oil streams		05/20/06		05/11/06
	Develop and submit written LDAR program		09/20/06		09/08/06
	Implement an LDAR training program		03/20/07		03/14/07
	Perform LDAR compliance audit		12/20/06		12/07/06
	Develop QA & QC procedures for LDAR monitoring		07/20/06		07/11/06
	Develop LDAR personnel accountability program		09/20/06		09/08/06
	Submit application to revise Title V permit to incorporate CD requirements		09/20/06		10/31/06

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David Scholl (09/25/06)	Civil penalty: (\$400)	584589	10/25/06		12/11/06* 05/26/07*
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\* Made a partial payment of \$200 on 12/11/06. \$200 was certified to AGO. Payment of \$180 + \$20 AGO portion was made on 5/26/07

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Alpha-Omega Chemical Company (12/14/06)				Civil penalty	
	OEPA	\$1,000	605635	05/14/07	08/20/07
		\$1,000	605636	09/14/07	Y
		\$1,200	605637	12/14/07	Y
	Bus Fund	\$ 800	605638	01/14/07	Y 07/29/07

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Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Astro Manufacturing & Design, Inc. (12/29/06)	Civil penalty (\$34,000)				
	OEPA	\$12,200	600221	01/29/07	01/23/07
	Bus Fund	\$ 6,800	600222	01/29/07	01/23/07
	Submit INR			01/29/07	11/30/06
	Submit semi-annual exceedance reports			01/29/07	04/12/07
	Submit detailed P <sup>2</sup> report			03/29/07	03/29/07
	Submit detailed P <sup>2</sup> report			06/29/07	
	Submit detailed P <sup>2</sup> report			09/29/07	
	Submit final P <sup>2</sup> report			11/29/07	
Submit PTI and Title V permit applications			03/01/07	11/30/06	
*****					
Gas and Oil, Inc. (03/14/07)	Civil penalty: (\$10,000)				
	OEPA	\$8,000	607778	06/14/07	Y BSC
	Bus Fund	\$2,000	607779	06/14/07	Y BSC
	Submit ITT			04/14/07	
	Conduct tests for #2, #3, #15 & #19			06/14/07	
	Submit test results			07/14/07	
	Submit PTO renewal application for #19			04/14/07	
*****					
Robert Henry and April Garner (07/11/07)	Civil penalty: (\$1,000)		616290	08/11/07	Y ACT
*****					
Eslich Wrecking Company (07/16/07 - Consent Order)	Civil penalty: (\$44,853)		623581	08/16/07	08/20/07
	(\$44,853 = 45% of \$99,674)				
	Submit survey and plan to install protective physical barrier			08/16/07	
	Install cap			w/i 60 days of OEPA approval of survey and plan	
Grant a new deed			w/i 30 days of OEPA approval of survey		
*****					
Avalon Cleaners (08/21/07)	Civil penalty: (\$1,000)				
	OEPA	\$250	624475	09/21/07	Y
		\$250	624476	10/21/07	Y
		\$250	624477	11/21/07	Y
		\$250	624478	12/21/07	Y
	Submit records & documentation			01/31/08	
Submit records & documentation			07/31/08		
*****					

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Tim Weiland (09/06/07)	Civil penalty: (\$250)	624378	10/06/07	Y	SKP
*****					
Alfred Nickles Bakery, Inc. (11/08/07)	Civil penalty: (\$60,250)				
	OEPA	\$46,200	634724	12/08/07	11/02/07
	Bus Fund	\$14,050	634725	12/08/07	11/02/07
	Submit P <sup>2</sup> report			02/08/07	
	Submit P <sup>2</sup> report			05/08/07	
	Submit P <sup>2</sup> report			08/08/07	
	Submit final P <sup>2</sup> report			10/08/07	
	Submit cost documentation			w/i 30 days of approval of report by OEPA	
*****					
The Premcor Refining Group, Inc. (11/20/07 - Consent Decree)	Civil penalty: (\$800,000)				
	OEPA	\$640,000	634775	12/20/07	12/19/07
	Bus Fund	\$160,000	634776	12/20/07	12/19/07
	Submit plan to meet .060 lb NO <sub>x</sub> /MMBtu for heaters and boilers			12/31/08	12/10/08
	Install controls to meet .060 lb NO <sub>x</sub> /MMBtu for heaters and boilers			12/31/11	
	Submit plan to meet .044 lb NO <sub>x</sub> /MMBtu for heaters and boilers			12/31/10	
	Install controls to meet .044 lb NO <sub>x</sub> /MMBtu for heaters and boilers			12/31/13	
	Submit report that demonstrates compliance with limits for heaters and boilers			03/31/12 03/31/14	
	Submit report re: the NO <sub>x</sub> concentration emissions for the FCCU thru optimization of O <sub>2</sub> CS			03/01/12	
	Submit report that demonstrates compliance w/ <u>interim</u> NO <sub>x</sub> system-wide average for FCCUs			03/31/11	
	Submit report that demonstrates compliance w/ final NO <sub>x</sub> system-wide average for FCCUs			03/31/14	
	Commence implementation of SO <sub>2</sub> adsorbing catalyst additive protocol for FCCU			11/20/07	09/07/07
	Comply w/ CO emission limit for FCCU			02/20/08	11/20/07
	Comply w/ opacity and PE limits for FCCU			12/31/13	
	Submit alternative monitoring plan application for NSPS Subpart J monitoring for SO <sub>2</sub> at FCCU			12/31/08	12/19/08

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
The Premcor Refining Group, Inc (Continued)	Discontinue burning of fuel oil in heaters and boilers		11/20/07		08/16/07
	Determine compliance w/ 6 BQ compliance option & submit a Benzene Waste NESHAP Compliance Review and Verification Report		03/01/08		03/14/08
	Submit a report re: carbon canisters installed pursuant to Subpart FF		02/20/08		02/12/08
	Develop annual training program for employees that draw benzene waste samples		02/20/08		03/19/08
	Develop SOPs for all control equipment used to comply w/ Benzene Waste NESHAP and complete initial training re: SOPs		11/20/08		05/19/08* 02/12/09**
	Develop and implement procedures to ensure QA/QC for all LDAR data	* Develops SOPs	02/20/08		** Training 01/25/08
	Develop program to hold LDAR personnel accountable for LDAR performance		11/20/07		06/28/07
	Establish a tracking program for valves and pumps that should be added to LDAR program		11/20/08		01/25/08
	Reroute any SRP sulfur pit emissions to eliminate emissions		11/20/08		11/03/08
	Provide description of causes of all acid gas flaring incidents from 1/1/02 thru 12/31/06		11/20/08		08/11/08
	Submit compliance plan for flaring devices		12/31/09		
	Certify compliance for all flaring devices		12/31/13		
	Complete design of compressor system for P025		12/20/07		01/03/08
	Complete installation of compressor system for P025		04/01/08		04/01/08
	Submit T5 permit applications to incorporate emission limits required by Consent Decree		12/31/07		06/12/08
	Pay \$200,000 to develop and implement a Traffic Signal Synchronization study for City of Lima		02/20/08		01/25/08
	Install controls for unregulated and uncontrolled relief vents at Refinery (spend \$675,000 for SEP)		12/31/09		
	Submit plan for the Lima Infrared Camera Imaging Project (spend \$50,000 for SEP)		02/20/08		02/12/08
	Transfer \$200,000 to LADCO for PM 2.5 speciation		02/20/08		01/18/08

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
The Premcor Refining Group, Inc (Continued)	Transfer \$50,000 to Ohio Environmental Council for control of emissions from municipal trucks and buses		02/20/08		01/18/08
*****					
E. I. Du Pont de Nemours & Company (11/06/07 - Consent Decree)	Civil penalty: (\$550,000) OEPA	\$440,000 634777	12/06/07		12/19/07
	Bus Fund	\$110,000 634778	12/06/07		12/19/07
	Comply w/ short-term SO <sub>2</sub> emission limit of 2.2 lbs/ton		03/01/11		
	Comply w/ Mass Cap of 281 TPY		03/01/13		
	Submit proposed O&M Plan for short-term SO <sub>2</sub> limit		11/01/10		
	Submit a complete T5 permit application for Consent Decree SO <sub>2</sub> limits		09/01/11		
*****					
Converters Prepress (12/06/07 - Consent Order)	Civil penalty: (\$5,004) OEPA	\$139.00 644190	01/06/08		02/22/08
		\$139.00 644191	02/06/08		03/26/08
		\$139.00 644192	03/06/08		03/26/08
		\$139.00 644193	04/06/08		04/04/08
		\$139.00 644194	05/06/08		05/05/08
		\$139.00 644195	06/06/08		05/30/08
		\$139.00 644196	07/06/08		07/14/08
		\$139.00 644197	08/06/08		08/04/08
		\$139.00 644198	09/06/08		08/29/08
		\$139.00 644199	10/06/08		09/29/08
		\$139.00 644200	11/06/08		11/06/08
		\$139.00 644201	12/06/08		12/02/08
		\$139.00 644202	01/06/09		12/30/08
		\$139.00 644203	02/06/09		02/09/09
		\$139.00 644204	03/06/09		03/11/09
		\$139.00 644205	04/06/09		03/31/09
		\$139.00 644206	05/06/09		05/05/09
		\$139.00 644207	06/06/09		06/01/09
		\$139.00 644208	07/06/09		07/06/09
		\$139.00 644209	08/06/09		08/07/09
		\$139.00 644210	09/06/09		
		\$139.00 644211	10/06/09		
		\$139.00 644212	11/06/09		
		\$139.00 644213	12/06/09		
		\$139.00 644214	01/06/10		
		\$139.00 644215	02/06/10		
		\$139.00 644216	03/06/10		
		\$139.00 644217	04/06/10		
		\$139.00 644218	05/06/10		
		\$139.00 644219	06/06/10		

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Converters Prepress (Con't)		\$139.00 644220	07/06/10		
		\$139.00 644221	08/06/10		
		\$139.00 644222	09/06/10		
		\$139.00 644223	10/06/10		
		\$139.00 644224	11/06/10		
		\$139.00 644225	12/06/10		
*****					
Real Spaces Property for Rent (12/31/07)	Civil penalty: (\$17,700)				
	OEPA	\$ 600.00 645338	01/30/08		02/07/08
		\$ 600.00 645339	02/29/08		03/12/08
		\$ 600.00 645340	03/30/08		05/05/08
		\$ 600.00 645341	04/29/08		06/09/08
		\$ 600.00 645342	05/29/08		07/03/08
		\$ 600.00 645343	06/28/08		08/04/08
		\$ 600.00 645344	07/28/08		09/11/08
		\$ 600.00 645345	08/27/08		11/17/08
		\$ 600.00 645346	09/26/08		01/13/09
		\$ 600.00 645347	10/26/08	Y	
		\$ 600.00 645348	11/25/08	Y	
		\$ 600.00 645349	12/25/08	Y	
		\$ 600.00 645350	01/24/09	Y	
		\$ 600.00 645351	02/23/09		
		\$ 600.00 645352	03/25/09		
		\$ 600.00 645353	04/24/09		
	\$ 600.00 645354	05/24/09			
	\$ 600.00 645355	06/23/09			
	\$3,360.00 645356	07/23/09			
	Bus Fund	\$3,560 645357	07/23/09		
*****					
Christopher Vincent (02/15/08)	Civil penalty: (\$1,000)	653134	03/16/08	Y	ACT
*****					
James Brown (03/11/08)	Civil penalty: (\$750)	653125	04/11/08	Y	ACT
*****					
Bates Recycling, Inc. (06/04/08)	Civil penalty: (\$1,000)	657594	06/18/08	Y	
*****					
Craig Eddy (06/04/08)	Civil penalty: (\$750)	657302	07/04/08	Y	
*****					
Warren Ropp (06/02/08)	Civil penalty: (\$250)	657293	07/02/08	Y	
*****					
JR's Truck Parts (06/02/08)	Civil penalty: (\$500)	657294	07/02/08	Y	
*****					

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Peter Backer (07/01/08)	Civil penalty: (\$750)	657790	07/31/08	Y	
*****					
W. A. Miller (07/16/08)	Civil penalty: (\$1,000)	666334	08/16/08	Y	*
* Partial payment of \$350 received 10/20/08 - Potential to Certify. *****					
Lanny Reynolds (07/16/08)	Civil penalty: (\$750)	666335	08/16/08	P	
*****					
Lance Dudgeon (07/09/08)	Civil penalty: (\$500)	659540	08/09/08	Y	
*****					
Johnathan Strickland (07/16/08)	Civil penalty: (\$2,000)	666331	08/16/08	Y	
*****					
Luci, Inc. (07/08/08)	Civil penalty: (\$10,000)				
	OEPA \$8,000	659538	08/08/08	Y	
	Bus Fund \$2,000	659539	08/08/08	Y	
*****					
Ford Motor Company (07/31/08)	Civil penalty: (\$1,400,000)				
	OEPA \$1,120,000	666337	08/31/08		08/18/08
	Bus Fund \$280,000	666338	08/31/08		08/18/08
	Shut down cupola 3 and mold line 7		12/31/08		12/11/08
	Shut down cupola 1 & 2 and mold lines 2 & 3		12/31/10		
*****					
Douglas Kehres (08/13/08)	Civil penalty: (\$500)	666363	09/13/08	Y	
*****					
Great Lakes Crushing Ltd. (10/01/08)	Civil penalty: (\$12,000)				
	OEPA \$9,600	686990	10/31/08	Y	09/10/09*
	Bus Fund \$2,400	686991	10/31/08	Y	04/23/09**
* Paid the \$9,600 plus \$1,095.45 in interest to AGO Revenue Recovery. AGO took \$1,069.55 for its collection efforts. ** AGO took \$240 of this amount for its collection efforts. *****					
Erie Materials, Inc. (09/24/08 - Consent Order)	Civil penalty: (\$180,000)				
	OEPA \$144,000	686933	10/24/08		12/03/08
	Bus Fund \$36,000	686932	10/24/08		12/03/08
	Conduct emission testing		w/i 60 days of permit issuance or w/i 60 days of startup of 2009 season if permit issued after 9/1/08		
	Pay emissions fees of \$7,330 for 1995 through 2007 for Sandusky and for 1999 through 2005 for Portage		10/24/08		10/09/08
*****					

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Robert Montgomery, Sr., d.b.a. Montgomery Auto Salvage (10/16/08)	Civil penalty: (\$3,000)	688462	11/15/08	Y	
*****					
Re-Gen, Inc. (01/15/09 - Consent Order)	Civil penalty: (\$70,000)				
	OEPA	\$28,000 709526	02/14/09		02/11/09
		\$28,000 709527	01/15/10		
	Bus Fund	\$ 7,000 709528	02/14/09		02/11/09
		\$ 7,000 709529	01/15/10		
	Submit complete approvable synthetic minor PTIO app.		w/i 60 days of resuming operations		
	Submit FERs for 1999-2007 and pay \$8,000 in past emission fees		upon receipt of invoice from OEPA		06/12/09
*****					
Ultimate Industries, Inc. (02/25/09 - Consent Order)	Civil penalty: (\$4,200)				
	EPA	\$175.00 712529	03/05/09		05/12/09
		\$175.00 712530	04/05/09		06/15/09
		\$175.00 712531	05/05/09		08/07/09
		\$175.00 712532	06/05/09		09/28/09
		\$175.00 712533	07/05/09		
		\$175.00 712534	08/05/09		
		\$175.00 712535	09/05/09		
		\$175.00 712536	10/05/09		
		\$175.00 712537	11/05/09		
		\$175.00 712538	12/05/09		
		\$175.00 712539	01/05/10		
		\$175.00 712540	02/05/10		
		\$175.00 712541	03/05/10		
		\$175.00 712542	04/05/10		
		\$175.00 712543	05/05/10		
		\$175.00 712544	06/05/10		
		\$175.00 712545	07/05/10		
		\$175.00 712546	08/05/10		
		\$175.00 712547	09/05/10		
		\$175.00 712548	10/05/10		
		\$175.00 712549	11/05/10		
		\$175.00 712550	12/05/10		
		\$175.00 712551	01/05/11		
		\$175.00 712552	02/05/11		
*****					
N-Viro International Corp. (03/24/09)	Civil penalty: (\$16,000)				
	OEPA	\$4,000 707974	07/22/09		04/22/09
		\$4,000 707975	10/20/09		07/21/09
		\$4,000 707976	01/18/10		10/19/09
		\$4,000 707977	04/18/10		01/15/10
	Bus Fund	\$4,000 707978	04/23/09		04/27/09
*****					

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Brush Wellman, Inc. (03/24/09)	Civil penalty: (\$40,000)				
	OEPA	\$28,000 711745	04/24/09		03/26/09
	Bus Fund	\$12,000 711746	04/24/09		03/26/09
	Install 3 TRIBO.d2 particulate emission monitors		09/24/09		
	Submit documentation of SEP cost		10/24/09		
*****					
Chemtrade Logistics Inc/Marsulex, (04/02/09 - Consent Decree)	Civil penalty: (\$120,000)				
	OEPA	\$72,000 712639	05/02/09		05/26/09
	Bus Fund	\$24,000 712640	05/02/09		05/26/09
	ODNR	\$24,000	05/02/09		
	Comply w/ short-term and long-term SO <sub>2</sub> emission rates:	Oregon	07/01/11		
		Cairo	07/01/11		
	Comply w/ acid mist emission rate:	Oregon	04/02/09		
		Cairo	07/01/11		
	Install SO <sub>2</sub> CEMS:	Oregon	07/01/11		
		Cairo	07/01/11		
	Perform compliance tests:				
	Submit O&M Plans:	Oregon	07/01/11		
		Cairo	07/01/11		
	Submit permit applications:	Oregon	07/01/11		
		Cairo	07/01/11		
Submit report re: how compliance will be achieved:	Oregon	01/01/13			
	Cairo	(365 days after acceptance of short-term limit)			
	Oregon	07/01/10			
	Cairo	07/01/10			
*****					
Lagrange Township Trustees (04/14/09)	Civil penalty: (\$250)	713233	05/14/09		
	Report the results of vehicle inspections		12/31/09		
*****					
George Rank (04/16/09)	Civil penalty: (\$500)	713237	05/16/09		
*****					
Richard Morrow (05/01/09)	Civil penalty: (\$3,000)	713246	05/15/09		
*****					
Lorain County Regional Transit Authority (05/15/09)	Civil penalty: (\$250)	714622	06/15/09		
*****					

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Container Recyclers, Inc. (d.b.a. Colimbus Steel Drum) (06/08/09 Amended Consent Order for stipulated penalties)	Stipulated penalty: (\$87,050)				
	OEPA	\$21,762.50 713429	10/23/09		10/21/09
		\$21,762.50 713430	01/18/10		
		\$21,762.50 713431	04/16/10		
	Bus Fund	\$10,881.25 713432	06/05/09		06/01/09
	\$10,881.25 713433	07/17/09		07/16/09	
*****					
Plasti-Kote Company, Inc. (06/17/09)	Civil penalty: (\$240,000)				
	OEPA	\$192,000 714631	07/01/09		08/21/09
	Bus Fund	\$48,000 714632	07/17/09		08/21/09
	Submit either a Title V permit app or a synthetic minor PTI/FESOP app		10/17/09		
*****					
T.S. Trim Industries, Inc. (06/17/09)	Civil penalty: (\$85,200)				
	OEPA	\$68,160 714704	07/17/09		06/25/09
	Bus Fund	\$17,040 714705	07/17/09		06/25/09
	Conduct emission tests		08/07/09		
	Submit test report		09/07/09		
*****					
Village of Gloria Glens (06/18/09)	Civil penalty: (\$250)	714659	07/18/09		
	Have all vehicles tested and report results		12/31/09		
*****					
Village of North Randall (06/30/09)	Civil penalty: (\$1,500)	714660	07/30/09		
	Have all vehicles tested and report results		12/31/09		
*****					
Leroy and Judith Schaffer (06/30/09)	Civil penalty: (\$250)	714661	07/30/09		
*****					
Precision Aggregates III, LLC (07/08/09)	Civil penalty: (\$15,000)				
	OEPA	\$4,500 715181	09/15/09		09/14/09
		\$7,500 715182	09/15/10		
	Bus Fund	\$3,000 715183	09/15/09		09/14/09
*****					
Village of Oakwood (07/07/09)	Civil penalty: (\$2,500)	714842	08/07/09		08/17/09
	Have all vehicles tested and report results		11/02/09		
*****					

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
The Belden Brick Company, L.L.C. (07/06/09 - Consent Order)	Civil penalty: (\$850,000)				
	OEPA	\$170,000 717042	08/06/09		08/17/09
		\$170,000 717043	07/06/10		
		\$170,000 717044	01/06/11		
		\$170,000 717045	07/06/11		
	Bus Fund	\$170,000 717046	08/06/09		08/17/09
	Pay \$334,514.43 for Title V permit emission fees for CY 2001 thru 2006			Upon receipt of invoice from OEPA	
	Submit SO <sub>2</sub> FERs for CY 1993 thru 2000		01/06/10		
	For Plant 8, pay difference in emission fees for CY 1999 and 2000		Upon receipt of invoice from OEPA		
*****					
Cleveland Board of Education (E-Check) (08/11/09)	Civil penalty: (\$5,000)	726483	09/11/09		09/01/09
	Have all vehicles tested and report results		12/31/09		
*****					
Saif Khan, d.b.a. Lakeland Citgo (08/20/09)	Civil penalty: (\$10,000)				
	OEPA	\$ 500 726488	09/20/09		08/06/09
		\$2,500 726489	12/20/09		11/30/09
		\$2,500 726490	03/20/10		
		\$2,500 726491	06/20/10		
	Bus Fund	\$2,000 726492	09/20/09		08/06/09
*****					
Joseph Parker (08/18/09)	Civil penalty: (\$250)	725188	09/18/09		
*****					
The Shelly Holding Company, et al. (09/02/09 - Court Order)	Civil penalty: (\$350,123.52)		10/02/09		
*****					
McCarthy Corporation (09/22/09)	Civil penalty: (\$3,000)	727233	10/05/09		09/29/09
*****					
Pioneer Environmental Companies (09/22/09)	Civil penalty: (\$7,000)				
	OEPA	\$2,100 727235	10/22/09		
		\$3,500 727236	03/22/10		
	Bus Fund	\$1,400 727237	10/22/09		
*****					
Total Environmental Services, LLC (09/17/09)	Civil penalty: (\$5,000)				
	OEPA	\$4,000 727529	10/01/09		09/18/09
	Bus Fund	\$1,000 727530	10/17/09		09/18/09
*****					

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Speedway SuperAmerica, LLC (09/22/09)	Civil penalty: (\$35,880)				
	OEPA	\$28,704	727238	10/05/09	09/29/09
	Bus Fund	\$7,176	727239	10/22/09	09/29/09
	Submit weekly inspection records			11/14/10	
	Submit weekly inspection records			11/14/11	
	Submit results of static leak and A/L ratio tests for 2010			04/14/10	
	Submit results of static leak and A/L ratio tests for 2010			09/14/10	
	Submit results of static leak and A/L ratio tests for 2011			04/14/11	
*****					
Stein, Inc. (10/13/09)	Civil penalty: (\$50,000)				
	Bus Fund	\$10,000	735700	11/13/09	10/23/09
	OEPA	\$10,000	735696	05/13/10	
		\$10,000	735697	08/13/10	
		\$10,000	735698	11/13/10	
	\$10,000	735700	02/13/11		
*****					
Joseph and Marie Eberz (10/19/09)	Civil penalty: (\$500)		735796	11/19/09	
*****					
CertainTeed Corp (10/19/09 - CO)	Civil penalty: (\$230,000)				
	OEPA	\$184,000	735799	11/19/09	11/05/09
	Bus Fund	\$ 46,000	735800	11/19/09	11/05/09
	Submit Title V permit appl.			w/i 90 days of issuance of PTI	
	Submit plan for measuring OC content of stone			01/19/10	
Submit FERs for 1993-1996			04/19/10		
*****					
Aleris International, Inc., et. Al. (10/30/09 - CO)	Civil penalty: (\$334,545)				
				when U.S. Bankruptcy court for District of Delaware decides	
	Install load cells to weigh flux			04/29/10	
	Submit Capture and Collection System Improvement Plan			11/29/09	
	Complete all improvements described in CCSIP			04/29/10	
	Measure fan RPM			01/29/10	
	Measure static pressure of air curtain			01/29/10	
	Perform compliance tests			10/29/10	
	Submit test results			12/29/10	
	Submit HCI PTE analysis			12/29/10	
	Conduct additional compliance tests			03/29/10	
	Comply with all requirements of Subparts A and RRR			09/29/10	
*****					

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Circle K Midwest (GDFs 5204, 5209, 5318, 5320, 5557, 5558, 0059, and 5217) (11/04/09)	Civil penalty: (\$100,000)				
	OEPA	\$80,000 735797	12/04/09		11/13/09
	Bus Fund	\$20,000 735798	12/04/09		11/13/09
	Perform static leak & A/L ratio tests at each GDF		03/31/10		
			08/31/10		
			03/31/11		
			08/31/11		
*****					
Rascal House Pizza (11/12/09)	Civil penalty: (\$10,000)				
	OEPA	\$1,250 746346	12/12/09		12/07/09
		\$1,250 746347	03/12/10		
		\$1,250 746348	06/12/10		
		\$1,250 746349	09/12/10		
		\$1,250 746350	12/12/10		
		\$1,250 746351	03/12/11		
		\$1,250 746352	06/12/11		
	\$1,250 746353	09/12/11			
*****					
Great Plains Exploration (11/12/09)	Civil penalty: (\$19,000)				
	OEPA	\$1,000 746093	03/01/10		
		\$1,000 746094	04/01/10		
		\$1,000 746095	05/01/10		
		\$1,000 746096	06/10/10		
		\$1,000 746097	07/01/10		
		\$1,000 746098	08/01/10		
		\$1,000 746099	09/01/10		
		\$1,000 746100	10/01/10		
		\$1,000 746101	11/01/10		
		\$1,000 746102	12/01/10		
		\$1,000 746103	01/01/11		
		\$1,000 746104	02/01/11		
		\$1,000 746105	03/01/11		
		\$1,000 746106	04/01/11		
		\$1,000 746107	05/01/11		
		Bus Fund	\$1,000 746108	11/01/09	
		\$1,000 746109	12/01/09		
		\$1,000 746110	01/01/10		
		\$1,000 746111	02/01/10		
*****					
Sunoco, Inc. (Toledo Refinery) (11/12/09)	Civil penalty: (\$32,250)				
	OEPA	\$25,800 746355	11/26/09		11/06/09
	Bus Fund	\$6,450 746356	12/12/09		11/06/09
	Complete corrective actions in Finding 15(a) and submit documentation		12/31/09		
	Correct deficiencies in butane sphere inspection reports and submit documentation		06/30/10		
	Resolve compliance audit findings in Finding 14(c) and submit documentation		12/31/09		
*****					

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Thermo-Rite Manufacturing Company, Inc. (12/02/09)	Civil penalty: (\$36,000)				
	OEPA	\$ 800	747314	03/01/10	
		\$2,000	747315	04/01/10	
		\$2,000	747316	05/01/10	
		\$2,000	747317	06/01/10	
		\$2,000	747318	07/01/10	
		\$2,000	747319	08/01/10	
		\$2,000	747320	09/01/10	
		\$2,000	747321	10/01/10	
		\$2,000	747322	11/01/10	
		\$2,000	747323	12/01/10	
		\$2,000	747324	01/01/11	
		\$2,000	747325	02/01/11	
		\$2,000	747326	03/01/11	
		\$2,000	747327	04/01/11	
	\$2,000	747328	05/01/11		
	Bus Fund	\$2,000	747329	12/01/09	11/30/09
		\$2,000	747330	01/01/10	12/23/09
		\$2,000	747331	02/01/10	01/21/10
		\$1,200	747332	03/01/10	
*****					
D & R Supply, Inc. (12/02/09)	Civil penalty: (\$20,000)				
	OEPA	\$5,000	746313	01/01/10	12/22/09
		\$2,750	746314	04/01/10	
		\$2,750	746315	07/01/10	
		\$2,750	746316	10/01/10	
		\$2,750	746317	01/01/11	
	Bus Fund	\$4,000	746318	12/01/09	11/06/09
*****					
Evonik Degussa Engineered Carbons Corp. (12/17/09)	Civil penalty: (\$34,310)				
	OEPA	\$27,448		01/17/10	12/17/09
	Bus Fund	\$ 6,862		01/14/10	12/17/09
*****					
Emery Oleochemicals, LLC (12/17/09)	Civil penalty: (\$57,400)				
	OEPA	\$28,700	747345	12/31/09	12/09/09
	Bus Fund	\$28,700	747346	12/31/09	12/09/09
	For odor emission control system for P004				
	(penalty credit project):				
		submit plans		03/01/10	
		issue purchase odors		07/01/10	
		initiate construction		10/01/10	
		complete construction		12/31/10	
		submit documentation of spending at least \$340,000		01/31/11	
*****					

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Quality Ready Mix, Inc. (12/22/09)	Civil penalty: (\$15,000) OEPA Bus Fund	\$12,000 \$ 3,000	01/05/10 01/05/10		01/05/10 01/05/10
*****					
Robert Schiekh (12/22/09)	Civil penalty: (\$750)		01/22/10		
*****					
D. Todd Hosea, d.b.a. Hosea Project Movers (12/23/09)	Civil penalty: (\$22,000) OEPA Bus Fund	\$4,400 \$4,400 \$4,400 \$4,400 \$4,400	03/23/10 06/23/10 09/23/10 12/23/10 01/23/10		
*****					
Randy Wise (12/23/09)	Civil penalty: (\$250)		01/23/10		
*****					
Ameriseal & Restoration, LLC (12/30/09)	Civil penalty: (\$6,700) OEPA Bus Fund	\$ 860 \$2,200 \$2,300 \$1,340	01/15/10 02/15/10 03/15/10 01/15/10		01/15/10 01/15/10
*****					
Republic Engineered Products, Inc. (12/30/09)	Civil penalty: (\$30,600) OEPA Bus Fund	\$24,480 \$ 6,120	02/15/10 02/15/10		
*****					
Mark A. Mirich, d.b.a.	Civil penalty: (\$25,000)	\$800	02/15/10		
		\$800	03/15/10		
		\$800	04/15/10		
		\$800	05/15/10		
		\$800	06/15/10		
		\$800	07/15/10		
		\$800	08/15/10		
		\$800	09/15/10		
		\$800	10/15/10		
		\$800	11/15/10		
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		\$800	01/15/11		
		\$800	02/15/11		
		\$800	03/15/11		
		\$800	04/15/11		
		\$800	05/15/11		
		\$800	06/15/11		
		\$800	07/15/11		
		\$800	08/15/11		
		\$800	09/15/11		
		\$800	10/15/11		

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Mark A. Mirich, d.b.a. All Demolition (Con't) (12/28/09 - CO)	OEPA (Con't)	\$800	11/15/11		
		\$800	12/15/11		
		\$800	01/15/12		
	Bus Fund	\$800	02/15/12		
		\$200	02/15/10		
		\$200	03/15/10		
		\$200	04/15/10		
		\$200	05/15/10		
		\$200	06/15/10		
		\$200	07/15/10		
		\$200	08/15/10		
		\$200	09/15/10		
		\$200	10/15/10		
		\$200	11/15/10		
		\$200	12/15/10		
		\$200	01/15/11		
		\$200	02/15/11		
		\$200	03/15/11		
		\$200	04/15/11		
		\$200	05/15/11		
		\$200	06/15/11		
		\$200	07/15/11		
		\$200	08/15/11		
\$200	09/15/11				
\$200	10/15/11				
\$200	11/15/11				
\$200	12/15/11				
\$200	01/15/12				
\$200	02/15/12				
*****					
Tinkler Construction, Co. (12/30/09 - CO)	Civil penalty: (\$14,500)				
	OEPA	\$11,600	01/30/10		
	Bus Fund	\$ 2,900	01/30/10		
*****					
Sugar Creek Packing Co. (01/14/10) (Washington Courthouse)	Civil penalty: (\$5,312)				
	OEPA	\$4,250	01/28/10		01/07/10
	Bus Fund	\$1,062	01/28/10		01/07/10
*****					
Sugar Creek Packing Co. (01/14/10) (Dayton)	Civil penalty: (\$10,880 w/ SEP)				
	OEPA	\$4,656	01/28/10		01/07/10
	Bus Fund	\$2,176	01/28/10		01/07/10
*****					
New Day Farms, LLC, et al. (01/11/10)	Civil penalty: (\$55,200)				
	OEPA	\$44,160	02/11/10		
	Bus Fund	\$11,040	02/11/10		
*****					

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
ConSun Food Industries, Inc. (01/14/10)	Civil penalty: (\$17,250) OEPA	\$1,600 \$4,000 \$4,000 \$4,200	02/14/10 05/14/10 08/14/10 11/14/10		
	Bus Fund	\$3,450	02/14/10		
	Perform static leak & A/L ratio tests at each		03/31/10		
	GDF		08/31/10 03/31/11 08/31/11		
*****					
Brent Saionz, d.b.a. Simon Excavating (01/13/10)	Civil penalty: (\$2,000)		01/27/10		
*****					
Ron Smith (01/12/10)	Civil penalty: (\$250)	748562	02/12/10		01/18/10
*****					

- \*\* FSC - Assigned to a Special Counsel
- ACT - Account is being collected in house
- UNC - Account has been placed in a currently uncollectible status
- RTN - Returned from Special Counsel, Unpaid
- PIF - Account is paid in full
- SKP - Account is in the skip tracer desk