

AGENDA FOR THE DECEMBER 17, 2009 EC MEETING

CASES TO BE CLOSED:

Emery Oleochemicals LLC (HPV)	#2723	HAMCO	Final F&Os	Tom/Don
Evonik Degussa Engineered Carbons Corporation (HPV)	#2783	SEDO	Final F&Os	Tom/Marc
Convenient Food Mart, Inc., No. 391	#2799	NEDO	No Further Action	Tom/Steve
Barberton Steel Industries, Inc.	#2830	Akron	No Further Action	Tom/Marc
Uni-Mart, Inc. (GDFs #04767, #04768 and #74775)	#2836	NEDO	AGO Referral	Tom/Don
Duff Quarry, Inc.	#2842	SWDO	Final F&Os	John/Don

PENDING CASES:

Tuscarawas County YMCA	#2722	SEDO	Prop. F&Os	Tom/Bryan
Glick Real Estate Ltd.	#2726	Canton	Prop. F&Os	Tom/Bryan
Pure Gas Incorporated	#2857	NEDO	Prop. F&Os	Tom/Steve
Bridgestone APM Company, Foam Products Division	#2869	NWDO	Prop. F&Os	John/Don
Ali Mohammad, d.b.a. Marathon Oil 2992	#2871	NEDO	Prop. F&Os	Tom/Steve
Hanini Properties, LLC, d.b.a. Hanini Marathon	#2873	Cleveland	Prop. F&Os	John/Marc

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) **John is scheduled to provide food for today's meeting at 3:00 p.m. in DAPC Rm C.**
- (5) The next and the year's last EC meeting is scheduled for Thursday, December 31, 2009 at 3:00 p.m. in DAPC Rm C. Don is scheduled for food. (Future food schedule: Bryan for January 14; Marc for January 28.)

ENFORCEMENT COMMITTEE MEETING MINUTES

(December 17, 2009)

Case Number: 2723	Dates:
Entity: Emery Oleochemicals LLC (HPV)	EAR: 05/19/08
Field Office: HAMCO	DWL: N/A
Contact: Patty Porter/Tom Kalman	F&Os: 12/17/09
Attorney: Donald L. Vanterpool	Referral: N/A
	Dismissal: N/A

Background: On October 16, 2009, proposed Director's Final Findings and Orders ("F&Os") were sent to Emery Oleochemicals LLC ("Emery") to attempt an administrative settlement of the violations of air pollution control rules, permits and laws at its chemical manufacturing facility located at 4900 Este Avenue in Cincinnati, Ohio. The F&Os proposed to require Emery to pay Ohio EPA a civil penalty of \$242,000 within 14 days after the effective date of the F&Os, of which \$48,400 of the penalty was to be directed to Ohio EPA's Clean Diesel School Bus Program Fund as a SEP.

The proposed F&Os addressed the following violations:

- (1) Failing to comply with the May 27, 2006 deadline for compliance with OAC Rule 3745-21-13 for emissions units P010 and P017 due to Emery's need to determine the applicability of the rule and to evaluate and identify the most effective compliance option, in violation of OAC Rule 3745-21-13 and ORC § 3704.05(G). OAC Rule 3745-21-13 was violated because, even though the current control devices provide the required degree of control, the packed tower scrubbers are not combustion control devices and do not qualify as a control option, and the existing catalytic oxidizers would not provide the required 90 percent overall control efficiency. The violations occurred from May 27, 2006 to January 23 and 24, 2008, when stack tests demonstrated compliance for emissions units P010 and P017 after new regenerative thermal oxidizers ("RTOs") were installed and began operation on November 12, 2007.
- (2) Failing to comply with the organic compound ("OC") emissions limitations of 2.59 pounds of OC per hour ("lbs of OC/hr") and 2.54 lbs of OC/hr for emissions units P010 (building 60 ozonolysis process with packed tower scrubber and catalytic oxidizer) and P017 (building 68 ozonolysis process with packed tower scrubber

and catalytic oxidizer), respectively, specified in PTI #14-04576 and the Title V permit, in violation of ORC § 3704.05(C). The violations for emissions unit P017 occurred from June 6, 2007 (failing test measured 6.08 lbs of OC/hr) to September 7, 2007 (failing test measured 2.61 lbs of OC/hr) and to January 24, 2008 (complying test measured 0.062 lb of OC/hr). The violations for emissions unit P010 occurred from September 6, 2007 (failing test measured 2.93 lbs of OC/hr) to January 23, 2008 (complying test measured 0.102 lb of OC/hr). Emery initially made modifications to the control devices and did quarterly stack testing during this period to try to show compliance. After the September 2007 failing tests, Emery shut down emissions units P010 and P017 and replaced the catalytic oxidizers with new regenerative thermal oxidizers ("RTOs") and recommenced operation of emissions units P010 and P017 with the RTOs on November 12, 2007.

- (3) Failing to comply with the particulate emissions ("PE") limitation of 0.06 pound of PE per million Btu ("lb of PE/MM Btu") in the Title V permit and PTI #14-312 for emissions unit B028, a 38.2 million Btu per hour coal/fuel oil-fired boiler with baghouse, in violation of ORC § 3704.05(C) and (J)(2). The violation occurred from May 14, 2008 (date of first failed test measuring 0.716 lb of PE/MM Btu) to August 15, 2008 (the date of a complying test measuring 0.011 lb of PE/MM Btu). Emery switched from coal firing to number 4 fuel oil firing to lower PE from the boiler; however, Emery still failed a July 11, 2008 stack test measuring 0.09 lb of PE/MM Btu.

(See the EC Meeting Minutes of October 22, 2009 for additional background information.)

On November 19, 2009, a meeting was held between Ohio EPA and Emery to discuss settlement of the violations via the proposed F&Os. A significant reduction in the proposed civil penalty was made upon use of Emery's net worth value rather than the net worth of the former owner of the facility (Cognis). A tentative settlement was reached which included a proposed SEP for further odor nuisance control. Details of the proposed SEP were sent to Ohio EPA on December 4, 2009. Emery accepted the revised proposed F&Os sent to it by Ohio EPA and returned signed F&Os to Ohio EPA.

Action: On December 17, 2009, final F&Os were issued to Emery. The F&Os require Emery to do the following:

- (1) Pay a civil penalty of \$143,500 for the violations that occurred;

- (2) Pay \$28,700 of the total civil penalty to Ohio EPA within 14 days after the effective date of the F&Os;
- (3) Pay \$28,700 of the total civil penalty to Ohio EPA's Clean Diesel Program Fund as a SEP within 14 days after the effective date of the F&Os; and
- (4) In lieu of paying the remaining \$86,100 of the total civil penalty and as a penalty credit project to prevent an odor nuisance in the neighborhood due to the Southeast Tank Farm at the facility, expend at least \$340,000 to install and operate, by not later than December 31, 2010, an odor emission control system for the tank vent emissions from the six tanks that are used primarily for intermediate storage of pressure split tallow fatty acids and are identified as part of emissions unit P004 (High Pressure Splitters 2 – 6) and the one tank used as a stormwater retention tank, to a new vent collection system header that will route the emissions to either a biofilter or a venturi scrubber for control;
- (5) Operate and maintain the odor emission control system in a manner that achieves maximum effectiveness for odor emission reduction;
- (6) Obtain a PTI modification for emissions unit P004 that includes operating parameter monitoring, record-keeping, reporting, and testing requirements for the biofilter or venturi scrubber to ensure good operation and maintenance of the odor emission control system; and
- (7) Submit progress reports for the odor emission control system project and documentation of expenditure of at least \$340,000, on a specified basis.

Case Closed



Case Number: 2783	Dates:
Entity: Evonik Degussa Engineered Carbons Corporation	EAR: 11/26/08
Field Office: SEDO	DWL: N/A
Contact: Tan Tran/Tom Kalman	F&Os: 12/17/09
Attorney: Marcus Glasgow	Referral: N/A
	Dismissal: N/A

Background: On October 22, 2009, proposed Director's Final Findings and Orders ("F&Os") were sent to Evonik Degussa Engineered Carbons Corporation ("Degussa") to attempt an administrative settlement of the Title V permit and rule violations that occurred at its carbon black production facility located at 11135 State Route 7 in Belpre (Washington County), Ohio. The violations were associated with Degussa's four carbon black production units ("units 1 through 4"), which are identified by Ohio EPA as emissions units P001, P002, P011 and P012. Carbon black produced in emissions units P001 and P002 are further processed in dryers (emissions units P005 and P006). Emissions units P001 and P002 are vented to a common flare for oxidation, while emissions units P011 and P012 are vented to a common thermal incinerator for oxidation.

The proposed F&Os addressed the following violations by Degussa at the facility:

- (1) Degussa violated its Title V permit by failing to keep the average combustion temperature within the thermal incinerator serving emissions units P011 and P012, for any three-hour block of time when an emissions unit was in operation, at not more than 50 degrees Fahrenheit below the average temperature during the most recent emission test that demonstrated the emissions units were in compliance (average test temperature was 1,632 degrees Fahrenheit on January 10, 2008). There were 906 hours of operation in the 1st quarter of 2008, 1,715 hours of operation in the 2nd quarter of 2008, 1,608 hours of operation in the 3rd quarter of 2008, and 537 hours of operation in the 4th quarter of 2008 during which Degussa failed to maintain the average combustion temperature inside the thermal incinerator serving emissions units P011 and P012 within the required range, in violation of the Title V permit and ORC § 3704.05(C) and (J)(2). On March 17, 2009, another stack test was performed for emissions units P011 and P012 during which compliance with emission limitations was demonstrated at a new lower incinerator temperature of 1,461 degrees Fahrenheit.
- (2) Degussa failed stack tests performed on emissions units P001 and P002 on January 10, 2008, during which actual NOx and VOC emission rates were measured at 52.8 pounds per hour and 11.4 pounds per hour, respectively.

These results exceeded the allowable NOx and VOC emission rates of 43.7 pounds per hour and 9.4 pounds per hour, respectively, in violation of a PTI modification and ORC § 3704.05(C). A retest was conducted on May 7, 2008, and compliance was shown, with actual NOx and VOC emission rates of 5.3 pounds per hour and 9.2 pounds per hour, respectively.

- (3) Degussa failed to immediately notify Ohio EPA on October 16, 20 and 31 and November 5, 2008 of five malfunctions concerning other emissions units at the facility, i.e., emissions units F003 and/or F004, in violation of the Title V permit, OAC Rule 3745-15-06(B)(1), and ORC § 3704.05(G).

The F&Os proposed to require Degussa to pay a civil penalty of \$58,000 in the following manner:

- (1) \$36,400 payable to Ohio EPA within 30 days after the effective date of the F&Os;
- (2) \$11,600 payable to Ohio EPA's Clean Diesel School Bus Program Fund as a SEP, within 30 days after the effective date of the F&Os; and
- (3) \$10,000 payable toward the performance of a pollution prevention study of the facility and the completion of such study within 330 days after the effective date of the F&Os.

The penalty (\$23,000) for the violations of the combustion temperature restriction for the incinerator for emissions units P011 and P012 was mitigated by 65 percent (\$14,950) due to the subsequent complying VOC emission test at a lower average combustion temperature.

(See the EC Meeting Minutes of October 22, 2009 for additional background information.)

In a letter dated November 9, 2009, Degussa's attorney submitted comments to Ohio EPA on the proposed F&Os, including a counteroffer of \$20,060, a redlined version of the F&Os, and supporting documentation. Degussa also elected not to perform a pollution prevention study. Ohio EPA sent Degussa's attorney revised proposed F&Os on December 1, 2009 that addressed Degussa's comments and proposed a counteroffer of \$42,850. In a letter dated December 3, 2009, Degussa's attorney submitted additional comments and a counteroffer of \$34,310.

A settlement was reached at a penalty of \$34,310 and with some revisions to the language in the F&Os.

Action: On December 17, 2009, final F&Os were issued to Degussa in resolution of

the violations. The F&Os require Degussa to pay a civil penalty of \$34,310 to Ohio EPA within 30 days after the effective date of the F&Os, of which \$6,862 will be directed to Ohio EPA's Clean Diesel School Bus Program Fund as a SEP.

Case Closed



Case Number: 2799	Dates:
Entity: Convenient Food Mart, Inc., No. 391	EAR: 02/24/09
Field Office: NEDO	DWL: N/A
Contact: Jim Kavalec/Tom Kalman	F&Os: 04/20/09 (prop.)
Attorney: Stephen Feldmann	Referral: N/A
	Dismissal: N/A

Background: On April 20, 2009, proposed Director's Final Findings and Orders ("F&Os") were sent to Convenient Food Mart, Inc., No. 391 ("CFM"), to attempt an administrative settlement of the violations that occurred at its gasoline dispensing facility ("GDF") located at 5068 North Ridge Road, Perry, Lake County, Ohio. The proposed F&Os addressed the following violations of air pollution control rules and law:

- (1) Operation of the GDF without applying for and obtaining an operating permit since the last permit expired on November 25, 1997 (under previous ownership) to the present, in violation of former OAC Rule 3745-35-02(A) and OAC Rule 3745-31-02;
- (2) Failure to maintain records demonstrating proof of attendance and completion of the training required for the operator or local manager of the GDF from at least March 29, 2007 to the present, in violation of OAC Rule 3745-21-09(DDD)(3)(a)(vi);
- (3) Failure to perform the annual testing required for the Stage II vapor control system at the GDF within one year from the last test, from March 29, 2007 to the present, and continuing to cause, allow, or permit the transfer of gasoline from the stationary storage tanks into motor vehicles without performing and successfully passing such testing requirements in OAC Rule 3745-21-09(DDD)(2), in violation of OAC Rules 3745-21-09(DDD)(2)(f) and 3745-21-09(DDD)(1)(c);

- (4) Failure to perform the dynamic pressure performance test within five years from the last test, from December 31, 2008 to the present, and continuing to cause, allow, or permit the transfer of gasoline from the stationary storage tanks into motor vehicles without performing and successfully passing such testing requirements in OAC Rule 3745-21-09(DDD)(2), in violation of OAC Rules 3745-21-09(DDD)(2)(d) and 3745-21-09(DDD)(1)(c);
- (5) Failure to submit the 2006 and 2007 fee emission report, which was due by April 15, 2008 (extended by Ohio EPA to June 6, 2008), in violation of OAC Rule 3745-78-02(D) and (G); and
- (6) Failure to comply with the above rules that were adopted by the Director of Ohio EPA pursuant to ORC Chapter 3704, in violation of the prohibition against rule violations in ORC § 3704.05(G).

The F&Os proposed to require CFM to submit a permit-by-rule notification and the 2006 and 2007 fee emission report for this GDF to Ohio EPA within 30 days after the effective date of the F&Os. Also, the F&Os proposed to require CFM to demonstrate that the vapor control system is operating correctly by conducting and passing the dynamic pressure performance test, the static leak test and A/L ratio test within 30 days after the effective date of the F&Os. The proposed F&Os would also require CFM to conduct weekly inspections of the Stage II vapor control system for the next two ozone seasons (2010 and 2011), checking for leaks, malfunctions or damage to the systems. Copies of records of these inspections and any repairs made must be submitted to Ohio EPA by August 14 for the period from March 15 to July 31 and by November 14 for the period from August 1 to October 31. Also, during the next two ozone seasons, the F&Os proposed to require CFM to perform static leak and A/L ratio tests at this GDF prior to the beginning (during March) of each ozone season and during August of each ozone season. The results of these tests must be submitted to Ohio EPA within 14 days after the date of the test. In addition, the F&Os proposed to require CFM, within 60 days after the effective date of the F&Os, to submit documentation to Ohio EPA demonstrating proof of attendance and completion of the required training. Lastly, the proposed F&Os would require CFM to pay Ohio EPA a civil penalty in the amount of \$30,400, from which \$6,080 would go towards the Ohio EPA's Clean Diesel School Bus Program Fund as a SEP.

(See the EC Meeting Minutes of April 23, 2009 for additional background information.)

It was determined that the owner of this GDF is in Arizona with no contact information, and that the son, who was the operator of this GDF, has disappeared. The GDF is not currently in operation.

Also, this GDF employs a different type of vapor control system that is not subject to the annual testing requirements in OAC Rule 3745-21-09(DDD)(2). It requires testing on an every five-year period.

The Northeast District Office of Ohio EPA ("NEDO") informed Central Office staff that its OCAPP representative sent CFM a letter explaining the requirements applying to its control system and offering to provide assistance if needed. NEDO indicated its office would be agreeable to closing this case if CFM would just pay its fees, submit a Permit-by-Rule notification, and start keeping the required records. NEDO stated that its office has not heard back from CFM.

On December 16, 2009, Central Office received a phone call from an individual who wanted to buy the GDF. He was informed of the need for a Permit-by-Rule notification and other necessary requirements.

Action: Since the operator of the GDF is no longer available, the GDF is not in operation, the annual testing violation is not applicable, and a new owner is likely probable in the near future, the DAPC EC decided to close this case at this time with no further enforcement action. NEDO agrees with this action.

Case Closed



Case Number: 2830	Dates:
Entity: Barberton Steel Industries, Inc.	EAR: 06/16/09
Field Office: Akron	DWL: 08/27/09
Contact: Muhammad Mereb/Tom Kalman	F&Os: N/A
Attorney: Marcus Glasgow	Referral: N/A
	Dismissal: N/A

Background: In a letter dated August 27, 2009, the Director of Ohio EPA requested Barberton Steel Industries, Inc. ("BSI"), which is a foundry located at 240 Huston Street in Barberton, Ohio, to submit complete Permit-to-Install-and-Operate ("PTIO") applications to the Akron Regional Air Quality Management District ("ARAQMD") within 14 days of receipt of the letter for the emissions units at its foundry. The letter indicated that failure to do so would result in Ohio EPA considering its enforcement options

including referral of the matter to the Attorney General's Office for legal action and assessment of civil penalties.

The warning letter was sent because BSI had been operating the following emissions units without permits to operate ("PTOs") and PTIOs since its PTOs had expired on May 13, 2004, in violation of former OAC Rule 3745-35-02 from May 13, 2004 to June 1, 2008; OAC Rule 3745-31-02(A)(1)(c) from June 1, 2008 to the present; and ORC § 3704.05(G):

<u>Emissions Unit</u>	<u>Company Identification</u>
F003	Large Casting Shakeout
F005	Small Casting Shakeout
P001	Large Table Blast
P002	Tumble Blast Casting
P003	Shot Blast Casting
P901	Large Lectromelt Electric Arc Furnace
P902	Small Lectromelt Electric Arc Furnace
P905	Dry Sand Reclaimer

As mentioned in the Director's warning letter, BSI did submit renewal applications to ARAQMD on May 18, 2009; however, those applications were incomplete and were returned to BSI on June 1, 2009. Complete application were not submitted and led ARAQMD to submit an Enforcement Action Request to Central Office on June 16, 2009.

On November 16, 2009, PTIO applications were submitted by BSI for all the emissions units at the facility except for emissions units F003, F005, P002 and P003, which are no longer in operation. On November 17, 2009, ARAQMD found the applications to be preliminarily complete. ARAQMD indicated that further enforcement action by Central Office was not necessary and the matter could be closed.

Action: DAPC has decided to close this case with no further action based on BSI's submission of the required applications, no prior history of non-compliance with permitting requirements, and the recommendation by ARAQMD.

Case Closed



Case Number: 2836	Dates:
Entity: Uni-Mart, Inc. (#04767, #04768 and #74775)	EAR: 07/13/09
Field Office: NEDO	DWL: N/A
Contact: Jim Kavalec/Tom Kalman	F&Os: 09/21/09 (prop.)
Attorney: Donald L. Vanterpool	Referral: 12/11/09
	Dismissal: N/A

Background: On September 21, 2009, proposed Director's Final Findings and Orders ("F&Os") were sent to Uni-Mart, Inc. ("Uni-Mart"), of 477 E. Beaver Avenue in State College, Pennsylvania, to attempt an administrative settlement of the violations of the Stage II vapor control system requirements that occurred at its gasoline dispensing facilities ("GDFs") located at 4000 Park Avenue in Ashtabula, Ohio (Uni-Mart #04768); 6000 Vrooman Road in Painesville, Ohio (Uni-Mart #74775); and 1769 State Route 534 South in Geneva, Ohio (Uni-Mart #04767). The proposed F&Os addressed the following violations:

Uni-Mart #04768

- (1) From February 13 to March 12, 2007, Uni-Mart operated dispensers 4, 8, 9 and 10 after a failed air-to-liquid ("A/L") ratio test. The failure to successfully pass the testing requirements in OAC Rule 3745-21-09(DDD)(2) while causing, allowing, or permitting the transfer of gasoline from a stationary storage tank into a motor vehicle was a violation of OAC Rule 3745-21-09(DDD)(1)(c) and ORC § 3704.05(G).
- (2) On February 13 and November 12, 2008, Uni-Mart failed to show maintenance of records demonstrating proof of attendance and completion of the training required by Ohio EPA, in violation of OAC Rule 3745-21-09(DDD)(3)(a)(vi) and ORC § 3704.05(G). These violations continue to the present.
- (3) From December 3, 2007 to May 20, 2008, Uni-Mart operated dispensers 1, 2, 5, 9 and 10 after failed static leak and A/L ratio tests that were due to a leaking breakaway for dispenser 9 and low flow for the other dispensers. The failure to properly install, operate and maintain the vapor control system and to successfully pass the testing requirements in OAC Rule 3745-21-09(DDD)(2) while causing, allowing, or permitting the transfer of gasoline from a stationary storage tank into a motor vehicle were violations of OAC Rule 3745-21-09(DDD)(1)(b) and (c) and ORC § 3704.05(G).

- (4) From November 12, 2008 to the present, Uni-Mart operated dispensers after a failed static leak test and after not being able to perform an A/L ratio test due to several incorrectly installed nozzles. The failure to properly install, operate and maintain the vapor control system and to successfully pass the testing requirements in OAC Rule 3745-21-09(DDD)(2) while causing, allowing, or permitting the transfer of gasoline from a stationary storage tank into a motor vehicle were violations of OAC Rule 3745-21-09(DDD)(1)(b) and (c) and ORC § 3704.05(G).

On March 12, 2007 and May 20, 2008, Uni-Mart conducted passing tests for this GDF.

Uni-Mart #74775

- (1) From October 30, 2007 to March 28, 2008, Uni-Mart operated dispensers 1, 3, 4, 7 and 8 after a failed A/L ratio test. On January 23 and March 25, 2008, A/L ratio tests were conducted and dispensers 3 and 8 failed the test on both dates. Uni-Mart performed these tests after numerous defective hoses, nozzles, and breakaways were replaced. The failure to properly install, operate and maintain the vapor control system and the failure to successfully pass the testing requirements in OAC Rule 3745-21-09(DDD)(2) while causing, allowing, or permitting the transfer of gasoline from a stationary storage tank into a motor vehicle were violations of OAC Rule 3745-21-09(DDD)(1)(b) and (c) and ORC § 3704.05(G).
- (2) On September 28, 2007, November 12, 2008, and May 15, 2009, Uni-Mart failed to show maintenance of records demonstrating proof of attendance and completion of the training required by Ohio EPA, in violation of OAC Rule 3745-21-09(DDD)(3)(a)(vi) and ORC § 3704.05(G). These violations continue to the present.
- (3) From November 12, 2008 to May 15, 2009, Uni-Mart operated dispensers 1 and 3 after a failed A/L ratio test. Uni-Mart replaced the nozzles on dispensers 1 and 3 and the whip and hose on dispenser 3. The failure to properly install, operate and maintain the vapor control system and the failure to successfully pass the testing requirements in OAC Rule 3745-21-09(DDD)(2) while causing, allowing, or permitting the transfer of gasoline from a stationary storage tank into a motor vehicle were violations of OAC Rule 3745-21-09(DDD)(1)(b) and (c) and ORC § 3704.05(G).

- (4) From May 15, 2009 to the present, Uni-Mart operated dispensers 2, 5 and 8 after a failed A/L ratio test and with malfunctioning equipment. The failure to properly install, operate and maintain the vapor control system and the failure to successfully pass the testing requirements in OAC Rule 3745-21-09(DDD)(2) while causing, allowing, or permitting the transfer of gasoline from a stationary storage tank into a motor vehicle were violations of OAC Rule 3745-21-09(DDD)(1)(b) and (c) and ORC § 3704.05(G).

On March 28, 2008, Uni-Mart conducted passing tests for this GDF.

Uni-Mart #04767

- (1) From December 3, 2007 to November 10, 2008, Uni-Mart operated dispensers 1, 2, 5, 9 and 10 after a failed static leak test, and operated dispensers 1, 2, 3, 4, 7 and 8 after a failed A/L ratio test due to low flow. The failure to properly install, operate and maintain the vapor control system and to successfully pass the testing requirements in OAC Rule 3745-21-09(DDD)(2) while causing, allowing, or permitting the transfer of gasoline from a stationary storage tank into a motor vehicle were violations of OAC Rule 3745-21-09(DDD)(1)(b) and (c) and ORC § 3704.05(G).
- (2) From November 10, 2008 to early 2009, Uni-Mart operated dispenser 3 after a failed A/L ratio test due to low flow. The failure to properly install, operate and maintain the vapor control system and to successfully pass the testing requirements in OAC Rule 3745-21-09(DDD)(2) while causing, allowing, or permitting the transfer of gasoline from a stationary storage tank into a motor vehicle were violations of OAC Rule 3745-21-09(DDD)(1)(b) and (c) and ORC § 3704.05(G).
- (3) On November 10, 2008, Uni-Mart failed to show maintenance of records demonstrating proof of attendance and completion of the training required by Ohio EPA, in violation of OAC Rule 3745-21-09(DDD)(3)(a)(vi) and ORC § 3704.05(G).

This GDF was shut down in early 2009.

The F&Os proposed to require Uni-Mart to:

- (1) Within 30 days after the effective date of the F&Os, demonstrate that the Stage II vapor control systems for Uni-Mart #04768 and Uni-Mart #74775 are operating

correctly by conducting and passing static leak, A/L ratio, and dynamic pressure performance tests;

- (2) Within 60 days after the effective date of the F&Os, submit documentation to Ohio EPA demonstrating the operators or local managers of Uni-Mart #04768 and Uni-Mart #74775 have completed the training required by OAC Rule 3745-21-09(DDD)(3)(a)(vi);
- (3) Conduct weekly inspections of the Stage II vapor control systems at Uni-Mart #04768 and Uni-Mart #74775 for the next two ozone seasons (2010 and 2011), checking for leaks, malfunctions or damage to the systems. Copies of records of these inspections and any repairs made must be submitted to Ohio EPA;
- (4) During the next two ozone seasons (2010 and 2011), perform static leak and A/L ratio tests at Uni-Mart #04768 and Uni-Mart #74775 prior to the beginning (during March) of each ozone season and during August of each ozone season. The results of these tests must be submitted to Ohio EPA; and
- (5) Pay Ohio EPA a civil penalty in the amount of \$85,900, of which \$68,720 of the civil penalty is due to Ohio EPA within 14 days after the effective date of the F&Os and \$17,180 is to be directed to Ohio EPA's Clean Diesel School Bus Program Fund as a SEP within 30 days after the effective date of the F&Os.

(See the EC Meeting Minutes of September 24, 2009 for additional background information.)

Ohio EPA Legal spoke with Uni-Mart's attorneys on November 24, 2009. They confirmed that Uni-Mart has been in bankruptcy since May 2008. They said they had been trying to contact Uni-Mart's bankruptcy attorney to determine the amount Uni-Mart may be able to pay (post or pre-decree). To date, the attorneys have not received a reply from the bankruptcy attorney. The attorneys were advised that Ohio EPA Legal will be recommending referral of this matter to the Attorney General's Office ("AGO") to protect the Agency's interests.

Action: In a letter dated December 11, 2009, the Director referred Uni-Mart to the AGO for enforcement action. The referral documents sent to the AGO recommend that a consent order (or a court order if necessary) be obtained requiring Uni-Mart to comply with the actions required in the proposed F&Os and pay an appropriate civil penalty

(currently calculated at \$85,900). The Agency requested the AGO to then file a claim with the bankruptcy court for payment of the agreed or ordered civil penalty.

Case Closed



Case Number: 2842	Dates:
Entity: Duff Quarry, Inc.	EAR: 07/22/09
Field Office: SWDO	DWL: N/A
Contact: Eric Yates/John Paulian	F&Os: 12/11/09
Attorney: Donald L. Vanterpool	Referral: N/A
	Dismissal: N/A

Background: On September 29, 2009, proposed Director’s Final Findings and Orders were sent to Duff Quarry, Inc. (“Duff Quarry”). The Orders required Duff Quarry to pay a civil penalty of \$8,000 to settle the open burning violations.

Duff Quarry owns property located at the intersection of St. Rt. 33 and 274 in Huntsville in Logan County. The property was purchased by Duff Quarry within the last 12 months. The property was previously a residential property that was also used to store and scrap mobile home trailers. It is expected that Duff Quarry will use the property for either a portable asphalt plant or concrete plant.

On July 13, 2009, SWDO received a complaint that Duff Quarry was conducting open burning of demolition debris at the above-mentioned property. Upon inspection of the property on July 15, 2009, SWDO discovered two large piles of smoldering waste that were approximately 10 to 15 feet wide and 50 to 70 feet long. A visible flame was still present at one location in the pile.

Open burning of such waste material is prohibited by rule, and the open burning was not otherwise exempted from the prohibition of OAC Rule 3745-19-04(A).

During the open burning inspection, SWDO discovered that the demolition debris being burned resulted from the demolition of several mobile home trailers and a building formerly used as an office building by the previous property owner. SWDO did not receive a notification of demolition or an asbestos survey for the former office building located on the property.

Duff Quarry's open burning and demolition actions violated OAC Rule 3745-19-04(A) which prohibits the open burning of demolition debris, OAC Rule 3745-20-02(A) by failing to conduct a thorough inspection for asbestos prior to beginning the demolition, and OAC Rule 3745-20-03(A) by failing to provide notification of demolition at least ten working days before the beginning of any demolition operation.

Action: On December 11, 2009, Director's Final Findings and Orders were sent to Duff Quarry. The Orders require Duff Quarry to pay a civil penalty of \$5,000, within 30 days after the effective date of the Orders, to settle the open burning violations.

Case Closed



Case Number: 2722	Dates:
Entity: Tuscarawas County YMCA	EAR: 05/05/08
Field Office: SEDO	DWL: N/A
Contact: Urvi Doshi/Tom Kalman	F&Os: 12/04/09 (prop.)
Attorney: Marcus Glasgow	Referral: N/A
	Dismissal: N/A

Background: In or about December 2007, Tuscarawas County YMCA ("YMCA") had a renovation conducted at its facility located at 600 Monroe Street in Dover, Ohio. The renovation included the removal of two boilers and associated piping from the boiler room of the facility. The YMCA hired a number of contractors and an architect to perform the work. The boiler room contained a significant amount of regulated asbestos-containing material; however, the contractors and architect were either told by the YMCA that there was no asbestos in the boiler room or were not under contract to deal with the boiler room. As a result, the removal of the two boilers and the associated piping were performed without any abatement of the asbestos therein and most of the debris was taken to a facility not permitted as an asbestos-containing waste material disposal facility.

On December 14, 2007, Ohio EPA's Southeast District Office ("SEDO") received a complaint that the YMCA had dismantled the boilers and piping covered with asbestos-containing insulation and put the insulation and boiler components into dumpsters.

Based on the complaint, SEDO personnel contacted the YMCA and requested that a licensed asbestos abatement contractor be hired to seal off the boiler room, the YMCA

consider shutting down the facility if the boiler room was in contact with the forced air heating system, and secure and cover the dumpster area connecting the boiler room to the dumpster. M-COR Corporation acknowledged removing the boilers and associated piping and putting them in the dumpster.

Based on a subsequent asbestos survey, an estimated 61 cubic feet of regulated asbestos-containing material was removed from the facility. About 59 cubic feet of that amount was taken to the Warmington Road Recycling Center, a scrap yard located at 780 Warmington Street SW in Navarre, Ohio. Roughly two cubic feet of that amount remained at the facility. Since the amount of regulated asbestos-containing material exceeded 35 cubic feet off of facility components, this renovation project was subject to the notification and work practice requirements of OAC Rules 3745-20-03, 3745-20-04 and 3745-20-05, pursuant to the provisions of OAC Rule 3745-20-02(B)(4).

The following violations of the asbestos emission control standards and State law were identified in the proposed F&Os:

- (1) Failing to have an asbestos inspection performed of the boiler room prior to commencing work in order to determine rule applicability, in violation of OAC Rule 3745-20-02(A) (On January 25, 2008, an asbestos survey was subsequently submitted for the remaining renovation and cleanup.);
- (2) Failing to submit a notification of intent to renovate at least 10 working days prior to beginning the renovation operation, in violation of OAC Rule 3745-20-03(A);
- (3) Failing to have an authorized representative present at the location of the renovation operation, who was trained in the provisions of OAC Chapter 3745-20, from at least December 14 to 18, 2007;
- (4) Failing to wet the regulated asbestos-containing material that had been removed or stripped until collected and contained or treated in preparation for disposal, from at least December 13, 2007 until January 31, 2008, in violation of OAC Rule 3745-20-04(A)(6)(a);
- (5) Failing to deposit all asbestos-containing waste material as soon as was practical at an approved disposal facility from at least December 13, 2007 to January 23, 2008, when the waste was taken from the disposal site to a permitted asbestos disposal facility, in violation of OAC Rule 3745-20-05(A);

- (6) Failing to use one of the asbestos emission control methods specified in paragraphs (B)(1) to (B)(4) to control visible emissions during the handling of asbestos-containing waste material from collection to disposal from at least December 13, 2007 to January 31, 2008, in violation of OAC Rule 3745-20-05(B);
- (7) Failing to keep waste shipment records for the disposal of asbestos-containing waste material from the facility beginning on at least December 13, 2007 to January 23, 2008, in violation of OAC Rule 3745-20-05(E); and
- (8) Failing to comply with the above rules that were adopted by the Director pursuant to ORC Chapter 3704, in violation of ORC § 3704.05(G).

On January 17, 2008, SEDO sent notice of violation (“NOV”) letters to the YMCA and the contractors and architect. On January 25, 2008, SEDO received a copy of a report on the asbestos inspection for the remaining renovation of the facility.

In January 2008, a licensed asbestos abatement contractor was employed to properly cleanup the boiler room and to remove the asbestos-containing waste material from the disposal site to a permitted asbestos disposal facility. A final cleanup of the boiler room was completed on January 31, 2008.

On May 5, 2008, SEDO submitted an Enforcement Action Request to Central Office for the violations.

Action: On December 24, 2009, proposed Director’s Final Findings and Orders (“F&Os”) were sent to the YMCA to attempt an administrative settlement of the violations. The F&Os propose to require the YMCA to pay a civil penalty of \$60,000, of which \$48,000 is due to Ohio EPA within 14 days after the effective date of the F&Os and \$12,000 is due to Ohio EPA’s Clean Diesel School Bus Program Fund as a SEP within 30 days after the effective date of the F&Os. A mitigation of 10 percent of the gravity component was provided for cooperation because of the YMCA’s responsiveness to the NOV.

Case Continued



Case Number: 2726	Dates:
Entity: Glick Real Estate Ltd.	EAR: 05/19/08
Field Office: Canton	DWL: N/A
Contact: Felix Udeani/Tom Kalman	F&Os: 12/04/09 (prop.)
Attorney: Bryan Zima	Referral: N/A
	Dismissal: N/A

Background: Glick Real Estate Ltd. ("Glick") of 4181 Manchester Avenue NW in North Lawrence, Ohio, owns the abandoned greenhouses and property located at 12777 Mogadore Avenue NW in Lake Township of Stark County, Ohio. During the spring of 2006, Glick began demolishing at least one of the greenhouses on the property. The greenhouses on the property have asbestos-containing transite tiles along the outside lower walls and in other areas.

As part of the partial demolition process, Glick stripped or removed three types of materials from the greenhouse: transite tile, pipe insulation, and surfacing material (e.g., drywall and/or plaster). The pipe insulation was in a friable state and the transite tile and surface material became friable during the course of demolition. Samples of the materials show that all three types of material contained more than one percent of a regulated form of asbestos, which is the regulatory threshold, and was therefore "regulated asbestos-containing material." The building contained at least 160 square feet of regulated asbestos-containing material and, therefore, the demolition, pursuant to OAC Rule 3745-20-02(B)(1), was subject to the notification and work practice requirements of OAC Rules 3745-20-03, 3745-20-04, and 3745-20-05.

Between May 19, 2006 and January 8, 2009, the Canton local air agency ("Canton LAA") and/or Ohio EPA inspectors visited the greenhouse facility on 12 occasions for routine inspections, to respond to complaints about the site or to meet with potential abatement contractors. At all inspections either one or both inspectors noted that demolition had taken place on the site and that several violations of Ohio EPA's asbestos emission control standards of OAC Chapter 3745-20 had occurred. The violations that were identified and confirmed by Ohio EPA were as follows:

- (1) Failure to have the facility thoroughly inspected for the presence of asbestos by a certified asbestos hazard evaluation specialist prior to commencing demolition, in violation of OAC Rule 3745-20-02(A);
- (2) Failure to submit a written notification of demolition to Canton LAA at least ten working days before beginning demolition operations, including asbestos-containing material stripping or removal work, or any other activities that break

up, dislodge, or similarly disturb asbestos-containing material, in violation of OAC Rule 3745-20-03(A);

- (3) Failure to remove all regulated asbestos-containing material from the greenhouse building being demolished before beginning activities that caused some regulated asbestos-containing material to be broken up into many small pieces, in violation of OAC Rule 3745-20-04(A)(1);
- (4) Failure to keep asbestos-containing waste material adequately wet at all times during and after the partial demolition operation, in violation of OAC Rule 3745-20-05(B)(2);
- (5) Failure to seal asbestos-containing waste material in leak-tight containers that comply with OAC Rule 3745-20-05(C) or to transport asbestos-containing waste material in bulk by leak-tight transport vehicles or containers that are securely covered or enclosed and cause no visible emissions, in violation of OAC Rule 3745-20-05(B)(2);
- (6) Failure to deposit asbestos-containing waste material as soon as practical into one of three types of places listed in OAC Rule 3745-20-05(A), in violation of OAC Rule 3745-20-05(A) [asbestos-containing waste material remains strewn across the area around the greenhouse];
- (7) Failure to place asbestos-containing waste material in marked containers, as provided in OAC Rule 3745-20-05(C)(1), in violation of OAC Rule 3745-20-05(C)(1);
- (8) Failure to seal asbestos-containing waste material in plastic bags or in other lawful containers or to process the asbestos-containing waste material by another approved method, in violation of OAC Rule 3745-20-05(C); and
- (9) Violating the prohibition against the violation of any rule adopted by the Director pursuant to ORC Chapter 3704, in violation of ORC § 3704.05(G).

On December 3, 2007, Canton LAA issued a written notice of violation (“NOV”) letter to Glick concerning the above-mentioned violations. As of the present date, the site has not been cleaned and asbestos-containing waste material remains scattered about the site.

It was estimated that of the 9,500 square feet of asbestos-containing panels measured, about 8,000 square feet was improperly removed.

On May 19, 2008, Canton LAA submitted an Enforcement Action Request to Central Office for the violations that occurred.

Action: On December 4, 2009, proposed Director's Final Findings and Orders ("F&Os") were sent to Glick to attempt an administrative settlement of the violations. The F&Os propose to require Glick to pay Ohio EPA, within 14 days after the effective date of the F&Os, the civil penalty amount of \$124,000, of which \$24,800 is to be directed to the Ohio EPA's Clean Diesel School Bus Program Fund as a SEP. \$24,000 of the total civil penalty is the economic benefit derived for the improper removal of 8,000 square feet of regulated asbestos-containing material at \$3.00 per square foot. Also, the proposed F&Os require Glick, within 14 days after the effective date of the F&Os, to submit to Canton LAA for review, a plan and schedule for the collection and disposal of all disturbed asbestos-containing material on site, including those fragments of asbestos-containing material in the graded portions of the facility. Furthermore, the proposed F&Os require Glick to execute the plan and collect and lawfully dispose of the disturbed asbestos-containing material within 30 days after approval of the plan by Ohio EPA.

Penalties for additional days of violation at \$1,000 per day were assessed for eleven days for three of the work practice violations. The eleven days of additional violations were based on inspection days and not the total number of days during the period from the first additional day of violation to the last observed additional day of violation. DAPC could only prove that the violations occurred on inspection days that had dry weather.

Case Continued



Case Number: 2857	Dates:
Entity: Pure Gas Incorporated	EAR: 09/22/09
Field Office: NEDO	DWL: N/A
Contact: Jim Kavalec/Tom Kalman	F&Os: 12/03/09 (prop.)
Attorney: Stephen Feldmann	Referral: N/A
	Dismissal: N/A

Background: Pure Gas Incorporated ("Pure Gas") owns and operates a gasoline dispensing facility ("GDF") located at 228 E. Erie Avenue in Lorain, Ohio. This GDF is subject to the requirements of OAC Rule 3745-21-09(DDD) concerning Stage II vapor control systems and is required to conduct Stage II compliance tests, which consist of annual static leak and air-to-liquid ("A/L") ratio tests and an every five-year dynamic pressure performance test.

On January 2, 2008, Pure Gas attempted to conduct the annual Stage II compliance tests at the GDF for 2008. However, the static leak and A/L ratio tests were not performed due to leaking ATG caps. In addition, two hoses were crimped and flattened and needed to be replaced.

On January 16, 2008, Pure Gas conducted a retest at the GDF. The GDF passed the static leak test but failed the A/L ratio test for dispensers 3 and 4 due to an inoperable vacuum pump. A complying A/L ratio test for dispensers 3 and 4 was not achieved until June 2, 2008.

On March 12, 2009, Pure Gas had the annual Stage II compliance tests performed at the GDF for 2009. The static leak and A/L ratio tests were not performed due to the poor condition of several nozzles and because the wrong nozzles were being used on all of the dispensers at the GDF.

On April 7, 2009, Pure Gas conducted a retest at the GDF. The GDF passed the static leak test but failed the A/L ratio test for dispenser 4 due to an inoperable vacuum pump. A complying A/L ratio test for dispenser 4 was not achieved until June 8, 2009.

The failure to properly install, operate, and maintain the vapor control system and to successfully pass the testing requirements in OAC Rule 3745-21-09(DDD)(2) while causing, allowing, or permitting the transfer of gasoline from stationary storage tanks into motor vehicles were violations of OAC Rule 3745-21-09(DDD)(1)(b) and (c). Furthermore, Pure Gas violated ORC § 3704.05(G) by violating the above-mentioned rule.

In a letter dated September 9, 2009, Ohio EPA notified Pure Gas of the above-mentioned violations.

On September 22, 2009, the Ohio EPA, Northeast District Office submitted an Enforcement Action Request to Central Office in order to obtain administrative orders and a civil penalty for the violations per the Enhanced Enforcement Protocol Policy for Stage II compliance test failures.

Action: On December 3, 2009, proposed Director's Final Findings and Orders ("F&Os") were sent to Pure Gas to attempt an administrative settlement of the violations. The F&Os propose to require Pure Gas to do the following:

- (1) Conduct weekly inspections of the Stage II vapor control system for the next two ozone seasons (2010 and 2011), starting by March 15, 2010 and March 15, 2011 and continuing until October 31, 2010 and October 31, 2011, respectively, checking for leaks, malfunctions or damage to the system. Copies of records of these inspections and any repairs made must be submitted to Ohio EPA by August 14 of each year for the period from March 15 through July 31, and by November 14 of each year for the period from August 1 through October 31;
- (2) During the next two ozone seasons (2010 and 2011), perform static leak and A/L ratio tests prior to the beginning (during March) of each ozone season and during August of each ozone season. The results of these tests must be submitted to Ohio EPA within 14 days of completion of each test; and
- (3) Pay Ohio EPA a civil penalty in the amount of \$14,400, of which \$11,520 of the civil penalty is due to Ohio EPA within 30 days after the effective date of the F&Os and \$2,880 is to be directed to Ohio EPA's Clean Diesel School Bus Program Fund as a SEP within 30 days after the effective date of the F&Os.

DAPC's Enhanced Enforcement Protocol Policy was used in calculating the civil penalty.

Case Continued



Case Number: 2869	Dates:
Entity: Bridgestone APM Company, Foam Products Division	EAR: 10/06/09
Field Office: NWDO	DWL: N/A
Contact: Eric Yates/John Paulian	F&Os: 12/04/09 (prop.)
Attorney: Donald L. Vanterpool	Referral: N/A
	Dismissal: N/A

Background: Bridgestone APM Company, Foam Products Division ("Bridgestone") operates a manufacturing facility located at 245 Commerce Drive in Upper Sandusky (OEPA facility ID# 0388010051). At the facility, Bridgestone manufactures polyurethane foam seats and energy absorbing pads for the automotive industry.

On April 6, 2004, PTI 03-13782 was issued for emissions units P005 and P006 (polyurethane foam seat lines).

On August 6, 2006, a Title V permit to operate was issued to Bridgestone.

From at least February 2, 2008 until February 20, 2009, Bridgestone exceeded the short term volatile organic compound ("VOC") emissions limit of 13.15 pounds per hour ("lbs/hr") for emissions units P005 and P006. During the period of violation, emissions unit P005 was operating at 20.00 lbs of VOC/hr and emissions unit P006 was operating at 14.91 lbs of VOC/hr, in violation of the terms and condition of PTI 03-13782 and ORC § 3704.05(C).

OAC Rule 3745-31-02 states, in part, that no air contaminant source is permitted to be installed or modified without first applying for and obtaining a PTI.

Beginning in at least October 2004 and continuing until February 20, 2009, Bridgestone modified and operated emissions units P005 and P006 without applying for and obtaining a PTI modification, in violation of OAC Rule 3745-31-02. Bridgestone modified the above emissions units by increasing line speeds and using larger mold sizes, which caused an increase in use of mold release agent.

Action: On December 4, 2009, proposed Director's Final Findings and Orders were sent to Bridgestone. The Orders require Bridgestone to pay a civil penalty of \$160,688 of which 20% will be directed to the Clean Diesel School Bus Program Fund as a SEP.

Case Continued



Case Number: 2871	Dates:
Entity: Ali Mohammad, d.b.a. Marathon Oil 2992	EAR: 10/15/09
Field Office: NEDO	DWL: N/A
Contact: Jim Kavalec/Tom Kalman	F&Os: 12/03/09 (prop.)
Attorney: Stephen Feldmann	Referral: N/A
	Dismissal: N/A

Background: Ali Mohammad, d.b.a. Marathon Oil, owns and operates a gasoline dispensing facility ("GDF") located at 960 North Levitt Road in Amherst (Lorain County), Ohio. This GDF is subject to the requirements of Ohio Administrative Code ("OAC") Rule 3745-21-09(DDD) concerning Stage II vapor control systems and is required to conduct Stage II compliance tests, which consist of annual static leak and air-to-liquid ("A/L") ratio tests and an every five-year dynamic pressure performance test.

On May 12, 2008, Mr. Mohammad had the annual Stage II compliance tests performed for 2008. The GDF passed the static leak test but failed the A/L ratio test for dispensers 1 and 2 due to a malfunctioning vacuum pump. A complying A/L ratio test for dispensers 1 and 2 was not achieved until September 5, 2008.

On May 12, 2009, Mr. Mohammad had the annual Stage II compliance tests performed for 2009. The GDF passed the static leak test but failed the A/L ratio test for dispensers 2, 3, 5, 6, 7, 8, 9 and 10. A complying A/L ratio test for dispensers 2, 3, 5, 6, 7, 8, 9 and 10 was not achieved until June 24, 2009.

The failure to properly install, operate, and maintain the vapor control system and to successfully pass the testing requirements in OAC Rule 3745-21-09(DDD)(2) while causing, allowing, or permitting the transfer of gasoline from stationary storage tanks into motor vehicles were violations of OAC Rule 3745-21-09(DDD)(1)(b) and (c). Furthermore, Mr. Ali violated ORC § 3704.05(G) by violating the above-mentioned rule.

In a letter dated August 27, 2009, Ohio EPA notified Mr. Mohammad of the above-mentioned violations.

On October 15, 2009, the Ohio EPA, Northeast District Office submitted an Enforcement Action Request to Central Office in order to obtain administrative orders and a civil penalty for the violations per the Enhanced Enforcement Protocol Policy for Stage II compliance test failures.

Action: On December 3, 2009, proposed Director's Final Findings and Orders

("F&Os") were sent to Mr. Mohammad to attempt an administrative settlement of the violations. The F&Os propose to require Mr. Mohammad to do the following:

- (1) Conduct weekly inspections of the Stage II vapor control system for the next two ozone seasons (2010 and 2011), starting by March 15, 2010 and March 15, 2011 and continuing until October 31, 2010 and October 31, 2011, respectively, checking for leaks, malfunctions or damage to the system. Copies of records of these inspections and any repairs made must be submitted to Ohio EPA by August 14 of each year for the period from March 15 through July 31, and by November 14 of each year for the period from August 1 through October 31;
- (2) During the next two ozone seasons (2010 and 2011), perform static leak and A/L ratio tests prior to the beginning (during March) of each ozone season and during August of each ozone season. The results of these tests must be submitted to Ohio EPA within 14 days of completion of each test; and
- (3) Pay Ohio EPA a civil penalty in the amount of \$12,425, of which \$9,940 of the civil penalty is due to Ohio EPA within 30 days after the effective date of the F&Os and \$2,485 is to be directed to Ohio EPA's Clean Diesel School Bus Program Fund as a SEP within 30 days after the effective date of the F&Os.

Case Continued



Case Number: 2873	Dates:
Entity: Hanini Properties, LLC, d.b.a. Hanini Marathon	EAR: 11/04/09
Field Office: CDAQ	DWL: N/A
Contact: Eric Yates/John Paulian	F&Os: 12/03/09 (prop.)
Attorney: Marc Glasgow	Referral: N/A
	Dismissal: N/A

Background: Hanini Properties, LLC, d.b.a. Hanini Marathon, owns and operates a gasoline dispensing facility located at 5300 Superior Avenue in Cleveland. Hanini Marathon submitted a Permit-by-Rule for this GDF to Ohio EPA in January of 2009. This GDF is subject to the requirements of OAC Rule 3745-21-09(DDD) concerning Stage II vapor control systems and is required to conduct Stage II compliance tests, which consist of annual static leak and air-to-liquid ("A/L") ratio tests and a five-year

dynamic pressure performance test. The purpose of these tests is to ensure that the Stage II vapor control system is working properly to capture gasoline vapors so they do not contribute to ozone formation.

Hanini Marathon failed the 2008 and 2009 annual Stage II A/L ratio tests. Hanini Marathon was dispensing gasoline the entire time the Stage II vapor control system was not properly operating. The failure to properly install, operate, and maintain the vapor control system and to successfully pass the testing requirements in OAC Rule 3745-21-09(DDD)(2) while causing, allowing, or permitting the transfer of gasoline from a stationary storage tank into a motor vehicle were violations of ORC § 3704.05(G) and OAC Rule 3745-21-09(DDD)(1)(b) and (c).

Action: On December 3, 2009, proposed Director's Final Findings and Orders ("F&Os") were sent to Hanini Properties, LLC, d.b.a. Hanini Marathon. The proposed F&Os would require Hanini Marathon to pay Ohio EPA a civil penalty in the amount of \$10,000 from which \$2,000 will go towards the Ohio EPA's Clean Diesel School Bus Program Fund. Additionally, the proposed Findings and Orders would require Hanini Marathon to conduct weekly inspections of the Stage II vapor control system for the next two ozone seasons, checking for leaks, malfunctions or damage to the systems. Records of these inspections and any repairs made are required to be submitted to Ohio EPA. Also, during the next two ozone seasons, the F&Os propose to require Hanini Marathon to perform static leak and A/L ratio tests at this GDF prior to the beginning (during March) of each ozone season and during August of each ozone season. The results of these tests will be submitted to the Ohio EPA.

Case Continued



ACTIONS & MINUTES APPROVED BY:



Bob Hodanbosi, Chief, DAPC

NEXT MEETING:
December 31, 2009
9:00 a.m.
DAPC Room C

PENDING AIR ENFORCEMENT COMMITTEE CASES

Total Unresolved Cases (92)

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
2527	Carmeuse Lime, Inc., Maple Grove Facility (HPV)	NWDO	DV/UD	11/05/02	06/19/06
2638	Fairport Yachts, LTD (multi-media)	NEDO	MG/PP	01/27/98	07/02/07
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
2687	Cast Fab Technologies	HAMCO	BZ/TT	04/25/05	12/17/07
2691	Unique Finishers, Inc., D & S Coating, and Binks Coating (all 3 formerly L & C, Inc.)	RAPCA	BZ/PP	06/29/06	12/28/07
2693	Ameriseal Restoration LLC	Akron	DV/FU	04/26/07	10/26/07
2698 (112r)	Sugar Creek Packing Co.	N/A	DV/SS	01/03/08	01/31/08
2701 (VC)	City of Dayton, Advanced Wastewater Treatment Facility	RAPCA	BZ/JK	02/19/08	02/19/08
2708	Dave Sugar Excavating, Inc.	SEDO	DV/MM	03/13/05	02/04/08
2713	Quality Ready Mix	NWDO	BZ/PP	12/21/06	04/10/08
2719 (112r)	Sugar Creek Packing Co. (Dayton)	N/A	DV/SS	03/26/08	04/28/08
2722	Tuscarwas County YMCA, M-Cor Inc., Raeder Construction, et al.	SEDO	BZ/UD	12/20/07	05/05/08
2725	Hosea Project Movers, LLC (asbestos)	HAMCO	SF/TT	05/06/07	05/16/08
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 Afcose Group (asbestos)	NEDO	BZ/JK	02/14/08	08/06/08
2745	OmniSource Corporation	NWDO	MG/MM	12/14/05	08/11/08
2750 (VC)	New Day Farms, LLC / Henning Construction Company	CDO	SF/JP	08/21/08	08/21/08
2752	Allied Corporation (Plant #75)	Akron	MG/JP	01/29/05	09/02/08
2760	Precision Environmental Company	Akron	SF/PP	08/06/08	10/22/08
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

Updated: 12/17/09

PENDING AIR ENFORCEMENT COMMITTEE CASES

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
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
2784	Reichert Excavating, Inc. (asbestos)	CDO	SF/EY	06/12/08	12/04/08
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	Carmeuse 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
2808	Randy Wise	NWDO	SF/ FU	11/05/08	03/20/09
2810	Ellwood Engineered Castings Co. (HPV)	NEDO	DV/TT	02/25/09	03/13/09
2811	NewKor, Inc.	Cleve.	SF/EY	01/27/09	03/30/09
2813	ConSun Food Industries, Inc. (Convenient Food Mart #746)	NEDO	DV/JK	08/08/08	03/27/09
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
2816	Republic Engineered Products, Inc. (HPV)	NEDO	DV/	11/13/07	04/16/09
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

PENDING AIR ENFORCEMENT COMMITTEE CASES

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
2825	El Ceramics LLC	HAMCO	SF/JK	03/11/08	05/08/09
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
2845	Blackhawk Automotive Plastics, Inc. (FER case)	HAMCO	DV/TT	06/06/08	07/28/09
2847	Ultimate Building Systems, Ltd.	HAMCO	SF/FU	04/29/08	08/03/09
2848	Sandusky Dock Corporation	NWDO	BZ/JO	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
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	408 Water Street Corporation, 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

PENDING AIR ENFORCEMENT COMMITTEE CASES

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
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
2870	Simon Excavating	NWDO	MG/TT		10/15/09
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	Hanini Marathon - Superior	Cleve.	MG/EY		11/04/09
2874	Ron Smith	NWDO	SF/		11/09/09
2875	Belle-Aire Cleaners	Akron	DV/		11/13/09
2876	Robert Schiekh	TDES	MG/EY	08/04/09	11/24/09
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		12/10/99

Summary of the Final Disposition of Air Enforcement Committee Cases Processed During Calendar Year 2009

January

Docket #	Case Name	Rank	Field Office	EC Contact	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	Director's F&O's	Referred to AGO
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Total for the month of January = 0

Summary of the Final Disposition of Air Enforcement Committee Cases Processed During Calendar Year 2009

February

Docket #	Case Name	Rank	Field Office	EC Contact	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	Director's F&O's	Referred to AGO
2736	Emanuel Hadgigeorgiou d.b.a. Society Dry Cleaners	3	Cleve.	JP	EY	DV	07/03/08						02/12/09
2747	Tri-county Concrere Co., Inc.	1	Akron	TK	MM	DV	08/19/08			Closed - NFA	02/12/09		
2762	Copley Fairlawn City Schools (E-check)	3	N/A	JP	JP	DV	10/01/08					02/11/09	
2768	Orange Board of Education (E-check)	3	N/A	JP	JP	DV	10/01/08					02/06/09	
2659	Steve Jones and George Webber (asbestos)	1	NEDO	TK	FU	DV	08/31/07			Closed - NFA	02/26/09		
2728	Protec Pac	1	SWDO	JP	EY	MG	05/21/08			Closed - NFA	02/26/09		
2759	Kay Enterprises, Inc., d.b.a. Waste Removal Equipment	3	Akron	TK	UD	MG	10/21/08			Unilateral		02/26/09	

Total for the month of February = 7

Summary of the Final Disposition of Air Enforcement Committee Cases Processed During Calendar Year 2009

March

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
2650	Duer Construction Company	3	Akron	TK	MM	SF	07/23/07						03/13/09
2757	N-Viro International Corporation	3	TDES	JP	EY	SF	10/10/08					03/24/09	
2758	Brush Wellman, Inc.	3	NWDO	TK	MM	DV	10/15/08					03/24/09	
2769	Tallmadge Board of Education (E-check)	3	N/A	JP	JP	DV	10/01/08					03/23/09	
2785	Miller Garage Door Company	3	Akron	TK	MM	DV	12/09/08			Unilateral F&Os		03/13/09	

Total for the month of March = 5

Summary of the Final Disposition of Air Enforcement Committee Cases Processed During Calendar Year 2009

April

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
2639	Keim Lumber Company, Inc.	3	NEDO	TK	UD	SF	07/02/07					04/09/09	
2755	Liberta Construction Company	3	Akron	TK	FU	MG	09/15/08					04/09/09	
2724	Moser Construction Company, Inc.	3	Akron	TK	MM	MG	05/19/08						04/10/09
2746	Steel Structures of Ohio, LLC	1	Akron	TK	MM	SF	08/19/08		10/15/08 (DWL)	Closed - NFA	04/23/09		
2765	Lagrange Township Trustees (E-check)	3	N/A	JP	JP	DV	10/01/08					04/15/09	
2773	George Rank	3	NWDO	TK	FU	MG	10/27/08			Unilateral F&Os		04/16/09	
2792	Grand Avenue Realty Corporation, d.b.a. DLH Plating, and Clean CEMP (asbestos)	3	CDO	JP	EY	MG	02/10/09						04/13/09

Total for the month of April = 7

Summary of the Final Disposition of Air Enforcement Committee Cases Processed During Calendar Year 2009

May

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
2753	Richard Morrow	3	NEDO	TK	PP	SF	09/08/08			Unilateral F&Os		05/01/09	
2802	James Brown	3	RAPCA	TK	UD	SF	03/13/09						05/01/09
2763	Deerfield Township Trustees (E-check)	3	N/A	JP	JP	DV	10/01/08					05/15/09	
2766	Lorain County Regional Transit Authority (E-check)	3	N/A	JP	JP	DV	10/01/08					05/15/09	
2780	Magnesium Elektron North America, Inc.	3	NWDO	TK	JK	MG	11/17/08					05/14/09	
2804	Tim Davidson	3	SWDO	JP	EY	MG	03/18/09					05/21/09	

Total for the month of May = 6

Summary of the Final Disposition of Air Enforcement Committee Cases Processed During Calendar Year 2009

June

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
2654 VC	Shaw High School (City of East Cleveland)	3	Cleve.	JP	JP	SF	08/16/07			Dismissed	06/18/09		
2692	Production Paint Finishers, Inc. (HPV)	3	RAPCA	JP	EY	MG	12/28/07						06/18/09
2741	Plasti-Kote Company, Inc. (HPV)	3	Akron	TK	JK	MG	07/14/08					06/17/09	
2770	Village of Gloria Glens (E-check)	3	N/A	JP	JP	DV	10/01/08					06/18/09	
2797	T. S. Trim, Inc. (HPV)	3	CDO	JP	EY	SF	03/02/09					06/17/09	

Total for the month of June = 5

Summary of the Final Disposition of Air Enforcement Committee Cases Processed During Calendar Year 2009

July

Docket #	Case Name	Rank	Field Office	EC Contact	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	Director's F&O's	Referred to AGO
2742	Gas and Oil Inc. (GDFs 2, 3, 7, 15, & 19)	3	Akron	TK	TT	SF	07/13/08						06/26/09
2771	Village of North Randall (E-check)	3	N/A	JP	JP	DV	10/01/08					06/30/09	
2798	Canary Cleaners	1	TDES	JP	EY	MG	03/03/09			Closed-NFA	07/02/09		
2828	Leroy and Judith Schaffer	3	SWDO	JP	EY	SF	06/08/09			Unilateral F&O's		06/30/09	
2695	Precision Aggregates III, LLC	3	NWDO	TK	UD	BZ	01/14/08					07/08/09	
2772	Village of Oakwood (E-check)	3	N/A	JP	JP	DV	10/01/08					07/07/09	
2805	Thomas McMinn, d.b.a. Wellington Citgo	1	NEDO	TK	JK	SF	02/26/09			Closed-NFA	07/16/09		
2809	Procex, Ltd.	3	Akron	TK	MM	MG	03/16/09						07/07/09

Summary of the Final Disposition of Air Enforcement Committee Cases Processed During Calendar Year 2009

July

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
2831	Aleris International, Inc./IMCO Recycling of Ohio, Inc./ Commonwealth Aluminum Concast of Ohio, Inc.	3	SEDO	TK	TK	MG	06/19/09						07/07/09
2712	Cleveland Trencher Company	3	Cleve.	JP	EY	DV	03/24/08						07/14/09

Total for the month of July = 10

Summary of the Final Disposition of Air Enforcement Committee Cases Processed During Calendar Year 2009

August

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
2761	Cleveland Board of Education (C-check)	3	N/A	JP	JP	DV	10/01/08					08/11/09	
2764	Homer Township Trustees (E-Check)	1	N/A	JP	JP	DV	10/01/08			Closed-NFA	08/13/09		
2787	Airstream, Inc.	3	SWDO	JP	EY	SF	01/09/09					08/11/09	
2788	Gas Express, Inc.	3	Akron	TK	JK	DV	01/27/09						08/12/09
2832	United Tool and Machine	1	SWDO	JP	EY	SF	07/01/09		8/4/09 (DWL)	Closed-NFA	08/13/09		
2704	Gallo's Convenient Market	1	Cleve.	JP	EY	SF	03/05/08			Closed-NFA	08/13/09		
2732 VC	Ohio DNR, Division of Forestry (for open burning permit 07-30)	3	Ports	JP	JP	MG	05/14/08			Closed-NFA	08/14/09		
2807	Hishan Judi, d.b.a. Avon Lake Shell	3	NEDO	TK	JK	MG	03/16/09						08/19/09
2812	Saif Khan, d.b.a. Lakeland Valero	3	NEDO	TK	JK	MG	03/25/09					08/20/09	

Summary of the Final Disposition of Air Enforcement Committee Cases Processed During Calendar Year 2009

August

Docket #	Case Name	Rank	Field Office	EC Contact	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	Director's F&O's	Referred to AGO
2846	Joseph Parker	3	SWDO	JP	EY	MG	08/03/09			Unilateral F&O's		08/18/09	

Total for the month of August = 10

Summary of the Final Disposition of Air Enforcement Committee Cases Processed During Calendar Year 2009

September

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
2666	James Conley	1	Akron	JP	EY	BZ	09/25/07			Closed-NFA	09/24/09		
2733	McCarthy Corporation	3	NWDO	TK	UD	SF	06/23/08			Unilateral F&O's		09/22/09	
2754	Lepi Enterprises, Inc. (asbestos)	3	SEDO	TK	TT	DV	09/12/08					09/08/09	
2756	Pioneer Environmental Systems, Inc. (asbestos)	3	NWDO	TK	JK	BZ	10/03/08					09/22/09	
2774	Total Environmental Services, LLC (asbestos)	3	SEDO	TK	TT	SF	10/29/08					09/17/09	
2796	Speedway SuperAmerica, LLC (#3648 and #9975)	3	NEDO	TK	JK	SF	02/24/09					09/22/09	

Summary of the Final Disposition of Air Enforcement Committee Cases Processed During Calendar Year 2009

September

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
2862	Speedway SuperAmerica, LLC (#1183 and #5110)	3	HAMCO	TK	JK	SF	05/21/09					09/22/09	
2818	Mac Trailer Manufacturing, Inc.	1	Canton	TK	MM	SF	04/07/09		06/17/09 DWL	Closed - NFA	09/24/09		
2838	Englefield, Inc., d.b.a. Ashtabula Duchess	1	NEDO	TK	JK	SF	07/14/09		08/12/09 DWL	Closed - NFA	09/24/09		

Total for the month of September = 9

Summary of the Final Disposition of Air Enforcement Committee Cases Processed During Calendar Year 2009

October

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
2696	Eramet Marietta, Inc	3	N/A	TK	KJ	BZ	01/18/08					10/07/09	
2837	Flying J. Inc. (Austinburg Truck Stop)	3	NEDO	TK	JK	MG	07/08/09						09/29/09
2710	Stein, Inc.	3	Cleve.	JP	EY	BZ	03/14/08					10/13/09	
2851	Joseph and Marie Eberz	3	Akron	TK	JK	SF	08/10/09					10/19/09	

Total for the month of October = 4

Summary of the Final Disposition of Air Enforcement Committee Cases Processed During Calendar Year 2009

November

Docket #	Case Name	Rank	Field Office	EC Contact	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	Director's F&O's	Referred to AGO
2776	Circle K Midwest (GDFs 5204, 5209, 5318 and 5320)	3	NEDO	TK	JK	MG	11/04/08					11/04/09	
2863	Circle K Midwest (GDFs 0059, 5217, 5557, and 5558)	3	HAMCO	TK	JK	MG	08/01/09					(11/04/09)	
2868	Endres Processing, LLC	3	NWDO	JP	JP	BZ	10/06/09						11/03/09
2618	TRC Industries, Inc.	1	Akron	TK	MM	SF	05/04/07			Closed-NFA	11/19/09		
2657	Environmental Affairs Management, Inc.	3	MTAPCA	TK	FU	SF	08/17/07						11/13/09
2679	S. R. Restaurant Corporation, d.b.a. Rascal House Pizza (asbestos)	3	Cleve.	JP	EY	BZ	12/04/07					11/12/09	

Summary of the Final Disposition of Air Enforcement Committee Cases Processed During Calendar Year 2009

November

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
2748	Great Plains Exploration	3	NEDO	TK	UD	BZ	08/27/08					11/12/09	
2779 (112r)	Sunoco, Inc., Toledo Refinery	3	N/A	TK	KJ	DV	11/14/08					11/12/09	
2843	Bruewer Woodwork Mfg. Co. (FER case)	1	HAMCO	TK	UD	MG	07/28/09			Closed-NFA	11/19/09		

Total for the month of November = 9

Summary of the Final Disposition of Air Enforcement Committee Cases Processed During Calendar Year 2009

December

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
2707	Thermo-Rite Manufacturing Co.	3	Akron	TK	UD	MG	03/12/08					12/02/09	
2786	D & R Supply, Inc.	3	NEDO	TK	UD	MG	12/24/08					12/02/09	
2800	Gary Rogers, d.b.a. Rogers Sunoco	3	NEDO	TK	JK	DV	02/24/09						11/30/09
2801	Alton C. Laccheo and Terry Adams, d.b.a. Rusty's Auto Care Shell	3	NEDO	TK	JK	MG	02/25/09						11/30/09
2783	Evonik Degussa Engineered Carbons Corporation (HPV)	3	SEDO	TK	TT	MG	11/26/08					12/17/09	
2799	Convenient Food Mart, Inc., No. 391	1	NEDO	TK	JK	SF	02/24/09			Closed-NFA	12/17/09		
2830	Barberton Steel Industries, Inc.	1	Akron	TK	MM	MG	06/16/09			Closed-NFA	12/17/09		

Summary of the Final Disposition of Air Enforcement Committee Cases Processed During Calendar Year 2009

December

Docket #	Case Name	Rank	Field Office	EC Contact	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	Director's F&O's	Referred to AGO
2836	Uni-Mart, Inc. (GDFs #04767, #04768, and #74775)	3	NEDO	TK	JK	DV	07/13/09						12/11/09
2842	Duff Quarry, Inc.	3	SWDO	JP	EY	DV	07/28/09					12/11/09	
2723	Emery Oleochemicals, LLC (HPV)	3	HAMC O	TK	PP	DV	05/19/08					12/17/09	

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		

Minerva 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.

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 ² 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 ² 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		
		\$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.						

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 ² report			11/24/05		
	Submit P ² report			02/24/06		
	Submit final P ² report			05/24/06		
	Submit documentation of costs		08/24/06			

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	

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	

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		

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 ₂ 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

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

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Alpha-Omega Chemical Company (12/14/06)	OEPA	\$1,000	605635	05/14/07	
		\$1,000	605636	09/14/07	Y
		\$1,200	605637	12/14/07	Y
	Bus Fund	\$ 800	605638	01/14/07	Y

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 ² report			03/29/07	03/29/07
	Submit detailed P ² report			06/29/07	
	Submit detailed P ² report			09/29/07	
	Submit final P ² 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 ² report			02/08/07	
	Submit P ² report			05/08/07	
	Submit P ² report			08/08/07	
	Submit final P ² 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 _x /MMBtu for heaters and boilers			12/31/08	12/10/08
	Install controls to meet .060 lb NO _x /MMBtu for heaters and boilers			12/31/11	
	Submit plan to meet .044 lb NO _x /MMBtu for heaters and boilers			12/31/10	
	Install controls to meet .044 lb NO _x /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 _x concentration emissions for the FCCU thru optimization of O ₂ CS			03/01/12	
	Submit report that demonstrates compliance w/ <u>interim</u> NO _x system-wide average for FCCUs			03/31/11	
	Submit report that demonstrates compliance w/ final NO _x system-wide average for FCCUs			03/31/14	
	Commence implementation of SO ₂ 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 ₂ 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		02/20/08	* Develops SOPs	** 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 ₂ 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 ₂ limit		11/01/10		
	Submit a complete T5 permit application for Consent Decree SO ₂ 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	\$3,560.00 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		
	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 ₂ 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 ₂ CEMS:	Oregon	07/01/11		
		Cairo	07/01/11		
	Perform compliance tests:	Oregon	07/01/11		
	Submit O&M Plans:	Cairo	07/01/11		
	Submit permit applications:	Oregon	07/01/11		
	Cairo	07/01/11			
	Oregon	01/01/13			
	Cairo	(365 days after acceptance of short-term limit)			
Submit report re: how compliance will be achieved:	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 Submit test report		08/07/09 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 ₂ FERs for CY 1993 thru 2000			01/06/10	
Cleveland Board of Education (E-Check) (08/11/09)	Civil penalty: (\$5,000)		726483	09/11/09	
	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	
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	
	Bus Fund	\$1,000	727530	10/17/09	

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	
			09/14/11		

Eramet Marietta, Inc. (10/07/09)	Civil penalty: (\$30,000)				
	OEPA	\$24,000	735687	10/21/09	10/13/09
	Bus Fund	\$6,000	735688	11/06/09	10/13/09
	Submit copy of inspection & testing schedule			11/06/09	09/10/09
	Submit documentation of de-registering of formerly covered processes			11/06/09	08/13/09

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	
	Bus Fund	\$ 46,000	735800	11/19/09	
	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		

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Aleris Int'l, Inc., et. Al. (Con't)	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		

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		

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date	
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		

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			
		\$2,000 747331	02/01/10			
		\$1,200 747332	03/01/10			

D & R Supply, Inc. (12/02/09)	Civil penalty: (\$20,000)					
	OEPA	\$5,000 746313	01/01/10			
		\$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	

Duff Quarry, Inc. (12/11/09)	Civil penalty: (\$5,000)	747347	01/11/10		12/07/09	

Evonik Degussa Engineered Carbons Corp. (12/17/09)	Civil penalty: (\$34,310)					
	OEPA	\$27,448		01/17/10		
	Bus Fund	\$ 6,862		01/14/10		

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Emery Oleochemicals, LLC (12/17/09)	Civil penalty: (\$57,400)				
	OEPA	\$28,700	747345		12/31/09
	Bus Fund	\$28,700	747346		12/31/09
	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	

- ** 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