

# AGENDA FOR THE MAY 6, 2010 EC MEETING

## CASES TO BE CLOSED:

None

## PENDING CASES:

The Sawbrook Steel Casting Company      #2777      HAMCO      Prop. F&Os      Tom/Bryan

## OTHER BUSINESS:

- (1) Distribute updated schedule of progress for resolving all "old" cases for 2009 and 2010.
- (2) Marc is scheduled to provide food for today's meeting at 10:00 a.m. in DAPC Rm C.
- (3) The next meeting is scheduled for Thursday, May 20, 2010 at 3:00 p.m. in DAPC Rm C. Tom is scheduled for food. (Future food schedule: Steve for June 3; Jim for June 17.)

# ENFORCEMENT COMMITTEE MEETING MINUTES

(May 6, 2010)

<b>Case Number:</b> 2777	<b>Dates:</b>
<b>Entity:</b> The Sawbrook Steel Casting Co.	<b>EAR:</b> 11/07/08
<b>Field Office:</b> HAMCO	<b>DWL:</b> N/A
<b>Contact:</b> Muhammad Mereb/Tom Kalman	<b>F&amp;Os:</b> 04/29/10 (prop.)
<b>Attorney:</b> Bryan Zima	<b>Referral:</b> N/A
	<b>Dismissal:</b> N/A

**Background:** The Sawbrook Steel Casting Company (“Sawbrook Steel”) owns and operates a steel foundry located at 425 Shepherd Avenue, Lockland, Hamilton County, Ohio. At the foundry, Sawbrook Steel melts scrap metal to produce carbon and low alloy steel castings for a wide range of products. The foundry employs several emissions units, including an electric arc furnace (emissions unit P901), a process for making the molds for castings (emissions unit F006), a process for making cores (emissions unit F004), a process for transporting foundry sand and preparing the sand for making molds and cores (emissions unit F002), casting cleaning equipment (emissions unit P005), a large airset mold mixer (emissions unit F008), and a process for core room airset mold making (emissions unit F009).

Between November 1, 2006, and August 4, 2008, the Hamilton County Department of Environmental Services (“HAMCO”) documented at least 14 incidents (resulting in complaints) where particulates from the foundry were deposited on, and caused damage to the paint finish of vehicles, the siding of homes, and outdoor furniture. The number of those incidents, although they may have been from various causes (i.e., failure of a baghouse and other control equipment, possibly leaks in the sand transport system, poor maintenance, potentially careless operation), has caused HAMCO and DAPC to conclude that together those incidents constituted a public nuisance, in violation of OAC Rule 3745-15-07 and ORC § 3704.05(G).

HAMCO identified Sawbrook Steel’s foundry as the cause of the particulate deposition not only by the proximity to the foundry of the incidents, but HAMCO also took samples of the particulate matter where it was deposited on private property. A laboratory found the samples to contain elemental iron. Sawbrook Steel is the only source of elemental

iron emissions in the vicinity of the complainants. Sawbrook Steel has made certain repairs and submitted a plan for better maintenance of the operating equipment and control equipment. As a result, conditions have improved since August 2008.

On November 29, 2006, HAMCO discovered that Sawbrook Steel installed and was operating two emissions units prior to applying for and obtaining a Permit to Install and a Permit to Operate for each unit from Ohio EPA, in violation of OAC Rules 3745-31-02(A) and 3745-35-02(A), and ORC § 3704.05(G). The two units are sand mixers. The mixers were added in 1990 and 1995. In one instance, the equipment [Palmer airset mixer (emissions unit F008)] was added where no mixer had been before, and processed a new type of sand. In the other instance, the mixer [Palmer M-200 airset mixer (emissions unit F009)] replaced what appears to be a mixer of somewhat less capacity.

Sawbrook Steel also failed to submit quarterly deviation reports for emissions unit P005 from July 31, 1998 until December 4, 2006, in violation of its PTO and ORC § 3704.05(C). The outstanding reports were received by HAMCO on December 4, 2006.

On April 21, 2008, HAMCO sent proposed administrative orders to Sawbrook Steel to attempt to resolve the violations. Those orders cited Sawbrook Steel for the violations listed above and requested Sawbrook Steel pay \$36,015 in settlement of HAMCO's claims for civil penalties. HAMCO and Sawbrook Steel could not reach a settlement of the violations. Therefore, on November 7, 2008, HAMCO submitted an Enforcement Action Request to Central Office.

**Action:** On April 29, 2010, proposed Director's Final Findings and Orders ("F&Os") were sent to Sawbrook Steel to attempt an administrative settlement of the violations. The F&Os propose to require Sawbrook Steel to: (1) continue to implement, maintain and update as appropriate the operation and maintenance ("O&M") plan for its control equipment at the facility, (2) continue to implement, maintain, and update as appropriate the preventive maintenance and malfunction abatement plan for its sand transport system at the facility, and (3) pay a civil penalty of \$45,900 within 30 days after the effective date of the F&Os, of which \$9,180 would be directed to Ohio EPA's Clean Diesel School Bus Program Fund as a SEP.

The penalty calculation included a mitigation of the gravity component of the penalty by 10 percent (\$3,500) in light of Sawbrook Steel's efforts in controlling emissions. The administrative penalty for the permitting violations amounted to \$14,430. Ohio EPA

calculated a higher penalty than HAMCO because of differences in penalty policy and approach used by each.

**Case Continued**



ACTIONS & MINUTES APPROVED BY:

A handwritten signature in black ink that reads "Bob Hodanbosi". The signature is written in a cursive style and is positioned above a horizontal line.

Bob Hodanbosi, Chief, DAPC

**NEXT MEETING:**

May 20, 2010

3:00 p.m.

DAPC Room C



## PENDING AIR ENFORCEMENT COMMITTEE CASES

Total Unresolved Cases (86)

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
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
2726	Glick Real Estate LTD/AI-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, DS/WM lead)	SEDO	DV/PP	01/13/09	02/26/09
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	DV/	01/24/08	04/27/09
2821	OmniSource Corporation, Mansfield Division	NWDO	MG/MM	05/08/08	05/04/09
2822	J. S. Paris Excavating, Inc./Signature Development Group, LLC (asbestos)	MTAPCA	SF/TT	03/11/08	04/28/09
2823	Rudzick Excavating, Inc./Charles J. Arendas (asbestos)	MTAPCA	DV/FU	02/27/09	05/11/09

## PENDING AIR ENFORCEMENT COMMITTEE CASES

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
2826	Staker Alloys, Inc.	RAPCA	DV/FU	11/14/07	05/29/09
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
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
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

## PENDING AIR ENFORCEMENT COMMITTEE CASES

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
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
2898	Stark C & D Landfill/Marshall Land Company/The City of Canton	NEDO	DV/UD	11/13/09	02/23/10
2900	Clarkia Gas	Cleve.	MG/JP	02/10/09	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

## PENDING AIR ENFORCEMENT COMMITTEE CASES

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
2905	Pilot Travel Centers, LLC (Pilot #00002)	NEDO	DV/JK	12/10/09	03/24/10
2906	Denison Gas USA	Cleve.	SF/JP	09/16/08	03/29/10
2907	Vicky L. Walls	SWDO	MG/JP	10/14/09	04/02/10
2908	Oglebey Norton Glass Rock Plant (HPV)	SEDO	DV/	09/27/07	04/13/10
2909	Puritas Gas	Cleve.	SF/JP		04/13/10
2910(VC)	Dan & Sheryl Nellis (regarding outdoor wood-fired boiler)	NEDO	MG/		03/26/10
2911	International Paint, LLC	Cleve.	DV/JP		04/26/10
2912	Wallace L. Geuy	SWDO	SF/JP		04/23/10
2913	Crown Battery Manufacturing Company	NWDO	MG/		05/03/10
2914	City of Akron/Akron Energy Systems, LLC	Akron	BZ/TK		05/01/10
2915	The Hygenic Corporation	Akron	DV/		05/10/10

**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	Director'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 Afcose 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	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	Direcor's F&O's	Referred to AGO
2817	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**

<b>Docket #</b>	<b>Case Name</b>	<b>Rank</b>	<b>Field Office</b>	<b>EC Contact</b>	<b>Staff</b>	<b>Att.</b>	<b>Complaint Referral</b>	<b>Returned to FO</b>	<b>Warning Letter</b>	<b>Status</b>	<b>Source in Compliance</b>	<b>Direcor's F&amp;O's</b>	<b>Referred to AGO</b>
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	Carmeuse 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 the Final Disposition of Air Enforcement Committee Cases Processed During Calendar Year 2010**

**April**

<b>Docket #</b>	<b>Case Name</b>	<b>Rank</b>	<b>Field Office</b>	<b>EC Contact</b>	<b>Staff</b>	<b>Att.</b>	<b>Complaint Referral</b>	<b>Returned to FO</b>	<b>Warning Letter</b>	<b>Status</b>	<b>Source in Compliance</b>	<b>Direcor's F&amp;O's</b>	<b>Referred to AGO</b>
2722	Tuscarawas County YMCA (asbestos)	3	SEDO	TK	UD	BZ	05/05/08					04/02/10	
2827	Evelyn M. Koch	1	MTAPCA	TK	UD	MG	06/01/09			Closed-NFA	04/08/10		
2856	Dorothy Jeannine Slessman	1	NWDO	TK	MM	MG	09/14/09			Closed-NFA	04/08/10		
2865	The Great Lakes Construction Co.	3	HAMCO	TK	UD	DV	09/25/09					04/02/10	
2871	MARAZ-DNA Inc., d.b.a. Nates Marathon	3	NEDO	TK	JK	SF	10/15/09					04/02/10	
2899	Servestal Wheeling, Inc./Mingo Junction Energy Center, LLC	3	SEDO	TK	JO	BZ	02/01/10					03/30/10	
2806	Raman Patel, d.b.a. Marathon Quick Mart	3	NEDO	TK	JK	DV	03/02/09					04/20/10	

**Total for the month of April = 7**

# 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**	
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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*	
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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**	
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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			
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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**	
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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	
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\* 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.

\* Paid \$1,654 on 2/10/09. \$165.40 of that amount was paid to AGO.

Facility Name	Milestone or Requirement*	Revenue	Deadline ID	C in F&O	Complete y/n	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			
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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*
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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
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Cleveland Industrial Drum 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	
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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		
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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 02/29/04	01/07/04

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 <sup>2</sup> reports			07/28/04		07/26/04	
				10/28/04		10/25/04	
				01/28/05		01/21/05	
				03/28/05		N/A	
Submit cost of P <sup>2</sup> study		04/05/05					
-----							
Kerry's Motor World (05/13/04)	Civil penalty: (\$3,000)	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**			
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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.							
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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 <sup>2</sup> report			11/24/05		
	Submit P <sup>2</sup> report			02/24/06		
	Submit final P <sup>2</sup> report			05/24/06		
	Submit documentation of costs			08/24/06		

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		

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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

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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 <sup>2</sup> 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	
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	
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	

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
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			
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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/ <u>interim</u> NOx system-wide average for FCCUs		03/31/11			
	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				

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O y/n	C Complete Date	Check # / Date
The Premcor Refining Group, Inc. (Con't)	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		
	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	

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)	Pay \$200,000 to develop and implement a Traffic Signal Synchronization study for City of Lima		02/20/08		1/25/08 04/26/10 (final disbursement)	1007
	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	
	\$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		

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	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				
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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		
	\$ 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		

\* 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
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) * Partial payment of \$350 received 10/20/08	666334	08/16/08	Y		*
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		
Luci, Inc. (07/08/08)	Civil penalty: (\$10,000) OEPA \$8,000 Bus Fund \$2,000	659538 659539	08/08/08 08/08/08	Y Y		
Ford Motor Company (07/31/08)	Civil penalty: (\$1,400,000) OEPA \$1,120,000 Bus Fund \$ 280,000 Shut down cupola 3 and mold line 7 Shut down cupola 1 & 2 and mold lines 2 & 3	666337 666338	08/31/08 08/31/08 12/31/08 12/31/10		08/18/08 08/18/08 12/11/08	

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
Douglas Kehres (08/13/08)	Civil penalty: (\$500)	666363	09/13/08	Y		
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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.						
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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	
-----						
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			

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
Ultimate Industries, Inc. (con't)	\$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			
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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	04/14/10	30308
	Bus Fund	\$4,000	707978	04/23/09	04/22/09	29426
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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	
	-----					
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		

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
Chemtrade Logistics Inc /Marculex (con't)	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		
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Richard Morrow (05/01/09)	Civil penalty: (\$3,000)	713246	05/15/09	Y		
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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
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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	
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T. S. Trim 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		08/07/09			
	Submit test report		09/07/09			
-----						
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			

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date	
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			
	Bus Fund	\$3,000	715183	09/15/09	09/14/09	5010	
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Village of Oakwood (07/07/09)	Civil penalty: (\$2,500)		714842	08/07/09	08/17/09	49645	
	Have all vehicles tested and report results			11/02/09			
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The Belden Brick Company, L.L. (07/06/09 - Consent Decree)	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		
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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		
	Bus Fund	\$2,500	726491	06/20/10			
		726492	09/20/09	08/06/09	23336992		
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Joseph Parker (08/18/09)	Civil penalty: (\$250)		725188	09/18/09	Y		
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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		
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Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date	
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		
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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	
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Joseph and Marie Eberz (10/19/09 - CO)	Civil penalty: (\$500)		735796		11/19/09		
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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	
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Aleris International, Inc., et. al.	Civil penalty: (\$334,545)					when U.S. Bankruptcy	
	Install load cells to weigh flux					04/29/10	
	Submit Capture and Collection System Improvement Plan					11/29/09	
	Complete all improvements described in CCSIP					04/29/10	
	Measure fan RPM					01/29/10	
	Measure static pressure of air curtain					01/29/10	
	Perform compliance tests					10/29/10	
	Submit test results					12/29/10	
	Submit HCI PTE analysis					12/29/10	
	Conduct additional compliance tests					03/29/10	
	Comply with all requirements of Subparts A and RRR					09/29/10	

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
Circle K Midwest (GDFs 5204, 5209, 5318, 5320, 5557, 5558, 0059 and 5217) (11/04/09)	Civil penalty: (\$100,000)					
	OEPA \$80,000	735797	12/04/09		11/13/09	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			
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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				
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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			
	\$1,000	746100	10/01/10			
	\$1,000	746101	11/01/10			
	\$1,000	746102	12/01/10			
	\$1,000	746103	01/01/11			
	\$1,000	746104	02/01/11			
	\$1,000	746105	03/01/11			
	\$1,000	746106	04/01/11			
\$1,000	746107	05/01/11				
Bus Fund \$1,000	746108	11/01/09				
\$1,000	746109	12/01/09				
\$1,000	746110	01/01/10				
\$1,000	746111	02/01/10				

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
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			
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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	52926
	\$2,000	747316	05/01/10		04/30/10	53077
	\$2,000	747317	06/01/10			
	\$2,000	747318	07/01/10			
	\$2,000	747319	08/01/10			
	\$2,000	747320	09/01/10			
	\$2,000	747321	10/01/10			
	\$2,000	747322	11/01/10			
	\$2,000	747323	12/01/10			
	\$2,000	747324	01/01/11			
	\$2,000	747325	02/01/11			
	\$2,000	747326	03/01/11			
	\$2,000	747327	04/01/11			
	\$2,000	747328	05/01/11			
Bus Fund \$2,000	747329	12/01/09		11/30/09	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	
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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	

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
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			
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Robert Schiekh (12/22/09)	Civil penalty: (\$750) 747648 01/22/10					
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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
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Randy Wise (12/23/09)	Civil penalty: (\$250) 747654 01/23/10					
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Mark A. Mirich, d.b.a. All Demolition (12/28/09 - CO)	Civil penalty: (\$25,000)					
	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			

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
Mark A. Mirich, d.b.a. All Demolition (con't)	\$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			
	\$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				

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
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		05/05/10	290151
	\$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			
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				

Facility Name	Milestone or Requirement*	Revenue Deadline ID	C	Complete Date	Check # / Date
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			
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				

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C Complete y/n	Check # / Date
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		
<b><u>Biofilter milestones:</u></b>					
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		
<b><u>LDAR program milestones:</u></b>					
Develop a written facility-wide LDAR Program Plan			05/06/10		
Monitor all equipment in accordance with more stringent frequencies			05/06/10		
Begin replacing "leaking" valves and connectors with "low-leaking" technology			11/06/10		
Perform the first audit of the LDAR			05/06/10		

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
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)					
	Complete the asphalt paving SEP project		753762	03/12/10	03/04/10	1006152
				02/26/11		
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H. B. Fuller Company (03/10/10)	Civil penalty: (\$9,375)					
	OEPA	\$6,000	757445	05/10/10	03/18/10	165805
	Bus Fund	\$3,375	757446	04/10/10	03/08/10	165806
	Submit a schedule for completion of the SEP			04/10/10		
-----						
City of Youngstown, WWTP (03/10/10)	Civil penalty: (\$12,405)					
	OEPA	\$9,924	757447	03/24/10	03/26/10	71966
	Bus Fund	\$2,481	757448	03/24/10	03/26/10	71965
	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	757491	04/18/10		
	Bus Fund	\$11,050	757492	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		

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
Rumpke Sanitary Landfill, Inc. (03/18/10)	Civil penalty: (\$98,000)					
	OEPA \$78,400		04/18/10			
	Bus Fund \$19,600		04/18/10			
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Carmeuse Lime, Inc. (Maple Grove Facility) (03/19/10)	Civil penalty: (\$180,740)					
	OEPA \$144,592	757439	04/19/10		03/31/10	252166
	Bus Fund \$ 36,148	757440	04/19/10		03/31/10	252165
	Submit Title V permit modification for transloaders and roadways		06/19/10			
	Submit PTI application for the modification of P905		06/19/10			
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Bailey-PVS Oxides Delta LLC. (03/19/10)	Civil penalty: (\$55,000)					
	OEPA \$ 8,800	757469	07/19/10			
	\$ 8,800	757470	10/19/10			
	\$ 8,800	757471	01/19/11			
	\$ 8,800	757472	04/19/11			
	\$ 8,800	757473	07/19/11			
	Bus Fund \$11,000	757474	04/19/10			
Submit PTIO applications		04/19/10		5/7/2010		
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Tuscarawas County YMCA (04/02/10)	Civil penalty: (\$8,000)					
	OEPA \$6,000	757480	04/16/10		03/25/10	1228
	Bus Fund \$2,000	757481	05/02/10		03/25/10	1229
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The Great Lakes Construction Co. (04/02/10)	Civil penalty: (\$1,000)	757482	05/02/10		04/27/10	206684
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MARA2-DNA, Inc. (Nates Marathon) (04/02/10)	Civil penalty: (\$5,000)					
	OEPA \$250	757483	05/02/10			
	\$750	757484	08/02/10			
	\$750	757485	11/02/10			
	\$750	757486	02/02/11			
	\$750	757487	05/02/11			
	\$750	757488	08/02/11			
	\$750	757489	11/02/11			
	\$250	757490	02/02/12			
			04/30/10			
Perform static leak & A/L ratio tests at each GDF		08/31/10				
		04/30/11				
		08/31/11				

Facility Name	Milestone or Requirement*	Revenue ID	Deadline in F&O	C y/n	Complete Date	Check # / Date
Severstal Wheeling, Inc. (03/30/10)	Civil penalty: (\$15,000)					
	OEPA \$12,000	757477	04/30/10			
	Bus Fund \$ 3,000	757478	04/30/10			
	Obtain and achieve compliance w/ PTI modification for burning COG in the co-generation boilers		08/15/10			
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Demetrius "Duke" Ball, d.b.a. Ball Wrecking Company (03/10/10 - Court Order)	Civil penalty: (\$7,000)	757422	04/10/10			
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Raman Patel, d.b.a. Marathon Quick Mart (04/20/10)	Civil penalty: (\$8,000)					
	OEPA \$ 400	758060	05/20/10			
	\$2,000	758061	08/20/10			
	\$2,000	758062	11/20/10			
	\$2,000	758063	02/20/11			
	Bus Fund \$1,600	758016	05/20/10			
				03/30/10		
Perform static leak & A/L ratio tests at each GDF			08/31/10			
			03/30/11			
			08/31/11			
	Submit proof of training		05/20/10			
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Summit Equipment and Supplies, Inc. (03/01/10 - Consent Order)	Civil penalty: (\$1,250)	758079	04/01/10			
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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

APR 29 2010

**CERTIFIED MAIL**

Mr. Mickey Beyersdorer  
President  
The Sawbrook Steel Casting Company  
425 Shepherd Avenue  
Cincinnati, Ohio 43215

**Re: Proposed Director's Final Findings and Orders for violations of air pollution control law**

Dear Mr. Beyersdorer:

My staff has informed me of the violations of Ohio Administrative Code ("OAC") Rules 3745-15-07, 3745-31-02, and former 3745-35-02, and Ohio Revised Code ("ORC") § 3704.05(G) associated with the operations of The Sawbrook Steel Casting Company in Lockland, Ohio. Ohio EPA believes that excessive emissions of metallic particulate as a result of malfunctions in the control equipment and/or leaks in the sand transport system caused property damage (vehicles and buildings) in the facility's neighborhood. Moreover, The Sawbrook Steel Casting Company installed two emissions units prior to applying for and obtaining the needed permits from Ohio EPA and failed to timely submit quarterly deviation reports. I was also informed that The Sawbrook Steel Casting Company has implemented corrective measures to prevent releases of metallic particulate and had obtained all necessary permits and submitted past due quarterly deviation reports.

In order to resolve this matter, I am proposing to issue the enclosed Findings and Orders prepared by my staff which includes a provision for the settlement of the claims for civil penalties for the violations that occurred. I am proposing the use of Findings and Orders because this is the most expeditious means of resolving the violations. Also, enclosed is an administrative enforcement process guide to facilitate your review of the proposed Findings and Orders. Because this letter and the enclosed documents summarize a proposed settlement, I consider them to be inadmissible for any purpose in any subsequent enforcement action the State may take if settlement cannot be reached.

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

Mr. Mickey Beyersdorfer, President  
The Sawbrook Steel Casting Company  
Proposed Director's Final Findings and Orders  
Page 2

Please note that the proposed Findings and Orders include a provision for 20 percent of the total penalty amount to go toward the funding of a supplemental environmentally beneficial project involving the retrofitting of school buses with control equipment to reduce diesel particulate emissions. This project has the primary benefits of reducing children's exposure to harmful diesel exhaust emissions and helping attain the National Ambient Air Quality Standards for fine particulates (i.e., particulates less than 2.5 microns in diameter). Information concerning the school bus retrofit program is provided in an enclosed document.

Please review the attached documents carefully. If you have any questions concerning the proposed Findings and Orders, or if you would like to arrange a meeting or conference call to try to negotiate a mutually acceptable settlement, please contact Bryan Zima, Supervising Attorney, at (614) 644-3037. If he does not hear from The Sawbrook Steel Casting Company within fourteen (14) days of the receipt of this letter concerning its willingness to accept the Findings and Orders as currently written, or with mutually agreed upon modifications, I will consider alternative enforcement mechanisms including referral of the matter to the Ohio Attorney General's Office for legal action.

I hope that The Sawbrook Steel Casting Company and Ohio EPA are able to resolve this matter via the enclosed proposal, and I thank you in advance for your cooperation.

Sincerely,



Chris Korleski  
Director

xc: Jim Orlemann, DAPC  
Tom Kalman, DAPC  
Muhammad Mereb, DAPC  
Bryan Zima, Legal Office  
Kerri Castlen/Amy Kesterman, HCDES

Enclosures

CK:MM:mm

*A guide to the...*

# **Administrative Enforcement Process**

*Within the Division of Air Pollution Control*

## **Introduction**

This information sheet has been prepared to help you understand the administrative enforcement process within the Agency. With an understanding of the process and adequate preparation, you can facilitate a prompt resolution of this enforcement action. Included are answers to the questions most frequently asked by parties involved in the administrative enforcement process.

## **I have been working with the District Office or local air agency inspector to correct the violations. Why is an enforcement action necessary?**

The Agency considers the following factors in deciding that an enforcement action is necessary: (1) Ohio EPA needs to obtain civil penalties for your violations; (2) your violations are serious; (3) you have taken too long to address the violations; (4) you need to be on a formal schedule to address the violations; (5) you have been recalcitrant in addressing the violations; and/or (6) you are a chronic violator.

## **Why should I try to negotiate an administrative consent order with Ohio EPA?**

- Negotiating administrative findings and orders ("Order") with the Ohio EPA avoids expensive and time-consuming litigation.
- Negotiation can be a swift resolution of the State's claims against you for the non-compliance.
- We can quickly identify any obstacle to agreement.
- Negotiation can minimize or prevent any intervention by the USEPA to address the violations.

## **Should I continue working with the District or local air agency inspector?**

Yes, the District Office or local air agency inspector is the best person to work with you to resolve the technical aspects of the violations, and prepare an acceptable control plan and schedule for submission to the Agency. Central Office personnel will also be available to provide assistance.

## **What should I do now that I received the proposed administrative consent order?**

You should review the enclosed Order and the summary of the penalty calculation. If you accept the enclosed Order as written, sign the Order and send it within two weeks to the staff attorney referenced in the Director's letter. If you cannot accept the Order as written, the Agency would like to meet with you to discuss your concerns. Please contact the designated staff attorney at (614) 644-3037 to arrange a meeting.

## **If I want to have a meeting, what should I do to prepare for it?**

Generally, the most productive meetings occur when both parties come prepared to discuss all issues. The Order and correspondence from the District Office or local air agency inspector contain the Agency's position. Since you were not willing to agree to the Order as written, we need to know whether you: (1) disagree with the facts outlined in the Order; (2) are not able or willing to comply with the Order; or (3) have information you feel may mitigate the civil penalty settlement amount. Send the staff attorney a written summary of your issues within two weeks from the date of the Director's letter. Additionally, if you believe you are financially unable to pay the penalty, contact the staff attorney for a list of information we need to evaluate your ability to pay.

### **What will happen at the meeting?**

During the meeting, we will respond to any information you have provided. We are willing to work with you to arrive at mutually agreed upon modifications to the Order. Except in the most complex cases, our goal is to complete all negotiations at the meeting. If we cannot agree at the meeting and we feel we are making adequate progress, we will hold our offer of settlement open. Thereafter, if resolution of the negotiations is not achieved within the time frame agreed to by the parties at the settlement meeting or if we feel we are not making adequate progress, the offer of settlement may be withdrawn, and we may consider other enforcement alternatives, including a referral to the Office of the Attorney General.

### **Why do I have to pay a civil penalty?**

A civil penalty is necessary to deter future violations and to remove any economic advantage you may have realized from not complying with Ohio's regulations. Instead of a full cash payment, the Agency may be willing to accept a supplemental environmentally beneficial project ("SEP"), that meets certain guidelines.

### **How did the DAPC arrive at the civil penalty settlement amount?**

Ohio EPA relied on U.S. EPA's Air Civil Penalty Policy to calculate the penalty. The DAPC uses this Policy to ensure that we calculate penalties fairly and consistently and that the penalty is appropriate for the gravity of the violations. Enclosed is a summary of the DAPC's civil penalty settlement calculation. If you want a copy of the U.S. EPA's Air Civil Penalty Policy, contact the designated staff attorney at (614) 644-3037.

### **Who from Ohio EPA will be at the meeting?**

Everyone necessary to resolve the matter will be at the meeting or available during the meeting to provide settlement authority. This includes the staff attorney, the District Office or local air agency inspector, and Central Office technical personnel.

### **Who should I bring to the meeting?**

Similarly, you should bring anyone familiar with the issues as well as anyone who has the authority to settle this matter. You are welcome to be represented at this meeting by your attorney and your consultant.

### **News releases**

Please be aware that Ohio EPA may issue a news release to the media to inform the community about the settlement of this case, after all parties have signed it. As a public agency whose primary mission is to promote compliance with environmental laws, we believe it is important to inform citizens about our enforcement efforts. Ohio EPA's news release represents our position, and so we do not negotiate the language in the news release with you. If we prepare a news release, you will receive a courtesy copy shortly before it is released to the media and posted on our web site. You can read all of our news releases at:  
<http://www.epa.state.oh.us/pic/current.html>.

### **District Office and Local Air Agency Addresses and Phone Numbers**

See the following pages.



# General Guidelines for Ohio EPA's Program for the Retrofitting of School Buses with Control Equipment to Reduce Diesel Particulate Emissions

The following questions and answers explain the Ohio EPA's program for the retrofitting of school buses with emission control equipment and provide the general guidelines that must be followed by any school system that participates in the program.

## 1. Why is there a need to reduce diesel particulate emissions from school buses?

The exhaust gases from diesel, school bus engines contain significant amounts of organic compounds, carbon monoxide, nitrogen oxides (NO<sub>x</sub>) and fine particulates. If inhaled, the fine particulates are so small that they are able to penetrate deep into the lungs and pose serious health risks such as aggravated asthma and lung damage. In addition, USEPA has identified diesel exhaust as a likely human carcinogen. These fine particulate emissions contribute to the poor ambient air quality in 27 counties in Ohio, which currently are not meeting the national health-based ambient air quality standards for fine particulates (i.e., PM 2.5, particles less than 2.5 microns in diameter). Reducing the particulate emissions from diesel school bus engines will have two primary benefits:

- a. For the children who ride buses, it will reduce their exposure to the harmful diesel exhaust emissions. Children are more susceptible to air pollution than healthy adults because their respiratory systems are still developing and they have a faster breathing rate.
- b. It will help in attaining the National Ambient Air Quality Standards for PM 2.5 in Ohio's nonattainment counties.

## 2. What retrofit options are available to reduce particulate emissions from school buses?

There are three primary ways to retrofit a school bus for particulate emission control:

- a. **Diesel particulate filters** are ceramic devices that collect particulate matter in the exhaust stream. The high temperature of the exhaust heats the ceramic structure and allows the particles inside to break down into less harmful components. These filters must be used in conjunction with ultra-low sulfur diesel ("ULSD") fuel, which is a fuel with a sulfur content of less than 15 parts per million. The combination of particulate filters and ULSD fuel can reduce emissions of particulates, organic compounds, and carbon monoxide in the exhaust gases by 60 to 90 percent. Particulate filters work best on engines built after 1994 and cost \$6,500 to \$7,500.

- b. **Crankcase filtration systems** allow a diesel engine's crankcase to be closed and use an air filter to trap blow-by aerosols consisting mainly of oil droplets, with some carbon and traces of wear debris and PM10. Blow-by gas emissions can be as much as 25% of the total emissions from a diesel engine. The filtration efficiency of crankcase filters averages between 80% and 97%. The crankcase filter must be changed at every lube oil change (as recommended by the diesel engine manufacturer) or every 500 hours of operation, whichever comes first. Crankcase filters are inexpensive (a replacement element typically costs less than \$50.00) and are best used in conjunction with some type of filtration system in the exhaust stream.
- c. **Diesel oxidation catalysts** are devices that use a chemical process to break down pollutants in the exhaust stream into less harmful components. Diesel oxidation catalysts can reduce emissions of particulates by 20 percent, hydrocarbons by 50 percent, and carbon monoxide by 40 percent. Oxidation catalysts cost \$600 to \$2,000 and can be used with regular diesel fuel.

Only control equipment found on USEPA's "Verified Technology List" may be purchased and installed (see (4) below for further details).

**3. Which types of school buses will be eligible to be retrofitted with particulate emission controls?**

Only school buses that meet the following criteria will be retrofitted with particulate emission controls:

- a. The school bus must be equipped with a diesel engine.
- b. The school bus must have a gross vehicle rating of 19,500 pounds or more (Types C & D).
- c. The school bus must be driven not less than 5,000 miles per year.
- d. The school bus model year must be 1994 or newer.

**4. Which types of control equipment would be acceptable for installation?**

The USEPA publishes a "Verified Technology List." Only control equipment found on this list may be purchased and installed. As additional technologies are found to be acceptable by the USEPA, they will be added to the list. A copy of this list can be accessed at the following web site:

<http://www.epa.gov/otaq/retrofit/retroverifiedlist.htm>

This table summarizes all the diesel retrofit technologies that the USEPA has approved for use in engine retrofit programs. The table shows the percent reduction (from verified or tested levels) that USEPA will recognize for emission reductions for each technology.

**5. Is there a special type of fuel that must be used with the control equipment?**

In some cases, yes. Each bus equipped with a particulate filter must use ultra low sulfur diesel (ULSD) fuel. Because of the high sulfur content of regular diesel fuel, the use of regular diesel fuel would cause the particulate filter to clog. This, in turn, could cause exhaust back-pressure increases and engine damage. The ULSD fuel contains less than 10% of the sulfur content of regular diesel fuel. Regular diesel fuel may contain 150 to 500 ppm of sulfur, compared to the maximum of 15 ppm for the ULSD fuel. As a result of recent changes in the U.S. federal fuel standards, ULSD fuel will become the standard diesel fuel throughout the U.S. beginning in June of 2006. Many parts of the country, including certain parts of Ohio, are already being supplied with ULSD fuel. The price differential between ULSD fuel and regular diesel fuel currently ranges between eight and 25 cents per gallon. In 2006, when ULSD fuel is available nationwide, the cost differential should be much less.

Diesel oxidation catalysts and crankcase filtration systems do not require special fuel.

**6. What costs are associated with the installation and operation of the emission controls?**

The estimated cost to retrofit each bus with a diesel particulate filter ranges from \$6,500 to \$7,500. On an annual basis, or about every 100,000 miles, these filters must be disassembled and cleaned either with compressed air or by heating the filter in a filter cleaning device. (The cost of such a device ranges from \$300 to \$350.) The cost for the annual maintenance for each filter, which normally takes less than 3 hours to complete, will depend upon whether the work is performed by school district personnel, the engine dealer, or the filter vendor. Also, until ULSD fuel becomes available nationwide in June of 2006, there will be an increased cost for the diesel fuel burned in each retrofitted bus. The current price differential between ULSD fuel and regular diesel fuel varies between 8 and 25 cents per gallon.

Crankcase filters are fairly inexpensive (a replacement element typically costs less than \$50.00). Crankcase filters must be changed at every lube oil change (as recommended by the diesel engine manufacturer) or every 500 hours of operation, whichever comes first.

The estimated cost to retrofit each bus with a diesel oxidation catalyst ranges from \$600 to \$2,000. Installation takes approximately one to three hours to complete. Diesel oxidation catalysts do not require annual maintenance and will operate with regular diesel fuel.

**7. How will the control devices be funded by the Ohio EPA?**

Ohio EPA enforcement case settlements will be the source of the funding for the diesel retrofit installations. Each enforcement case resolved either through administrative Findings and Orders or a Consent Order, that contains a significant civil penalty (a total civil penalty assessment of \$5,000 or greater), will also include a Supplemental Environmental Project (SEP) that is equal in value to 20 percent of the total assessed civil penalty. The entity that is the subject of the enforcement case will be required to pay the SEP monies directly to a specific fund that Ohio EPA has established for the retrofitting of school buses.

**8. How will the school systems receive the SEP monies for the diesel retrofit installations?**

A school system that desires to participate in the retrofit program must apply to Ohio EPA to receive funding to purchase and install USEPA approved control equipment. Once or twice per year, the Ohio EPA will solicit applications from the eligible school systems. In the application, an eligible school system must describe the proposed project, providing details such as the number and ages of the buses to be retrofitted, the type of equipment that will be purchased and installed (must be on the USEPA-published list of "Verified Retrofit Technologies"), a schedule for installation of the equipment, and a detailed cost breakdown. Ohio EPA will evaluate each application and provide funding to applicant school systems that meet the criteria specified by Ohio EPA's regulations. Priority will be given to those applicants that are located in a nonattainment county for PM 2.5 and/or that include a commitment to implement an anti-idling program.

**9. What oversight will be provided by the Ohio EPA to ensure that the diesel retrofit control equipment is installed and maintained properly?**

Ohio EPA will closely track the amount of enforcement monies directed to each public school system. Each participating school system must submit regular progress reports providing information regarding the equipment purchased and installed to date, as well as a final report summarizing the project results. Periodic inspections also may be conducted by District Office or local air agency staff to confirm that the control equipment has been correctly installed, that the diesel particulate filters are being maintained properly, and that the monies are being spent appropriately.

**BEFORE THE**  
**OHIO ENVIRONMENTAL PROTECTION AGENCY**

**In the Matter of:**

<b>The Sawbrook Steel Casting Company</b>	<b>:</b>	<b><u>Director's Final Findings</u></b>
<b>425 Shepherd Avenue</b>	<b>:</b>	<b><u>and Orders</u></b>
<b>Cincinnati, Ohio 45215</b>	<b>:</b>	

**PREAMBLE**

It is agreed by the parties hereto as follows:

**I. JURISDICTION**

These Director's Final Findings and Orders ("Orders") are issued to The Sawbrook Steel Casting Company ("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 the 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 Chapter 3704 and the rules promulgated thereunder.

**IV. FINDINGS**

The Director of Ohio EPA makes the following findings:

1. Respondent owns and operates a facility located at 425 Shepherd Avenue, Lockland, Hamilton County, Ohio. This facility is identified by Ohio EPA facility ID number 1431260066. This facility is a steel foundry which melts scrap metal to produce carbon and low alloy steel castings for a broad spectrum of industrial equipment, including: hoists, industrial cranes, valves, railroad equipment, heavy equipment, gear, presses, mining machines, and transmission equipment.

2. The facility contains numerous air contaminant sources, including the following emissions units identified below with their associated identification numbers and control equipment include the following:

<b>ID</b>	<b>Company Description</b>	<b>Control Equipment</b>
<b>F002</b>	Core & Molding Sand Receiving, Handling, and Conveying	SLY Dust Collector, Silo Baghouse
<b>F004</b>	Core Making Line (Mullers #1465 and #1466, and Core Making Ovens)	SLY Dust Collector
<b>F006</b>	Molding Line (Green Sand Mullers (2), Molding Machines)	SLY Dust Collector, Scrubber Baghouse #1245
<b>F008</b>	Airset Large Mold Mixer	Torit Dust Collector
<b>F009</b>	Core Room Airset Mold Making	SLY Dust Collector
<b>N001</b>	Thermfire Sand Reclaimer	Thermfire Baghouse (Griffin Baghouse)
<b>P001</b>	Pattern Shop	Pattern Shop Cyclone
<b>P005</b>	Shot Blast (Tumblast #530A)	Dust Collector #530A (Table Blast Dust Collector)
<b>P006</b>	Medium Cleaning Line (Tableblast #418A)	Baghouse #431
<b>P007</b>	Small Cleaning Line (Tableblast #430 A)	Baghouse #431
<b>P901</b>	Electric Arc Furnace #225	Furnace Baghouse #210A (McLaughlin Baghouse)
<b>P902</b>	Casting Finishing (Small Welding, Medium Welding, Large Welding, Finish Grinding)	Baghouse #431- for small and medium finishing only
<b>P903</b>	Casting Shakeout- Large	East Baghouse, Middle Baghouse
<b>P904</b>	Casting Shakeout- Small	West Baghouse

3. The emissions units identified in Finding 2 are "air contaminant sources" as defined in Ohio Administrative Code ("OAC") Rule 3745-15-01(C) and (X), and ORC § 3704.01(C).

4. ORC § 3704.05(G) prohibits any person from violating any OAC rule adopted by the Director of Ohio EPA pursuant to ORC Chapter 3704. OAC Chapters 3745-15, 3745-31, and former 3745-35 were adopted by the Director pursuant to ORC Chapter 3704.

**Nuisance Violations:**

5. OAC Rule 3745-15-07, in part, specifies that the emission of any air contaminant or combinations of air contaminants, including dust, in such manner or in such amounts as to endanger the health, safety or welfare of the public, or cause unreasonable injury or damage to property is deemed to be an air pollution nuisance. Furthermore, this rule prohibits any person from causing, permitting or maintaining an air pollution nuisance.

6. During at least 14 incidents between November 1, 2006 and August 4, 2008, Respondent caused, permitted, or maintained an air pollution nuisance in the neighborhood surrounding the facility as a result of particulate matter deposition on private property. Such deposition caused damage to the paint finish of vehicles, the siding of homes, and outdoor furniture, in violation of OAC Rule 3745-15-07 and ORC § 3704.05(G). The 14 incidents are identified in the following table:

<b>Incident Date</b>	<b>Location of Incident</b>	<b>Description of Deposition</b>	<b>Property Damaged</b>
11/01/06	Resident's home at Shepherd Avenue	Red rusty particulate fallout	Vehicles
11/13/06	Resident's home at Shepherd Avenue	Red rusty particulate fallout	Vehicles
12/01/06	Resident's home at McWhorter St., directly across the street from the facility	Iron oxide particulate fallout	Vehicle and picnic table
02/12/07	Resident's home at McWhorter St., west of the facility	Chronic fallout from the facility	Vehicles and other property
03/08/07	A business at Shepherd Avenue, across the street from the facility	Particulate fallout	Employees' vehicles
04/24/08	A business at Shepherd Avenue, across the street from the facility	Particulate release from the facility from midnight to about 3:30 a.m.	Employee's vehicle
04/24/08	A business at Shepherd Avenue, across the street from the facility	Particulate fallout	Employee's vehicle
06/04/08	Resident's home at Shepherd Avenue	Particulates fallout	Home siding, windows, and vehicle

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The Sawbrook Steel Casting Company  
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06/11/08	A business at Shepherd Avenue, across the street from the facility	Particulate fallout	Business trucks
06/18/08	A business at Shepherd Avenue, across the street from the facility	Particulate fallout covering everything	Employee's vehicle
06/24/08	A business at Shepherd Avenue, across the street from the facility	Particulate fallout heavier than usual	Employee's vehicle
07/15/08	A business at Shepherd Avenue, across the street from the facility	Particulate fallout	Employee's vehicle
07/30/08	A business at Shepherd Avenue, across the street from the facility	Particulate fallout	Employee's vehicle
07/31/08	A business at Shepherd Avenue, across the street from the facility	Particulate fallout	Employee's vehicle

7. Respondent paid for the special cleaning of the vehicles of Reinhart Food Service Company and for the cleaning of the vehicles of its employees; however, Respondent did not offer to clean the vehicles of complainants who live directly across the street from the facility.

8. Notice of Violation ("NOV") letters (on December 20, 2006, July 3, 2007, August 22, 2007, December 28, 2007 and July 11, 2008), a March 4, 2008 warning letter, and proposed Findings and Orders (on April 21, 2008) were sent to Respondent by Hamilton County Department of Environmental Services ("HCDES"), Ohio EPA's contractual representative in Hamilton County informing Respondent of the deposition of particulate matter on neighboring property.

**PTI/PTO Violations:**

9. OAC Rule 3745-31-02 requires that a person not allow the installation or modification of an air contaminant source without first applying for and obtaining a permit to install ("PTI"), except as otherwise provided by rule or law.

10. Former OAC Rule 3745-35-02 prohibited any person from operating an air contaminant source unless a permit to operate ("PTO") had been applied for and obtained, except as otherwise provided by rule and law.

11. In 1990, Respondent installed a Palmer airset mixer, identified as emissions unit F008, in the large floor molding area of the facility, without first applying for and

obtaining a PTI. The mixer--emissions unit F008--is an "air contaminant source," as defined in OAC 3745-31-01(I), and "new source," as defined in OAC 3745-31-01(UUU). Installation of emissions unit F008 without a PTI was in violation of OAC Rule 3745-31-02(A) and ORC § 3704.05(G). On July 30, 2007, Respondent submitted a PTI application for the Emissions unit F008. A PTI was issued on September 27, 2007 for the mixer.

12. Respondent operated emissions unit F008 from, at least, November 29, 2006, when HCDES discovered its unpermitted operation, until September 27, 2007, when the PTI was issued, without obtaining a PTO or other authorization to operate the source, in violation of former OAC Rule 3745-35-02 and ORC § 3704.05(G).

13. In 1995, Respondent installed the Palmer M-200 airset mixer, identified as emissions unit F009, in the core making room as a replacement for the Palmer 150 mixer that was installed in 1968, without first applying for and obtaining a PTI. The Palmer M-200 mixer--emissions unit F009--is an "air contaminant source," as defined in OAC 3745-31-01(I), and "new source," as defined in OAC 3745-31-01(UUU). Installation of emissions unit F009 without a PTI was in violation of OAC Rule 3745-31-02(A) and ORC § 3704.05(G). On November 8, 2007, Respondent submitted a PTI application for the Palmer M-200 airset mixer. A PTI permit was issued on January 3, 2008 for the airset.

14. Respondent operated emissions unit F009 from, at least, June 5, 2007, when HCDES discovered its unpermitted operation, until January 3, 2008, when the PTI was issued, without obtaining a PTO or other authorization to operate the source, in violation of former OAC Rule 3745-35-02 and ORC § 3704.05(G).

15. On July 3, 2007 and December 28, 2007, HCDES sent NOV letters to Respondent citing the PTI/PTO violations above.

**Quarterly Deviation Report Violations:**

16. A PTO issued for emissions unit P005 requires Respondent to submit quarterly to Ohio EPA deviation reports. The PTO also required Respondent to record the pressure drop across the baghouse serving emissions unit P005 on a daily basis, and the quarterly deviation reports were to identify any day in which the baghouse pressure drop range was not met during the previous calendar quarter. On November 13, 2006, HCDES discovered that no quarterly deviation reports had been received for emissions unit P005 since the permit was issued on May 5, 1998. The outstanding reports were received at HCDES on December 4, 2006. The failure to timely submit the required reports was a violation of the terms and conditions of the PTO and ORC § 3704.05(C).

17. 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 be derived

from such compliance.

## V. ORDERS

The Director hereby issues the following Orders:

1. Respondent shall continue to implement, maintain and update as appropriate the operation and maintenance ("O&M") plan dated March 16, 2007 for its control equipment at the facility. Respondent shall follow the manufacturer's recommendations in determining the optimum conditions to run the equipment effectively. These include, but are not limited to, bag specifications, pressure drop, temperature, inspection schedule, and component replacement schedule. Respondent is encouraged to install early bag leak detection systems for its baghouses.

2. Respondent shall continue to implement, maintain and update as appropriate the preventive maintenance and malfunction abatement plan as explained in Respondent's letter of August 4, 2008 to HCDES, for its sand transport system at the facility. Respondent shall utilize all reasonable measures to minimize the number of leakage incidents in the sand transport pipes.

3. Respondent shall pay the amount of forty-five thousand and nine hundred dollars (\$45,900) 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 thirty-six thousand seven hundred and twenty dollars (\$36,720) 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 nine thousand one hundred and eighty dollars (\$9,180) 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 \$9,180 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 \$9,180. 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 \$9,180 of the 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 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 duly 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:

Hamilton County Department of Environmental Services  
250 William Howard Taft Road  
Cincinnati, Ohio 45219  
Attn: Kerri Castlen

and to:

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

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

\_\_\_\_\_  
Date

**AGREED:**

**The Sawbrook Steel Casting Company**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed or Typed Name

\_\_\_\_\_  
Title

**AIR CIVIL PENALTY WORK SHEET**  
**The Sawbrook Steel Casting Company**  
**(for settlement purposes only)**

COMPONENT	SUBTOTAL	TOTAL	COMMENT
A. Benefit Component:		<u>\$0</u>	not known
B. Gravity Component:			
1. Actual or possible harm:			
a. Amount above standard	<u>\$0</u>		not applicable
b. Toxicity of pollutant	<u>\$0</u>		not applicable
c. Sensitivity of environment	<u>\$0</u>		not applicable
d. Length of time of violation	<u>\$5,000</u>		14 days of nuisance rule violations.
2. Importance to regulatory scheme:	<u>\$5,000</u>		Late quarterly reports for P005 (all the outstanding reports from 5/5/98 until 10/31/06 were received on 12/4/06).
	<u>\$15,000</u>		Compliance with the prohibition on causing a public nuisance is very significant in the regulatory scheme.
3. Size of violator	<u>\$10,000</u>		Net worth (about \$4,000,000) is estimated to be 20% of lower bound of annual sales range (annual sales are \$20 to \$50 million from Reference USA database).
Total gravity component:		<u>\$35,000</u>	
Preliminary deterrence amount: (sum of benefit and gravity components)		<u>\$35,000</u>	
C. Flexibility-Adjustment Factors:			
1. Degree of willfulness or negligence: (total gravity component times any augmentation percentage)	<u>\$0</u>		not applicable
2. Degree of cooperation: (total gravity component times any mitigation percentage)	<u>(\$3,500)</u>		Mitigation of 10% for voluntary controlling the large floor finishing per HCDES' request.

Penalty Work Sheet, The Sawbrook Steel Casting Company  
Page 2

COMPONENT	SUBTOTAL	TOTAL	COMMENT
3. History of noncompliance: (total gravity component times any augmentation percentage)	<u>\$0</u>		not applicable
4. Ability to pay: (any mitigation amount)	<u>\$0</u>		not known
5. Other unique factors:	<u>\$0</u>		not applicable
All augmentation (+) and mitigation (-) amounts added: (if negative, cannot exceed total gravity component)		<u>(\$3,500)</u>	
D. Administrative Component			
PTI	<u>\$10,000</u>		Installation of F008 and F009 prior to applying for and obtaining PTIs. \$5,000 per unit.
PTO	<u>\$4,430</u>		Failure to obtain PTO for emissions unit F008 from November 29, 2006 (date of discovery by HCDES) until September 27, 2007 (PTI issuance date); penalty \$2,610. Failure to obtain a PTO for emissions unit F009 from June 5, 2007 (date of discovery by HCDES) until January 3, 2008 (PTI issuance date); penalty \$1,820. (The penalties were calculating using a factor of \$10/day/source and using a work schedule of 6 days per week).
<b>Total Administrative Component</b>		<u>\$14,430</u>	
E. Initial Minimum Settlement Amount: [preliminary deterrence amount + or - sum of flexibility adjustment factors plus administrative component (A + B + C + D)]		<u>\$45,930</u>	round to \$45,900