

AGENDA FOR THE MARCH 25, 2010 EC MEETING

CASES TO BE CLOSED:

Carmeuse Lime, Inc., Maple Grove Facility	#2527	NWDO	Final F&Os	Tom/Don
Bailey-PVS Oxides Delta, LLC.	#2820	NWDO	Final F&Os	Tom/Marc
Rumpke Sanitary Landfill, Inc.	#2901	HAMCO	Final F&Os	Jim/Bryan

PENDING CASES:

None

OTHER BUSINESS:

- (1) Distribute updated schedule of progress for resolving all "old" cases for 2009 and 2010.
- (2) John is scheduled to provide food for today's meeting at 10:30 a.m. in DAPC Rm C.
- (3) The next meeting is scheduled for Thursday, April 8, 2010 at 3:00 p.m. in DAPC Rm C. Don is scheduled for food. (Future food schedule: Bryan for April 22; Marc for May 6.)

ENFORCEMENT COMMITTEE MEETING MINUTES

(March 25, 2010)

Case Number:	2527	Dates:	
Entity:	Carmeuse Lime, Inc., Maple Grove Plant	EAR:	06/19/06
Field Office:	NWDO	DWL:	N/A
Contact:	Felix Udeani/Tom Kalman	F&Os:	03/19/10
Attorney:	Donald L. Vanterpool	Referral:	N/A
		Dismissal:	N/A

Background: On March 13, 2009, proposed Director's Final Findings and Orders ("F&Os") were sent to Carmeuse Lime, Inc. ("Carmeuse"), with offices located at 1967 West County Road #42, Bettsville, Ohio, to attempt an administrative settlement of the air violations associated with its lime manufacturing facility ("Maple Grove Plant") located in Liberty Township of Seneca County (Facility ID 0374000010). The F&Os proposed to require the company to: (1) within 30 days after the effective date of the F&Os, submit new PTI applications for emissions unit F002 (material storage piles) to include additional storage piles, to address the fugitive emissions from the kiln drop box and the cooling tower drop out and the addition of the baghouse to the kiln dust handling system of emissions unit P905 ("kiln dust handling operations"), and to replace the application for PTI #03-17090 to address all permitting deficiencies; (2) within 30 days after the effective date of the F&Os, submit fee emissions reports for 2004 and 2005 to Ohio EPA; and (3) pay a civil penalty of \$475,715, of which \$370,572 will be due within 30 days after the effective date of the F&Os, \$95,143 will be due within 30 days after the effective date of the F&Os as a SEP for the Ohio EPA Clean Diesel School Bus Program Fund, and \$10,000 will be directed to a pollution prevention study of the facility within one year after the effective date of the F&Os as a SEP.

The proposed F&Os addressed the following violations of air pollution control rules and laws:

- (1) Exceeding the particulate emission ("PE") limitations for EUs P003 and P004, which are 14.23 lbs/hr and 0.021 gr/dscf, per unit, with tested PEs of 72.2 lbs/hr and 0.123 gr/dscf, per unit, from January 7 and 8, 2004 until June 17, 2004, in violation of the PTI, Title V permit, and ORC § 3704.05(C) and (J)(2);

- (2) Excessive non-exempt opacities (above 15% as a 6-minute average for 36.5% of time or 10,848 hours) as recorded by the continuous opacity monitor (“COM”) serving EUs P003 and P004 during the period from the 4th quarter 2003 through the 2nd quarter 2008, in violation of the PTI, Title V permit, and ORC § 3704.05(C) and (J)(2);
- (3) Failure to employ best available technology (“BAT”) to control lime kiln dust spilled during truck loading of emissions unit P905 from March 15, 2005 to the present, in violation of the PTI, the Title V permit, and ORC § 3704.05(C) and (J)(2);
- (4) Failure to comply with the “no visible emissions” limitations for EUs P001, P002 and P905; on February 24 and 25 and April 9, 2004 for EU P001; on January 9 and 22, 2004 for EU P002; and for 10 days between March 26 and June 16, 2004 and from November 13 through December 8, 2004 for EU P905; in violation of the PTI, the Title V permit, and ORC § 3704.05(C) and (J)(2);
- (5) Exceeding the “as received” sulfur content restriction for coal burned in EUs P003 and P004 on April 2, 2004, in violation of the PTI, the Title V permit, and ORC § 3704.05(C) and (J)(2);
- (6) Failure to perform daily inspections of EUs F001, F002 and F003, and maintain daily records of such inspections from October 5 through 6, 2003 and July 20 through 21, 2004;
- (7) Late COM certification and COM replacement with uncertified COM for EUs P003 and P004 from February 23 to May 31, 2006, in violation of the PTI, the Title V permit, and ORC § 3704.05(C) and (J)(2);
- (8) Failing to apply for and obtain a PTI prior to installing a lime kiln dust storage pile in the quarry as a result of lime kiln dust being pushed over the quarry rim on or about December 23, 2003, in violation of OAC Rule 3745-31-02(A) and ORC § 3704.05(G);
- (9) Failing to apply for and obtain a PTO prior to operating a lime kiln dust storage pile in the quarry as a result of lime kiln dust being pushed over the quarry rim from on or about December 23, 2003 to May 5, 2005, in violation of former OAC Rule 3745-35-02(A) and ORC § 3704.05(G);

- (10) Failing to apply for and obtain a PTI prior to installing a temporary lime kiln dust storage pile at the pugmill on or about March 15, 2005, in violation of OAC Rule 3745-31-02(A) and ORC § 3704.05(G);
- (11) Failing to apply for and obtain a PTO prior to operating a temporary lime kiln dust storage pile at the pugmill from on or about March 15 to April 15, 2005, in violation of former OAC Rule 3745-35-02(A) and ORC § 3704.05(G);
- (12) Failing to apply for and obtain a PTI prior to installing a new lime kiln dust storage pile created in the quarry after the rim pile was abandoned, on or about April 15, 2005, in violation of OAC Rule 3745-31-02(A) and ORC § 3704.05(G);
- (13) Failing to apply for and obtain a PTO prior to operating a new lime kiln dust storage pile created in the quarry after the rim pile was abandoned, from on or about April 15, 2005 to the present, in violation of former OAC Rule 3745-35-02(A) and ORC § 3704.05(G);
- (14) Failing to apply for and obtain a PTI prior to installing the deposition of unpugged lime kiln dust (reject lime) at the quarry rim on or about January 1, 2004, in violation of OAC Rule 3745-31-02(A) and ORC § 3704.05(G);
- (15) Failing to apply for and obtain a PTO prior to operating the deposition of unpugged lime kiln dust (reject lime) at the quarry rim from on or about January 1, 2004 to the present, in violation of former OAC Rule 3745-35-02(A) and ORC § 3704.05(G);
- (16) Failing to apply for and obtain a PTI prior to installing solid fuel (coal and coke) storage piles on or about January 1, 2004, in violation of OAC Rule 3745-31-02(A) and ORC § 3704.05(G);
- (17) Failing to apply for and obtain a PTO prior to operating solid fuel (coal and coke) storage piles from on or about January 1, 2004 to the present, in violation of former OAC Rule 3745-35-02(A) and ORC § 3704.05(G);
- (18) Failing to apply for and obtain a PTI prior to installing the material handling operation for unpugged lime kiln dust generated during kiln startup, shutdown or off-spec material generation, on or about January 1, 2004, in violation of OAC Rule 3745-31-02(A) and ORC § 3704.05(G);

- (19) Failing to apply for and obtain a PTO prior to operating the material handling operation for unpugged lime kiln dust generated during kiln startup, shutdown or off-spec material generation, from on or about January 1, 2004 to the present, in violation of former OAC Rule 3745-35-02(A) and ORC § 3704.05(G);
- (20) Excessive COM downtime (8.7% of time or 3, 240 hours) with one or both emissions units P003 and P004 in operation during the period from the 4th quarter of 2003 through the 2nd quarter of 2008, in violation of the PTI, the Title V permit, and ORC § 3704.05(C) and (J)(2); and
- (21) Failing to file 2004 and 2005 fee emission reports due by April 15, 2005 and April 15, 2006, respectively, in violation of OAC Rule 3745-78-02 and ORC § 3704.05(G).

Ohio EPA has determined that the total time of non-exempt excess emissions, the percentage of time with non-exempt excess emissions, and the percentage of total COM downtime have improved to acceptable levels since the 3rd quarter of 2007. This appears to be due to better baghouse maintenance and replacement of defective bags. The replacement COM was installed and certified on May 31, 2006.

Negotiations on the proposed F&Os were conducted in an exchange of verbal and written communication and two meetings were held on April 22 and October 27, 2009. Several tolling agreements were entered into by the parties to address statute of limitations law issues. A settlement was finally reached after several draft revised F&Os were exchanged. During the negotiations, additional violations were added to the proposed F&Os, including (1) the installation of a transloader, for unloading lime from railcars, without applying for and obtaining a PTI, (2) the modification to the facility roadways and parking areas due to increased vehicular traffic, without applying for and obtaining a PTI, (3) the operation of such sources without inclusion in a Title V permit, and (4) the modification to emissions unit P905 by the installation and operation of an additional baghouse, without applying for and obtaining a PTI, and the inclusion of the modification into the Title V permit. Finally, the alleged violations for not submitting fee emission reports for 2004 and 2005 were deleted because Carmeuse did timely submit those reports; however, there was an unresolved dispute between NWDO and Carmeuse over the content of the reports.

Action: On March 19, 2010, final F&Os were issued to Carmeuse in resolution of the violations cited in the findings. The F&Os require the company to: (1) within 90 days after the effective date of the F&Os, submit an application to modify its Title V permit to include the requirements from PTI #P0104549 for the transloader and roadways; (2)

within 90 days after the effective date of the F&Os, submit a complete PTI application for the modification to emissions unit P905 due to the installation of an additional baghouse, (3) pay a civil penalty of \$180,740, of which \$144,592 will be due within 30 days after the effective date of the F&Os and \$36,148 will be due within 30 days after the effective date of the F&Os as a SEP for the Ohio EPA Clean Diesel School Bus Program Fund.

Case Closed



Case Number: 2820	Dates:
Entity: Bailey-PVS Oxides Delta LLC.	EAR: 04/27/09
Field Office: NWDO	DWL: N/A
Contact: Jim Kavalec/Tom Kalman	F&Os: 03/19/10
Attorney: Marcus Glasgow	Referral: N/A
	Dismissal: N/A

Background: On November 23, 2009, proposed Director's Final Findings and Orders ("F&Os") were sent to Bailey-PVS Oxides Delta LLC. ("Bailey") to attempt an administrative settlement of the violations that occurred at its iron oxide reclamation and hydrochloric acid ("HCl") regeneration facility located at 6191 County Road 10, Delta, Fulton County, Ohio. The F&Os proposed to require Bailey to submit complete and approvable PTIO applications to Ohio EPA for the outside iron oxide storage area and the truck load-out operation, which have been unpermitted since installation. The F&Os also propose to require Bailey to pay a civil penalty of \$112,000, of which \$76,400 would be due to Ohio EPA within 30 days after the effective date of the F&Os; \$22,400 would be 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; and \$15,000 would be directed toward the performance of a pollution prevention study of the facility as a SEP to be completed within about one year after the effective date of the F&Os.

The proposed F&Os cited Bailey with violations of the following rules and laws:

- (1) OAC Rule 3745-31-02, for the failure to apply for and obtain a Permit to Install ("PTI") for the outside iron oxide storage area and the truck load-out operation;
- (2) Former OAC Rule 3745-35-02, for the failure to apply for and obtain a Permit to Operate ("PTO") for the outside iron oxide storage area and the truck load-out operation, prior to June 30, 2008;

- (3) OAC Rule 3745-31-02, for the failure to apply for and obtain a Permit to Install and Operate ("PTIO") for the outside iron oxide storage area and the truck load-out operation, on and after June 30, 2008;
- (4) ORC § 3704.05(C), for exceeding the HCl and chlorine ("Cl₂") emission limitations in PTI #03-0999 for emissions unit P002 (natural gas-fired roaster) during stack tests performed on June 21, 2007 and February 7, 2008, and thereby violating the prohibition against violating any term and condition of a permit issued by the Director pursuant to ORC Chapter 3704; and
- (5) ORC § 3704.05(G), for violating rules adopted by the Director pursuant to ORC Chapter 3704.

Complete permit applications for the above-mentioned sources have not as yet been submitted by Bailey. On May 1, 2007, Bailey submitted a PTI application for the truck load-out operation; however, the application was considered incomplete by Ohio EPA and was returned to Bailey.

On June 2, 2005, Bailey submitted a permit modification to Ohio EPA for emissions unit P002, in which it requested the emissions limitations for both HCl and Cl₂ be increased to 25 ppmv. Ohio EPA has preliminarily agreed to new emissions limitations of 20 ppmv for HCl and 25 ppmv for Cl₂ but has yet to formally approve the June 2, 2005 modification request. As a result, the penalty calculation was performed assuming allowable emission concentrations of 20 ppm for HCl and 25 ppm for Cl₂.

(See the EC Meeting Minutes of December 3, 2009 for additional background information.)

Bailey contacted Ohio EPA regarding the proposed F&Os and indicated an inability to pay the civil penalty. Financial documents were submitted to Ohio EPA by Bailey to support its position of inability to pay the penalty. Ohio EPA Fiscal Office reviewed the documents and, in an Interoffice Memorandum dated January 4, 2010, indicated that Bailey had the ability to pay between \$59,212 and \$101,981 towards the civil penalty. The low end of the range was based upon on a de minimus penalty of 1% of net sales in 2008, and the upper end was based upon a de minimus penalty of 1% of average net sales over the 2004 through 2008 period. A settlement was reached at \$55,000 with a payment plan to reduce the impact of the penalty on Bailey. On February 22, 2010, Bailey submitted some suggested language changes to the proposed F&Os. Some of those changes were made. Also, the pollution prevention study SEP was removed from the F&Os since Bailey was not interested in performing such a study.

Action: On March 19, 2010, final F&Os were issued to Bailey. The F&Os require Bailey to pay a civil penalty of \$55,000, of which \$44,000 is to be paid to Ohio EPA according to a payment penalty schedule. Five payments of \$8,800 are to be made within 120, 210, 300, 390 and 480 days after the effective date of the F&Os. The remaining \$11,000 is to be paid within 30 days after the effective date of the F&Os, to the Ohio EPA's Clean Diesel School Bus Program Fund as a SEP. Also, within 30 days after the effective date of the F&Os, Bailey is required to submit complete and approvable PTIO applications for the outside iron oxide storage area and the truck load-out operation, except Bailey need not submit such an application for any of these emissions units that will be permanently shut down within 30 days after the effective date of the F&Os, and Bailey confirms such permanent shutdown in writing to Ohio EPA within 30 days after the effective date of the F&Os.

Case Closed



Case Number: 2901	Dates:
Entity: Rumpke Sanitary Landfill, Inc.	EAR: 03/01/10
Field Office: HAMCO	DWL: N/A
Contact: Jim Orlemann	F&Os: 03/18/10
Attorney: Bryan Zima	Referral: N/A
	Dismissal: N/A

Background: Rumpke Sanitary Landfill, Inc. ("Rumpke") owns and operates a municipal solid waste landfill located at 10795 Hughes Road in Colerain Township of Hamilton County. The facility contains several air contaminant sources that are subject to the requirements of PTI #14-05824 and a Title V permit, including the landfill equipped with an active gas collection and control system (emissions unit P902).

Emissions unit P902 is subject to the gas collection and control requirements of 40 CFR Part 60, Subpart WWW, New Source Performance Standards ("NSPS") for Municipal Solid Waste Landfills. Rumpke employs a gas collection and control system to comply with 40 CFR 60.752(b)(2)(ii).

Pursuant to 40 CFR 60.753(c), Rumpke is required to operate each interior wellhead in the collection system with a landfill gas temperature of less than 131 degrees Fahrenheit and with either a nitrogen level of less than 20 percent or an oxygen level of less than 5 percent. 40 CFR 60.753(c) and the Title V permit also provide that Rumpke

may establish a higher operating temperature at a particular well if it can demonstrate that the elevated temperature does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.

PTI #14-05824 and the Title V permit allow Rumpke to operate at a higher operating temperature, requiring Rumpke to operate each interior wellhead in the gas collection system at a landfill gas temperature of less than 149 degrees Fahrenheit. However, allowing a higher operating temperature above 131 degrees Fahrenheit should have been done on a well-by-well basis after the necessary showings were made pursuant to 40 CFR 60.753(c). Rumpke is required to monitor the temperature at each interior wellhead on a monthly basis.

Pursuant to 40 CFR 60.755(a)(5), if the gas temperature at the wellhead exceeds the NSPS temperature (or alternative higher operating temperature), the owner or operator must initiate action to correct the exceedance within 5 calendar days. If the owner or operator cannot correct the exceedance within 15 calendar days after the first measurement, the gas collection system must be expanded to correct the exceedance within 120 days after the initial exceedance. Any attempted corrective measure shall not cause an exceedance of other operational or performance standards. Pursuant to 40 CFR 60.753, if corrective actions are taken as specified in 40 CFR 60.755, the temperature exceedance is not a violation of the operational requirements in 40 CFR 60.753.

If the gas collection system has not been expanded to correct the temperature exceedance within 120 days after the initial exceedance, a violation of 40 CFR 60.755 has occurred unless an alternative timeline has been approved. An alternative timeline has not been approved for any of the wells at the facility. A higher operating temperature of 149 degrees Fahrenheit was established in PTI #14-05824 and the Title V permit.

In the months of September 2009 through January 2010, Rumpke has failed to correct its wellhead temperature exceedances, i.e., temperatures not less than 149 degrees Fahrenheit in at least three wells. Rumpke's failure to correct these exceedances at each well within 120 days of the first exceedance was a violation of terms and conditions of PTI #14-05824 and the Title V permit, and ORC § 3704.05(C) and (J)(2), and OAC Rule 3745-77-02(A).

On September 1, 2009, Ohio EPA informed Rumpke that criteria such as well temperatures, the amounts of methane and oxygen present in the landfill gas, the concentration of carbon monoxide in the landfill gas, and the ratio of methane to carbon

dioxide in the landfill gas were all relevant in evaluating conditions at the facility, and that it was Ohio EPA's opinion that the conditions at the facility constitute a fire.

In the fall of 2009, the facility reported the elevated temperatures in gas extraction wells and poor gas quality. Excessive settlement on the surface of the affected area of the landfill was reported late in 2009. Rumpke immediately contacted and began working with the Hamilton County Department of Environmental Services, Ohio EPA, and other agencies on a response plan. Rumpke has already taken the following measures:

- (1) Placement of additional clay soil on the affected area to seal it off and prevent odors;
- (2) Installation of a buttress to stabilize and prevent potential slope movement;
- (3) Installation of additional gas and leachate collection and control structures; and
- (4) Enhanced monitoring of landfill gases, temperatures and pressure at multiple locations in the affected area.

Some solid waste rule and law violations were also documented. First, OAC Rule 3745-27-19(B)(2) requires compliance with its authorizing documents. Because of the violations of PTI #14-05824 and the Title V permit, OAC Rule 3745-27-19(B)(2) was violated. Second, OAC Rule 3745-27-19(B)(5) requires the owner or operator to operate the facility in such a manner that the operation doesn't violate any regulation adopted by the Director pursuant to ORC Chapter 3704. Since Rumpke violated OAC Rule 3745-77-02(A), OAC Rule 3745-27-19(B)(5) was violated.

In March 2010, proposed Director's Final Findings and Orders ("F&Os") were sent to Rumpke to attempt an administrative settlement of the violations and to make the action plan enforceable. After a meeting with company officials and subsequent communication, a settlement was reached.

Action: On March 18, 2010, final F&Os were issued to Rumpke to address the violations that occurred. The F&Os require Rumpke to follow an action plan developed in cooperation with local, state, and federal agencies. Also, the company must pay a civil penalty of \$98,000 for the air pollution control violations stemming from the elevated temperatures in landfill gas extraction wells. \$19,600 of that amount will go to the Ohio EPA's Clean Diesel School Bus Program Fund as a SEP.

The action plan requires the facility to immediately comply with its content and any revisions made to the plan by Ohio EPA. If the objectives are not met, the facility may be required to implement other remedial measures to prevent a nuisance or an adverse impact to public health or safety or the environment.

Experts from the local, state and federal agencies will continue working with Rumpke on implementing the action plan which is designed to monitor and control the abnormal conditions in the affected area of the landfill. It is suspected that these conditions are being caused by a subsurface fire within the landfill. The objectives of the action plan include:

- (1) Ensuring the health and safety of both workers and the public;
- (2) Controlling offensive odors;
- (3) Maintaining the structural integrity of the landfill;
- (4) Closely monitoring the affected area;
- (5) Preventing the spread of the subsurface fire and returning the area to normal conditions as quickly as possible;
- (6) Preparing for any emergency situations which may arise; and
- (7) Ensuring compliance with permits, authorizing actions, and other regulatory obligations.

Rumpke also is required to report all exceedances of the NSPS in the semi-annual report required by 40 CFR 60.757(f). Furthermore, the F&Os require Rumpke to also report exceedances that are not corrected in the manner required in 40 CFR 60.755 and within the time frames allowed by that section as deviations in the quarterly report under the Title V permit. Rumpke is required to comply with the action plan as a means of addressing any deviation under the NSPS if an exceedance is caused by conditions meant to be addressed by the action plan.

The F&Os also require Rumpke, on and after the 30th day after the effective date of the Orders, if any gas recovery well at the facility outside the affected area has a wellhead gas temperature below 131 degrees Fahrenheit, the allowable maximum wellhead gas

temperature for that well must be less than 131 degrees Fahrenheit, as specified in 40 CFR 60.753, and not the 149 degrees Fahrenheit allowed by Rumpke's PTI #14-05824 and the Title V permit. A higher operating temperature may be allowed within a given well if Rumpke makes the showings required by 40 CFR 60.753(c).

Case Closed



ACTIONS & MINUTES APPROVED BY:



Bob Hodanbosi, Chief, DAPC

NEXT MEETING:

April 8, 2010

3:00 p.m.

DAPC Room C

PENDING AIR ENFORCEMENT COMMITTEE CASES

Total Unresolved Cases (84)

Case #	Facility Name	Field Office		Atty./Staff	Zero Date for SOL	EAR Date Received
		Field Office	Atty./Staff			
2676	OmniSource Corporation - Lima Division	NWDO	MG/MM		02/23/06	11/08/07
2701 (VC)	City of Dayton, Advanced Wastewater Treatment Facility	RAPCA	BZ/JK		02/19/08	02/19/08
2722	Tuscarwas County YMCA, M-Cor Inc., Raeder Construction, et al.	SEDO	BZ/UD		12/20/07	05/05/08
2726	Glick Real Estate LTD/All-Type Demolition and Excavating (asbestos)	Canton	BZ/FU		05/19/06	05/19/08
2739	BP - Husky Refining LLC	TDES	BZ/JP		08/01/07	07/18/08
2745	OmniSource Corporation	NWDO	MG/MM		12/14/05	08/11/08
2752	Allied Corporation (Plant #75)	Akron	MG/JP		01/29/05	09/02/08
2775	Selvey's Dirt Works / Famous Supply (asbestos)	NWDO	DV/UD		06/12/08	11/05/08
2777	Sawbrook Steel LLC	HAMCO	BZ/MM		11/13/06	11/07/08
2781	Great Lakes Crushing, Ltd. (asbestos)	NEDO	SF/PP		06/18/08	11/18/08
2782	International Converter, Inc. - Caldwell (HPV)	SEDO	DV/FU		07/05/08	11/26/08
2789	Complete Clearing, Inc. (asbestos)	NWDO	MG/PP		07/09/08	02/05/09
2790	Erie Materials, Inc.	NWDO	SF/TT		04/16/08	02/05/09
2791	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
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
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
2819	Masonic Temple/The New Victorians, Inc./AHC, Inc. (asbestos)	CDO	DVI		01/24/08	04/27/09
2821	OmniSource Corporation, Mansfield Division	NWDO	MG/MM		05/08/08	05/04/09

Updated: 03/25/10

PENDING AIR ENFORCEMENT COMMITTEE CASES

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
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
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
2835	Elyria Foundry Company (HPV)	NEDO	SF/PP	10/18/07	07/13/09
2839	Liberty Gas USA, LLC (Middle Avenue GDF in Elyria and Clark Oil 1163 in Lorain)	NEDO	DV/JK	07/07/09	07/21/09
2840	Von Vittersan Le Copla USA LLC Delaware Corporation (asbestos)	MTAPCA	MG/UD	07/03/08	07/23/09
2841	Salvatore Sorice/Michael A. Kernan (asbestos)	MTAPCA	SF/MM	03/13/09	07/27/09
2844	Iten Industries, Inc. (Plant 1) (HPV)	NEDO	SF/MM	04/18/08	07/28/09
2847	Ultimate Building Systems, Ltd.	HAMCO	SF/FU	04/29/08	08/03/09
2848	Sandusky Dock Corporation	NWDO	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
2855	Lakeside Fuel Mini-Mart	NEDO	DV/JK	02/09/09	09/09/09
2856	Dorothy Jeannine Slessman	NWDO	MG/MM	08/02/09	09/14/09
2857	Pure Gas Incorporated (East Erie St. GDF in Lorain)	NEDO	SF/JK	09/09/09	09/22/09
2858	Burnham Foundry, LLC	SEDO	DV/TK	04/01/08	09/22/09
2859	Rollin Cooke, d.b.a. Concord Sunoco, Cooke's Car Care, Incorporated, and Munson Corners Sunoco	NEDO	SF/JK	07/20/09	09/17/09
2860	Richard C. Zahn	Akron	SF/PP	06/15/09	09/14/09
2861	Scott Klem	Akron	DV/TT	08/14/09	09/14/09
2864	Forest Creek Mobile Home Park	HAMCO	SF/ FU	03/19/09	09/25/09

PENDING AIR ENFORCEMENT COMMITTEE CASES

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
2865	Great Lakes Construction Co.	HAMCO	DV/UD	05/07/09	09/25/09
2866	3M Medina (HPV)	Akron	MG/PP	08/27/09	09/29/09
2867 (VC)	ODNR, Division of Forestry (regarding another Shawnee Forest open burning)	Ports.	SF/JP	04/02/09	09/02/09
2869	Bridgestone APM Company, Foam Products Division (HPV)	NWDO	DV/EY	02/11/08	10/06/09
2871	MARAZ-DNA Inc., d.b.a. Nates Marathon	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	08/21/08	11/04/09
2875	David Klein, d.b.a. Belle-Aire Cleaners	Akron	DV/	10/07/09	11/13/09
2877	Murphy Oil USA, Inc. (GDFs #6630, #7294, and #7371)	NEDO	SF/JK	07/27/09	11/30/09
2878	Pexco Packaging Corp.	TDES	DV/EY	03/13/09	12/01/09
2880	Prime Properties Limited Partnership, d.b.a. Prime #3, 5 and 9	Cleve.	SF/EY	09/05/08	12/07/09
2881	Tube City IMS, LLC	NWDO	DV/MM	08/26/08	12/10/09
2883	The Andersons Marathon Ethanol, LLC	RAPCA	MG/JK	07/16/08	12/28/09
2884 (112r)	Eaton Aeroquip, Inc.	N/A	SF/KJ	07/21/09	12/30/09
2885	Hughes-Roller Building Co./Sovereign SP, LLC (asbestos)	NEDO	MG/UD	07/07/09	12/08/09
2886	David Rose, d.b.a. Rose Excavating/Jacqueline MacAleese (asbestos)	NEDO	DV/TT	10/17/08	12/08/09
2888	Titan Tire Corporation	NWDO	MG/MM	09/28/07	01/20/10
2889	Kaz Paving, Inc./George Koustis (asbestos)	Lake Co.	DV/PP	01/08/09	01/15/10
2890	Seth Powers	Akron	SF/TT	02/05/09	01/15/10
2891	Stocker's Excavating LLC/Yoho Excavating, Inc. (asbestos)	MTAPCA	MG/FU	07/30/09	01/18/10
2892	Sartaj Oil Company - Shell #2332	Cleve.	DV/JP	11/10/08	01/25/10
2893	Sterling Professional Group, LLC/Cleveland Public Library (asbestos)	NEDO	SF/MM	11/09/09	01/28/10
2894	The University of Akron	Akron	MG/JK	05/23/08	02/01/10
2895	Medhurst Mason Contractors, Inc.	Akron	DV/FU	09/19/07	02/11/10
2896 (VC)	Lorain County II Landfill	NEDO	SF/JK	11/27/09	02/11/10
2897	Clark Sunoco	Cleve.	MG/JP	10/14/08	02/17/10

PENDING AIR ENFORCEMENT COMMITTEE CASES

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
2898	Stark C & D Landfill/Marshall Land Company/The City of Canton	NEDO	DV/UD	11/13/09	02/23/10
2899	Severstal Wheeling, Inc.	SEDO	BZ/JO	03/26/10	02/01/10
2900	Clarkia Gas	Cleve.	MG/JP	02/10/09	03/01/10
2901	Rumpke-Sanitary-Landfill, Inc.	HAMCO	BZ/JO	08/01/09	03/01/10
2902	True North #316	Cleve.	DV/JP	02/24/09	03/17/10
2903	D & D Marathon	Cleve.	SF/JP	02/02/09	03/22/10
2904	United States Gypsum Company (HPV)	NWDO	MG/	03/14/07	03/24/10
2905	Pilot Travel Centers, LLC (Pilot #0002)	NEDO	DV/JK	12/10/09	03/24/10
2906	Denison Gas USA	Cleve.	SF/JP	09/16/08	03/29/10

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

January

Docket #	Case Name	Rank	Field Office	EC Contact	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	Direcor's F&O's	Referred to AGO
2698 (112r)	Sugar Creek Packing Co. (Washington Courthouse)	3	N/A	TK	SS	DV	01/31/08					01/14/10	
2719 (112r)	Sugar Creek Packing Co. (Dayton)	3	N/A	TK	SS	DV	04/28/08					01/14/10	
2750 (VC)	New Day Farms, LLC/Henning Construction Company	3	CDO	JP	JP	SF	08/21/08					01/11/10	
2784	Reichert Excavating, Inc.	0	CDO	JP	JP	SF	12/04/08					(01/11/10)	
2760	Precision Environmental Company (asbestos)	1	Akron	TK	PP	SF	10/22/08		01/12/10 (DWL)	Closed-NFA	01/14/10		
2813	ConSun Food Industries, Inc. (Convenient Food Mart GDFs #736 and #746)	3	NEDO	TK	JK	DV	03/27/09					01/14/10	

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

January

Docket #	Case Name	Rank	Field Office	EC Contact	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	Direcor's F&O's	Referred to AGO
2870	Brent Saionz, d.b.a. Simon Excavating	3	NWDO	TK	TT	MG	10/15/09					01/13/10	
2874	Ron Smith	3	NWDO	TK	FU	SF	11/09/09					01/12/10	
2744	The Afcoese Group (asbestos)	3	NEDO	TK	JK	BZ	08/06/08					01/20/10	
2854	Lehigh Gas Corporation	3	NEDO	TK	JK	SF	09/03/09					01/20/10	

Total for the month of January = 10

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

February

Docket #	Case Name	Rank	Field Office	EC Contact	Contact Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	Direcor's F&O's	Referred to AGO
2813	S. H. Bell Company (Little England and Stateline facilities)	3	NEDO	TK	JO	MG	04/21/09					02/08/10	
2887	Kimberly Dailey	3	SWDO	JP	EY	SF	01/07/10					02/01/10	
2671	Mar-Zane, Inc. (Plant 1)	3	CDO	JP	JP	MG	10/25/07						02/18/10

Total for the month of February = 3

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

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
2685	Quikrete-Cleveland	3	Akron	TK	UD	DV	12/14/07					02/26/10	
2731 (112r)	H. B. Fuller Company	3	N/A	TK	KJ	DV	06/04/08					03/10/10	
2824	Ariel Corporation	3	CDO	JP	EY	MG	05/18/09					03/09/10	
2834	Foti Contracting, LLC	3	Akron	TK	FU	MG	06/29/09					03/10/10	
2879 (112r)	City of Youngstown, Wastewater Treatment Plant	3	N/A	TK	SS	MG	12/04/09					03/10/10	
2901	Rumpke Sanitary Landfill, Inc.	3	HAMCO	TK	JO	BZ	03/01/10					03/18/10	
2527	Carneuse Lime, Inc. (Maple Grove Facility)	3	NWDO	TK	FU	DV	06/19/06					03/19/10	
2820	Bailey-PVS Oxides Delta LLC.	3	NWDO	TK	JK	MG	04/27/09					03/19/10	

Total for the month of March = 8

Summary of Compliance with Effective Findings and Orders

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
Ball & Sons Construction (11/08/96)	Civil penalty: (\$1,000)	563513	11/22/96	Y	FSC**	
Smith Foundry & Machine Co. (12/31/96)	Civil penalty: (\$25,000)					
	\$5,000	530404	01/31/97		01/23/97	
	\$5,000	530405	01/31/98		01/23/98	
	\$5,000	530406	01/31/99	Y	01/19/99	
	\$5,000	530407	01/31/00	Y	ACT**	
	\$5,000	541831	01/31/01		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. The facility has been permanently shut down since some time in 2006. Incorporation status w/ Secretary of State was dissolved in 2006.						
Mark Fuerst (02/08/00)	Civil penalty: (\$10,000)					
	OEPA \$2,000	172154	04/08/00	Y	FSC**	
	\$2,000	172155	05/08/00	Y	*	
	\$2,000	172156	06/08/00	Y	FSC**	
	\$2,000	172157	07/08/00	Y	FSC**	
	ODNR \$2,000	606212	03/08/00	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)					
	OEPA \$2,000	206005	01/12/01		01/16/01	
	ODNR \$500	564224	01/29/01			
Anco Properties (06/19/01)	Civil penalty: (\$23,000)					
	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**	
	ODNR \$4,600	613129	07/19/01	Y	FSC**	
Superior Demolition and Excavating (12/28/01)	Civil penalty: (\$15,000)					
	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**	
	ODNR \$3,000	270395	01/11/02		01/10/02	

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
Richard and Joby Hackett (04/04/02)	Civil penalty: (\$3,000)					
	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**
	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)					
	OEPA	\$4,000	304257	10/02/02		09/30/02
	ODNR	\$2,000	564243	10/18/02	N	
		pave entrance & access road to facility		10/31/02		06/03/04*

City of Oregon (09/16/02)	Civil penalty: (\$10,000)					
	OEPA	\$8,000	304257	09/30/02		09/30/02
	ODNR	\$2,000	564243	09/30/02	N	
		conduct asbestos fire training		02/01/03		01/18-14-15&29/03

Cleveland Industrial Drum Servic Service, Inc. (10/30/02)	Civil penalty: (\$1,000)					
	OEPA	\$800	314152	11/13/02		06/24/03
	ODNR	\$200	564255	11/30/02	N	

M & J Excavating (11/27/02)	Civil penalty: (\$2,450)					
	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*
	ODNR	\$490	564257	12/27/02		09/25/02

Chris Corso (12/02/02)	Civil penalty: (\$7,000)					
	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
	ODNR	\$1,400	614162	01/02/03	N	

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
Goldline Wrecking Co. (12/23/02)	Civil penalty: (\$35,000)					
	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**
	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)					
	EPA	\$ 500	336723	03/06/03	Y	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*
	ODNR	\$1,700	583375	03/06/03	Y	

* 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)					
	Submit modeling analysis			413303	01/31/04	01/07/04
				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	C y/n	Complete Date	Check # / 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)	443684	05/27/04	Y			

John Dubuk (12/29/04)	Civil penalty: (\$10,000)						
	\$834	489979	01/28/05		01/24/05		
	\$834	489980	02/27/05		02/24/05		
	\$834	489981	03/29/05		03/26/05		
	\$834	489982	04/28/05	Y	07/29/06		
	\$834	489983	05/28/05	Y	UNC**		
	\$834	489984	06/27/05	Y	07/29/06		
	\$834	489985	07/27/05	Y	UNC**		
	\$834	489986	08/26/05	Y	UNC**		
	\$834	489987	09/25/05	Y	UNC**		
	\$834	489988	10/25/05	Y	UNC**		
	\$834	489989	11/24/05	Y	UNC**		
	\$826	489990	12/24/05	Y	UNC**		

C & J Contractors (12/21/04)	Civil penalty: (\$5,600)	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)	550712	04/14/05	Y			

Columbus Steel Drum (07/06/05 - Consent Order)	Civil penalty: (\$500,000)						
	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		

Facility Name	Milestone or Requirement*	Revenue	Deadline	C	Complete	Check	
		ID	in F&O	y/n	Date	# / Date	
Columbus Steel Drum (con't) (07/06/05 - Consent Order)	OEPA	\$25,000	514167	07/01/07		08/01/07	
		\$25,000	514168	10/01/07		10/17/07	
		\$25,000	514169	01/01/08		03/12/08	
		\$25,000	514170	04/01/08		04/15/08	
		\$25,000	514171	07/01/08		07/01/08	
		\$25,000	514172	10/01/08		10/01/08	
		\$25,000	514173	01/01/09		04/08/09	
		\$25,000	514174	04/01/09		07/17/09	
		\$21,250	514175	07/01/09		10/15/09	
		\$21,250	726464	09/01/09		12/01/09	
		\$21,250	726465	11/01/09		11/30/09	
		\$21,250	726466	12/01/09			
		Submit PTI app for K001-K003			12/01/09		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				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		

Shell Construction, Inc. (09/26/05)	Civil penalty: (\$3,700)					
	OEPA	\$100	526004	10/26/05		09/27/05
		\$100	526005	11/25/05		11/10/05
		\$100	526006	12/25/05		12/20/05
		\$100	526007	01/24/06		10/28/06
		\$100	526008	02/23/06		10/28/06
	\$100	526009	03/25/06		10/28/06	

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
Shell Construction, Inc. (con't) (09/26/05)	\$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			

Environmental Affairs Management (12/29/05)	Civil penalty: (\$10,000)					
	OEPA \$1,000	541425	03/29/06		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	

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
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*		02/26/10
	Test and establish an allowable short-term VOC limit for each scrubber stack serving P032, P033 and P034 at Dayton			02/28/10*		02/26/10
	Submit permit apps for P032, P033 and P034 at Dayton to incorporate control equipment operating parameters and VOC emission limits			09/01/10*		
	Submit PTI app 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		

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		

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
Sunoco, Inc. (con't) (03/20/06-Consent Decree)	Install WGS for FCCU		12/31/09			
	Comply w/ NSPS for SO ² and opacity for FCCU		12/31/09			
	Comply w/ NSPS for PM for FCCU		03/20/06		03/20/06	
	Comply w/ NSPS for CO for FCCU		03/20/08		03/27/08	
	Reduce NOx emissions from heaters & 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		03/20/10			
	Submit a detailed NOx Control Plan		07/20/06		07/05/06	
	Install a second Claus train & 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		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	

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
David Scholl (09/25/06)	Civil penalty: (\$400)	584589	10/25/06		12/11/06* 05/26/07*	
* Made a partial payment of \$200 on 12/11/06. \$200 was certified to AGO. A payment of \$180 + \$20 for AGO was made on 5/26/07						
Alpha-Omega Chemical Co. (12/14/06)	Civil penalty: (\$4,000)					
	OEPA \$1,000	605635	05/14/07		08/20/07	
	\$1,000	605636	09/14/07	Y		
	\$1,200	625637	12/14/07	Y		
	Bus Fund \$ 800	625638	01/14/07	Y	07/29/07	
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		04/16/07	
	Submit detailed P ² report		09/29/07		10/03/08	
	Submit final P ² report		11/29/07		10/03/08	
	Submit PTI & 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) (\$44,853 = 45% of \$99,674)	623581	08/16/07		8/20/2007	
	Submit survey and plan to install protective physical barrier		08/16/07			
	Install cap				w/i 60 days of OEPA approval of survey & plan	
	Grant a new deed				w/i 30 days of OEPA approval of survey	

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
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			

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 222582
	Bus Fund	\$14,050	634725	12/08/07		11/02/07 222583
	Submit P2 report			02/08/07		
	Submit P2 report			05/08/07		
	Submit P2 report			08/08/07		
	Submit final P2 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 NOx/MMBtu for heaters and boilers			12/31/08		12/10/08
	Install controls to meet .060 lb NOx/MMBtu for heaters and boilers			12/31/11		
	Submit plan to meet .044 lb NOx/MMBtu for heaters and boilers			12/31/10		
	Install controls to meet .044 lb NOx/MMBtu for heaters and boilers			12/31/13		
	Submit report that demonstrates compliance with limits for heaters & boilers			03/31/12		03/31/14
	Submit report re: the NOx concentration emissions for the FCCU thru optimization of O2 CS			03/01/12		
	Submit report that demonstrates compliance w/ interim NOx system-wide average for FCCUs			03/31/11		

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
The Premcor Refining Group, Inc. (Con't)	Submit report that demonstrates compliance w/ final Nox system-wide average for FCCUs		03/31/14			
	Commence implementation of SO2 ad-sorbing 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 SO2 at FCCU		12/31/08		12/19/08	
	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*	
				* Develops SOP	** Training	
	Develop and implement procedures to ensure QA/QC for all LDAR data		02/20/08		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		12/30/09		12/18/09	
	Certify compliance for all flaring devices		12/31/13			

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
The Premcor Refining Group, Inc. (Con't)	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)		12/30/09			
	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 specification		02/20/08		01/18/08	
	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 SO2 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 SO2 limit		11/01/10			
	Submit a complete T5 permit application for Consent Decree SO2 limits		09/01/11			

Converters Prepress (12/06/07 - Consent Order)	Civil penalty: (\$5,004)					
	OEPA \$139	644190	01/06/08		02/22/08	
	\$139	644191	02/06/08		03/26/08	
	\$139	644192	03/06/08		03/26/08	
	\$139	644193	04/06/08		04/04/08	
	\$139	644194	05/06/08		05/05/08	
	\$139	644195	06/06/08		05/30/08	
	\$139	644196	07/06/08		07/14/08	
\$139	644197	08/06/08		08/04/08		

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
Converters Prepress (con't) (12/06/07 - Consent Order)	\$139	644198	09/06/08		08/29/08	
	\$139	644199	10/06/08		09/29/08	
	\$139	644200	11/06/08		11/06/08	
	\$139	644201	12/06/08		12/02/08	
	\$139	644202	01/06/09		12/30/08	
	\$139	644203	02/06/09		02/09/09	
	\$139	644204	03/06/09		03/11/09	
	\$139	644205	04/06/09		03/31/09	
	\$139	644206	05/06/09		05/05/09	
	\$139	644207	06/06/09		06/01/09	
	\$139	644208	07/06/09		07/06/09	
	\$139	644209	08/06/09		08/07/09	
	\$139	644210	09/06/09		08/24/09	8256
	\$139	644211	10/06/09		09/28/09	8316
	\$139	644212	11/06/09		10/27/09	8368
	\$139	644213	12/06/09		11/24/09	8427
	\$139	644214	01/06/10		12/28/09	8474
	\$139	644215	02/06/10		01/25/10	8521
	\$139	644216	03/06/10		03/02/10	
	\$139	644217	04/06/10			
	\$139	644218	05/06/10			
	\$139	644219	06/06/10			
	\$139	644220	07/06/10			
	\$139	644221	08/06/10			
	\$139	644222	09/06/10			
\$139	644223	10/06/10				
\$139	644224	11/06/10				
\$139	644225	12/06/10				

Real Spaces Property for Rent (12/31/07)	Civil penalty: (\$17,700)					
	OEPA \$ 600	645338	01/30/08		02/07/08	
	\$ 600	645339	02/29/08		03/12/08	
	\$ 600	645340	03/30/08		05/05/08	
	\$ 600	645341	04/29/08		06/09/08	
	\$ 600	645342	05/29/08		07/03/08	
	\$ 600	645343	06/28/08		08/04/08	
	\$ 600	645344	07/28/08		09/11/08	
	\$ 600	645345	08/27/08		11/17/08	
	\$ 600	645346	09/26/08		01/13/09	
	\$ 600	645347	10/26/08	Y	01/27/10*	
	\$ 600	645348	11/25/08	Y		
	\$ 600	645349	12/25/08	Y		

* Partial pymt of \$300 made, of which \$30 went to AGO.

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
Real Spaces Property for Rent (con't) (12/31/07)	\$ 600	645350	01/24/09	Y		
	\$ 600	645351	02/23/09	Y		
	\$ 600	645352	03/25/09	Y		
	\$ 600	645353	04/24/09	Y		
	\$ 600	645354	05/24/09	Y		
	\$ 600	645355	06/23/09	Y		
	\$3,360	645356	07/23/09	Y		
Bus Fund	\$3,560	645357	07/23/09	Y		

Christopher Vincent (02/15/08)	Civil penalty: (\$1,000)	653134	03/16/08	Y	ACT	

James Brown 3/11/2008	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		

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					

Lanny Reynolds (07/16/08)	Civil penalty: (\$750)	666335	08/16/08	Y		

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		

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
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 tool \$1,069.55 for its collection efforts. ** AGO took \$240 of this amount for its collect 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/l 60 days of startup of 2009 season if permit issued after		08/11/09	
	Pay emissions fees of \$7,330 for 1995 thru 2007 for Sandusky and for 1999 thru 2005 for Portage		10/24/08		10/09/08	
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	4969
	\$28,000	709527	01/15/10		01/27/10	5049
	Bus Fund \$ 7,000	709528	02/14/09		02/11/09	4968
	\$ 7,000	709529	01/15/10		01/29/10	5048
	Submit complete approvable synthetic minor PTIO app.		w/i 60 days of resuming operations			
Submit FERs for 1999-2007 & pay \$8,000 in past emission		upon receipt of invoice from OEPA		06/12/09		

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
Ultimate Industries, Inc. (02/05/09 - Consent Order)	Civil penalty: (\$4,200)					
	OEPA	\$175	712529	03/05/09		05/12/09
		\$175	712530	04/05/09		06/15/09
		\$175	712531	05/05/09		08/07/09
		\$175	712532	06/05/09		09/28/09
		\$175	712533	07/05/09		
		\$175	712534	08/05/09		
		\$175	712535	09/05/09		
		\$175	712536	10/05/09		
		\$175	712537	11/05/09		
		\$175	712538	12/05/09		
		\$175	712539	01/05/10		
		\$175	712540	02/05/10		
		\$175	712541	03/05/10		
		\$175	712542	04/05/10		
		\$175	712543	05/05/10		
		\$175	712544	06/05/10		
		\$175	712545	07/05/10		
		\$175	712546	08/05/10		
		\$175	712547	09/05/10		
	\$175	712548	10/05/10			
	\$175	712549	11/05/10			
	\$175	712550	12/05/10			
	\$175	712551	01/05/11			
	\$175	712552	02/05/11			

N-Viro International Corp. (03/24/09)	Civil penalty: (\$16,000)					
	OEPA	\$4,000	707974	07/22/09		07/21/09 29631
		\$4,000	707975	10/20/09		10/19/09 29861
		\$4,000	707976	01/18/10		01/15/10 30034
		\$4,000	707977	04/18/10		
	Bus Fund	\$4,000	707978	04/23/09		04/22/09 29426

Brush Wellman, Inc. (03/24/09)	Civil penalty: (\$40,000)					
	OEPA	\$28,000	711745	04/24/09		03/26/09 101226491
	Bus Fund	\$12,000	711746	04/24/09		03/26/09 101226492
	Install 3 TRIBO.d2 particulate emission monitors			09/24/09		09/16/09
Submit documentation of SEP cost			10/24/09		10/13/09	

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date	
Chemtrade Logistics Inc/Marcule (04/02/09 - Consent Decree)	Civil penalty: (\$120,000)						
	OEPA \$72,000	712639	05/02/09		05/26/09	280088323	
	Bus Fund \$24,000	712640	05/02/09		05/26/09	280088325	
	ODNR \$24,000		05/02/09				
	Comply w/ short-term and long-term SO2 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 SO2 CEMS:	Oregon	07/01/11				
		Cairo	07/01/11				
	Perform compliance tests:	Oregon	07/01/11				
		Cairo	07/01/11				
	Submit O&M Plans:	Oregon	07/01/11				
		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	Oregon	07/01/11					
	Cairo	07/01/11					

Lagrange Township Trustees (04/14/09)	Civil penalty: (\$250)	713233	05/14/09	Y	07/26/09	23728	
	Report the results of vehicle inspections		12/31/09		04/20/09		

George Rank (04/16/09)	Civil penalty: (\$500)	713237	05/16/09	Y			

Richard Morrow (05/01/09)	Civil penalty: (\$3,000)	713246	05/15/09	Y			

Container Recyclers, Inc. (d.b.a. Columbus Steel Drum) (06/08/09 Amended Consent Order for stipulated penalties)	Civil penalty: (\$87,050)						
	OEPA \$21,762.50	713429	10/23/09		10/21/09	22101	
	\$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	21779	
	\$10,881.25	713433	07/17/09		07/16/09	21859	

Plasti-Kote Company, Inc. (06/17/09)	Civil penalty: (\$240,000)						
	OEPA \$192,000	714631	07/01/09		08/21/09	6000197973	
	Bus Fund \$ 48,000	714632	07/17/09		08/21/09	6000197973	
	Submit either a Title V permit app or synthetic minor PTI/FESOP appl. (FEPTIO appl.)		10/17/09		10/12/09		

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
T. S. Trum Industries, Inc. (06/17/09)	Civil penalty: (\$85,200)					
	OEPA \$68,160	714704	07/17/09		06/25/09	146684
	Bus Fund \$17,040	714705	07/17/09		06/25/09	146683
	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		09/18/09	9925
	Have all vehicles tested and report results		12/31/09		11/02/09	
Village of North Randall (06/30/09)	Civil penalty: (\$1,500)	714660	07/30/09	Y		
	Have all vehicles tested and report results		12/31/09			
Precision Aggregates III, LLC (07/08/09)	Civil penalty: (\$15,000)					
	OEPA \$4,500	715181	09/15/09		09/14/09	5008
	\$7,500	715182	09/15/10			
Village of Oakwood (07/07/09)	Bus Fund \$3,000	715183	09/15/09		09/14/09	5010
	Civil penalty: (\$2,500)	714842	08/07/09		08/17/09	49645
The Belden Brick Company, L.L. (07/06/09 - Consent Decree)	Have all vehicles tested and report results		11/02/09			
	Civil penalty: (\$850,000)					
	OEPA \$170,000	717042	08/06/09		08/17/09	9044400714
	\$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	9044400715
	Pay \$334,514.43 for Title V permit emission fees for CY 2001 thru 2006			Upon receipt of invoice from OEPA	08/14/09	
	Submit SO2 FERs for CY 1993 thru 2000		01/06/10		12/23/09	
	For Plant 8, pay difference in emission fees for CY 1999 and 2000			Upon receipt of invoice from OEPA		
Cleveland Board of Education (E-Check) (08/11/09)	Civil penalty: (\$5,000)	726483	09/11/09		09/01/09	800046
	Have all vehicles tested and report results		12/31/09		10/15/09	
Saif Khan, d.b.a. Lakeland Citgo (08/20/09)	Civil penalty: (\$10,000)					
	OEPA \$ 500	726488	09/20/09		08/06/09	23336993
	\$2,500	726489	12/20/09		11/30/09	23469420
	\$2,500	726490	03/20/10		03/23/10	
	\$2,500	726491	06/20/10			
Bus Fund \$2,500	726492	09/20/09		08/06/09	23336992	

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
Joseph Parker (08/18/09)	Civil penalty: (\$250)	725188	09/18/09	Y		
The Shelly Holding Company, et (09/02/09 - Court Order)	Civil penalty: (\$350,123.52)	749108	01/22/10		01/22/10	1162183344
		749109	01/22/10		01/22/10	1166047771
		749110	01/22/10		01/22/10	1171052079
		749111	01/22/10		01/22/10	1162183345
Speedway SuperAmerica, LLC (09/22/09)	Civil penalty: (\$35,880)					
	OEPA \$28,704	727238	10/05/09		09/29/09	960292
	Bus Fund \$ 7,176	727239	10/22/09		09/29/09	960291
	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			
			09/14/10			
	Submit results of static leak and A/L ratio tests for 2011		04/14/10			
			09/14/10			
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			
Stein, Inc. (10/13/09)	Civil penalty: (\$50,000)					
	OEPA \$10,000	735696	05/13/10			
	\$10,000	735697	08/13/10			
	\$10,000	735698	11/13/10			
	\$10,000	735699	02/13/11			
	Bus Fund \$10,000	735700	11/13/09		10/23/09	16035
Joseph and Marie Eberz (10/19/09 - CO)	Civil penalty: (\$500)	735796	11/19/09			
CertainTeed Corp (10/19/09 - CO)	Civil penalty: (\$230,000)					
	OEPA \$184,000	735799	11/19/09		11/05/09	3802097
	Bus Fund \$ 46,000	735800	11/19/09		11/05/09	3802098
	Submit Title V permit application		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			

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
Aleris International, Inc., et. al. (10/19/09 - CO)	Civil penalty: (\$334,545)		when U.S. Bankruptcy Court for District of Delaware decides			
	Install load cells to weigh flux		04/29/10			
	Submit Capture and Collection System Improvement Plan		11/29/09			
	Complete all improvements described in CCSIP		04/29/10			
	Measure fan RPM		01/29/10			
	Measure static pressure of air curtain		01/29/10			
	Perform compliance tests		10/29/10			
	Submit test results		12/29/10			
	Submit HCI PTE analysis		12/29/10			
	Conduct additional compliance tests		03/29/10			
	Comply with all requirements of Subparts A and RRR		09/29/10			

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	555299730
	Bus Fund \$20,000	735798	12/04/09		11/13/09	555299731
	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	2353
	\$1,250	746347	03/12/10		03/12/10	2723
	\$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	06/01/10			
	\$1,000	746097	07/01/10			
	\$1,000	746098	08/01/10			
	\$1,000	746099	09/01/10			

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
Great Plains Exploration (con't) (11/12/09)	Civil penalty: (\$19,000)					
	OEPA	\$1,000	746100	10/01/10		
		\$1,000	746101	11/01/10		
		\$1,000	746102	12/01/10		
		\$1,000	746103	01/01/11		
		\$1,000	746104	02/01/11		
		\$1,000	746105	03/01/11		
		\$1,000	746106	04/01/11		
		\$1,000	746107	05/01/11		
	Bus Fund	\$1,000	746108	11/01/09		
		\$1,000	746109	12/01/09		
	\$1,000	746110	01/01/10			
	\$1,000	746111	02/01/10			

Sunoco, Inc. (Toledo Refinery) (11/12/09)	Civil penalty: (\$32,250)					
	OEPA	\$25,800	746355	11/26/09	11/06/09	6.9E+09
	Bus Fund	\$6,450	746356	12/12/09	11/06/09	6.9E+09
	Complete corrective actions in Finding 15(a) and submit documentation			12/31/09		
	Correct deficiencies in butane sphere inspection reports & 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	02/26/10	52818
		\$2,000	747315	04/01/10	03/26/10	
		\$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			

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
Thermo-Rite Manufacturing (con't) Company, Inc. (12/02/09)	Bus Fund \$2,000	747329	12/01/09		11/30/09	52386
	\$2,000	747330	01/01/10		12/23/09	52520
	\$2,000	747331	02/01/10		01/21/10	52664
	\$1,200	747332	03/01/10		02/26/10	52819

D & R Supply, Inc. (12/02/09)	Civil penalty: (\$20,000)					
	OEPA \$5,000	746313	01/01/10		12/22/09	3847
	\$2,750	746314	04/01/10		03/10/10	
	\$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	3791

Emery Oleochemicals, LLC (12/17/09)	Civil penalty: (\$57,400)					
	OEPA \$28,700	747345	12/31/09		12/09/09	1004602
	Bus Fund \$28,700	747346	12/31/09		12/09/09	1004605
	For odor emission control system for P004 (penalty credit project):					
	Submit plans				03/01/10	
	issue purchase orders				07/01/10	
	initiate construction				10/01/10	
	complete construction				12/31/10	
	submit documentation of spending at least \$340,000				01/31/11	

Robert Schiekh (12/22/09)	Civil penalty: (\$750)	747648	01/22/10			

D. Todd Hosea, d.b.a. Hosea Project Movers (12/23/09)	Civil penalty: (\$22,000)					
	OEPA \$4,400	747655	03/23/10		03/25/10	
	\$4,400	747656	06/23/10			
	\$4,400	747657	09/23/10			
	\$4,400	747658	12/23/10			
	Bus Fund \$4,400	747659	01/23/10		01/25/10	2058

Randy Wise (12/23/09)	Civil penalty: (\$250)	747654	01/23/10			

Ameriseal & Resoration, LLC (12/30/09)	Civil penalty: (\$6,700)					
	OEPA \$860	747818	01/15/10		01/15/10	8845
	\$2,200	747819	02/15/10		02/09/10	8870
	\$2,300	747820	03/15/10		03/08/10	8919
	Bus Fund \$1,340	747821	01/15/10		01/15/10	8846

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
Mark A. Mirich, d.b.a.	Civil penalty: (\$25,000)					
All Demolition (12/28/09 - CO)	OEPA	\$800	748952	02/15/10		
		\$800	748953	03/15/10		
		\$800	748954	04/15/10		
		\$800	748955	05/15/10		
		\$800	748956	06/15/10		
		\$800	748957	07/15/10		
		\$800	748958	08/15/10		
		\$800	748959	09/15/10		
		\$800	748960	10/15/10		
		\$800	748961	11/15/10		
		\$800	748962	12/15/10		
		\$800	748963	01/15/11		
		\$800	748964	02/15/11		
		\$800	748965	03/15/11		
		\$800	748966	04/15/11		
		\$800	748967	05/15/11		
		\$800	748968	06/15/11		
		\$800	748969	07/15/11		
		\$800	748970	08/15/11		
		\$800	748971	09/15/11		
		\$800	748972	10/15/11		
		\$800	748973	11/15/11		
		\$800	748974	12/15/11		
		\$800	748975	01/15/12		
		\$800	748976	02/15/12		
		\$200	748977	02/15/10		
		\$200	748978	03/15/10		
		\$200	748979	04/15/10		
		\$200	748980	05/15/10		
		\$200	748981	06/15/10		
		\$200	748982	07/15/10		
		\$200	748983	08/15/10		
		\$200	748984	09/15/10		
		\$200	748985	10/15/10		
		\$200	748986	11/15/10		
		\$200	748987	12/15/10		
		\$200	748988	01/15/11		
		\$200	748989	02/15/11		
		\$200	748990	03/15/11		
		\$200	748991	04/15/11		
		\$200	748992	05/15/11		
		\$200	748993	06/15/11		

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
All Demolition (con't) (12/28/09 - CO)	\$200	748994	07/15/11			
	\$200	748995	08/15/11			
	\$200	748996	09/15/11			
	\$200	748997	10/15/11			
	\$200	748998	11/15/11			
	\$200	748999	12/15/11			
	\$200	749000	01/15/12			
	\$200	749001	02/15/12			

Tinkler Construction, Co. (12/30/09 - CO)	Civil penalty: (\$14,500)					
	OEPA \$11,600	752584	01/30/10			
	Bus Fund \$ 2,900	752585	01/30/10			

New Day Farms, LLC, et al. (01/11/10)	Civil penalty: (\$55,200)					
	OEPA \$44,160	752672	02/11/10			
	Bus Fund \$11,040	752673	02/11/10			

ConSun Food Industries, Inc. (01/14/10)	Civil penalty: (\$17,250)					
	OEPA \$1,600	751928	02/14/10		02/05/10	290041
	\$4,000	751929	05/14/10			
	\$4,000	751930	08/14/10			
	\$4,200	751931	11/14/10			
	Bus Fund \$3,450	751932	02/14/10		02/05/10	290042
	Perform static leak & A/L ratio tests at each GDF		03/31/10		02/22/10	
			08/31/10			
		03/31/11				
		08/31/11				

Brent Saionz, d.b.a. Simon Excavating (01/13/10)	Civil penalty: (\$2,000)					
		753503	01/27/10			

The Afco Group (01/20/10)	Civil penalty: (\$1,000)					
	OEPA \$250	753493	02/20/10			
	\$250	753494	03/18/10			
	\$250	753495	04/18/10			
	\$250	753496	05/18/10			

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
Lehigh Gas Corporation (01/20/10)	Civil penalty: (\$12,000)					
	OEPA \$9,600	753405	02/03/10			
	Bus Fund \$2,400	753406	03/05/10			
	Perform static leak & A/L ratio tests at each GDF		03/31/10			
			08/31/10			
			03/31/11			
			08/31/11			

S. H. Bell Company (02/08/10)	Operate and maintain a mobile, wet suppression system for the straight-sided dock barge unloading and loading, and truck loading (F016)		01/15/10			
	Install a building enclosure connected to the PA truck load out and vented to the existing baghouse, for the truck dump unloading of incoming materials (F013)		01/22/10			
	Operate and maintain a mobile, wet suppression system for F009		02/15/10			
	Operate and maintain a mobile, wet suppression system for the railcar unloading and loading (F015)		02/15/10			
	Install capture system and baghouse for F005 and F008		03/12/10			
	Cease handling, processing, and storage of AM at the Little England Facility		03/31/10			
	Install wet suppression system (with impingement spray nozzles) for the dump hoppers in F006 and F007 as an interim control measure until the capture system and baghouse are installed		04/01/10			
	Cease placing AM storage piles (F002) in any stall-type storage building unless the building has been modified to make it a full enclosure		06/15/10			
	Install capture system and baghouse for F006 and F007		11/19/10			

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O y/n	C Complete Date	Check # / Date
S. H. Bell Company (con't) (02/08/10)	Either cease processing AM or install either a wet suppression system with fogging nozzles) or a capture system and baghouse for the building fugitive emissions at P901		11/19/10		

INEOS ABS Corporation (02/04/10 - Consent Decree)	Civil penalty: (\$3,100,000)				
	U.S.	\$1,480,000	N/A	03/06/10	
	USEPA Hazardous Substances Superfund	\$ 70,000	N/A	03/06/10	
	HAMCO	\$ 382,500	N/A	03/06/10	
	Bus Fund	\$ 229,500	753743	03/06/10	
	SERC Fund	\$ 20,000	753742	03/06/10	
	OEPA, DAPC	\$ 256,000	753740	03/06/10	
	OEPA, EEF	\$ 612,000	753741	03/06/10	
	ODNR	\$ 50,000		03/06/10	
	Submit summary of FTIR testing and recommend NHVFG			07/06/10	
	Comply with NHVFG of 200 Btu/scf or alternative value approved by USEPA			08/06/10	
	<u>Biofilter milestones:</u>				
	Submit work plan		03/21/10		03/19/10
	Issue purchase orders		~ 05/04/10*		
	Initiate construction (Phase I)		~ 06/04/10		
	Complete construction (Phase I)		~ 12/04/10		
	Perform emission testing		~ 3/4/2011		
	Submit monitoring procedures/maintenance plan		~ 5/4/2011		
	Complete construction (Phase II)		~ 6/1/2011		
	(* ~ assuming 2 weeks to approve work plan)				
	Submit a new and/or revised SOP for the Main Duct		03/06/10		
	<u>LDAR program milestones:</u>				
	Develop a written facility-wide LDAR Program Plan		05/06/10		
	Monitor all equipment in accordance with more stringent frequencies		05/06/10		

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
INEOS ABS Corporation (con't) (02/04/10 - Consent Decree)	Begin replacing "leaking" valves and connectors with "low-leaking" technology		11/06/10			
	Perform the first audit of the LDAR		05/06/10			

Spectrum Metal Finishing, Inc. (02/19/10 - Consent Order)	Civil penalty: (\$100,000)					
	OEPA	\$20,000	753753		03/31/11	
		\$20,000	753754		06/30/11	
		\$20,000	753755		09/30/11	
		\$20,000	753756		12/31/11	
	Bus Fund	\$ 5,000	753757		03/31/11	
		\$ 5,000	753758		06/30/11	
		\$ 5,000	753759		09/30/11	
		\$ 5,000	753760		12/31/11	
		Submit synthetic minor PTI application for K002				03/21/10
	Complete construction of RTO			w/i 230 days after PTI is issued		
	Submit odor abatement study			w/i 90 days of notice by OEPA		

Quikrete-Cleveland (02/26/10)	Civil penalty: (\$16,250)	753762	03/12/10		03/04/10	1006152
	Complete the asphalt paving SEP project		02/26/11			

H. B. Fuller Company (03/10/10)	Civil penalty: (\$9,375)					
	OEPA	\$6,000			05/10/10	03/18/10
	Bus Fund	\$3,375			04/10/10	03/08/10
	Submit a schedule for completion of the SEP				04/10/10	

Ariel Corporation (03/09/10)	Civil penalty: (\$25,000)					
	OEPA	\$20,000			04/09/10	02/22/10 30151
	Bus Fund	\$ 5,000			04/09/10	02/22/10 30152

Foti Contracting, LLC (03/10/10)	Civil penalty: (\$10,000)					
	OEPA	\$8,000			04/10/10	02/19/10 26441
	Bus Fund	\$2,000			04/10/10	02/19/10 26440

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O y/n	C Complete Date	Check # / Date
City of Youngstown, WWTP (03/10/10)	Civil penalty: (\$12,405)				
	OEPA \$9,924		03/24/10	03/26/10	
	Bus Fund \$2,481		03/24/10	03/26/10	
	Submit documentation that RMP deficiencies have been corrected		04/10/10		

Lafarge North America, Inc. (Paulding) (03/18/10 - Consent Decree)	Civil penalty: (\$55,250)				
	OEPA \$44,200		04/18/10		
	Bus Fund \$11,050		04/18/10		
	Install NOx and SO2 CEMs for both kilns		03/18/11		
	Install SNCR and DAA for one kiln		11/01/11		
Install SNCR and DAA for the other kiln		12/01/11			

Rumpke Sanitary Landfill, Inc. (03/18/10)	Civil penalty: (\$98,000)				
	OEPA \$78,400		04/18/10		
	Bus Fund \$19,600		04/18/10		

Carause Lime, Inc. (Maple Grove Facility) (03/19/10)	Civil penalty: (\$180,740)				
	OEPA \$144,592		04/19/10		
	Bus Fund \$ 36,148		04/19/10		
	Submit Title V permit modification for transloaders and roadways		06/19/10		
	Submit PTI application for the modification of P905		06/19/10		

Bailey-PVS Oxides Delta LLC. (03/19/10)	Civil penalty: (\$55,000)				
	OEPA \$ 8,800		07/19/10		
	\$ 8,800		10/19/10		
	\$ 8,800		01/19/11		
	\$ 8,800		04/19/11		
	\$ 8,800		07/19/11		
	Bus Fund \$11,000		04/19/10		
Submit PTIO applications		04/19/10			

2 Respondent operates the following emissions units at its facility as part of the lime production process:

- paved and unpaved roadways and parking areas (F001);
- material storage piles (F002);
- limestone material handling (F003);
- product handling #1/lime material handling (P001);
- product handling #2/lime material handling (P002);
- rotary kiln #12 (P003);
- rotary kiln #13 (P004);
- solid fuel (coal and coke) handling (P901);
- common product handling (P902);
- two product storage/loadouts (P903) and (P904); and
- kiln dust handling operations (P905).

3. These emissions units are "air contaminant sources," as defined in OAC Rule 3745-15-01(C) and (X).

4. On May 23, 2002, Ohio EPA issued PTI #03-13527 to Respondent. The PTI established monitoring, record-keeping and reporting requirements and best available control technology ("BACT") for each emissions unit. A baghouse was determined as BACT for each of emissions units P003 and P004. In addition, the PTI required Respondent to do the following: (a) conduct stack testing on emissions units P003 and P004 within ninety (90) days of the PTI issuance to show compliance with the emission limits; and (b) certify the continuous opacity monitoring system ("COMS") within one hundred eighty (180) days of the issuance of the PTI and, thereafter, continuously monitor opacity from the kilns with the COMS. Prior to PTI issuance, the facility had been in operation for several months and the only requirements were State Implementation Plan ("SIP") limits.

5. ORC § 3704.05(C) prohibits any person from violating the terms and conditions of any permit issued by the Director of Ohio EPA. ORC § 3704.05(G) prohibits any person from violating any rule adopted by the Director of Ohio EPA.

6. On October 14, 2003, Ohio EPA issued Respondent a final modification for PTI #03-13527. The modified PTI increased the emissions limitations for emissions units P003 and P004 from 661.4 pounds of sulfur dioxide ("SO₂") per hour and 1,083.4 pounds of nitrogen oxides ("NO_x") per hour to 1,102 pounds of SO₂ per hour and 1,234.9 pounds of NO_x per hour, respectively. The PTI also required Respondent to conduct emission tests for emissions units P003 and P004 within ninety (90) days (i.e., by January 12, 2004).

7. On January 7 and 8, 2004, Respondent conducted stack tests for emissions units P003 and P004 for particulate emissions ("PE"). The tests indicated that the pounds of PE per hour ("lbs/hr") and grain of PE per dry standard cubic foot ("gr/dscf") limits for

each emissions unit were being exceeded, in violation of ORC § 3704.05(C) and (J)(2) and PTI 03-13527 as follows:

P003: Actual = 72.2 lbs/hr; 0.123 gr/dscf (Allowed: 14.23 lbs/hr; 0.021 gr/dscf).
P004: Actual = 72.2 lbs/hr; 0.123 gr/dscf (Allowed: 14.23 lbs/hr; 0.021 gr/dscf).

(Emissions units P003 and P004 vent through a common stack. For the stack test results, the actual emissions from each emissions unit were assumed to be equal.)

8. The facility is also subject to the Title V permitting rules. Accordingly, on January 29, 2004, Ohio EPA issued a Title V permit to Respondent. The Title V permit included the emission limitations contained in modified PTI #P0104549.

9. In a letter dated April 6, 2004, in response to a March 5, 2004 NOV, Respondent stated it would be in compliance with the PE limitations for emissions units P003 and P004 beginning April 11, 2004, and would conduct testing for PE about 30 days thereafter.

10. On numerous occasions after the PTI and Title V permit issuance, Respondent exceeded its VE limits, and failed to comply with record-keeping, monitoring and permitting requirements, in violation of its PTI and Title V permits. Table I (attached) identifies these and the other violations which include the following:

- visible emissions of fugitive dust observed from emissions units P001 P002 and P905;
- burning of coal with sulfur content higher than the limit for emissions units P003 and P004;
- failure to perform daily inspections and maintain daily and quarterly records for emissions units F001, F002 and F003; and
- late COMS certification for emissions units P003 and P004.

11. On June 17, 2004, Respondent conducted additional stack tests for emissions units P003 and P004 for PE and PM10. The test results revealed that the actual emissions from each of the emissions units P003 and P004 for PE were 10.3 lbs/hr and 0.019 gr/dscf, which were below the limits of 14.23 lbs/hr and 0.021 gr/dscf, respectively.

12. After passing the June 17, 2004 stack retests, Respondent cut production of emissions unit P004 by 20%, and between December 2003 and September 2005 it replaced over 10,800 bags to ensure compliance with its permit.

13. On March 17, 2005, Ohio EPA's Northwest District Office ("NWDO") specifically requested to observe visible emissions from emissions unit F002 due to a complaint associated with the Respondent's practice of pushing lime kiln dust over the

edge of the quarry rim into the quarry. Respondent agreed to allow NWDO to observe this practice on May 5, 2005. On May 4, 2005, Respondent informed NWDO that it inadvertently pushed the lime kiln dust ("LKD") at the quarry rim into the quarry on the night of May 3, 2005 and that it would immediately discontinue the practice of pushing LKD over the quarry rim.

14. On February 23, 2006, the COMS ceased functioning properly and was replaced with an uncertified spare COMS the same day. The Title V permit issued on January 29, 2004, required that Respondent use only a certified COMS at all times. Respondent's failure to replace the disabled COMS with a certified COMS constituted a violation of ORC § 3704.05(C) and (J)(2), PTI 03-13527, and the Title V permit. The replacement COMS was certified on April 20, 2006.

15. Respondent installed/modified and operated numerous unpermitted storage piles without applying for and obtaining PTIs and/or permits to operate ("PTOs"), in violation of OAC Rule 3745-31-02(A) and OAC Rule 3745-77-02. Respondent failed to employ the use of BAT for fugitive dust control, in violation of its permits. NWDO sent a notice of violation ("NOV") letter to Respondent on September 9, 2005 for these violations and requested the Respondent submit a PTI application. NWDO sent additional NOV's to Respondent regarding these violations on January 13, 2006, May 24, 2007, and June 24, 2007.

Only the following piles were identified and permitted in Prevention of Significant Deterioration ("PSD") PTI #03-13527:

- a. limestone storage pile P-112 (in quarry);
- b. limestone storage pile P-115 (in quarry);
- c. temporary coal pile (only present while awaiting transfer to internal silo);
- d. temporary coke pile (only present while awaiting transfer to internal silo); and
- e. 0.5 acre LKD pile.

The following additional piles existed, were not included in the PSD application and, as such, were unpermitted:

- a. cooling tower lime dust drop pile (North of Kilns);
- b. cooling tower lime dust drop pile (South of Kilns);
- c. small limestone pile #1 (North);
- d. small limestone pile #2 (South);
- e. kiln lime cleanout chute w/hopper (North);
- f. kiln lime cleanout chute w/ hopper (South);
- g. temporary lime kiln dust pile south of pug mill (used only when trucks are not available);
- h. housekeeping dust pile (under truck loadout support structure); and
- i. sawdust pile.

Respondent submitted PTI application #P0104550 to correct these deficiencies on February 26, 2009. Respondent indicated the following existing/permitted piles had been modified in this permit application:

- a. coal pile (no longer temporary);
- b. coke pile (no longer temporary); and
- c. active LKD pile (in quarry).

16. Revisions to the application were submitted on May 6, 2009, however, the application has been determined to be technically incomplete.

17. Respondent's PSD application for the kiln dust handling system (emissions unit P905) indicated emissions would be controlled through the use of two baghouses. Emission limits for the baghouses were established by incorporating an outlet grain loading concentration and the respective baghouses air flow rates. Prior to the issuance of the final PTI, Respondent installed an additional baghouse which constitutes a modification. Failure to apply for and obtain a modification to the PTI and/or Title V permit are violations of OAC Rule 3745-31-02(A) and/or OAC Rule 3745-77-02. NWDO sent an NOV to Respondent on January 13, 2006 for these violations and requested the Respondent to submit a revised PTI application. NWDO sent additional NOVs to Respondent regarding these violations on September 9, 2005, January 13, 2006, May 24, 2007, and June 24, 2007. Respondent has failed to provide the aforementioned items to NWDO.

18. On November 6, 2008, Director Korleski issued Respondent authorization for a six-month test burn of sawdust as an alternative or supplemental fuel in the kiln at Respondent's Maple Grove facility. Respondent conducted its test burn on November 14, 2008, and ended the burn six months later. The authorization required Respondent to submit a determination of whether burning sawdust constituted a "modification" or "major modification" as defined in OAC Rule 3745-31-01(QQQ) and (JJJ), respectively.

19. Ohio EPA issued Respondent an NOV for failure to submit the requested sawdust test burn determination on May 12, 2009. On May 26, 2009, Respondent filed the requested sawdust test burn determination demonstrating that burning sawdust does not constitute a "major modification" as defined in OAC Rule 3745-31-01(JJJ). The same day, Ohio EPA issued correspondence contesting Respondent's determination.

20. Carmeuse installed and began operating a diesel-powered transloader for the unloading of lime from railcars and transferring it to trucks circa December 2008. The installation of an air contaminant source without applying for and obtaining a PTI and/or Title V permit is a violation of OAC Rule 3745-31-02(A) and OAC Rule 3745-77-02. Respondent submitted a PTI application for the transloader on February 26, 2009.

21. The installation of the transloader also results in increased vehicular traffic at the facility. This constitutes a modification to the facility roadways and parking areas (emissions unit F001). Respondent's failure to apply for and obtain a PTI and/or Title V permit for this emissions unit is a violation of OAC Rule 3745-31-02(A) and OAC Rule 3745-77-02.

22. NWDO sent an NOV to Respondent on June 11, 2009 for the violations identified in Findings 19 and 20 and requested a revised PTI application for emissions unit F001 by July 6, 2009.

23. Ohio EPA issued Respondent final PTI #P0104549 for the transloader and roadways on July 15, 2009.

24. The Director has given consideration to, and based his determination on evidence relating to the technical feasibility and economic reasonableness of complying with the following Orders and their benefits to the people of the State to be derived from such compliance.

V. ORDERS

The Director hereby issues the following Orders:

1. Within ninety (90) days of the effective date of these Orders, Respondent shall submit an application to modify its Title V permit to include the requirements from PTI #P0104549 for the transloader and roadways.
2. Within ninety (90) days of the effective date of these Orders, Respondent shall submit a complete PTI application for the modification (installation of an additional baghouse) for emissions unit P905, Kiln Dust Handling System.
3. Respondent shall pay the amount of one hundred and eighty thousand seven hundred and forty dollars (\$180,740) in settlement of Ohio EPA's claims for civil penalties, which may be assessed pursuant to ORC Chapter 3704. Within thirty (30) days after the effective date of these Orders, payment to Ohio EPA shall be made by an official check made payable to "Treasurer, State of Ohio" for one hundred and forty-four thousand five hundred and ninety-two dollars (\$144,592) of the total amount. The official check shall be submitted to Brenda Case, or her successor, together with a letter identifying the Respondent, to:

Ohio EPA
Office of Fiscal Administration
P.O. Box 1049
Columbus, Ohio 43216-1049

4. In lieu of paying the remaining thirty-six thousand one hundred and forty-eight dollars (\$36,148) of the civil penalty, Respondent shall, within thirty (30) days of the effective date of these Orders, fund a Supplemental Environmental Project ("SEP") by making a contribution in the amount of \$36,148 to the Ohio EPA's Clean Diesel School Bus Program Fund (Fund 5CD0). Respondent shall tender an official check made payable to "Treasurer, State of Ohio" for \$36,148. The official check shall be submitted to Brenda Case, or her successor, together with a letter identifying the Respondent and Fund 5CD0, to the above-stated address.

5. A copy of each of the above checks shall be sent to James A. Orlemann, Assistant Chief, SIP Development and Enforcement, or his successor, at the following address:

Ohio EPA
Division of Air Pollution Control
P.O. Box 1049
Columbus, Ohio 43216-1049

6. Should Respondent fail to fund the SEP within the required time frame set forth in Order 4, Respondent shall immediately pay to Ohio EPA \$36,148 for civil penalty in accordance with the procedures in Order 3.

VI. TERMINATION

Respondent's obligations under these Orders shall terminate when Respondent certifies in writing and demonstrates to the satisfaction of Ohio EPA that Respondent has performed all obligations under these Orders and the Chief of Ohio EPA's Division of Air Pollution Control acknowledges, in writing, the termination of these Orders. If Ohio EPA does not agree that all obligations have been performed, then Ohio EPA will notify Respondent of the obligations that have not been performed, in which case Respondent shall have an opportunity to address any such deficiencies and seek termination as described above.

The certification shall contain the following attestation: "I certify that the information contained in or accompanying this certification is true, accurate and complete."

This certification shall be submitted by Respondent to Ohio EPA and shall be signed by a principal executive officer of Respondent of at least the level of vice-president or his duly authorized representative, if such representative is responsible for the overall operation of the facility.

VII. OTHER CLAIMS

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership or corporation, not a party to these Orders, for any liability arising from, or related to, the operation of Respondent's facility.

VIII. OTHER APPLICABLE LAWS

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, State, and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Respondent.

IX. MODIFICATIONS

These Orders may be modified by agreement of the parties hereto. Modifications shall be in writing and shall be effective on the date entered in the journal of the Director of Ohio EPA.

X. NOTICE

All documents required to be submitted by Respondent pursuant to these Orders shall be addressed to:

Ohio Environmental Protection Agency
Northwest District Office
Division of Air Pollution Control
347 North Dunbridge Road
Bowling Green, Ohio 43402
Attn: Andrea Odendahl

and to:

Ohio Environmental Protection Agency
Division of Air Pollution Control
50 West Town Street
Suite 700
P.O. Box 1049
Columbus, Ohio 43216-1049
Attn: Thomas Kalman

or to such persons and addresses as may hereafter be otherwise specified in writing by Ohio EPA.

XI. RESERVATION OF RIGHTS

Ohio EPA and Respondent each reserve all rights, privileges and causes of action, except as specifically waived in Section XII of these Orders.

XII. WAIVER

In order to resolve disputed claims, without admission of fact, violation or liability, and in lieu of further enforcement action by Ohio EPA for only the violations specifically cited in these Orders, Respondent consents to the issuance of these Orders and agrees to comply with these Orders. Compliance with these Orders shall be a full accord and satisfaction for Respondent's liability for the violations specifically cited herein. Respondent specifically contests, does not consent to, and is not paying a penalty for Findings 7, 10 and 12.

Respondent hereby waives the right to appeal the issuance, terms and conditions, and service of these Orders, and Respondent hereby waives any and all rights Respondent may have to seek administrative or judicial review of these Orders either in law or equity.

Notwithstanding the preceding, Ohio EPA and Respondent agree that if these Orders are appealed by any other party to the Environmental Review Appeals Commission, or any court, Respondent retains the right to intervene and participate in such appeal. In such an event, Respondent shall continue to comply with these Orders notwithstanding such appeal and intervention unless these Orders are stayed, vacated or modified.

XIII. EFFECTIVE DATE

The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

XIV. SIGNATORY AUTHORITY

Each undersigned representative of a party to these Orders certifies that he or she is fully authorized to enter into these Orders and to legally bind such party to these Orders.

XV. TOLLING AGREEMENTS (ORC § 3745.31)

Pursuant to the attached tolling agreements dated May 21, August 11, November 2, and December 29, 2009. Respondent agrees not to assert, plead or raise in any fashion, in any such action hereafter initiated or maintained by the State of Ohio, whether by answer, motion or otherwise, any defense or avoidance based on (a) the running of the statute of limitations during the periods covered by such tolling agreements; or (b) laches or other principles concerning the timeliness of commencing a civil action based upon the failure of the State of Ohio to assert such claims during the periods covered by such tolling

agreements; and the statute of limitations shall be tolled during and for such periods.

ORDERED AND AGREED:

Ohio Environmental Protection Agency



Chris Korleski
Director

Date

3/18/10

AGREED:

Carmeuse Lime, Inc.



Signature

Date

MARCH 10, 2010

KEVIN J. WHYTE

Printed or Typed Name

VICE PRESIDENT, GENERAL COUNSEL

Title

Table I
Carmeuse Lime, Inc.
Listing of Violations
Maple Grove Facility

Permit(s) (including Title V), Law(s) and Rule(s) Violated	Date Violation First Observed (from each quarterly report)	Emissions Unit(s)	Violation Description	Duration of Violation		
				From	To	Total Days/ Months
ORC § 3704.05(C) and (J)(2) PTI 03-13527 Title V permit	2/2/04 -7/31/08	P003 P004	Excess opacities (above 15% as a 6-minute average) recorded by Carmeuse's COMS for 4 th Q of 2003, 1 st , 2 nd , 3 rd and 4 th Qs of 2004, 2005, 2006, 2007 and 1 st and 2 nd Qs of 2008 (see Table I, pages 5, 6 and 7).	10/1/03	6/26/08	452/15
ORC § 3704.05(C) and (J)(2) PTI 03-13527 Title V permit	2/2/04	P003 P004	COMS down with one or both emissions units operating. Down time intermittent over the period of time (4 th Q of 2003, 1 st , 2 nd , 3 rd and 4 th Qs of 2004, 2005, 2006, 2007 and 1 st and 2 nd Qs of 2008 (see Table I, pages 5, 6 and 7).	10/1/03	6/26/08	135/5
ORC § 3704.05(C) and (J)(2) PTI 03-13527 Title V permit	2/2/04	F001 F002 F003	Failed to perform required daily inspections of roads, material handling operations and storage piles, and maintain daily records of such inspections. Quarterly reports document failures to perform inspections.	10/5/03 7/20/04	10/6/03 7/21/04	1/1 1/1

Permit(s) (including Title V), Law(s) and Rule(s) Violated	Date Violation First Observed (from each quarterly report)	Emissions Unit(s)	Violation Description	Duration of Violation		
				From	To	Total Days/ Months
ORC § 3704.05(C) and (J)(2) PTI 03-13527 Title V permit	3/5/04	P003 P004	Emissions test on 1/7/04 and 1/8/04 demonstrated that the lbs of PE/hr and gr of PE/dscf limits were being exceeded. P003: Actual = 72.2 lbs/hr; 0.123 gr/dscf Allowable = 14.23 lbs/hr; 0.021 gr/dscf P004: Actual = 72.2 lbs/hr; 0.123 gr/dscf Allowable = 14.23 lbs/hr; 0.021 gr/dscf. Carmeuse retested on 6/17/04 and demonstrated compliance.	1/7/04	6/17/04	161/6
ORC § 3704.05(C) and (J)(2), PTI 03-13527, Title V permit issued on 1/29/04	8/3/04	P003 P004	Sulfur content in coal was tested as received at 6.23% on April 2, 2004, which exceeded the maximum allowed sulfur content of 5.5% by weight.	4/2/04	4/2/04	1/1
ORC § 3704.05(C) and (J)(2) PTI 03-13527 Title V permit issued on 1/29/04	8/3/04	P001 P905	Abnormal VEs observed from the baghouse stack, in violation of the Title V permit that requires no VEs. Abnormal VEs observed from the baghouse stack, in violation of the Title V permit that requires no VEs.	2/24/04	2/25/04	1/1
				4/9/04	4/9/04	1/1
ORC § 3704.05(C) and (J)(2) PTI 03-13527 Title V permit issued on 1/29/04	8/3/04	P002 P905	Fugitive VE observed from building enclosing transfer points and screening, in violation of "no visible emissions from the building enclosures" provision. VE observed escaping building or partial enclosure as a result of leaking transfer pipe, in violation of "no visible emissions from the building enclosures" provision.	5/9/04	5/10/04	2/1
				1/9/04	1/9/04	1/1
				1/22/04	1/22/04	1/1
				3/26/04	6/16/04	8/1

Director's Final Findings and Orders
 Carmeuse Lime, Inc.

Table I
 Page 3 of 8

Permit(s) (including Title V), Law(s) and Rule(s) Violated	Date Violation First Observed (from each quarterly report)	Emissions Unit(s)	Violation Description	Duration of Violation		
				From	To	Total Days/ Months
ORC § 3704.05(C) and (J)(2) PTI 03-13527 Title V permit	2/2/05	P905	Ves observed escaping building or partial enclosure as a result of leaking transfer pipe, in violation of "no visible emissions from the building enclosures" provision. (From 4th Q 2004 report which was reviewed on 2/2/05.)	11/13/04	12/8/04	25/2
ORC § 3704.05(C) and (J)(2) PTI 03-13527 Title V permit	3/15/05	P905	Modified emissions unit by allowing pugged LKD to be spilled during truck loading. With on-going LKD spillage, BAT controls (e.g. watering) was not being implemented. Modification of the emissions unit was unpermitted. This has been ongoing (i.e., from 3/15/05 - 10/31/08.)	3/15/05	10/31/08	933/43
ORC § 3704.05(C) and (J)(2) PTI 03-13527 Title V permit issued on 1/29/04	3/2/06	P003 P004	Certified COMS failure and replacement with uncertified COMS, in violation of the terms and conditions of the Title V permit issued on 1/29/04.	2/23/06	5/31/06	98/4

Permit(s) (including Title (V), Law(s) and Rule(s) Violated	Date Violation First Observed (from each quarterly report)	Emissions Unit(s)	Violation Description	Duration of Violation		
				From	To	Total Days/ Months
PTI/PTO Violations:						
ORC S 3704.05(G) OAC Rules 3745-31-02 & 3745-77-02	12/23/03	F002	Failed to get PTI and PTO for lime kiln dust ("LKD") storage pile created in the quarry as a result of LKD being pushed over the quarry rim. Inspection on 12/23/03.	1/1/04*	5/5/05	490/17
ORC S 3704.05(G) OAC Rules 3745-31-02 & 3745-77-02	3/15/05	F002	Failed to get PTI and PTO for temporary (permanent) LKD storage pile located at the pug mill.	3/15/05	4/15/05	30/2

Permit(s) (including Title V), Law(s) and Rule(s) Violated	Date Violation First Observed (from each quarterly report)	Emissions Unit(s)	Violation Description	Duration of Violation		
				From	To	Total Days/ Months
ORC § 3704.05(G) OAC Rules 3745-31-02 & 3745-77-02	4/15/05	F002	Failed to get PTI and PTO for new LKD storage pile created in the quarry after rim pile was abandoned.	4/15/05	(ongoing) 10/31/08*	1139/43
ORC § 3704.05(G) OAC Rules 3745-31-02 & 3745-77-02	5/5/05	F002	Failed to get PTI and PTO for deposition of unpugged LKD (reject lime) at quarry rim.	1/1/04*	(ongoing) 10/31/08*	1,765/59
ORC § 3704.05(G) OAC Rules 3745-77-02 & 3745-77-02	4/1/05	F002	Failure to get PTI and PTO for solid fuel storage piles (coal and coke piles).	1/1/04*	(ongoing) 10/31/08*	1,765/59
ORC § 3704.05(G) OAC Rules 3745-31-02 & 3745-77-02	5/5/05	P905	Failure to get PTI and PTO for material handling of unpugged LKD generated during kiln startup, shutdown or off-spec material generation.	1/1/04*	(ongoing) 10/31/08*	1,765/59

Director's Final Findings and Orders
 Carmeuse Lime, Inc.
 Table I
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Excess opacities (above 15% as a 6-minute average) recorded by Carmeuse's COMS for emissions units P003/P004 from 1Q. of 2004 to 1Q. of 2005.

Period	1 st Q. of 04	2 nd Q. of 04	3 rd Q. of 04	4 th Q. of 04	1 st Q. of 05
Total operating time of system in minutes: in days:	130,494 91	130,433 91	131,768 92	131,311 91	126,144 88
Total operating time with COMS in minutes: in days:	129,036 90	127,355 88	131,726 92	130,009 90	126,144 88
COMS down times with system operating in minutes: in days:	1,458 7	3,078 4	42 2	1,302 2	0 0
Total time of non-exempt excess emissions with COMS. in minutes: in days:	32,016 60	11,826 14	1,152 12	40,092 43	109,236 90
Percentage of total non-exempt excess emission per total operating time: Percent Unacceptable:	24.53 24.53	9.07 9.07	0.87 ---	30.53 30.53	86.60 86.60
Percentage of total COMS downtime in minutes per total operating time in minutes: Percent unacceptable:	1.12 ==	2.4 ==	.87 ==	1.0 ==	0.0 ==

Director's Final Findings and Orders
 Carmeuse Lime, Inc.
 Table I
 Page 7 of 8

Excess opacities (above 15% as a 6-minute average) recorded by Carmeuse's COMS for emissions units P003/P004 from 3Q. of 2005 to 2Q. of 2007

Period	2 nd Q. of 05	3 rd Q. of 05	4 th Q. of 05	1 st Q. of 06	2 nd Q. of 06	3 rd Q. of 06	4 th Q. of 06	1 st Q. of 07	2 nd Q. of 07
Total operating time of system in minutes in days:	131,040 91	132,480 92	132,480 92	129,600 90	131,040 91	132,480 92	131,040 91	122,386 85	131,040 91
Total operating time w/COMS, in minutes: in days:	131,010 91	113,280 79	132,252 92	76,812 53	129,948 90	132,264 92	128,604 89	119,708 83	117,089 81
COMS down times w/system operating, in minutes: in days:	30 4	19,200 4	228 8	52,908 37	1,092 20	216 6	2,436 14	2,678 4	13,951 10
Total time of non-exempt excess emissions w/COMS, in minutes: in days:	3,732 30	1,992 31	1,434 38	2,682 39	2,208 8	324 11	804 9	0 0	0 0
Percentage of total non-exempt excess emissions per total operating time: Percent unacceptable:	2.84 ==	1.50 ==	1.08 ==	2.07 ==	1.68 ==	0.24 ==	0.61 ==	0.0 ==	0.0 ==
Percentage of total COMS downtime in minutes per total operating time in minutes: Percent unacceptable:	0.02 ==	14.5 14.5	0.17 ==	41 41	0.83 ==	0.16 ==	1.85 ==	2.2 ==	10.65 10.65

Excess opacities (above 15% as a 6-minute average) recorded by Carmeuse's COMS for emissions units P003/P004 from 3Q. of 2007 to 2Q. of 2008

Director's Final Findings and Orders
 Carmeuse Lime, Inc.

Table 1
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Period	3 rd Q. of 07	4 th Q. of 07	1 st Q. of 08	2 nd Q. of 08	3 rd Q. of 08	4 th Q. of 08	Total (4Q03-2Q08)
Total operating time of system in minutes:	132,480	131,334	30,980	131,040			1,554
in days:	92	91	43	91			52
total, in months							
Total operating time with COMS, in minutes:	132,480	131,322	130,980	130,986			1,237
in days:	92	91	43	91			42
total in months							
COMS down times with one or both emissions units operating, in minutes in days:	0	12	0	54			135
Total in months:	0	2	0	6			5
Total time of non-exempt excess emissions with COMS, in minutes:	60	0	0.0	378			452
in days:	3	0	0	7			15
total in months:							
Percentage of total non-exempt excess emissions per total operating time:	0.05	0	0	0.29			
Percent unacceptable:	==	==	==	==			
Percentage of total COMS downtime in minutes per total operating time	0.0	0.0	0.0	0.04			
in minutes	==	==	==	==			
Percent unacceptable:							

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LEGAL OFFICE

TOLLING AGREEMENT Third Extension

This Agreement, dated this 29th day of December 2009, is made by and between:

Ohio Environmental Protection Agency ("Ohio EPA"), 50 West Town Street,
Suite 700, Columbus, Ohio 43215; and

Carmeuse Lime, Inc. ("Respondent"), 1967 West County Road 42, Bettsville, Ohio
44815.

Recitals

WHEREAS, Ohio EPA pursuant to Ohio Revised Code ("ORC") Chapter 3704, has sent an invitation to negotiate to Respondent for purposes of resolving its claims for civil and/or administrative penalties for violations of environmental law alleged to have occurred at Respondent's facility located at 1967 West County Road #42, Bettsville, Seneca County, Ohio;

WHEREAS the parties to this Agreement desire to settle this matter amicably and expeditiously through negotiated Director's Final Findings and Orders. The parties recognize and acknowledge that such a resolution would avoid the time and expense associated with litigation upon referral of this matter to the Ohio Attorney General, or USEPA;

WHEREAS ORC § 3745.31(D) provides that the time periods established in the statute of limitations may be tolled by mutual agreement between the enforcing agency and the person who is subject to a civil or administrative penalty of any kind under an environmental law;

WHEREAS Ohio EPA and Respondent entered into Tolling Agreements in which they agreed that the time between 22 April 2009 and 22 July 2009, extended to include the time between 22 April 2009 and 23 October 2009, and the time between 22 April 2009 and 31 December 2009 respectively, would not be included in computing the time periods under the statute of limitations set forth in ORC § 3745.31. Pursuant to the Tolling Agreements Respondent agreed not to assert, plead or raise in any fashion, in any such action hereafter initiated or maintained by the State of Ohio, whether by answer, motion or otherwise, any defense or avoidance based on (a) the running of the statute of limitations during the aforementioned period; or (b) laches or other principles concerning the timeliness of commencing a civil action based upon the failure of the State of Ohio to assert such claims during the aforementioned period; and the statute of limitations shall be tolled during and for such period; and

WHEREAS Ohio EPA and Respondent have determined it still to be in their best

interests to, by mutual agreement, toll the statute of limitations time periods in ORC § 3745.31, as set forth below:

NOW THEREFORE, Ohio EPA and Respondent agree as follows:

1. Respondent agrees that the times between 22 April 2009 and 22 July 2009, the time between 22 July 2009 and 23 October 2009, and the time between 22 April 2009 and 31 December 2009, and further agrees that the time between 22 April 2009 and 15 March 2010 will not be included in computing the time periods under the statute of limitations set forth in ORC § 3745.31. Respondent agrees not to assert, plead or raise in any fashion, in any such action hereafter initiated or maintained by the State of Ohio, whether by answer, motion or otherwise, any defense or avoidance based on (a) the running of the statute of limitations during the aforementioned period; or (b) laches or other principles concerning the timeliness of commencing a civil action based upon the failure of the State of Ohio to assert such claims during the aforementioned period; and the statute of limitations shall be tolled during and for such period.
2. Nothing contained in this Agreement shall be construed as an admission by Respondent of any liability or wrongdoing.
3. This Agreement is binding upon Ohio EPA, Respondent, and Respondent's successors in interest liable under Ohio law.
4. Nothing contained in this Agreement shall preclude the commencement of an action necessary to protect the public health, welfare and environment.
5. This Agreement may be extended by the mutual agreement of the parties.
6. The undersigned representative of Respondent has been authorized to enter into this Agreement, and to bind Respondent to this Agreement.

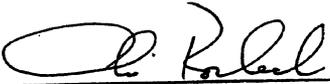
CARMEUSE LIME, INC.


Signature

Kevin J. Whyte
Printed Name

2/3/10
Date

CHRIS KORLESKI, DIRECTOR


Signature

3/18/10
Date

TOLLING AGREEMENT Second Extension

This Agreement, dated this 2^d day of November 2009, is made by and between:

Ohio Environmental Protection Agency ("Ohio EPA"), 50 West Town Street,
Suite 700, Columbus, Ohio 43215; and

Carmeuse Lime, Inc. ("Respondent"), 1967 West County Road 42, Bettsville, Ohio
44815.

Recitals

WHEREAS, Ohio EPA pursuant to Ohio Revised Code ("ORC") Chapter 3704, has sent an invitation to negotiate to Respondent for purposes of resolving its claims for civil and/or administrative penalties for violations of environmental law alleged to have occurred at Respondent's facility located at 1967 West County Road #42, Bettsville, Seneca County, Ohio;

WHEREAS the parties to this Agreement desire to settle this matter amicably and expeditiously through negotiated Director's Final Findings and Orders. The parties recognize and acknowledge that such a resolution would avoid the time and expense associated with litigation upon referral of this matter to the Ohio Attorney General, or USEPA;

WHEREAS ORC § 3745.31(D) provides that the time periods established in the statute of limitations may be tolled by mutual agreement between the enforcing agency and the person who is subject to a civil or administrative penalty of any kind under an environmental law;

WHEREAS Ohio EPA and Respondent on 21 May 2009 entered into a Tolling Agreements in which they agreed that the time between 22 April 2009 and 22 July 2009, and extended to include the time between 22 April 2009 and 23 October 2009, respectively, would not be included in computing the time periods under the statute of limitations set forth in ORC § 3745.31. Pursuant to the Tolling Agreements Respondent agreed not to assert, plead or raise in any fashion, in any such action hereafter initiated or maintained by the State of Ohio, whether by answer, motion or otherwise, any defense or avoidance based on (a) the running of the statute of limitations during the aforementioned period; or (b) laches or other principles concerning the timeliness of commencing a civil action based upon the failure of the State of Ohio to assert such claims during the aforementioned period; and the statute of limitations shall be tolled during and for such period; and

WHEREAS Ohio EPA and Respondent have determined it still to be in their best

interests to, by mutual agreement, toll the statute of limitations time periods in ORC § 3745.31, as set forth below:

NOW THEREFORE, Ohio EPA and Respondent agree as follows:

1. Respondent agrees that the time between 22 April 2009 and 22 July 2009, and further agrees that the time between 22 July 2009 and 23 October 2009, now further agrees that the time between 22 April 2009 and 31 December 2009 will not be included in computing the time periods under the statute of limitations set forth in ORC § 3745.31. Respondent agrees not to assert, plead or raise in any fashion, in any such action hereafter initiated or maintained by the State of Ohio, whether by answer, motion or otherwise, any defense or avoidance based on (a) the running of the statute of limitations during the aforementioned period; or (b) laches or other principles concerning the timeliness of commencing a civil action based upon the failure of the State of Ohio to assert such claims during the aforementioned period; and the statute of limitations shall be tolled during and for such period.

2. Nothing contained in this Agreement shall be construed as an admission by Respondent of any liability or wrongdoing.

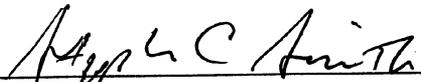
3. This Agreement is binding upon Ohio EPA, Respondent, and Respondent's successors in interest liable under Ohio law.

4. Nothing contained in this Agreement shall preclude the commencement of an action necessary to protect the public health, welfare and environment.

5. This Agreement may be extended by the mutual agreement of the parties.

6. The undersigned representative of Respondent has been authorized to enter into this Agreement, and to bind Respondent to this Agreement.

CARMEUSE LIME, INC.



Signature

STEPHEN C SMITH
Printed Name

OCTOBER 27, 2009
Date

CHRIS KORLESKI, DIRECTOR



Signature

11/2/09
Date

OHIO E.P.A.

AUG 12 2009

ENTERED DIRECTOR'S JOURNAL

TOLLING AGREEMENT Extension

This Agreement, dated this 11th day of August 2009, is made by and between:

Ohio Environmental Protection Agency ("Ohio EPA"), 50 West Town Street,
Suite 700, Columbus, Ohio 43215; and

Carmeuse Lime, Inc. ("Respondent"), 1967 West County Road 42, Bettsville, Ohio
44815.

Recitals

WHEREAS, Ohio EPA pursuant to Ohio Revised Code ("ORC") Chapter 3704. has sent an invitation to negotiate to Respondent for purposes of resolving its claims for civil and/or administrative penalties for violations of environmental law alleged to have occurred at Respondent's facility located at 1967 West County Road #42, Bettsville, Seneca County, Ohio;

WHEREAS the parties to this Agreement desire to settle this matter amicably and expeditiously through negotiated Director's Final Findings and Orders. The parties recognize and acknowledge that such a resolution would avoid the time and expense associated with litigation upon referral of this matter to the Ohio Attorney General, or USEPA;

WHEREAS ORC § 3745.31(D) provides that the time periods established in the statute of limitations may be tolled by mutual agreement between the enforcing agency and the person who is subject to a civil or administrative penalty of any kind under an environmental law;

WHEREAS Ohio EPA and Respondent on 21 May 2009 entered into a Tolling Agreement in which they agreed that the time between 22 April 2009 and 22 July 2009 would not be included in computing the time periods under the statute of limitations set forth in ORC § 3745.31 in which Respondent agreed not to assert, plead or raise in any fashion, in any such action hereafter initiated or maintained by the State of Ohio, whether by answer, motion or otherwise, any defense or avoidance based on (a) the running of the statute of limitations during the aforementioned period; or (b) laches or other principles concerning the timeliness of commencing a civil action based upon the failure of the State of Ohio to assert such claims during the aforementioned period; and the statute of limitations shall be tolled during and for such period; and

WHEREAS Ohio EPA and Respondent have determined it still to be in their best interests to, by mutual agreement, toll the statute of limitations time periods in ORC § 3745.31, as set forth below:

NOW THEREFORE, Ohio EPA and Respondent agree as follows:

1. Respondent agrees that the time between 22 April 2009 and 22 July 2009, and further agrees that the time between 22 July 2009 and 23 October 2009 will not be included in computing the time periods under the statute of limitations set forth in ORC § 3745.31. Respondent agrees not to assert, plead or raise in any fashion, in any such action hereafter initiated or maintained by the State of Ohio, whether by answer, motion or otherwise, any defense or avoidance based on (a) the running of the statute of limitations during the aforementioned period; or (b) laches or other principles concerning the timeliness of commencing a civil action based upon the failure of the State of Ohio to assert such claims during the aforementioned period; and the statute of limitations shall be tolled during and for such period.
2. Nothing contained in this Agreement shall be construed as an admission by Respondent of any liability or wrongdoing.
3. This Agreement is binding upon Ohio EPA, Respondent, and Respondent's successors in interest liable under Ohio law.
4. Nothing contained in this Agreement shall preclude the commencement of an action necessary to protect the public health, welfare and environment.
5. This Agreement may be extended by the mutual agreement of the parties.
6. The undersigned representative of Respondent has been authorized to enter into this Agreement, and to bind Respondent to this Agreement.

CARMEUSE LIME, INC.

CHRIS KORLESKI, DIRECTOR

Stephen C Smith
Signature

Chris Korleski
Signature

STEPHEN C SMITH
Printed Name

8/11/09
Date

JULY 31, 2009
Date

TOLLING AGREEMENT

This Agreement, dated this 21ST day of MAY 2009, is made by and between:

Ohio Environmental Protection Agency ("Ohio EPA"), 50 West Town Street,
Suite 700, Columbus, Ohio 43215; and

Carmeuse Lime, Inc. ("Respondent"), 1967 West County Road 42, Bettsville, Ohio
44815.

Recitals

WHEREAS, Ohio EPA pursuant to Ohio Revised Code ("ORC") Chapter 3704. has sent an invitation to negotiate to Respondent for purposes of resolving its claims for civil and/or administrative penalties for violations of environmental law alleged to have occurred at Respondent's facility located at 1967 West County Road #42, Bettsville, Seneca County, Ohio;

WHEREAS the parties to this Agreement desire to settle this matter amicably and expeditiously through negotiated Director's Final Findings and Orders. The parties recognize and acknowledge that such a resolution would avoid the time and expense associated with litigation upon referral of this matter to the Ohio Attorney General, or USEPA;

WHEREAS ORC § 3745.31(D) provides that the time periods established in the statute of limitations may be tolled by mutual agreement between the enforcing agency and the person who is subject to a civil or administrative penalty of any kind under an environmental law; and

WHEREAS Ohio EPA and Respondent have determined it to be in their best interests to, by mutual agreement, toll the statute of limitations time periods in ORC § 3745.31, as set forth below:

NOW THEREFORE, Ohio EPA and Respondent agree as follows:

1. Respondent agrees that the time between 22 April 2009 and 22 July 2009 will not be included in computing the time periods under the statute of limitations set forth in ORC § 3745.31. Respondent agrees not to assert, plead or raise in any fashion, in any such action hereafter initiated or maintained by the State of Ohio, whether by answer, motion or otherwise, any defense or avoidance based on (a) the running of the statute of limitations during the aforementioned period; or (b) laches or other principles concerning the timeliness of commencing a civil action based upon the failure of the State of Ohio to

assert such claims during the aforementioned period; and the statute of limitations shall be tolled during and for such period.

2. Nothing contained in this Agreement shall be construed as an admission by Respondent of any liability or wrongdoing.

3. This Agreement is binding upon Ohio EPA, Respondent, and Respondent's successors in interest liable under Ohio law.

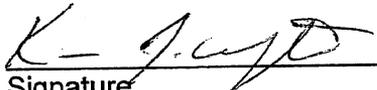
4. Nothing contained in this Agreement shall preclude the commencement of an action necessary to protect the public health, welfare and environment.

5. This Agreement may be extended by the mutual agreement of the parties.

6. The undersigned representative of Respondent has been authorized to enter into this Agreement, and to bind Respondent to this Agreement.

CARMEUSE LIME, INC.

CHRIS KORLESKI, DIRECTOR



Signature



Signature

Kevin J. Whyke, VP General Counsel

Printed Name

5/21/09

Date

5/13/09

Date



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

March 19, 2010

CERTIFIED MAIL

Mr. Richard A. Barcelona, Jr.
President
Bailey-PVS Oxides Delta LLC.
6191 County Road 10
Delta, Ohio 43515

Re: Final Findings and Orders for:
Air pollution control rule and law
violations by Bailey-PVS Oxides Delta
LLC. located in Fulton County, Ohio

Dear Mr. Barcelona:

Transmitted herewith are the Final Findings and Orders ("Orders") of the Director of Ohio EPA concerning the above-referenced matter.

Please note that the effective date of the Orders is the date that the Orders were entered into the Ohio EPA Director's journal, which is the date that is stamped on the first page of the Orders.

Sincerely,

James A. Orlemann, P.E.
Assistant Chief, SIP Development and Enforcement
Division of Air Pollution Control

JAO/pr

xc: Jim Orlemann, DAPC
Tom Kalman, DAPC
Carol Hester, PIC
Priscilla Roberson, DAPC
Brenda Case, Fiscal Office (Agency # NA)
Marcus Glasgow, Legal Office
Jim Kavalec, DAPC
Mark Budge/Don Waltermeyer/Mark Barber, NWDO

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Ohio EPA is an Equal Opportunity Employer

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

OHIO E.P.A.

MAR 19 2010

ENTERED DIRECTOR'S JOURNAL

In the Matter of:

Bailey-PVS Oxides Delta LLC.
6191 County Road 10
Delta, Ohio 43515

:
:
:

Director's Final Findings
and Orders

PREAMBLE

It is agreed by the parties hereto as follows:

I. JURISDICTION

These Director's Final Findings and Orders ("Orders") are issued to Bailey-PVS Oxides Delta LLC. ("Respondent") pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency ("Ohio EPA") under Ohio Revised Code ("ORC") §§ 3704.03 and 3745.01.

II. PARTIES BOUND

These Orders shall apply to and be binding upon Respondent and successors in interest liable under Ohio law. No change in ownership of Respondent or of the facility (as identified hereinafter) shall in any way alter Respondent's obligations under these Orders.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC Chapter 3704 and the rules promulgated thereunder.

IV. FINDINGS

The Director of Ohio EPA makes the following findings:

1. Respondent owns and operates an iron oxide reclamation and hydrochloric acid ("HCl") regeneration plant located at 6191 County Road 10, Delta, Fulton County, Ohio ("Facility"). At the Facility, Respondent receives waste pickle liquor from facilities that pickle sheet metal. The waste pickle liquor consists of a diluted HCl solution which also contains iron oxide residuals. Respondent separates and reclaims the iron oxide residuals for resale and rejuvenates the HCl to be sold back to the steel industry.

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: *Diana Laster* Date: 3-19-10

2. On March 11, 1998, Ohio EPA issued Permit-to-Install ("PTI") 03-0999 for the HCl reclamation plant, which includes a 34.2 million British thermal units per hour ("MMBtu/hr") natural gas-fired roaster, identified by Ohio EPA as emissions unit ("EU") P002. EU P002 is an "air contaminant source" as defined in Ohio Administrative Code ("OAC") Rule 3745-15-01(C) and (X). PTI 03-0999, in part, establishes emission limitations, operational controls and reporting requirements for EU P002. Specifically, for EU P002, the terms and conditions of PTI 03-0999 establish a chlorine ("Cl₂") emissions limitation of 1.6 parts per million by volume ("ppmv") and a HCl emissions limitation of 9.7 ppmv. On June 2, 2005, Respondent submitted a permit modification for EU P002 in which it requested that the emissions limitations for both HCl and Cl₂ be raised to 25 ppmv. Ohio EPA has preliminarily agreed to emissions limitations of 20 ppmv for HCl and 25 ppmv for Cl₂.

3. On March 5, 2007, Ohio EPA conducted an inspection at this Facility. During the inspection, Ohio EPA observed that Respondent had installed and was operating an outside iron oxide storage area and a truck load-out operation without first obtaining a PTI and permit-to-operate ("PTO"), in violation of former OAC Rules 3745-31-02 and 3745-35-02 and ORC § 3704.05(G). By letter dated March 29, 2007, Ohio EPA notified Respondent of Ohio EPA's findings from the March 5, 2007 inspection.

4. On June 21, 2007, Respondent conducted a stack test for EU P002. The average emissions concentrations based on three test runs were 16.90 ppmv for HCl and 80.6 ppmv for Cl₂. The average emissions concentrations exceeded the emissions limitations of 9.7 ppmv for HCl and 1.6 ppmv for Cl₂, in violation of the terms and conditions of PTI 03-0999 and ORC § 3704.05(C). By letters dated August 24 and August 27, 2007, Ohio EPA notified Respondent of these violations.

5. On February 7, 2008, Respondent conducted another stack test at this Facility. The average emissions concentrations based on three test runs were 10.49 ppmv for HCl and 5.06 ppmv for Cl₂. The average emissions concentrations exceeded the emissions limitations of 9.7 ppmv for HCl and 1.6 ppmv for Cl₂, in violation of the terms and conditions of PTI 03-0999 and ORC § 3704.05(C). By letter dated April 17, 2008, Ohio EPA notified Respondent of these violations.

6. On June 18, 2008 and February 26, 2009, Ohio EPA conducted compliance inspections at the Facility and noted that the truck load-out operation appeared to be in operation; therefore, Respondent has continued to operate an outside iron oxide storage area and truck load-out operation without obtaining a PTIO, in violation of OAC Rule 3745-31-02 and ORC § 3704.05(G).

7. After the February 26, 2009 inspection, Respondent notified Ohio EPA that the truck load-out operation, referenced in Finding Nos. 3 and 6, had been disabled and not in operation.

8. The Director has given consideration to, and based his determination on, evidence relating to the technical feasibility and economic reasonableness of complying with the following Orders and their relation to benefits to the people of the State to be derived from such compliance.

V. ORDERS

The Director hereby issues the following Orders:

1. Within thirty (30) days after the effective date of these Orders, Respondent shall submit, to Ohio EPA, complete and approvable PTIO applications for the outside iron oxide storage area and the truck load-out operation, except Respondent need not submit such an application for any of these emissions units that will be permanently shutdown within thirty (30) days after the effective date of these Orders, and Respondent confirms such permanent shutdown in writing, to Ohio EPA, within thirty (30) days after the effective date of these Orders.

2. Respondent shall pay the amount of fifty-five thousand dollars (\$55,000) in settlement of Ohio EPA's claims for civil penalties, which may be assessed pursuant to ORC Chapter 3704. Payment shall be made by official checks made payable to "Treasurer, State of Ohio" for forty-four thousand dollars (\$44,000) of the total amount, which shall be paid in installments per the following schedule:

a. Within one hundred and twenty (120) days after the effective date of these Orders, Respondent shall pay to Ohio EPA the amount of eight thousand eight hundred dollars (\$8,800);

b. Within two hundred and ten (210) days after the effective date of these Orders, Respondent shall pay to Ohio EPA the amount of eight thousand eight hundred dollars (\$8,800);

c. Within three hundred (300) days after the effective date of these Orders, Respondent shall pay to Ohio EPA the amount of eight thousand eight hundred dollars (\$8,800);

d. Within three hundred and ninety (390) days after the effective date of these Orders, Respondent shall pay to Ohio EPA the amount of eight thousand eight hundred dollars (\$8,800); and

e. Within four hundred and eighty (480) days after the effective date of these Orders, Respondent shall pay to Ohio EPA the amount of eight thousand eight hundred dollars (\$8,800).

The official checks shall be submitted to Brenda Case, or her successor, together with a letter identifying the Respondent, to:

Ohio EPA
Office of Fiscal Administration
P.O. Box 1049
Columbus, Ohio 43216-1049

3. In lieu of paying the remaining eleven thousand dollars (\$11,000) of the civil penalty, Respondent shall fund a Supplemental Environmental Project ("SEP") by making a contribution in the amount of \$11,000 to Ohio EPA's Clean Diesel School Bus Program Fund (Fund 5CD0). Respondent shall make payment on or within thirty (30) days after the effective date of these Orders by tendering an official check made payable to "Treasurer, State of Ohio" for \$11,000. The official check shall be submitted to Brenda Case, or her successor, together with a letter identifying the Respondent and Fund 5CD0, to the above-stated address.

4. A copy of each of the above checks shall be sent to James A. Orlemann, Assistant Chief, SIP Development and Enforcement, or his successor, at the following address:

Ohio EPA
Division of Air Pollution Control
50 West Town Street, Suite 700
P.O. Box 1049
Columbus, Ohio 43216-1049

5. Should Respondent fail to fund the SEP within the required time frame set forth in Order 3, Respondent shall immediately pay to Ohio EPA \$11,000 of the civil penalty in accordance with the procedures in Order 2.

VI. TERMINATION

Respondent's obligations under these Orders shall terminate when Respondent certifies in writing and demonstrates to the satisfaction of Ohio EPA that Respondent has performed all obligations under these Orders and the Chief of Ohio EPA's Division of Air Pollution Control acknowledges, in writing, the termination of these Orders. If Ohio EPA does not agree that all obligations have been performed, then Ohio EPA will notify Respondent of the obligations that have not been performed, in which case Respondent shall have an opportunity to address any such deficiencies and seek termination as described above.

The certification shall contain the following attestation: "I certify that the information contained in or accompanying this certification is true, accurate and complete."

This certification shall be submitted by Respondent to Ohio EPA and shall be signed by a responsible official of Respondent. For the purposes of these Orders, a responsible official is a principal executive officer of at least the level of vice president or his duty authorized representative.

VII. OTHER CLAIMS

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership or corporation, not a party to these Orders, for any liability arising from, or related to, operations by Respondent.

VIII. OTHER APPLICABLE LAWS

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Respondent.

IX. MODIFICATIONS

These Orders may be modified by agreement of the parties hereto. Modifications shall be in writing and shall be effective on the date entered in the journal of the Director of Ohio EPA.

X. NOTICE

All documents required to be submitted by Respondent pursuant to these Orders shall be addressed to:

Ohio Environmental Protection Agency
347 North Dunbridge Road
Bowling Green, Ohio 43402
Attn: Don Waltermeyer

and to:

Ohio Environmental Protection Agency
Division of Air Pollution Control
P.O. Box 1049
Columbus, Ohio 43216-1049
Attn: Thomas Kalman

or to such persons and addresses as may hereafter be otherwise specified in writing by Ohio EPA.

XI. RESERVATION OF RIGHTS

Ohio EPA and Respondent each reserve all rights, privileges and causes of action, except as specifically waived in Section XII of these Orders.

XII. WAIVER

In order to resolve disputed claims, without admission of fact, violation or liability, and in lieu of further enforcement action by Ohio EPA for only the violations specifically cited in these Orders, Respondent consents to the issuance of these Orders and agrees to comply with these Orders. Compliance with these Orders shall be a full accord and satisfaction for Respondent's liability for the violations specifically cited herein.

Respondent hereby waives the right to appeal the issuance, terms and conditions, and service of these Orders, and Respondent hereby waives any and all rights Respondent may have to seek administrative or judicial review of these Orders either in law or equity.

Notwithstanding the preceding, Ohio EPA and Respondent agree that if these Orders are appealed by any other party to the Environmental Review Appeals Commission, or any court, Respondent retains the right to intervene and participate in such appeal. In such an event, Respondent shall continue to comply with these Orders notwithstanding such appeal and intervention unless these Orders are stayed, vacated or modified.

XIII. EFFECTIVE DATE

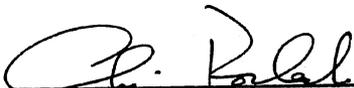
The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

XIV. SIGNATORY AUTHORITY

Each undersigned representative of a party to these Orders certifies that he or she is fully authorized to enter into these Orders and to legally bind such party to these Orders.

ORDERED AND AGREED:

Ohio Environmental Protection Agency



Chris Korleski
Director

3/18/10

Date

AGREED:

Bailey-PVS Oxides Delta LLC.



Signature

3/4/10

Date

RICHARD A. BARCELONA JR

Printed or Typed Name

President

Title

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

OHIO E.P.A.

MAR 18 2010

ENTERED DIRECTOR'S JOURNAL

In the Matter Of:

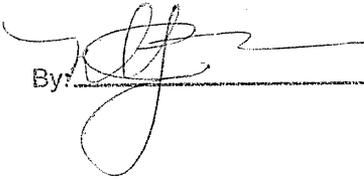
Rumpke Sanitary Landfill, Inc
10795 Hughes Road
Cincinnati, OH 45251

Respondent

Director's Final Findings
and Orders

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

PREAMBLE

By:  Date: 3/13/10

It is agreed by the parties hereto as follows:

I. JURISDICTION

These Director's Final Findings and Orders ("Orders") are issued to Rumpke Sanitary Landfill, Inc. ("Respondent") pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency under Ohio Revised Code ("ORC") Sections 3704.03, 3734.02, 3734.13 and 3745.01.

II. PARTIES BOUND

These Orders shall apply to and be binding upon Respondent and its successors in interest liable under Ohio law. No change in ownership of Respondent or of the Facility (as hereinafter defined) shall in any way alter Respondent's obligations under these Orders.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC Chapters 3704. and 3734. and the rules promulgated thereunder. Whenever the terms listed below are used in these Orders or in any appendices, attached hereto or incorporated herein, the following definitions shall apply:

1. "Ohio EPA" shall mean the Ohio Environmental Protection Agency and its designated representatives.
2. "Response costs" shall mean all costs including, but not limited to, payroll costs, contractor costs (including the Hamilton County Department of Environmental Services), travel costs, direct costs, laboratory costs, the costs of reviewing or developing plans, reports, and other items pursuant to these Orders, verifying the

Work, or otherwise implementing or enforcing these Orders.

3. "Work" shall mean all activities Respondent is required to perform under these Orders.

IV. FINDINGS

The Director of Ohio EPA makes the following findings:

General Findings & Background

1. The Rumpke Sanitary Landfill ("Facility") is located at 10795 Hughes Road, Cincinnati, Hamilton County, Ohio.
2. Respondent is a "person" as that term is defined in ORC Sections 3734.01(G) and 3704.01(O) and in Ohio Administrative Code ("OAC") Rules 3745-27-01(P)(3) and 3745-15-01(V).
3. Respondent is the "owner" and the "operator" of the Facility as those terms are defined in OAC Rules 3745-27-01(O)(7) and 3745-27-01(O)(5), respectively, and is also the license holder for the Facility.
4. The Facility is a "sanitary landfill facility" as that term is defined under OAC Rule 3745-27-01(S)(4) and is authorized to accept "solid waste" as that term is defined under ORC Section 3734.01(E) and OAC Rule 3745-27-01(S)(24).
5. The Facility includes several "air contaminant sources" as defined in OAC Rules 3745-31-01(I) and 3745-15-01(C) and (X) and "stationary sources" as defined in OAC Rule 3745-31-01(RRRRR). Those air contaminant sources are subject to the requirements of permit to install modification (PTI) #14-05824 and a Title V operating permit, both issued by the Director to Respondent pursuant to ORC Chapter 3704.
6. The numerous air sources also constitute a "facility" as defined in OAC Rule 3745-31-01(OO), a "major source" as defined in OAC Rule 3745-77-01(X), and a "major stationary source" as defined in OAC Rule 3745-31-01(LLL) and are subject to Title V permitting and the Prevention of Significant Deterioration/New Source Review ("PSD/NSR") regulations in Ohio Administrative Code (OAC) Chapters 3745-77 and 3745-31, respectively.
7. Among the numerous air sources at the Facility, the "municipal solid waste landfill equipped with an active gas collection and control system" is identified by Ohio EPA as emissions unit P902. Emissions unit P902 emits "air pollutants" or "air contaminants" as defined in OAC Rule 3745-15-01(C) including particulate matter, sulfur dioxide, carbon monoxide, non-methane organic compounds,

nitrogen oxides, methane, and other volatile organic compounds.

8. OAC Rule 3745-31-05(D) states, in part, that the Director of Ohio EPA may impose special terms and conditions in a permit to install as are appropriate or necessary to ensure compliance with applicable laws and to ensure adequate protection of the environment.
9. PTI #14-05824 and the Title V operating permit for the Facility identify applicable rules and requirements, which include the regulations at 40 CFR Part 60, Subpart WWW, New Source Performance Standards (NSPS) for Municipal Solid Waste Landfills. These NSPS standards include operational standards for gas collection and control systems.
10. Respondent uses a gas collection and control system to comply with the requirements of NSPS rule 40 CFR 60.752(b)(2)(ii). Pursuant to 40 CFR 60.753(c), Respondent is required to operate each interior wellhead in the collection system with a landfill gas temperature less than 55° C (131° F) and with either a nitrogen level less than 20 percent or an oxygen level less than 5 percent. 40 CFR 60.753(c) and the Title V operating permit also provide that Respondent may establish a higher operating temperature at a particular well if it can demonstrate that the elevated temperature does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.
11. The governing PTI #14-05824 and the Title V permit allowed Respondent to operate at a higher operating temperature, requiring Respondent to operate each interior wellhead in the gas collection system at a landfill gas temperature of less than 65° C (149° F). Going forward, allowing a higher operating temperature (i.e., above 55° C [131° F]) should be done on a well-by-well basis after the necessary showings have been made pursuant to 40 CFR 60.753(c).
12. Respondent is required to monitor the temperature at each interior wellhead monthly.
13. In 2009, Respondent implemented a program for the systematic pumping of liquid from designated wells at the north end of the Facility in an effort to increase the capture of landfill gas. A total of 30 wells were equipped with dewatering pumps and pumping began in May 2009. The pumping was conducted by GSF Energy, LLC (GSF), a company that has operated a landfill-gas-to-high-Btu-gas processing plant at the Facility since the mid-1980s.
14. On August 13, 2009, NSPS monitoring indicated that well W135 wellhead temperature was 156° F, exceeding Respondent's permitted temperature limit of 149° F. In accordance with NSPS requirements, GSF attempted to reduce the temperature but was unsuccessful. Respondent was not able to reduce the temperature within 15 calendar days. The temperature at this well has increased

and reached 204° F on December 10, 2009.

15. On August 20, 2009, Tedlar Bag samples were collected from wells W135, W124R2, DW2, W157R, and W128R. The samples were analyzed for carbon monoxide and hydrogen. The laboratory results were reported to Respondent on August 31, 2009 and the carbon monoxide result of 10,200 ppmv for well W135 led Respondent to suspect subsurface oxidation was occurring in the vicinity of wells W135 and W122R2.
16. On August 31, 2009, Respondent implemented the Facility's fire contingency plan and contacted Ohio EPA, Hamilton County Public Health, and Hamilton County Department of Environmental Services and self-reported the conditions at the Facility.

Actions Taken to Mitigate Conditions in the Affected Area of the Landfill

17. Since August 31, 2009, Respondent and GSF have been working with Ohio EPA, Hamilton County Public Health, Hamilton County Department of Environmental Services, the United States Environmental Protection Agency On-Scene Coordinator (USEPA-OSC), and Colerain Township Fire Department to create and implement an action plan and to monitor site conditions.
18. On September 1, 2009, well temperature monitoring indicated that well W122R2 had a wellhead temperature of 157° F, exceeding the permitted temperature limit of 149° F. The temperature at this well has increased and reached 198° F on December 10, 2009.
19. On September 1, 2009, Ohio EPA sent correspondence to Respondent indicating that criteria such as well temperature, the amounts of methane and oxygen present in landfill gas, the concentration of carbon monoxide in landfill gas, and the ratio of methane to carbon dioxide in the landfill gas were all relevant in evaluating the conditions at the Facility. This correspondence also indicated that it was Ohio EPA's opinion that the conditions at the Facility constitute a fire.
20. Beginning September 2, 2009, Respondent began daily monitoring of methane, nitrogen, oxygen, hydrogen, carbon dioxide, carbon monoxide, and wellhead temperature and pressure at wells in the northeast corner of the Facility. The affected area included leachate drain cleanout riser PH5ACO and wells DW1, DW2, W120R2, W121R2, W122R2, W123R2, W124R2, W125R2, W128R, W134R, W135, W136, W137R, W157R, W215, W216, and W219R. Monitoring data has been submitted to and reviewed with all involved agencies.
21. On September 3, 2009, Tedlar Bag samples were collected from fourteen wells located in the affected area of the Facility. The samples were analyzed for carbon dioxide, methane, nitrogen, oxygen, hydrogen, and carbon monoxide.

The laboratory results showed carbon monoxide concentrations above 1,000 ppmv for nine wells (DW2, W121R2, W122R2, W123R2, W124R2, W125R2, W134R, W135, and W215), landfill gas composed of less than 45 percent methane for ten wells (W121R2, W122R2, W123R2, W124R2, W125R2, W134R, W135, W136, W215, and W126), and a ratio of percent methane to percent carbon dioxide of less than one for eleven wells (DW2, W121R2, W122R2, W123R2, W124R2, W125R2, W134R, W135, W136, W215, and W216).

22. On September 15, 2009, Ohio EPA, Hamilton County Public Health, and Hamilton County Department of Environmental Services met with Respondent to discuss conditions at the Facility. Respondent discussed a proposed action plan including activities to monitor and mitigate conditions in the affected area. Respondent agreed to finalize a proposed action plan and submit it to Ohio EPA.
23. By letter dated September 17, 2009, Respondent submitted the following to Ohio EPA:
 - a. A summary of the following actions that had already been taken at the affected area of the Facility:
 - i. GSF reduced applied vacuums to all landfill gas wells in the affected area. Wells were tuned to allow passive flow into the gas collection system. All landfill gas collected from the north end of the landfill was directed to the utility flare located on the northwest corner of the landfill.
 - ii. GSF suspended the well pumping program, which GSF implemented in 2009 to pump water from designated wells at the north end of the Facility in an effort to increase the capture of landfill gas.
 - iii. Respondent placed a minimum of one foot of additional clay soil on 11.6 acres to ensure that the affected area was sealed to mitigate the potential for surface air intrusion. The affected area already had at least two feet of cover in place.
 - iv. Respondent began twice daily monitoring of eighteen data points including seventeen vertical wells and one leachate drain clean-out riser. The data points included the following: DW1, DW2, PH5ACO, W120R2, W121R2, W122R2, W123R2, W124R2, W125R2, W128R, W134R, W135, W136, W137R, W157R, W215, W216, and W219R. These data points were selected due to their proximity to wells W135 and W122R2 in order to delineate the limits of the elevated temperatures.

- b. A description of the principal analytical components of its action plan, as follows:
 - i. At each data point gas samples were obtained twice daily and analyzed via field gas chromatograph (GC) for five gases: methane, nitrogen, oxygen, hydrogen, and carbon dioxide. Samples were obtained for laboratory analysis of the above five gases beginning on September 3, 2009.
 - ii. Beginning on September 3, 2009, several samples were obtained for the laboratory analysis of carbon monoxide from fourteen of the eighteen data points (excluding W128R, W157R, W219R, and PH5ACO). Down-hole temperature measurements were attempted on a daily basis from the fourteen well locations.
- c. A proposal including the implementation of the following activities by Respondent for its modified action plan:
 - i. Adjust all impacted wells (W122R2 and W135), immediately adjacent wells (DW1, DW2, W121R2, W123R2, W124R2, W125R2, W128R, W136, W137R, W215, W216, and W219R), and leachate drain cleanout riser PH5ACO to a free flow gas setting and route gas from these wells to the utility flare.
 - ii. Manage impacted and adjacent wells to achieve a minimum controlled flow in order to mitigate the potential venting to the atmosphere.
 - iii. Monitor all impacted and adjacent wells once per day for a minimum of the following gases: methane, nitrogen, oxygen, hydrogen, carbon dioxide, and carbon monoxide. Shift to monitor gases twice per week based on a well-by-well evaluation.
 - iv. Collect tedlar/mylar bag gas samples from the impacted and adjacent wells and send the samples to a laboratory to confirm field testing of methane, nitrogen, hydrogen, carbon dioxide, and carbon monoxide on a weekly basis to ensure the accuracy of the data collected.
 - v. Obtain down-well temperatures from each impacted and adjacent wellhead until a total of ten readings have been obtained.
 - vi. Visually assess the surface area on a daily basis for evidence of slope movement or surface subsidence in the affected area of the Facility. The affected area will be surveyed weekly to detect any

surface settlement.

- vii. Inspect the affected area daily for any sign of abnormal activity or conditions such as smoke, odor, or soot deposits.
 - viii. Restart limited pumping of landfill leachate and gas condensate from within the gas extraction well on those wells where the water in the well is above or close to the section of the well that is screened. Pumping of liquids will cease if well temperatures exceed 149° F.
24. In a letter dated October 6, 2009, Respondent submitted for approval to Hamilton County Department of Environmental Services an alternative timeline for correcting temperature exceedances at the Facility in accordance with its Title V Permit Part III.A.III.2. Respondent claimed that expansion of the landfill gas collection system would potentially allow for air infiltration into the affected area, further exacerbating the elevated temperatures. Respondent's request for an alternative timeline did not propose specific measures for correcting elevated wellhead gas temperatures nor did it propose a date by which compliance with NSPS would be achieved.
25. On October 16, 2009, Respondent completed installation of an eight-hundred-foot-long gas collection trench at the toe of the slope and applied vacuum to mitigate surface gas emissions.
26. On October 19, 2009, Respondent observed a settlement crack at the top of the slope and additional surveying was initiated. On October 22, 2009, additional settlement data was gathered and indicated localized settlement between DW2, W135, W215 and W134R. On October 23, 2009, Respondent took measures to address settlement by filling settlement cracks with soil and regrading the surface. On October 26, 2009, Respondent installed horizontal displacement pins to monitor for lateral movement.
27. On November 16, 2009, Respondent observed a settlement crack just above the gas collection trench. Respondent proposed to add pins on each side of the settlement crack to monitor lateral movement. In addition, lateral movement in the affected area of the Facility, particularly in the vicinity of well DW2 and near the toe of the slope, has been observed.
28. Since Respondent began expanded surveying, settlement in the affected area at the Facility, particularly in the vicinity of well W135, has exceeded ten feet.
29. On November 19, 2009, Respondent and GSF met with Ohio EPA, Hamilton County Public Health, Hamilton County Department of Environmental Services, and U.S. EPA to discuss the affected area and actions taken by Respondent.

Ohio EPA offered to assist Respondent in the development of an action plan designed to identify activities and time frames for Respondent to mitigate conditions in the affected area of the landfill. Since November 19, 2009, the parties have met on numerous occasions to finalize the action plan.

30. Since Respondent began expanded wellhead monitoring on September 1, 2009, at least the following wells have exhibited temperatures in excess of 149° F:

Well Location	Highest recorded wellhead temperature				
	9/2009	10/2009	11/2009	12/2009	1/2010
DW3	125.6° F	128.3° F	132.3° F	151° F	133° F
W122R2	196.4° F	191.8° F	197° F	198° F	200° F
W124R2	145° F	143.4° F	154° F	154° F	149° F
W125R2	140.7° F	153.4° F	158° F	160° F	156° F
W128R	140.7° F	130.8° F	151° F	160° F	130° F
W134R	151.9° F	160.4° F	169° F	171° F	161° F
W135	198.4° F	196.4° F	202° F	204° F	198° F
W136	138.5° F	138.5° F	146° F	159° F	171° F
W215	137.9° F	168.9° F	187° F	192° F	196° F
W221	146° F	105° F	142° F	156° F	121° F

31. Since Respondent began expanded wellhead monitoring on September 1, 2009, at least the following wells have exhibited carbon monoxide levels in excess of 1,000 ppmv:

Well Location	Highest carbon monoxide reading (ppmv)				
	9/2009	10/2009	11/2009	12/2009	1/2010
DW2	1,000	3,800	3,800	3,400	1,600
DW3	400	400	1,400	200	1,000
W121R2	9,300	7,900	7,500	6,500	5,900
W122R2	16,000	7,000	5,500	5,300	4,800
W123R2	11,000	8,800	7,600	6,900	10,900
W124R2	4,500	3,900	3,600	3,700	3,700
W125R2	9,000	1,700	2,100	2,200	2,200
W128R	0	700	700	1,100	0
W134R	6,700	4,600	4,700	4,100	5,100
W135	10,000	7,900	7,400	6,000	6,300
W136	9,600	3,400	4,600	3,000	3,800
W215	8,600	7,600	6,700	5,500	5,100
W216	4,130	2,600	2,600	1,300	1,800
W217R	3,700	2,500	2,100	1,800	1,500
W218	1,800	300	400	200	0
W219R	700	500	1,200	1,000	700
W221	0	0	0	1,200	1,800
GAT3	No data	No data	1,900	1,300	1,100

32. Since Respondent began expanded wellhead monitoring on September 1, 2009, the ratio of percent methane to percent carbon dioxide has been less than one for at least the following locations: DW1, DW2, DW3, PH5ACO, W120R2, W121R2, W122R2, W123R2, W124R2, W125R2, W128R, W133, W134R, W135, W136, W137R, W215, W216, W217R, W218, W219R, GAT1, GAT2, and GAT3.
33. On December 4, 2009, Ohio EPA requested that Respondent define the affected area and expand it to include wells W224, W117R, W148, W157R, W157A, W156, and WPH7B and all wells to the north. The affected area includes both affected wells and adjacent wells to monitor the extent of the conditions at the Facility.

New Source Performance Standards Findings

34. Because compliance with the NSPS rules is required by PTI #14-05824 and the Title V operating permit for this Facility (See Finding number 9), a violation of the NSPS requirements is a violation of PTI #14-05824 and the Title V operating permit for this Facility.
35. ORC Section 3704.05(C) prohibits any person from violating any terms or conditions of any air pollution control permit issued by the Director of Ohio EPA under ORC Chapter 3704. ORC Section 3704.05(J)(2) prohibits, in part, any person from violating any applicable requirement of a Title V permit or any permit condition, except for an emergency as defined in 40 CFR 70.6(g). OAC Rule 3745-77-02(A) provides that the owner or operator of a Title V source shall not operate that source, except in compliance with its Title V permit.
36. Pursuant to NSPS rule 40 CFR 60.755(a)(5), if the gas temperature at the wellhead exceeds the NSPS temperature (or alternative higher operating temperature), Respondent must initiate action to correct the exceedance within 5 calendar days. If correction of the exceedance cannot be achieved within 15 calendar days after the first measurement, the gas collection system shall be expanded to correct the exceedance within 120 days after the initial exceedance. Any attempted corrective measure shall not cause an exceedance of other operational or performance standards. Pursuant to 40 CFR 60.753, if corrective actions are taken as specified in 40 CFR 60.755, the temperature exceedance is not a violation of the operational requirements in 40 CFR 60.753.
37. If the gas collection system has not been expanded to correct the temperature exceedance within 120 days after the initial exceedances, that is a violation of 40 CFR 60.755 unless an alternative timeline has been approved. An alternative timeline has not been approved for any of the wells at the Facility. A higher operating temperature of 65° C (149° F) has currently been established in PTI

#14-05824 and the Title V operating permit (*i.e.*, the permits currently allow Respondent to operate each interior wellhead in the collection system with a landfill gas temperature of less than 65° C (149° F).

38. In the months of September through January, Respondent has failed to correct wellhead temperature exceedances [*i.e.*, temperatures not less than 65° C (149° F)] in at least wells W122R2, W135, and W215. Respondent's failure to correct these exceedances at each well within 120 days of the first exceedance is a violation of 40 CFR 60.755, and a violation of the terms and conditions of PTI #14-05824 and the Title V Permit, and ORC section 3704.05(C) and (J), and OAC Rule 3745-77-02(A).

Solid Waste Landfill Operational Requirements

39. OAC Rule 3745-27-19(B)(2) provides that the owner or operator shall conduct all operations at the Facility in strict compliance with its authorizing documents. As set forth in Finding number 38, above, Respondent is currently in violation of air PTI #14-05824 and its Title V Permit, which is a violation of this OAC Rule 3745-27-19(B)(2).
40. OAC Rule 3745-27-19(B)(5) requires the owner or operator to operate the facility in such a manner that operation does not violate any regulation adopted by the director pursuant to chapter 3704. of the Revised Code. Respondent is in violation of OAC Rule 3745-77-02(A) as described in Finding number 38, above, which is a violation of OAC Rule 3745-27-19(B)(5).
41. OAC Rule 3745-27-19(E)(10) requires that the owner or operator keep a daily log of operations, upon which corrective actions taken at the Facility are to be described. Granting a variance from this requirement that relieves Respondent from the obligation to include corrective actions in the daily log that are being conducted and reported on pursuant to the Action Plan referenced in Order number 1, below, will not create a nuisance or a hazard to public health or safety or the environment and is unlikely to result in a violation of other requirements of ORC Chapters 3704, 3714, 3734, or 6111, and any rules promulgated thereunder.
42. ORC Section 3734.02(A) authorizes the Director of Ohio EPA to grant a variance from the solid waste rules if the Director is satisfied that the construction and operation of the solid waste facility in the manner allowed by the variance and any terms or conditions imposed as part of the variance will not create a nuisance or a hazard to the public health or safety or the environment.
43. ORC Section 3734.13 authorizes the Director of Ohio EPA to issue orders requiring the abatement or prevention of a violation of any section of ORC

Chapter 3734, a rule adopted under that Chapter, or a term or condition of an authorizing document issued pursuant to that Chapter.

44. The Director issues these Orders to address the violations of ORC Chapters 3704 and 3734 and the Title V permit for the Facility. The Director has given consideration to, and based his determination on, evidence relating to the technical feasibility and economic reasonableness of complying with the following Orders and their benefits to the people of the State to be derived from such compliance.

V. ORDERS

Respondent shall achieve compliance with its permits and ORC Chapters 3704 and 3734 and the rules promulgated thereunder in accordance with the following:

1. Upon the effective date of these Orders, Respondent shall comply with the attached Action Plan and any revisions made to the Action Plan pursuant to Section 4.0 of the Action Plan.
2. Notwithstanding any other provision of these Orders, if in the determination of the Director Respondent is unable to achieve the goals of the Action Plan or conditions at the Facility cause or threaten to cause a nuisance or an adverse impact to public health or safety or the environment, the Director may require alternative sampling frequencies, methods, and parameters, or require remedial actions to mitigate conditions at the Facility. Respondent shall implement the remedial actions and any alternative sampling frequencies, methods, and parameters in accordance with the terms and conditions of the Director's final action.
3. In accordance with ORC Section 3734.02, Respondent is hereby granted a variance from the requirement to include all corrective actions on the Facility's daily log of operations in accordance with OAC Rule 3745-27-19(E)(10). Respondent shall record on the daily log form only those corrective actions that are not being conducted and reported on pursuant to the Action Plan referenced in Order number 1, above.
4. Respondent's October 6, 2009 request for an alternative timeline (see Finding number 24) is disapproved.
5. Respondent shall report all exceedances of applicable parameters of the NSPS in the semi-annual report required by 40 CFR 60.757(f). [As this landfill is subject to the requirements of 40 CFR Part 63, Subpart AAAA, "National Emission Standards for Hazardous Air Pollutants (NESHAP)," the NSPS report must be filed semi-annually and not annually. See 40 CFR 63.1980(a).] Respondent also shall report exceedances that are not corrected in the manner

prescribed by 40 CFR 60.755 and within the time frames allowed by that section, as deviations in the quarterly deviation report under Respondent's Title V permit. When an exceedance is caused by conditions meant to be addressed by the Action Plan, Respondent shall comply with the Action Plan as a means of addressing its deviation under the NSPS.

6. On and after the thirtieth day after the effective date of these Orders, if any gas recovery well at the Facility outside the affected area has a wellhead gas temperature below 55° C (131° F), the allowable maximum wellhead gas temperature for that well shall thereafter be less than 55° C (131° F), as specified in 40 CFR 60.753, and not the 65° C (149° F) allowed by Respondent's PTI #14-05824 and Title V Permit. A higher operating temperature may be allowed within a given well if Respondent makes the showings required by 40 CFR 60.753(c). Nothing in these Orders shall be construed to prevent Ohio EPA from lowering the maximum wellhead gas temperature to 55° C (131° F) in all gas recovery wells at the Facility, including those wells within the affected area, by further order or by permit modification or permit renewal.
7. Respondent shall pay the amount of ninety-eight thousand dollars (\$98,000) in settlement of Ohio EPA's claim for civil penalties for violations of ORC Section 3704.05(C) and OAC Rules 3745-77-02(A) and 3745-27-19(B)(5), which may be assessed pursuant to ORC Chapter 3704. Not later than thirty (30) days after the effective date of these Orders, payment to Ohio EPA shall be made by official check made payable to "Treasurer, State of Ohio" for seventy-eight thousand four hundred dollars (\$78,400). The official check shall be submitted to Brenda Case, or her successor, together with a letter identifying the Respondent, to:

Ohio EPA
Office of Fiscal Administration
P.O. Box 1049
Columbus, Ohio 43216-1049
8. In lieu of paying the remaining nineteen thousand six hundred dollars (\$19,600) of the civil penalty, Respondent shall, within thirty (30) days of the effective date of these Orders, fund a Supplemental Environmental Project ("SEP") by making a contribution in the amount of nineteen thousand six hundred dollars to the Ohio EPA's Clean Diesel School Bus Program Fund (Fund 5CD0). Respondent shall tender an official check made payable to "Treasurer, state of Ohio" for \$19,600. The official check shall be submitted to Brenda Case, or her successor, together with a letter indentifying the Respondent and Fund 5CD0, to the above-stated address.
9. A copy of each of the above checks shall be sent to James A. Orlemann, Assistant Chief, SIP Development and Enforcement, at the following address:

Ohio EPA
Division of Air Pollution Control
P.O. Box 1049
Columbus, Ohio 43216-1049

10. Should Respondent fail to fund the SEP within the required time frame set forth in Order number 8, Respondent shall immediately pay to Ohio EPA \$19,600 of the civil penalty in accordance with the procedures in Order number 7.

VI. REVIEW OF SUBMITTALS

Ohio EPA may review any work plan, report, or other item required to be submitted pursuant to these Orders in accordance with this Section. Upon review, Ohio EPA may in its sole discretion: (a) approve the submission in whole or in part; (b) approve the submission upon specified conditions; (c) modify the submission; (d) disapprove the submission in whole or in part, notifying Respondent of deficiencies; or (e) any combination of the above. The results of Ohio EPA's review shall be in writing and provided to Respondent.

In the event of approval as is, approval upon condition, or approval as modified of any submission by the Ohio EPA, Respondent shall proceed to take any action required by the submission as approved, conditionally approved, or approved as modified by Ohio EPA.

In the event that Ohio EPA initially disapproves a submission, in whole or in part, and notifies Respondent in writing of the deficiencies, Respondent shall within 14 days, or such longer period of time as specified by Ohio EPA in writing, correct the deficiencies and submit the revised submission to Ohio EPA for approval. The revised submission shall incorporate all of the changes, additions, and/or deletions specified by Ohio EPA in its notice of disapproval. Revised submissions shall be accompanied by a letter indicating how and where each Ohio EPA comment was incorporated into the submission. Any other changes made to the submission by Respondent shall also be identified in the letter.

If Respondent fails to submit a revised submission incorporating all changes, additions, and/or deletions within 14 days, or such period of time as specified by Ohio EPA in writing, Respondent shall be considered in breach and/or violation of these Orders. If Respondent is in breach and/or violation of these Orders, Ohio EPA retains the right to terminate these Orders, perform any additional investigation, conduct any work to address conditions at the Facility, and/or enforce the terms of these Orders.

VII. REIMBURSEMENT OF COSTS

Ohio EPA has incurred, and continues to incur, Response costs in connection with this Facility. Ohio EPA may request that Respondent reimburse Ohio EPA for any

Response costs incurred by Ohio EPA or its contractors on or after the effective date of these Orders. Not later than thirty (30) days after receiving an accounting of Response costs incurred on or after the effective date of these Orders, Respondent shall remit payment for the full amount claimed. Respondent shall remit payment pursuant to this Section (Section VII) of the Orders by official check made payable to "Treasurer, State of Ohio" to Ohio EPA for the full amount claimed. The official check shall be submitted to Ohio EPA, Office of Fiscal Administration, P.O. Box 1049, Columbus, Ohio 43216-1049, together with a letter identifying Respondent and the Facility. A copy of the letter and check shall be sent to Ohio EPA, DSIWM, Supervisor, Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049.

VIII. TERMINATION

Respondent's obligations under these Orders shall terminate when Respondent certifies in writing and demonstrates to the satisfaction of Ohio EPA that Respondent has performed all obligations under these Orders and the Chief of the Division of Solid and Infectious Waste Management acknowledges, in writing, the termination of these Orders. If Ohio EPA does not agree that all obligations have been performed, then Ohio EPA will notify Respondent of the obligations that have not been performed, in which case Respondent shall have an opportunity to address any such deficiencies and seek termination as described above.

The certification shall contain the following attestation: "I certify that the information contained in or accompanying this certification is true, accurate and complete."

This certification shall be submitted by Respondent to Ohio EPA and shall be signed by a responsible official of Respondent. For purposes of these Orders, a responsible official is a principal executive officer of at least the level of vice president or his duly authorized representative, if such a representative is responsible for the overall operation of the Facility.

IX. OTHER CLAIMS

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership or corporation, not a party to these Orders, for any liability arising from, or related to, Respondent's Facility.

X. OTHER APPLICABLE LAWS

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state, and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Respondent or the Facility.

Where any portion of the Work required by these Orders requires a permit or approval, Respondent shall timely submit applications and take all other actions necessary to obtain such permits or approvals. Except as expressly provided herein, these Orders are not, and shall not be construed to be, a permit, exemption, or variance issued pursuant to any statute or rule.

XI. INDEMNIFICATION

Respondent agrees to indemnify, save, and hold harmless Ohio EPA from any and all claims or causes of action arising from, or related to, any acts or omissions of Respondent and/or Ohio EPA, its officers, employees, agents, representatives, or assigns, arising from or related to the Facility and/or the Work required under these Orders. Ohio EPA agrees to provide notice to Respondent within 30 days after receipt of any claim which may be the subject of indemnity as provided in this Section, and to cooperate with Respondent in the defense of any such claim or action against Ohio EPA. Ohio EPA shall not be considered a party to and shall not be held liable under any contract entered into by Respondent in carrying out the activities pursuant to these Orders.

XII. ACCESS

Ohio EPA, Hamilton County Public Health, and Hamilton County Department of Environmental Services shall have access at all reasonable times, including during business hours, to the Facility and any other property to which access is required for the implementation of these Orders, to the extent access to the property is controlled by Respondent. Access under these Orders shall be for the purposes of conducting any activity related to these Orders including but not limited to the following:

- A. Monitoring the Work;
- B. Conducting sampling;
- C. Inspecting and copying records, operating logs, contracts, and/or other documents related to the implementation of these Orders;
- D. Conducting investigations and tests related to the implementation of these Orders; and
- E. Verifying any data and/or other information submitted to Ohio EPA.

To the extent that the Facility or any other property to which access is required for the implementation of these Orders is owned or controlled by persons other than Respondent, Respondent shall use its best efforts to secure from such persons access for Respondent and Ohio EPA as necessary to effectuate these Orders. Copies of all

access agreements obtained by Respondent shall be provided to Ohio EPA upon request. If any access required to implement these Orders is not obtained within 30 days after the effective date of these Orders, or within 30 days after the date Ohio EPA notifies Respondent in writing that additional access beyond that previously secured is necessary, Respondent shall promptly notify Ohio EPA in writing of the steps Respondent has taken to attempt to obtain access. Ohio EPA may, as it deems appropriate, assist Respondent in obtaining access.

Notwithstanding any provision of these Orders, the State of Ohio retains all of its access rights and authorities, including enforcement authorities related thereto, under any applicable statute or regulation.

XIII. MODIFICATIONS

These Orders may be modified by agreement of the parties hereto. Modifications shall be in writing and shall be effective on the date entered in the journal of the Director of Ohio EPA.

XIV. NOTICE

All documents required to be submitted by Respondent pursuant to these Orders other than those required by the Action Plan shall be addressed to:

Ohio Environmental Protection Agency
Southwest District Office
Division of Solid and Infectious Waste Management
Attn: District Chief
401 East Fifth Street
Dayton, Ohio 45402

and

Ohio Environmental Protection Agency
Central Office
Division of Solid and Infectious Waste Management
Attn: DSIWM CA&IS Supervisor
P.O. Box 1049
Columbus, Ohio 43216-1049

and/or to such persons and addresses as may hereafter be otherwise specified in writing by Ohio EPA, including Hamilton County Public Health and Hamilton County Department of Environmental Services.

XV. SAMPLING AND DOCUMENT AVAILABILITY

Unless otherwise agreed to by Ohio EPA, Respondent shall notify Ohio EPA not less than 15 days in advance of all sample collection activity. Upon request, Respondent shall allow split and/or duplicate samples to be taken by Ohio EPA or its designated contractor. Ohio EPA shall also have the right to take any additional samples it deems necessary. Upon request, Ohio EPA shall allow Respondent to take split and/or duplicate samples of any samples Ohio EPA takes as part of its oversight of Respondent's implementation of the Work required by these Orders.

Ohio EPA may request copies of all documentation required by these Orders including, but not limited to, odor logs and related documentation and sampling, tests, or other data, including raw data and original laboratory reports, generated by or on behalf of Respondent with respect to the Facility. Not later than seven (7) days after Respondent's receipt of a request by Ohio EPA, Respondent shall provide Ohio EPA with a copy of the documentation requested to Ohio EPA. An electronic copy shall also be provided in a format approved by Ohio EPA. Respondent may submit to Ohio EPA any interpretive reports and written explanations concerning the raw data and original laboratory reports. Such interpretive reports and written explanations shall not be submitted in lieu of original laboratory reports and raw data. Should Respondent subsequently discover an error in any report or raw data, Respondent shall promptly notify Ohio EPA of such discovery and provide the correct information.

Ohio EPA may subject any reports and data submitted to Ohio EPA pursuant to these Orders to evaluation and validation by a third party and may incur costs for such report and data evaluation and validation. Respondent shall reimburse Ohio EPA for all costs incurred for evaluation and validation of reports and data in accordance with Section VII of these Orders.

Respondent shall retain all documentation generated as a result of these Orders for a period of 5 years following the effective date of these Orders.

XVI. RESERVATION OF RIGHTS

Ohio EPA and Respondent each reserve all rights, defenses, privileges and causes of action, except as specifically waived in Section XVII of these Orders.

XVII. WAIVER

In order to resolve disputed claims, without admission of fact, violation or liability, and in lieu of further enforcement action by Ohio EPA for only the violations specifically cited in these Orders, Respondent consents to the issuance of these Orders and agrees to comply with these Orders. Respondent hereby waives the right to appeal the issuance, terms and conditions, and service of these Orders, and Respondent hereby waives any and all rights Respondent may have to seek administrative or judicial review of these

Orders either in law or equity. Compliance with these Orders shall be a full accord and satisfaction for Respondent's liability for the violations specifically cited herein.

Notwithstanding the preceding, Ohio EPA and Respondent agree that if these Orders are appealed by any other party to the Environmental Review Appeals Commission, or any court, Respondent retains the right to intervene and participate in such appeal. In such an event, Respondent shall continue to comply with these Orders notwithstanding such appeal and intervention unless these Orders are stayed, vacated, or modified.

Nothing in these Orders waives, nor acts as an accord and satisfaction of, the requirement to report as deviations in the Title V quarterly deviation report exceedances of applicable gas recovery well operating parameters as set forth in 40 CFR 60.753, that are not corrected in the manner prescribed by 40 CFR 60.755 and within the time frames allowed by that section. Nothing in these Orders relieves Respondent from its obligation to comply with applicable NSPS regulations. Nothing in these Orders waives the Ohio EPA's right to seek civil penalties or other remedies for such exceedances of those parameters or any other violations arising from or relating to conditions at the Facility.

Respondent hereby waives the right to appeal the issuance, terms and conditions, and service of subsequent Orders in which the Director determines that due to the actual or potential effects of subsurface conditions at the Facility Respondent shall install an isolation break at the Facility to protect human health or safety or the environment or to abate a violation or any threatened violation of any section of R.C. Chapter 3734, a rule adopted thereunder, or a term or condition of Respondent's permit or license, and Respondent hereby waives any and all rights Respondent may have to seek administrative or judicial review of those Orders either in law or equity.

XVIII. EFFECTIVE DATE

The effective date of the Orders is the date these Orders are entered into the Ohio EPA Director's Journal.

XIX. SIGNATORY AUTHORITY

Each undersigned representative of a party to these Orders certifies that he or she is fully authorized to enter into these Orders and to legally bind such party to these Orders.

ORDERED AND AGREED:

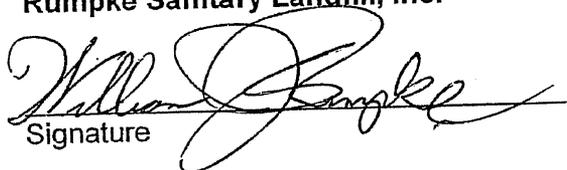
Ohio Environmental Protection Agency



Chris Korleski, Director

AGREED:

Rumpke Sanitary Landfill, Inc.


Signature

William J. Rumpke
Printed or Typed Name

PRESIDENT & CEO.
Title

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By:  Date: 3/13/10

OHIO E.P.A.

MAR 18 2010

ENTERED DIRECTOR'S JOURNAL

6

Team Rumpke – Action Plan

March 12, 2010

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1.0 Team Administration

The incident at Rumpke Sanitary Landfill is a challenging situation from a variety of perspectives including:

- Involvement of multiple agencies, contractors, and consultants
- Monitoring, data gathering, interpretation
- Safety
- Communications (internal and external)
- Engineering and technical
- Legal and authorizations

For this reason, as the project advances, we must do so in a manner that maximizes the coordination and cooperation of the multiple parties involved, regardless of their affiliation, involvement, or history with the facility.

1.1 Assumptions

- Everyone involved has a role to play and value to add to the project.
- We are better off sharing information, coordinating efforts, and working together to resolve the complex issues facing the facility.
- The resolution of these issues will require a team effort, with everyone bringing their respective information, expertise, talents, and ideas to the table.

1.2 Parties Represented on the Team

- Rumpke and their consultants
- Ohio EPA Central Office, DAPC, DSIWM, PIC
- Ohio EPA Southwest District Office, DSIWM
- Hamilton County Department of Environmental Services
- Hamilton County Public Health
- Colerain Township Fire Department & Trustees
- US EPA

1.3 Team Leaders

Table 1. Team Rumpke Team Leaders

Agency	Employee
Ohio EPA	Russ Brown, SWDO, DSIWM, Field lead and local coordination
	Scott Heidenreich, CO, DSIWM Project Management & Technical Support
	Bruce McCoy, CO, DSIWM, Compliance and Enforcement Management
US EPA	Paul Ruesch
Hamilton County Department of Environmental Services	Bradley Miller
Hamilton County Public Health	Chuck DeJonckheere
Rumpke Sanitary Landfill	Larry Riddle, General Manager
	John Butler, Hughes Road LF Engineer
	Jay Roberts, Director of Engineering & Environmental Affairs

1.4 Communications Protocol

To foster good communications and minimize misunderstandings during this project the following Team Rumpke communications protocol is recommended. Each individual group represented on the team may also want to have its own internal communications protocol.

1. Regular update meetings are held – 10:30 am Thursday mornings. The meetings are held via teleconference using the following bridge line. All team members are welcome to participate.

The call in number is 1-888-619-1583. Contact Russ Brown for the passcode if you don't have it.

2. The Hamilton County Department of Environmental Services (HCDOES) is regularly briefing the Hamilton County Solid Waste Management District program manager on the status of this project.
3. The Hamilton County Public Health (HCPH) is providing updates at the Hamilton County Solid Waste Management Policy meetings.

4. Written communications. Each group represented on Team Rumpke needs to ensure the public records generated as part of this project are managed in a manner that complies with Ohio's public records law.
- a. To assist Ohio EPA in managing our public records for this project we request all team members to do the following when sending electronic or paper documents to Ohio EPA.
 - i. Include Greg Nichols, DSIWM, CO in the cc:
 - ii. Scan or create PDFs of all hard copy submittals and e-mail them to Ohio EPA
 - iii. On the first line of each e-mail identify which file the document belongs to as follows: "**Rumpke:[file name]**" (See Table 2 . File names to use when communicating with Ohio EPA)

Table 2 . File names to use when communicating with Ohio EPA

File Name
Correspondence to/from USEPA
Correspondence to/from Hamilton County
Correspondence to/from Rumpke
Correspondence to/from Citizen Groups
Correspondence to/from SWMD
Correspondence to/from Other Parties
E-mails to/from USEPA
E-mails to/from Hamilton County
E-mails to/from Rumpke
E-mails to/from Citizen Groups
E-mails to/from SWMD
E-mails to/from Other Parties
IOCs
Memos to File
Meeting Notes
Field Notes
Inspection Logs
Sample Results/Interpretative Reports
Air Monitoring Results
Action Plans and comments
Engineered Component Evaluation Submittals

Odor Complaints
Press Releases
Public Notices
Confidential Attorney/Client Privileged documents

- b. All communications to Ohio EPA should have the following people included: Paul Pardi, Russ Brown, Tracy Buchanan, Holly Hillyer, Joleen Cook, Bruce McCoy, Joe Goicochea, Scott Heidenreich, Scott Hester, Greg Nichols, Chuck DeJonckheere, and Brad Miller.
- c. All communications to Rumpke should include John Butler.
- d. Rumpke has established a website as a depository for updated data.

(See contact information in Section 6.0 Team contact info for e-mail addresses)

2.0 Technical Goals for Addressing the Rumpke Incident

The overall goal of the action plan is to protect human health, safety and the environment and prevent a nuisance. The practical means of attaining that goal is focusing on the following technical goals and the actions developed to achieve them.

1. Ensure slope stability
2. Maintain the integrity of engineered components
3. Define the nature, rate and extent of the incident
4. Control odors
5. Manage the gas, pressure, leachate, and condensate properly
6. Prepare for contingencies to reduce response time
7. Ensure health and safety of regulators and Rumpke employees
8. Prevent the incident from spreading
9. Return the affected area to normal conditions as quickly as possible
10. Ensure compliance with permits, authorizing actions, and other regulatory obligations (Note: all activities associated with this plan would apply to the goal of maintaining compliance).

2.1 Affected and Unaffected Areas Included in this Incident

Rumpke will create and maintain a map that clearly delineates affected and non-affected areas of the landfill. The map and any subsequent revisions to the map made by Rumpke will be submitted to Ohio EPA, HCPH, HCDOES, and US EPA upon completion of each revision. For the purposes of this document "affected" means the entire northern expansion area comprised of Existing Phase IV, Phase V, Phase VI, and Phase VII depicted on the drawing titled "Affected Area North End Engineering Support"

Some portions of the affected area exhibit the characteristics listed in Table 3. The affected area also includes a number of gas extraction wells or monitoring points, sufficient to determine the lateral extent of the affected area, that do not exhibit these characteristics.

Table 3. Characteristics indicating likely involvement in incident.

Characteristic
Increased gas extraction well head or other monitoring probe gas temperatures in excess of 150 degrees Fahrenheit or a trend of increasing temperatures, even if temperatures are below 150 degrees Fahrenheit
CH ₄ less than 45%
Carbon monoxide above 100 ppmv
CH ₄ :CO ₂ ratios less than 1
Hydrogen greater than 5.0 percent by volume
Unusually increased settlement
Leachate BOD and COD are currently not a quantifiable characteristic, but may be included later based on leachate analysis

If additional locations in the landfill contiguous to the affected area exhibit any combination of one or more of the characteristics listed in Table 3 so as to indicate likely involvement, Rumpke will revise the map to incorporate the additional locations into the map. Alternatively, Ohio EPA may request the affected area to be changed and Rumpke will revise the map to show the requested change. If Ohio EPA requests a change to the affected area shown on the map, Rumpke may request a meeting to discuss the change prior to revising the map. Rumpke will submit the revised map to Ohio EPA, HCPH, HCDOES, and US EPA within five working days of a request.

All other areas of the landfill are unaffected areas for the purpose of this action plan.

2.2 Monitoring

Rumpke Sanitary Landfill (RSL) will monitor all gas extraction wells, sumps, shallow collector lines, monitoring points and other locations that can be properly monitored within the affected area at the frequency established in Table 4. Rumpke will post the results, at the reporting frequency, to the file transfer website (<http://ra.rumpke.com/guest>) that has been established for that purpose. Monitoring frequency is established by evaluating existing data and demonstrating a trend which exhibits whether the quality of the gas is good or poor and whether the well monitoring results are stable or unstable. Wells that exhibit characteristics that are unstable with gas quality that is not improving will be monitored more frequently. Table 4 includes the general monitoring frequency plan, and Appendix I includes the rationale for establishing the monitoring frequency for a well, identifies all wells that are monitored and their specific monitoring frequency and the criteria for increasing or decreasing a well's monitoring frequency.

Table 4. Affected area monitoring requirements.

Measurement	Measurement Frequency	Reporting Frequency
Wellhead temperature & pressure (T&P)	Weekly readings except for unstable, poor quality wells which will be 2X per week	Uploaded weekly to file transfer website (Wednesday)
Temperature in well at depth of 10ft, ½ of well depth and bottom/above liquid level	Monthly only for sentinel monitoring points. Increase frequency to weekly if gas quality becomes poor	Uploaded with T&P readings during weeks when monitored
Six gases, CH ₄ , N ₂ , O ₂ , H ₂ , CO ₂ & CO via field GC	Same as wellhead temp & pressure	Uploaded weekly with T&P readings
Well pumping - Status and cumulative pumping hours	Daily readings	Uploaded weekly with T&P readings
Topographic survey (Including settlement cracks)	Monthly on-the-ground survey	submitted monthly
Stability pin monitoring (lateral measurement & elevation)	Surveyed weekly and every 2 weeks after soil buttress is installed	submitted weekly until soil buttress is installed then submitted monthly
NSPS compliance monitoring for affected and unaffected area	Monthly in accordance with 40 CFR 60.756 requirements	submitted monthly

2.3 Activities

The following activities, included in Table 5, are tasks that are intended to provide greater insight and information into the subsurface incident taking place at RSL as well as support the technical goals established in Section 2.0. These activities establish a beginning to the investigation process and are not necessarily exhaustive. RSL will complete the activities and actions in accordance with the schedule established in Table 5. Any document or plan described in Table 5, below, that has been or will be submitted to Ohio EPA is hereby incorporated into this Action Plan, including any revisions made to the plan.

Table 5. Activities and deadlines.

Act No.	Activity	Reason	Goal Supported	Due Date	Rumpke Action
1	Evaluate RSL's waste profiling and disposal records and try to identify if any waste could be creating an exothermic reaction.	If a waste that generates an exothermic reaction is identified, the information will aid in understanding the possible scope of the reaction and can be used to identify other areas of the landfill where this waste was also disposed.	3, 6, 8, 9	Report was submitted 2/24/2010	Utilize RSL special waste approval and scale house waste receipt databases to identify quantities and characteristics of significant industrial waste volumes disposed in the affected area during 1997 through 2005. RSL will prepare a report and submit it to Ohio EPA, to summarize the evaluation and identify any waste streams of concern. At a minimum all loads from industrial solid waste customers who disposed more than 5,000 tons per year, particularly those that contain high cellulose, iron oxide, aluminum, glycols, or wastes that may produce exothermic reactions at standard temperature and pressure, under increased temperature and pressure, or increased moisture should be identified.

2 Measure the quantity of leachate, condensate, and liquids removed over time using pump run-time from the leachate collection system and gas extraction system.

Flow trend graphs over time can be used to evaluate intensity of the incident; ensure that pumps, piping, and storage tanks are of sufficient size; ensure that the leachate system and gas extraction system function properly; give early indications of liquid levels, movement, and saturation that may adversely affect slope stability.

First report, for reporting month of 1/2010 and historical data, was submitted on 2/12/2010 and subsequent reports are due monthly on the 15th thereafter.

RSL monitors pump run times for all leachate pumps in Phase IV-VII and has a master flow meter that records total flow to the MSD wastewater collection system. Average daily flow to the sewer is approximately 100,000 gpd and there is no volume limitation on the permitted discharge. RSL will prepare reports plotting historical pump run times compared to weekly recordings to identify any upward trends in leachate production from the affected area. Additionally, daily flow measurements will be taken of the two existing and any future landfill gas condensate discharge lines to monitor condensate flow rates.

1, 2, 3, 5, 6

3 Evaluate gas extraction boring logs and create cross sections through the landfill and identify when the wells were constructed.

Provides information to understand the rate and extent of the incident and timing for when different parts of the landfill were put into gas production relative to when the incident started/was noticed.

Plan and cross section drawings submitted 1/20/2010.

Boring logs and summary table submitted on 2/01/2010.

RSL will compile all gas well borings and well construction logs from the affected area, and prepare a summary table, identifying well installation date, surface elevation, bottom elevation, screened interval, and landfill liner elevation. Plan and cross section drawings will be prepared depicting liner, 1997 through 2004 annual topography waste grades and existing waste grades; landfill gas well locations; and leachate collection system locations.

4 Provide cross-sections, especially N-S, that show cell bottom, barrier layers, and waste/waste interfaces to identify how far south the incident can move and where such movement could occur.

This information will provide a better understanding of the possibility for the incident to spread south and help identify early warning monitoring locations and the location for an isolation break or some other prophylactic to prevent incident from spreading.

Cross sections submitted 1/22/2010.

Plan and cross section drawings will be prepared depicting liner, 1997 through 2004 annual topography waste grades and existing waste grades; landfill gas well locations; and leachate collection system locations.

2, 3, 6, 8

Act No.	Activity	Reason	Goal Supported	Due Date	Rumpke Action
5	Characterize the leachate, condensate, and liquids removed from the gas extraction wells and the leachate collection system in the affected area. Do the same characterization from unaffected areas of the landfill for comparison purposes.	Provides an understanding of chemical changes being created by the incident; can be used to understand whether liquids being removed from the gas extraction wells are leachate or condensate; can be used to identify parameters peculiar to the liquids from the incident area that can be monitored over time to evaluate the intensity of the incident; provides testing to ensure that POTWs will not be adversely affected by the liquids from the incident area; provides information for chemical compatibility evaluations to ensure existing materials and new materials used in engineered components will function properly; ensures appropriate PPE is used when exposure to these liquids is possible.	2, 3, 5, 6, 7	Samples were obtained on 2/1/2010 to characterize leachate from a sump in a non-affected area and the affected area; and condensate from the gas extraction system in the affected area and non-affected areas. Test results were received on 2/17/2010 and the results of the analyses were submitted 2/26/2010.	Collect at least one sample from each of the following locations and analyze for OAC 3745-27-10 Appendix 1 parameters and BOD, COD, pH, alkalinity, temperature, DO, phenolic/organic acids, anions, cations, ammonia and redox potential (parameters analyzed for March, 2009 anti-scaling study and parameters that may indicate biological activity): Phase V Leachate Sump Phase 2 Vertical Expansion Leachate Sump Gas Condensate from Phase V LFG Well condensate pumping system. Samples should be taken from a place that limits turbulence/off-gassing of VOCs and as near the source as is safe. A reduced list may be created based on the results of this first round of testing.
6	Evaluate the slope stability analysis in the PTI.	Provides for revisiting the assumptions of the original slope stability analysis and updating them as needed to ensure a good understanding of the existing stability of the affected area.	1	SWDO reports that as of 12/11/2009 their review of the assumptions used in the PTI slope stability analysis are correct. However, assumptions for the incident must be adjusted to account for reduced waste strength and increased pressures and moisture content due to the effects of the incident. Results of analyses were submitted 2/12/2010.	Complete a slope stability analysis of the exterior slope of Phase V/VI: 1.) utilizing PTI stability assumptions and 2.) using conservative estimates of waste strength assuming accelerated waste decomposition, increased pressure, and liquid content. Utilize the results of the stability analysis to complete Activity 13.

Act No.	Activity	Reason	Goal Supported	Due Date	Rumpke Action
7	Complete borings in the affected area to obtain cores and temperature readings.	Provides a visual inspection of the waste; identifies the vertical and lateral extent of the incident; can provide information that may be useful for proposing control measures; can be used to understand changes in waste strength due to the incident.	1, 3, 6	Drilling began 2/17/2010.	RSL will complete at least two borings in the affected area to better define vertical extent of incident. The borings will be advanced to a depth that passes through the area or layer where the heating incident is occurring but not closer than 20 feet to the top of the leachate drainage layer. One boring may be converted to an inclinometer following further research. Both borings will have thermocouples installed at intervals of 25-foot depths.
8	Convert borings in affected area to incident monitoring probes. The probes would be to a depth that extends below the incident. The probes would have thermocouples every 25 feet.	Provides vertical heat profile of waste in a manner that does not cause exposure of staff measuring down-hole temperatures; provides direct monitoring of the temperatures of the affected area to determine intensity trends over time.	3, 6, 7, 8, 9	Will be completed simultaneously with Activity 7. Boring 2 has been converted Borings 1 & 3 are in progress.	See 7 Above.
9	Install surface trenches as needed for intercepting gas and leachate.	Provides some odor control and increase slope stability by reducing liquids in slope.	1, 4, 5, 8	Ongoing installation as needed to control odors, pressure, and leachate outbreaks. Rumpke re-evaluated its design using information provided by US EPA and submitted a written recommendation that included the design and installation on 2/12/2010.	RSL will continue to install surface trenches as necessary to control odors. The decision to install surface trenches and their location will be determined by the results of landfill cover inspections and surface emissions scans. The results of these inspections and surface scans will be recorded in the daily inspection log for the affected area. Since the scanning of the surface is to expand surface trenches and in effect the gas collection system, surface scanning for this activity is separate and not subject to NSPS reporting.

Act No.	Activity	Reason	Goal Supported	Due Date	Rumpke Action
10	Establish temperature monitoring of leachate sumps and laterals.	Provides an understanding of the rate and extent of the incident and allows monitoring of temperature exposure for liner/LCS.	2, 3, 5	Thermocouples were installed 1/19/2010. Frequency established by initial monitoring results, reported monthly. The first report, for reporting month of 1/2010 and historical data, was submitted on 2/12/2010. Subsequent reports are due monthly on the 15 th thereafter.	RSL will install two thermocouples in Phase VD2 cleanout riser, on the floor of Phase V, and beneath LFG wells W-135 and DW-2. A temperature reading will be taken initially and monitored at least monthly thereafter. Also, at a minimum, 1 temperature reading will be obtained from each sump in each phase of the affected area. Should the temperature monitoring beneath W-135 and DW-2 show a significant increase or exceed 140 degrees F an increased frequency for monitoring and inspections of the leachate collection system (see activity 12) will be established. Should temperature monitoring beneath W-135 and DW-2 show a significant temperature increase, within 14 days, RSL will install thermocouples in the other leachate sumps and lateral lines in the affected area.
11	Evaluate and improve replacement and maintenance frequencies for gas and leachate collection components in the affected area.	Provides information for determining the number of replacement parts to have on hand and how often to swap out degraded parts prior to failure.	2, 4, 5, 6	Plan submitted on 2/12/2010.	RSL will submit a plan summarizing the existing components of the LFG collection system for the affected area. Required replacement parts assuming a worst-case scenario of LFG system failure will be developed, a replacement part material list developed and the required materials obtained and stored on-site.

Act No.	Activity	Reason	Goal Supported	Due Date	Rumpke Action
12	Create and implement a leachate system inspection protocol.	Ensures that the leachate collection system is operating properly and has not been crushed or adversely affected by increased temperatures, leachate flow, or sediments from the incident.	2, 3, 5	System was inspected 1/8/2010. Report was submitted 1/8/2010.	The 2009 leachate line cleaning and inspection was completed in September, 2009 and no problems were identified. Prior to installing thermocouples in Phase VD2 cleanout, this cleanout will be cleaned and televised to identify any existing integrity issues. Based on results of monitoring conducted in action item 10, inspections and monitoring may be expanded and frequency may increase.
13	Identify stockpiles of soils and other items needed to buttress the exterior slope of Phase V and create shovel ready design for soil buttress so that it can be implemented at a moment's notice.	Provides a plan and materials to react quickly (within minutes or an hour) if evidence of a failure occurs.	1, 2, 4, 5, 6, 7	Buttress design was submitted to Ohio EPA on 1/6/2010. Buttress construction at the toe of Phase V slope as a preventive measure was completed to elevation 840 2/5/10. Certification report of construction will be submitted by 3/15/10.	RSL is proceeding with installation of a buttress in the area of the horizontal displacement pins up to an elevation of approximately 840. Additionally, RSL is considering the installation of an inclinometer.
14	Maintain a protocol and general standards for dewatering gas extraction wells that will increase gas flow and reduce the likelihood of slope failure by removing liquid but not exacerbate the incident.	Provides for a planned approach to balancing the need for slope stability with the need for limiting oxygen and removing gas to prevent excessive pressures and reduce odors.	1, 4, 5, 6, 8	A revised gas well dewatering protocol was submitted on 2/28/2010. The revised protocol includes pumping status and hours with weekly temperature & pressure uploads. Rumpke will summarize changes in dewatering status in each Monthly Report (Activity 25).	RSL will evaluate and revise the existing well pumping protocol to include consideration of historical and current gas parameters, water levels, temperatures, flow rates and surface scan results in determining changes in pumping status. The rationale for any changes to the dewatering status will be included in the Monthly Report.

Act No.	Activity	Reason	Goal Supported	Due Date	Rumpke Action
15	Sample landfill gas to establish fingerprint for gas coming from the affected area versus unaffected areas.	Allows appropriate parameters to be selected for off-site air monitoring of emission from the affected area. Provides data to inform public of what is in air emissions.	4, 5	Sampling was conducted on 01/21/2010. The results of the analysis were submitted 2/16/2010.	One gas sample will be obtained from the following wells: W-135 (affected area) and W-1 and 310 (unaffected area) Laboratory analyses will be completed for: VOC, Method TO15 Aldehyde/keytones, and Carbonyl compounds using Method TO-11a Sulfur Compounds, ASTM 5504.
16	Create a health and safety plan for all employees, regulatory personnel, contractors, etc. who will be entering the affected area and train them.	Reduce the likelihood of injury or death of persons entering the affected area.	7	Training of regulators was conducted 1/28/2010.	RSL has drafted an updated HASP and ERP that will be forwarded to Ohio EPA, <u>US EPA</u> , <u>HCPH</u> , and <u>HCDOES</u> when finalized. Training of on-site personnel has been completed and will be completed for individuals that will be working/visiting the affected area.
17	Provide emergency response training for all employees, regulatory personnel, contractors, etc. who will be entering the affected area.	Ensures persons entering the affected area understand how they will be notified of need to evacuate the site, rally locations, and resources available to respond.	7	Training of first responders was conducted 2/25/2010.	See item 16.
18	Continue to implement an odor control and response plan.	Ensures reduction in odor emissions off-site and ensures employees are responsive to citizens who file odor complaints. Provides Rumpke with documentation on verifiable off-site odors if they occur. (Note: this is in addition to and can be conducted in conjunction with any complaint response protocol implemented by Ohio EPA, US EPA, or HCPH, HCDOES).	4,7	Odor response plan submitted 1/20/2010. Submit odor control plan by 3/31/2010.	Rumpke anticipates no changes to the odor complaint response plan currently utilized by HCPH/HCDOES/Rumpke.

Act No.	Activity	Reason	Goal Supported	Due Date	Rumpke Action
19	Prepare a narrative history of the sequence of events that preceded and occurred during the discovery of the incident.	This information will be helpful in documenting what happened when to provide an understanding of this occurrence and provide information that may be useful in recognizing conditions that may lead to such occurrences in the future at Rumpke or other landfills. This should include the years waste was disposed; when the wells were installed; conditions of the wells becoming watered in, dewatered, and put into production; history of elevated temps; and other indications of a incident occurring in the area. If a reactive waste is identified, then filling history, volumes, and locations would also be included.	3, 7, 8	Submitted 2/26/2010.	RSL will prepare a narrative history of the sequence of events that preceded and occurred during the discovery of the incident.
20	Record foaming events at gas wells and in the leachate collection system.	May provide an understanding of extent of incident. May provide information for protecting workers if foam is indication of working with an affected well. Escaped foam may cause water pollution if not controlled.	3, 7		RSL will note all gas well foaming events in the comments column of the Wellhead T&P report spreadsheet.
21	Create a contingency plan for the location, conceptual design, installation trigger conditions, and implementation of an isolation break based on the information gathered from other activities.	The location and conceptual design of the isolation break should be used to determine where to put the IMPs for use as an early warning of the incident moving towards the area where the isolation break would be constructed if ever needed.	3, 6, 8		RSL will develop drawings depicting the geometry of the isolation break in the area between phases 2 and phase 4 (south of sentinel monitoring points). RSL will propose, to Ohio EPA, conditions detected in the affected area and/or the sentinel wells that will trigger the installation of the isolation break. RSL will calculate volume of material to be removed, plan for removal and ultimate disposal location for material should an isolation break become necessary.

Act No.	Activity	Reason	Goal Supported	Due Date	Rumpke Action
22	Establish a line of sentinel monitoring points between the hot portion of the affected area and the conceptual location of the isolation break.	This sentinel line of monitoring points would be used to determine if the incident is moving toward where the conceptual isolation break would be located. The goal being that the monitoring points would be located far enough away from the location of the conceptual isolation break that sufficient time would be provided to install the IB before the incident reaches the construction area.	3, 6, 8, 10	Wellhead T&P monitoring and down well temperature monitoring as established in Table 4 began 1/21/2010.	RSL will utilize existing gas wells, 117R, 120R2, 224, 223, 148, 149 and 157R as sentinel monitoring points. Wells will be maintained as free of liquid as possible to provide representative temperature results. Results of boring activity in action item 7 may cause revision to sentinel monitoring points. Monitor sentinel points as established in table 4 and Appendix 1. Wells will be modified to allow for down hole temperature measurements and minimize well disturbance by having to disassemble the wellhead.
23	Prepare and update a map that depicts the affected area and includes all gas extraction well, gas header, shallow gas collector, and shallow leachate collector locations.	This map will ensure that the team is kept up-to-date as to the extent of the incident and will be used to determine where the affected area monitoring requirements will be implemented.	3, 6, 5	Submitted 01/29/2010 (Revise and submit as required in Section 2.1).	RSL will prepare a map that depicts the affected area and includes all gas extraction well, gas header, shallow gas collector, and shallow leachate collector locations.
24	Produce aerial infrared imaging maps.	This map will provide qualitative information for the surface and near surface temperatures of the landfill, identify heat flow through the gas extraction system, identify locations where heat may be escaping through the cover, and provide comparisons from one period to the next of thermal changes occurring at the landfill.	3, 6, 8	TBD	RSL will discuss conditions and predicted usefulness with flight company and imaging companies and consider obtaining at least one infrared imaging map to provide a baseline and evaluate its utility for the future.
25	Prepare monthly Progress Report.	This report will list the activities for the previous month that were conducted by Rumpke to contain and eliminate the incident. This report should include the status of the activities in this action plan.	10	First report submitted 2/12/10 for reporting month of January 2010. Subsequent reports due by the 15 th of each month thereafter.	Examples will be provided to RSL. Create and submit plan monthly.

Act No.	Activity	Reason	Goal Supported	Due Date	Rumpke Action
26	Prepare a data quality control plan.	This plan will provide the data quality standards that are to be used by RSL for field sampling and analysis, lab analysis, data reduction and reporting, and chain of custody. Necessary to ensure that data reported relating to this incident are accurate and valid. The data quality control plan should also include a data revision protocol that will be used to meet the requirements of Section 3.0 Data Quality and Reporting.	10	Submit by 3/31/2010.	Create and submit plan.

The operational requirements of OAC 3745-27-19 state that corrective actions or other such activities that occur at a landfill facility are to be noted in the daily operational log. To avoid recording activities conducted pursuant to this action plan in two different places, the daily logs should have a standard notation indicating that activities being conducted per this action plan are being reported to Ohio EPA, HCPH, and HCDOES in accordance with the action plan and are not required to be repeated in the Daily Log of Operations.

RSL will submit all documents required by this action plan to Ohio EPA, HCPH, HCDOES, and US EPA.

3.0 Data Quality and Reporting

Rumpke will take all necessary actions to ensure that the data being collected, analyzed, and reported meet standard data quality objectives and validation procedures. Appropriate chain-of-custody will be obtained and made available upon request. Due to the quick turn-around time needed to obtain data to make decisions regarding this incident, it is understood that data errors may be discovered after submittal to Ohio EPA, HCPH, HCDOES, or US EPA. Rumpke will conduct due diligence to prevent that from occurring and to discover data errors and resubmit corrected data as quickly as possible while the action plan is being implemented.

4.0 Action Plan Revision Process

This action plan is intended to be a "living" document. As described in this action plan most activities are to be self-implemented by Rumpke with infrequent need for authorizations or changes. Over the life of this work, site features will change; gas wells will need to be replaced and piping rerouted; air delivery lines and liquid transmission lines will need to be added or moved; etc. Such changes will be reflected in revised as-built drawings, which will be kept up-to-date at the facility and submitted annually or upon request to regulatory agencies. For routine maintenance issues which do not fundamentally alter or extend a feature's purpose or function, maintenance records will be kept at the facility to be available for inspection by regulatory agencies.

Rumpke-initiated changes to procedures or requirements that are part of this action plan will be submitted to Ohio EPA HCPH, HCDOES or US EPA for review. The proposed changes will be considered effective if no comment is received within 30 days. However, if Ohio EPA concurs with the revisions in writing to Rumpke the revisions shall take effect as of the date of Ohio EPA's written concurrence.

Action plan revisions to be submitted for review include but are not limited to: revisions to data collection, fundamental process changes, proposed decreases in certain maintenance tasks, etc. Revisions will be issue-focused and submitted in a way which allows identifying revisions (*e.g.*, a revision block on a drawing, colored paper or forms in the plan, revision date in the corner, etc.) Likewise, Ohio EPA may request or require changes to the action plan. Such changes may be discussed at the Team Rumpke meetings or at special meetings requested by Ohio EPA.

An up-to-date action plan will be kept by Rumpke, at the facility, and complete copies of updated plans will be submitted upon request to regulatory agencies or posted by Rumpke to the file transfer website to which team members listed in Section 6.0 Team contact info, have been given access.

Note that changes to the action plan may result in alterations or modifications to the facility. Notwithstanding any provision of this action plan, no change to the action plan that results in an alteration or modification shall be implemented by Rumpke until Rumpke has obtained the necessary approvals from Ohio EPA. Rumpke will provide engineering certification reports and drawings upon completion of each work activity in this action plan as is required to comply with Ohio laws and regulations and reporting requirements of this plan.

5.0 Incident Cessation

This incident will be considered ended and Rumpke may request that the additional monitoring and control measures implemented pursuant to this action plan cease, when the chief of the Division of Solid and Infectious Waste Management concurs in writing that the following criteria are acceptable for all portions of all affected areas:

- Waste and gas extraction well, gas temperatures.
- Settlement and stability of the waste mass.
- Stability of gas quality.

6.0 Team contact info

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Appendix I

Section 2.2 Monitoring

MONITORING FREQUENCY RATIONALE:

Rumpke Sanitary Landfill (RSL) will monitor all gas extraction wells, sumps, shallow collector lines, monitoring points and other locations that can be properly monitored within the affected area at the frequency established in Table 4. Monitoring frequency is established by evaluating existing data and demonstrating a trend which exhibits whether the quality of the gas is good or poor and whether the well monitoring results are stable or unstable. Wells that exhibit characteristics that are poor and unstable will be monitored more frequently at twice per week for wellhead temperature, pressure, and the six gases of CH₄, N₂, O₂, H₂, CO₂, and CO via field GC. Gas well characteristics that are poor and unstable shall be defined as any well in the affected area whose most recent monitoring round has the ratio of CH₄/CO₂ at <1.00, and whose ratio has fallen by >0.20 since the prior round. A well being monitored twice per week will revert to weekly monitoring when its current round has not declined 0.20 from the prior round. Once methane has fallen to <10%, the prescribed ratio trigger of 1.00 and decline of 0.20 is no longer applicable since conditions will have stabilized at that point, and weekly monitoring shall suffice again.

Less frequent monitoring than that prescribed by Table 4 will be allowed when results become sufficiently stable that further deterioration of gas characteristics is unlikely based on the stability of results recorded over the prior month. RSL can apply for approval of less frequent monitoring, based on a case that stable results have been achieved and are likely to continue, and that a sudden further significant deterioration in results is unlikely to occur quickly, within the timeframe between two monitoring rounds.

The Affected Area monitoring points and monitoring frequency effective February 22, 2010 are identified on the following table.

RSL Action Plan
Affected Area Monitoring Points

Location	Description	Frequency as of 2/22/10
DW1	Gas extraction well	Weekly

W149	Sentinel gas extraction well	2X Weekly
W150R	Gas extraction well	Weekly
W151R	Gas extraction well	Weekly
W152	Gas extraction well	Weekly
W153	Gas extraction well	Weekly
W154	Gas extraction well	Weekly
W155R	Gas extraction well	Weekly
W156	Gas extraction well	Weekly
W157A	Gas extraction well	Weekly
W157R	Sentinel gas extraction well	Weekly
W215	Gas extraction well	Weekly
W216	Gas extraction well	Weekly
W217R	Gas extraction well	Weekly
W218	Gas extraction well	Weekly
W219R	Gas extraction well	Weekly
W220	Gas extraction well	Weekly
W221	Gas extraction well	Weekly
W222	Gas extraction well	2X Weekly
W223	Sentinel gas extraction well	Weekly
W224	Sentinel gas extraction well	Weekly
WPH7	Gas extraction well	Weekly
WPH7A	Gas extraction well	Weekly
WPH7B	Gas extraction well	Weekly
WSE	Gas extraction well	Weekly

DW2	Gas extraction well	Weekly
DW3	Gas extraction well	Weekly
DW4	Gas extraction well	2X Weekly
GAT1	Gas extraction well	Weekly
GAT1B	Gas extraction trench	Weekly
GAT2	Gas extraction trench	Weekly
GAT3	Gas extraction trench	Weekly
GAT3A	Gas extraction trench	Weekly
GAT3B	Gas extraction trench	Weekly
GAT4	Gas extraction trench	Weekly
PH5GAT	Gas extraction trench	Weekly
PH4CO	Cleanout	Weekly
PH5ACO	Cleanout	Weekly
PH7ACO	Cleanout	Weekly
T15	Gas extraction trench well	Weekly
TW16	Gas extraction trench well	Weekly
TW28	Gas extraction trench well	Weekly
TW29	Gas extraction trench well	Weekly
W117R	Sentinel gas extraction well	Weekly
W120R2	Sentinel gas extraction well	Weekly
W121R2	Gas extraction well	Weekly
W122R2	Gas extraction well	Weekly
W123R2	Gas extraction well	Weekly
W124R2	Gas extraction well	2X Weekly
W125R2	Gas extraction well	Weekly
W126R2	Gas extraction well	Weekly
W128R	Gas extraction well	Weekly
W130R	Gas extraction well	Weekly
W131	Gas extraction well	Weekly
W132	Gas extraction well	Weekly
W133	Gas extraction well	Weekly
W134R	Gas extraction well	Weekly
W135	Gas extraction well	Weekly
W136	Gas extraction well	Weekly
W137R	Gas extraction well	Weekly
W141	Gas extraction well	Weekly
W144	Gas extraction well	Weekly
W148	Sentinel gas extraction well	Weekly