

# AGENDA FOR THE NOVEMBER 5, 2009 EC MEETING

## CASES TO BE CLOSED:

Circle K Midwest (GDFs #5204, #5209, #5318 and #5320)	#2776	NEDO	Final F&Os	Tom/Marc
(GDFs #0059, #5217, #5557 and #5558)	#2863	HAMCO		
Endres Processing, LLC	#2868	NWDO	AGO Referral	John/Bryan

## PENDING CASES:

Ariel Corporation (HPV)	#2824	CDO	Prop. F&Os	John/Marc
Lehigh Gas Corporation (GDFs at Vermillion Valley and Middle Ridge Service Plazas on Ohio Turnpike)	#2854	NEDO	Prop. F&Os	Tom/Steve
Uzair, Inc., d.b.a. Lakeside Fuel	#2855	NEDO	Prop. F&Os	Tom/Don

## OTHER BUSINESS:

- (1) Distribute updated schedule of progress for resolving all "old" cases for 2008.
- (2) Distribute updated schedule of progress on resolving all "old" cases for 2009.
- (3) Distribute updated schedule of progress on resolving all "old" cases for 2010.
- (4) Distribute updated schedule of progress on resolving all "old" cases for 2011.
- (5) **Tom (with Steve substituting) is scheduled to provide food for today's meeting at 3:00 p.m. in DAPC Rm C.**
- (6) The next EC meeting is scheduled for Thursday, November 19, 2009 at 3:00 p.m. in DAPC Rm C. Steve (with Tom substituting) is scheduled for food. (Future food schedule: Jim for December 3; John for December 17; and Don for December 31.)

## ENFORCEMENT COMMITTEE MEETING MINUTES

(November 5, 2009)

<b>Case Number:</b>	2776/2863	<b>Dates:</b>	
<b>Entity:</b>	Circle K Midwest (GDFs #5204, #5209, #5318, #5320, #0059, #5217, #5557 and #5558)	<b>EAR:</b>	11/04/08 (NEDO) 08/01/09 (HAMCO)
<b>Field Office:</b>	NEDO (Case #2776: GDFs #5204, #5209, #5318, #5320) HAMCO (Case #2863: GDFs #0059, #5217, #5557, #5558)	<b>DWL:</b>	N/A
<b>Contact:</b>	Jim Kavalec/Tom Kalman	<b>F&amp;Os:</b>	11/04/09
<b>Attorney:</b>	Marc Glasgow	<b>Referral:</b>	N/A
		<b>Dismissal:</b>	N/A

**Background:** Circle K Midwest ("Circle K") of 315 Columbus Mall, Columbus, Indiana, owns and operates gasoline dispensing facilities ("GDFs") located at:

1150 South Broadway, Geneva, Ashtabula County, Ohio (#5204);  
2808 Grove Avenue, Lorain, Lorain County, Ohio (#5318);  
5825 South Main Street, Ashtabula, Ashtabula County, Ohio (#5209);  
36701 Chester Street, Avon, Lorain County, Ohio (#5320);  
1031 Harrison Avenue, Harrison, Hamilton County, Ohio (#0059);  
2166 Pleasant Avenue, Hamilton, Butler County, Ohio (#5217);  
10630 Loveland-Madeira Road, Loveland, Clermont County, Ohio (#5557); and  
1101 State Route 28, Milford, Clermont County, Ohio (#5558).

These GDFs are subject to the Stage II vapor control system requirements of OAC Rule 3745-21-09(DDD).

On March 17, 2009, proposed Director's Final Findings and Orders ("F&Os") were sent to Circle K to attempt an administrative settlement of the violations that occurred at GDFs #5204, #5318, #5209 and #5320. The F&Os propose to require Circle K to do the following:

- (1) Within 30 days after the effective date of the F&Os submit permit-by-rule ("PBR") notifications to Ohio EPA for GDFs #5209 and #5320 in accordance with OAC Rule 3745-31-03(A)(4)(a);
- (2) Within 30 days after the effective date of the F&Os, repair the Stage II vapor control system at GDF #5318 and conduct passing static leak and A/L ratio tests (a pretest notice and test results are to be submitted within 14 days prior to and after testing, respectively);
- (3) Within 60 days after the effective date of the F&Os, submit documentation to Ohio EPA demonstrating proof of attendance and completion of the training required for GDFs #5204 and #5318 pursuant to OAC Rule 3745-21-09(DDD)(3)(a)(vi);
- (4) Beginning by March 15, 2009 and by March 15, 2010 and continuing until October 31, 2009 and October 31, 2010, conduct weekly inspections of the Stage II vapor control system at each GDF for the next two ozone seasons (April 1, 2009 through October 31, 2009 and April 1, 2010 through October 31, 2010), checking for leaks, malfunctions, or damage to the systems, and keep records of such inspections and repairs and submit copies of the weekly inspection reports by August 14 for the period from March 15 through July 31, and by November 14 for the period from August 1 through October 3;
- (5) Perform and pass static leak and A/L ratio tests at each GDF for the next two ozone-producing seasons (April 1, 2009 through October 31, 2009 and April 1, 2010 through October 31, 2010) during March and August of each season and notify Ohio EPA 14 days prior to each test and submit test results to Ohio EPA within 14 days of each test date; and
- (6) Pay a civil penalty of \$100,000 to Ohio EPA, of which \$80,000 is due to Ohio EPA within 14 days after the effective date of the F&Os and \$20,000 is due to Ohio EPA's Clean Diesel School Bus Program Fund as a SEP within 30 days after the effective date of the F&Os.

The Enhanced Enforcement Protocol was used along with the USEPA's civil penalty policy to calculate the penalty. A penalty of \$5,000 was assessed for each failure of a GDF to pass consecutive tests or when a GDF fails any test in two consecutive years. Also, a penalty of \$25 per day was applied for each GDF that failed to fix and retest its dispenser(s) within 30 days. Also, penalties were not pursued for the failure to obtain PTOs at two of the GDFs due to the statute of limitations policy.

During negotiations over these proposed F&Os, the civil penalty was reduced to \$50,000. However, additional violations of the Stage II vapor control system requirements were provided to Central Office from the Hamilton County Department of Environmental Services ("HAMCO") for GDFs #0059, #5217, #5557 and #5558. The calculated civil penalty for these violations was \$50,700. As a result and with the company's desire to include all violating GDFs into the F&Os, revised proposed F&Os were sent to Circle K sometime in August of 2009 with a total civil penalty of \$100,000 for all eight GDFs. These F&Os were identical in content to the above-mentioned items, except that items (1) through (3) were deleted and the ozone seasons were changed to 2010 and 2011.

Each of these GDFs had violations of air pollution control requirements and state law as summarized below:

**Circle K #5204:**

- (1) Failed the A/L ratio test for dispensers 1, 2, 5 and 7 on April 25, 2007 during an annual Stage II compliance test and continued operating these dispensers after the failed test, until May 14, 2007, when a passing A/L ratio test was completed for these dispensers, in violation of OAC Rule 3745-21-09(DDD)(1)(c) and ORC § 3704.05(G);
- (2) Failed the A/L ratio test for dispensers 2, 7, 8 and 9 on May 13, 2008; for dispenser 10 on September 29, 2008; and failed the static leak test for dispensers 1, 2, 9 and 10 on September 3, 2008; during the annual Stage II compliance tests and continued operating these dispensers after the failed tests, until October 28, 2008, when the final passing test was completed, in violation of OAC Rule 3745-21-09(DDD)(1)(c) and ORC § 3704.05(G);
- (3) Operating dispensers 1, 2, 9 and 10 from September 3, 2008 to October 28, 2008 with leaking vacuum pump motors while continuing operation of the dispensers, in violation of OAC Rule 3745-21-09(DDD)(1)(b) and ORC § 3704.05(G);
- (4) Operating dispenser 10 from September 29, 2008 to October 28, 2008 with leaking vacuum pump motors while continuing operation of the dispensers, in violation of OAC Rule 3745-21-09(DDD)(1)(b) and ORC § 3704.05(G);

- (5) Failed to complete a full successful passing static leak test and, for dispensers 2, 7, 8 and 9, a passing A/L ratio test within one year from the last test of May 17, 2007, in violation of OAC Rule 3745-21-09(DDD)(2)(f) and ORC § 3704.05(G);
- (6) Failed to maintain records demonstrating proof of attendance and completion of the training required by Ohio EPA from February 19 to September 15, 2009, in violation of OAC Rule 3745-21-09(DDD)(3)(a)(vi) and ORC § 3704.05(G);

**Circle K #5318:**

- (7) Failed the static leak test and did not conduct the A/L ratio test on May 14, 2008, and did not conduct the tests on September 2, 2008, during an annual Stage II compliance test and continued operating the GDF after the failed test and to April 8, 2009, in violation of OAC Rule 3745-21-09(DDD)(1)(c) and ORC § 3704.05(G);
- (8) Failed the A/L ratio test for dispenser 5 on April 21, 2009, during an annual Stage II compliance test and continued operating the GDF after the failed test and to June 11, 2009, in violation of OAC Rule 3745-21-09(DDD)(1)(c) and ORC § 3704.05(G);
- (9) Failed to maintain records demonstrating proof of attendance and completion of the training required by Ohio EPA from May 14, 2008 to May 22, 2009, in violation of OAC Rule 3745-21-09(DDD)(3)(a)(vi) and ORC § 3704.05(G);
- (10) Operating the GDF from May 14, 2008 until not later than April 8, 2009 due to a leak in a drop tube; from September 2, 2008 until not later than April 8, 2009 due to leaking vacuum pump motors, in violation of OAC Rule 3745-21-09(DDD)(1)(b) and ORC § 3704.05(G);
- (11) Operating the GDF from April 21, 2009 until at least June 11, 2009 with a malfunctioning vacuum pump motor, in violation of OAC Rule 3745-21-09(DDD)(1)(b) and ORC § 3704.05(G);
- (12) Failed to complete a full successful passing test for dispensers 1 through 6 within one year from the last test of June 7, 2007, in violation of OAC Rule 3745-21-09(DDD)(2)(f) and ORC § 3704.05(G);

**Circle K #5209:**

- (13) Failed to obtain a permit to operate or a PBR for the GDF from September 15, 1997 to May 4, 2009, in violation of former OAC Rule 3745-35-02, OAC Rule 3745-31-02, and ORC § 3704.05(G);
- (14) Failed the A/L ratio test for dispenser 4 on May 12, 2008 during an annual Stage II compliance test and continued operation of this dispenser after the failed test until September 29, 2008, when a passing A/L ratio test was completed. This action constituted violations of OAC Rule 3745-21-09(DDD)(1)(c) and ORC § 3704.05(G);
- (15) Failed to complete a full successful passing test for dispensers 2 and 4 within one year from the last test of April 25, 2007, in violation of OAC Rule 3745-21-09(DDD)(2)(f) and ORC § 3704.05(G);

**Circle K #5320:**

- (16) Failed to obtain a permit to operate or a PBR for the GDF from July 6, 2001 to May 4, 2009, in violation of former OAC Rule 3745-35-02, OAC Rule 3745-31-02, and ORC § 3704.05(G);
- (17) Failed the A/L ratio test and the static leak test for dispenser 3 on March 15, 2007, the static leak test on February 25, 2008, and the A/L ratio test for dispensers 15 and 16 on March 24, 2008, during annual Stage II compliance tests and continued operation of this GDF after the failed tests until May 16, 2007, March 24, 2008, and June 9, 2008, respectively, by which dates complying tests were performed, in violation of OAC Rule 3745-21-09(DDD)(1)(c) and ORC § 3704.05(G);
- (18) Operating the GDF from February 25, 2008 until June 9, 2008 with a leaking vacuum pump motor, in violation of OAC Rule 3745-21-09(DDD)(1)(b) and ORC § 3704.05(G);

**Circle K #0059:**

- (19) Failed the A/L ratio test for dispensers 2, 3, 4 and 8 on February 26, 2009. Also, on February 26, 2009, dispensers 5, 6 and 7 were not pumping and could not be tested. Circle K continued operating these dispensers after the failed tests and

until March 3, 2009, when the A/L ratio test passed on these dispensers, in violation of OAC Rule 3745-21-09(DDD)(1)(c) and ORC § 3704.05(G);

- (20) Operating dispensers 5, 6 and 7 from February 26, 2009 to not later than March 3, 2009 with malfunctioning pumps while continuing operation of the dispensers, in violation of OAC Rule 3745-21-09(DDD)(1)(b) and ORC § 3704.05(G);
- (21) Failed the A/L ratio test for dispenser 4 on June 23, 2009 during the annual Stage II compliance tests and continued operating this dispenser on June 23, 2009 and from June 29, 2009 until July 20, 2009, when an A/L ratio test for dispenser 4 passed, in violation of OAC Rule 3745-21-09(DDD)(1)(c) and ORC § 3704.05(G);

**Circle K #5217:**

- (22) Failed the A/L ratio test for dispensers 1, 2 and 4 on March 2, 2009; for dispenser 2 on March 10, 2009; and for dispensers 1, 2 and 4 on July 2, 2009; during annual Stage II compliance tests and continued operating these dispensers after the failed tests, until July 31, 2009, when the A/L ratio test passed on dispensers 1, 2 and 4, in violation of OAC Rule 3745-21-09(DDD)(1)(c) and ORC § 3704.05(G);
- (23) Operating dispenser 2 from March 10, 2009 to not later than July 2, 2009 with a bad vacuum pump motor while continuing operation of the dispenser, in violation of OAC Rule 3745-21-09(DDD)(1)(b) and ORC § 3704.05(G);
- (24) Operating dispensers 1, 2 and 4 from July 2, 2009 to not later than July 31, 2009 with nozzles that were not certified by CARB for the Stage II vapor control system being used at this GDF while continuing operation of the dispensers, in violation of OAC Rule 3745-21-09(DDD)(1)(b) and ORC § 3704.05(G);
- (25) Failed the A/L ratio test for dispensers 1 and 3 on August 6, 2009, during the annual Stage II compliance test and continued operating these dispensers after the failed tests, until August 31, 2009, when the A/L ratio test passed on dispensers 1 and 3, in violation of OAC Rule 3745-21-09(DDD)(1)(c) and ORC § 3704.05(G);

**Circle K #5557:**

- (26) Could not perform the annual Stage II vapor control system compliance tests due to excess ullage; failed the A/L ratio test for dispensers 3, 6, 9, 13 and 14 on May 28, 2008, during annual Stage II compliance tests and continued operation of this GDF after the failed tests until September 10, 2008 when dispensers 3, 6, 9, 13 and 14 passed a retest, in violation of OAC Rule 3745-21-09(DDD)(1)(c) and ORC § 3704.05(G);
- (27) Operating the GDF with the Hasstech vapor control system turned off while continuing operation of the GDF on July 11, 2008, in violation of OAC Rule 3745-21-09(DDD)(1)(b) and ORC § 3704.05(G);
- (28) Failed to complete a full successful passing static leak test within one year from the last test (May 28, 2007), in violation of OAC Rule 3745-21-09(DDD)(2)(f) and ORC § 3704.05(G);
- (29) Failed the static leak test and failed the A/L ratio test for dispensers 13, 14 and 16 on April 17, 2009, during the annual Stage II compliance test and continued operating these dispensers after the failed tests, until July 16, 2009, when passing A/L ratio and static leak tests were performed, in violation of OAC Rule 3745-21-09(DDD)(1)(c) and ORC § 3704.05(G);

**Circle K #5558:**

- (30) Failed the static leak test and did not conduct the A/L ratio test on January 2, 2008; did not perform the static leak and A/L ratio tests on July 25, 2008 due to the Stage II vapor control system being inoperable; failed the A/L ratio test for all dispensers on September 8, 2008; failed the A/L ratio test for dispensers 15 and 16 on March 24, 2008, during annual Stage II compliance tests and continued operation of this GDF after the failed tests until June 22, 2009 when complying tests were performed, in violation of OAC Rule 3745-21-09(DDD)(1)(c) and ORC § 3704.05(G);
- (31) Operating the GDF with a leaking spill bucket drain from January 2, 2008 to not later than July 25, 2008 while continuing operation of the GDF, in violation of OAC Rule 3745-21-09(DDD)(1)(b) and ORC § 3704.05(G);

- (32) Operating the GDF with an inoperable Stage II vapor control system from July 25, 2008 to not later than September 8, 2008 while continuing operation of the GDF, in violation of OAC Rule 3745-21-09(DDD)(1)(b) and ORC § 3704.05(G);
- (33) Operating the GDF with a leaking vapor pipe joint on February 23, 2009 to not later than June 22, 2009 while continuing operation of the GDF, in violation of OAC Rule 3745-21-09(DDD)(1)(b) and ORC § 3704.05(G); and
- (34) Failed to complete full successful passing static leak and A/L ratio tests within one year from the last test (January 2, 2007), in violation of OAC Rule 3745-21-09(DDD)(2)(f).

Notice of violation letters were sent to Circle K by NEDO on May 20, and September 3 and 16, 2008 and by HAMCO on July 30 and October 24, 2008, and on July 15, 2009.

On November 4, 2008, NEDO submitted an Enforcement Action Request to Central Office for the purpose of obtaining administrative orders and a civil penalty for the violations. On or about August 1, 2009, HAMCO added its violations to the case.

(See the EC Meeting Minutes of March 26, 2009 for additional background information.)

A settlement was eventually reached with Circle K through verbal and written communication

**Action:** On November 4, 2009, final F&Os were issued to Circle K to resolve the violations at the eight GDFs. The F&Os require Circle K to perform the inspections and testing proposed in the March 17, 2009 F&Os for all eight GDFs and for the next two ozone seasons and pay a total civil penalty of \$100,000 for all of the GDFs within 30 days after the effective date of the F&Os, of which \$20,000 is due to the Ohio EPA Clean Diesel School Bus Program Fund as a SEP. **Cases Closed**



**Case Number:** 2868  
**Entity:** Endres Processing, LLC  
**Field Office:** NWDO  
**Contact:** John Paulian  
**Attorney:** Bryan Zima

**Dates:**  
**EAR:** 10/06/09  
**DWL:** N/A  
**F&Os:** N/A  
**Referral:** 11/03/09  
**Dismissal:** N/A

**Background:** At its facility located at 7300 State Highway 199, in Upper Sandusky, Ohio (facility ID 0388010003), Endres dries bakery by-products for use as an animal feed supplement. Items such as pizza dough, cookies, cereal, snack foods, etc. are dried in two direct fired driers (emissions units P901 and P902) using sawdust, paper, and plastics as fuel.

In the drying process, VOCs from fermentation occurring in the bakery products, fine particulate matter, and products of incomplete combustion are generated. The emissions from the driers are routed through cyclones then combined and exhausted through a venturi scrubber, a wet electrostatic precipitator ("WESP"), and finally a regenerative thermal oxidizer ("RTO"). The PTI outlines a comprehensive list of monitoring parameters for each piece of control equipment to ensure that it is operating properly and meeting the required destruction efficiency or vendor guaranteed removal efficiency.

After receiving a complaint from inspectors of the Occupational Safety and Health Administration, DAPC Northwest District Office staff inspected the facility on July 30, 2009, and August 4 and 5, 2009, and identified numerous violations of both the Amended Consent Order and Permit to Install ("PTI") P0104599, issued to Endres on May 7, 2009. A NOV was sent to the company on September 2, 2009, detailing the violations that had been discovered.

The following violations of PTI P0104599 and ORC § 3704.05 have been identified by NWDO:

- Endres has failed to properly operate and maintain equipment to continuously monitor and record RTO combustion temperatures and to collect and record this information on a daily basis, in violation of PTI Term and Conditions C.1.(d)(5) and (6) and ORC § 3704.05(C). NWDO's review of Endres' records indicated that from March 11, 2009 through May 11, 2009, and from June 2, 2009 through July 8, 2009, this information was not collected or recorded. In addition, the failure to report the above deviations are violations of PTI Term and Condition C.1.(e)(2)e., which requires RTO combustion temperature recordkeeping

deviations to be reported quarterly, and ORC § 3704.05(C). These deviations were not reported in the 1<sup>st</sup> or 2<sup>nd</sup> quarter 2009 reports submitted by Endres on April 30, 2009 and July 31, 2009.

Production records for the 4<sup>th</sup> quarter of 2008 do not include pressure drop readings for the cyclones associated with the dryers. In the records for the 1<sup>st</sup> quarter of 2009, there are numerous readings for each cyclone that are out of the specified ranges with no information outlining the corrective actions taken to correct the deviations. The failure to properly operate and maintain equipment to continuously monitor and record the cyclone pressure drop is a violation of PTI Term and Condition C.1.(d)(7) and ORC § 3704.05(C). In addition, Endres' failures to report these deviations in its 3<sup>rd</sup> and 4<sup>th</sup> quarter of 2008, and 1<sup>st</sup> and 2<sup>nd</sup> quarter of 2009 deviation reports are violations of PTI Term and Condition A.4.(c)(3) and ORC § 3704.05(C).

Production records for the 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2009 showed that Endres had failed to properly operate and maintain equipment to continuously monitor and record pressure drop across the venturi scrubber and the milliamps and secondary voltages for the WESP, and had failed to investigate any deviations of these operating parameters, in violation of PTI Term and Condition C.1.(d)(6) and ORC § 3704.05(C). In addition, Endres failed to report these deviations in its 1<sup>st</sup> and 2<sup>nd</sup> quarter reports, in violation of PTI Term and Condition C.1.(e)(1) and ORC § 3704.05(C).

A review of the production logs from June and July 2009 indicate that there were operational issues with P903 (sawdust handling) on June 1, 2009, and July 4, 2009, that resulted in a large pile of sawdust on the roof and unpermitted fugitive dust emissions. Endres failed to immediately report these malfunctions to Ohio EPA NWDO, in violation of OAC Rule 3745-15-06 and ORC § 3704.05(G).

NWDO also has evidence that Endres has failed to report other malfunctions, in violation of OAC Rule 3745-15-06, and is frequently sending emissions through the bypass stack. Citizen complaints regarding the facility's operations have been increasing, and it is possible that emissions routed through the bypass stack are causing a public nuisance, in violation of OAC Rule 3745-15-07.

In addition to the violations identified above, NWDO also believes that it is likely that Endres has exceeded its stated maximum process weight rate of 30 tons/hour of combined raw material input for both dryers. Although this is not a permit limit, Ohio EPA has historically structured the facility's emission limitations in its permits based on

this rate as a maximum physical capacity for the process. It is likely that operating at a higher process weight rate will result in increased emissions and possibly exceedances of the permit limits. No testing of emissions from these dryers was ever conducted at input rates greater than 30 tons/hour. Endres has stated that the equipment has not been modified to allow for increased processing capacity. NWDO is continuing to investigate this issue and will forward any further information to Central Office for review and inclusion in this case, if needed.

Possible additional violations are being investigated by the Ohio EPA Division of Surface Water, NWDO, and, if confirmed, will be referred to DSW Central Office for enforcement and consolidated with this action.

**Action:** This case was referred to the AGO on November 3, 2009, to be consolidated with the current contempt action being pursued by the AGO. DAPC asked that the AGO resolve this case by obtaining a consent order requiring Endres to correct all violations identified at its facility and pay a civil penalty (calculated at \$107,000). In addition, the AGO should obtain stipulated penalties for the violations of the previous Consent Order.

**Case Closed**



<b>Case Number:</b> 2824	<b>Dates:</b>
<b>Entity:</b> Ariel Corporation	<b>EAR:</b> 05/18/09
<b>Field Office:</b> CDO	<b>DWL:</b> N/A
<b>Contact:</b> Eric Yates/John Paulian	<b>F&amp;Os:</b> 10/19/09 (prop.)
<b>Attorney:</b> Marc Glasgow	<b>Referral:</b> N/A
	<b>Dismissal:</b> N/A

**Background:** Ariel Corporation ("Ariel") owns a manufacturing facility located at 35 Blackjack Road in Mount Vernon. At the facility, Ariel designs and manufactures large compressors used in the natural gas gathering, pipeline, and gas storage industries.

On May 23, 2002, permit to install ("PTI") 01-08607 was issued for emissions unit K003 (paint booth).

On April 2, 2008, Ohio EPA Central District Office conducted an inspection of Ariel's facility and also completed a review of the record keeping required by PTI 01-08607.

PTI 01-08607 and OAC Rule 3745-21-09(U)(2)(e)(iii) limit the amount of coatings allowed in emissions unit K003 to ten (10) gallons per day.

On at least 67 days between February 2007 and March 2008, Ariel exceeded the ten gallon per day limit for coating usage, in violation of the terms and conditions of PTI 01-08607, OAC Rule 3745-21-09(U)(2)(e)(iii), and ORC § 3704.05(C) and (G).

PTI 01-08607 requires that deviation reports be submitted within 45 days of any daily record showing the use of more than the applicable maximum daily coating usage limit of 10 gallons per day.

Ariel failed to submit deviation reports identifying the 67 days that the maximum daily coating usage limit of 10 gallons per day was exceeded, in violation of the terms and conditions of PTI 01-08607 and ORC § 3704.05(C).

PTI 01-08607 requires that Ariel keep records of the total VOC emission rate on a daily basis for all coatings and cleanup materials, in pounds per day.

Since at least February 2007, Ariel has failed to maintain records of the total VOC emission rate on a daily basis for all coatings and cleanup materials, in pounds per day, in violation of PTI 01-08607.

Ariel has since installed extensive monitoring equipment that tracks coating usage to the ounce and will allow Ariel to better track its coating usage and generate reports required by its PTIs.

On February 12, 2009, Ohio EPA Central District Office sent a notice of violation to Ariel for the above violations.

**Action:** On October 19, 2009, proposed Director's Final Findings and Orders were sent to Ariel in an attempt to obtain an administrative settlement. The proposed Orders require Ariel to pay a civil penalty of \$27,500 of which 20% will be directed to the school bus diesel retrofit program. **Case Continued**



<b>Case Number:</b> 2854	<b>Dates:</b>
<b>Entity:</b> Lehigh Gas Corporation (GDFs at Vermilion Valley and Middle Ridge Service Plazas of Ohio Turnpike in Amherst)	<b>EAR:</b> 09/03/09
<b>Field Office:</b> NEDO	<b>DWL:</b> N/A
<b>Contact:</b> Jim Kavalec/Tom Kalman	<b>F&amp;Os:</b> 11/03/09 (prop.)
<b>Attorney:</b> Stephen Feldmann	<b>Referral:</b> N/A
	<b>Dismissal:</b> N/A

**Background:** Lehigh Gas Corporation ("Lehigh") of 1425 Mountain Drive North in Bethlehem, Pennsylvania operates the gasoline dispensing facilities ("GDFs") at the Vermilion Valley and Middle Ridge Service Plazas of the Ohio Turnpike in Amherst, Ohio. The GDFs are operated by Lehigh for the Ohio Turnpike Commission. These GDFs are subject to the Stage II vapor control system requirements of OAC Rule 3745-21-09(DDD). These GDFs employ Stage II vapor control systems that are required to be tested annually (static leak test and air-to-liquid ("A/L") ratio test) and every five years (dynamic pressure performance test).

The GDFs obtained Permit-by-Rule status from Ohio EPA in 2008.

### **Vermilion Valley Service Plaza**

On July 20, 2007, Lehigh attempted to conduct the 2007 annual static leak and A/L ratio tests at this GDF. Lehigh failed the static leak test due to a spill bucket leak on tank #6, and the A/L ratio test was not conducted due to the static leak test failure. On September 27, 2007, Lehigh retested the GDF and passed the static leak test but failed the A/L ratio test for dispensers 3, 5, 9 and 13. On October 18, 2007, Lehigh conducted and passed an A/L ratio retest.

On June 16, 2008, Lehigh conducted and passed the 2008 annual static leak and A/L ratio tests for this GDF, and on July 14, 2008 it conducted and passed the five-year dynamic pressure performance test for the GDF.

On May 20, 2009, Lehigh conducted the 2009 annual static leak and A/L ratio tests at this GDF. The static leak test passed but the A/L ratio test failed for dispensers 4, 5 and 6 due to low or no vacuum. On July 29, 2009, Lehigh conducted and passed a retest for this GDF.

Lehigh was dispensing gasoline the entire time after the above-mentioned failing tests and improperly operating equipment. The failure to properly install, operate, and maintain the vapor control system and to successfully pass the testing requirements in OAC Rule 3745-21-09(DDD)(2) while causing, allowing, or permitting the transfer of gasoline from a stationary tank into a motor vehicle were violations of OAC Rule 3745-21-09(DDD)(1)(b) and (DDD)(1)(c) and ORC § 3704.05(G).

### **Middle Ridge Service Plaza**

On June 16, 2008, Lehigh conducted the 2008 annual static leak and A/L ratio tests at this GDF. Lehigh failed the static leak test due to leaking drop tubes and the A/L ratio test for dispensers 9, 10, 18 and 25. On July 14, 2008, Lehigh conducted and passed a retest at this GDF.

On May 19, 2009, Lehigh conducted the 2009 annual static leak and A/L ratio tests at this GDF. The static leak test failed due to leaks in the Stage II vapor control system and the A/L ratio test was not attempted due to these leaks. In addition, hoses on nine dispensers were in poor condition and needed to be replaced and several dry break caps had no gaskets. On July 28, 2009, Lehigh attempted to conduct a retest at this GDF but no repairs had been made so the testing was not performed because it would not pass. On August 17, 2009, Lehigh conducted and passed a retest at this GDF.

Lehigh was dispensing gasoline the entire time after the above-mentioned failing tests and improperly operating equipment. The failure to properly install, operate, and maintain the vapor control system and to successfully pass the testing requirements in OAC Rule 3745-21-09(DDD)(2) while causing, allowing, or permitting the transfer of gasoline from a stationary tank into a motor vehicle were violations of OAC Rule 3745-21-09(DDD)(1)(b) and (DDD)(1)(c) and ORC § 3704.05(G).

On September 3, 2009, NEDO submitted an Enforcement Action Request to Central Office for the violations at these GDFs.

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

- (1) Conduct weekly inspections of the Stage II vapor control system at the GDF for the next two ozone seasons (2010 and 2011), checking for leaks, malfunctions or damage to the system. Copies of records of these inspections and any repairs made must be submitted to Ohio EPA.

- (2) During the next two ozone seasons (2010 and 2011), perform static leak and A/L ratio tests at the GDF prior to the beginning (during March) of each ozone season and during August of each ozone season. The results of these tests must be submitted to Ohio EPA.
- (3) Pay Ohio EPA a civil penalty in the amount of \$15,000, of which \$12,000 of the civil penalty is due to Ohio EPA within 14 days after the effective date of the F&Os and \$3,000 is to be directed to Ohio EPA's Clean Diesel School Bus Program Fund as a SEP within 30 days after the effective date of the F&Os.

The DAPC's Enhanced Enforcement Protocol penalty policy was used to calculate the civil penalty. **Case Continued**



<b>Case Number:</b> 2855	<b>Dates:</b>
<b>Entity:</b> Uzair, Inc., d.b.a. Lakeside Fuel	<b>EAR:</b> 09/09/09
<b>Field Office:</b> NEDO	<b>DWL:</b> N/A
<b>Contact:</b> Jim Kavalec/Tom Kalman	<b>F&amp;Os:</b> 10/19/09 (prop.)
<b>Attorney:</b> Donald L. Vanterpool	<b>Referral:</b> N/A
	<b>Dismissal:</b> N/A

**Background:** Since January 2005, Uzair, Inc., d.b.a. Lakeside Fuel ("Uzair"), has owned and operated a gasoline dispensing facility ("GDF") located at 3389 North Ridge Road in Perry (Lake County), Ohio. This GDF is subject to the Stage II vapor control system requirements of OAC Rule 3745-21-09(DDD) and has such a system installed and operating. The GDF has a Permit-by-Rule status, which was obtained from Ohio EPA on April 26, 2007.

On February 9, 2009, Ohio EPA conducted an inspection at this GDF to determine compliance with the Stage II vapor control system annual static leak and air-to-liquid ("A/L") ratio tests. The static leak and A/L ratio tests were not performed due to the poor condition of the equipment on several dispensers. Specifically, the nozzles on dispensers 2 and 4 were smashed, the hoses on dispensers 3 and 4 needed to be replaced, and the dry break on dispenser 2 was leaking and needed to be replaced.

Retests were conducted on April 17 and June 3, 2009. During each of these retests, Uzair failed the static leak tests due to leaks in the Stage II vapor control system. By June 26, 2009, the necessary repairs were made and Uzair passed the static leak test.

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

In addition, Uzair failed to maintain required records demonstrating proof of attendance and completion of the training required by Ohio EPA, in violation of ORC § 3704.05(G) and OAC Rule 3745-21-09(DDD)(3)(a)(vi).

On September 9, 2009, NEDO submitted an Enforcement Action Request to Central Office for the violations.

**Action:** On October 19, 2009, proposed Director's Final Findings and Orders ("F&Os") were sent to Uzair to attempt an administrative settlement of the violations. The F&Os propose to require Uzair to do the following:

- (1) Within 60 days after the effective date of the F&Os, submit documentation to Ohio EPA demonstrating the operator or local manager of the GDF has completed the training required by OAC Rule 3745-21-09(DDD)(3)(a)(vi).
- (2) Conduct weekly inspections of the Stage II vapor control system at the GDF for the next two ozone seasons (2010 and 2011), checking for leaks, malfunctions or damage to the system. Copies of records of these inspections and any repairs made must be submitted to Ohio EPA.
- (3) During the next two ozone seasons (2010 and 2011), perform static leak and A/L ratio tests at the GDF prior to the beginning (during March) of each ozone season and during August of each ozone season. The results of these tests must be submitted to Ohio EPA.
- (4) Pay Ohio EPA a civil penalty in the amount of \$13,675, of which \$10,940 of the civil penalty is due to Ohio EPA within 30 days after the effective date of the F&Os and \$2,735 is to be directed to Ohio EPA's Clean Diesel School Bus Program Fund as a SEP within 30 days after the effective date of the F&Os.

The DAPC's Enhanced Enforcement Protocol penalty policy was used to calculate the civil penalty. **Case Continued**



ACTIONS & MINUTES APPROVED BY:

  
\_\_\_\_\_  
Bob Hodanbosi, Chief, DAPC

**NEXT MEETING:**  
November 19, 2009  
3:00 pm  
DAPC Room C

## PENDING AIR ENFORCEMENT COMMITTEE CASES

Total Unresolved Cases (100)

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
2527	Carmeuse Lime, Inc., Maple Grove Facility (HPV)	NWDO	DV/UD	11/05/02	06/19/06
2618	TRC Industries	Akron	SF/MM	03/03/06	05/04/07
2638	Fairport Yachts, LTD (multi-media)	NEDO	MG/PP	01/27/98	07/02/07
2657	Environmental Affairs Management, Inc. (asbestos)	M-TAPCA	SF/FU	06/07/07	08/17/07
2671	Mar-Zane, Inc. (Plant #1)	CDO	MG/JP	12/11/06	10/25/07
2676	OmniSource Corporation - Lima Division	NWDO	MG/MM	02/23/06	11/08/07
2679	Rascal House Pizza / Cardinal Environmental Services, Inc. (asbestos)	Cleve.	BZ/EY	03/02/07	12/04/07
2685	Quickrete - Cleveland Plant	Akron	DV/UD	10/17/07	12/14/07
2687	Cast Fab Technologies	HAMCO	BZ/TT	04/25/05	12/17/07
2691	Unique Finishers, Inc., D & S Coating, and Binks Coating (all 3 formerly L & C, Inc.)	RAPCA	BZ/PP	06/29/06	12/28/07
2693	Ameriseal Restoration LLC	Akron	DV/FU	04/26/07	10/26/07
2698 (112r)	Sugar Creek Packing Co.	N/A	DV/SS	01/03/08	01/31/08
2701 (VC)	City of Dayton, Advanced Wastewater Treatment Facility	RAPCA	BZ/JK	02/19/08	02/19/08
2707	Thermo-Rite Manufacturing Co. (HPV)	Akron	MG/UD	02/12/08	03/12/08
2708	Dave Sugar Excavating, Inc.	SEDO	DV/MM	03/13/05	02/04/08
2713	Quality Ready Mix	NWDO	BZ/ PP	12/21/06	04/10/08
2719 (112r)	Sugar Creek Packing Co. (Dayton)	N/A	DV/SS	03/26/08	04/28/08
2722	Tuscarwas County YMCA, M-Cor Inc., Raeder Construction, et al.	SEDO	BZ/UD	12/20/07	05/05/08
2723	Cognis Oleochemicals, LLC (HPV)	HAMCO	DV/PP	01/03/07	05/19/08
2725	Hosea Project Movers, LLC (asbestos)	HAMCO	SF/TT	05/06/07	05/16/08
2726	Glick Real Estate LTD/All-Type Demolition and Excavating (asbestos)	Canton	BZ/FU	05/19/06	05/19/08
2731 (112r)	H. B. Fuller Company	N/A	DV/KJ	03/26/08	06/04/08
2739	BP - Husky Refining LLC	TDES	BZ/JP	08/01/07	07/18/08
2744	The Afcose Group (asbestos)	NEDO	BZ/JK	02/14/08	08/06/08

Updated: 11/05/09

## PENDING AIR ENFORCEMENT COMMITTEE CASES

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
2745	OmniSource Corporation	NWDO	MG/MM	12/14/05	08/11/08
2748	Great Plains Exploration, LLC	NEDO	BZ/UD	05/01/08	08/27/08
2750 (VC)	New Day Farms, LLC / Henning Construction Company	CDO	SF/JP	08/21/08	08/21/08
2752	Allied Corporation (Plant #75)	Akron	MG/JP	01/29/05	09/02/08
2760	Precision Environmental Company	Akron	SF/PP	08/06/08	10/22/08
2775	Selvey's Dirt Works / Famous Supply (asbestos)	NWDO	DV/UD	06/12/08	11/05/08
2777	Sawbrook Steel LLC	HAMCO	BZ/MM	11/13/06	11/07/08
2779 (112r)	Sunoco, Inc. R & M (Toledo Refinery)	N/A	DV/KJ	04/29/08	11/14/08
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
2783	Evonik Degussa Engineered Carbons Corporation (HPV)	SEDO	MG/TT	03/17/08	11/26/08
2784	Reichert Excavating, Inc. (asbestos)	CDO	SF/EY	06/12/08	12/04/08
2786	D & R Supply, Inc.	NEDO	MG/UD	09/17/07	12/24/08
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
2799	Convenient Food Mart, Inc., No. 391	NEDO	SF/EY	10/21/08	02/24/09
2800	Gary Rogers, d.b.a. Rogers Sunoco	NEDO	DV/JK	10/21/08	02/24/09
2801	Terry Adams, d.b.a. Rusty's Auto Care Shell	NEDO	MG/JK	01/29/07	02/25/09
2803	Wheeling Brake Band & Friction Mfg., Inc./Investment Capital of America, Inc./Rob Burgess Enterprises, LLC (asbestos) (multi-media case, DSIWM lead)	SEDO	DV/PP	01/13/09	02/26/09
2806	Ramon Patel, d.b.a. Marathon Quick Mart	NEDO	DV/JK	10/21/08	03/02/09
2808	Randy Wise	NWDO	SF/ FU	11/05/08	03/20/09
2810	Ellwood Engineered Castings Co. (HPV)	NEDO	DV/TT	02/25/09	03/13/09

## PENDING AIR ENFORCEMENT COMMITTEE CASES

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
2811	NewKor, Inc.	Cleve.	SF/EY	01/27/09	03/30/09
2813	ConSun Food Industries, Inc. (Convenient Food Mart #746)	NEDO	DV/JK	08/08/08	03/27/09
2814	Barrett Paving Materials, Inc. <b>(HPV)</b>	HAMCO	SF/PP	01/16/08	04/01/09
2815	Royal Sebring Properties, Inc., a.k.a. Zee Tech Warehousing	M-TAPCA	MG/JK	09/17/07	04/02/09
2816	Republic Engineered Products, Inc. <b>(HPV)</b>	NEDO	DV/	11/13/07	04/16/09
2817	S.H. Bell Company	NEDO	MG/TK	01/16/08	04/21/09
2819	Masonic Temple/The New Victorians, Inc./AHC, Inc. (asbestos)	CDO	DV/	01/24/08	04/27/09
2820	Bailey PVS Oxides Delta, L.L.C.	NWDO	MG/JK	03/29/07	04/27/09
2821	OmniSource Corporation, Mansfield Division	NWDO	MG/MM	05/08/08	05/04/09
2822	J. S. Paris Excavating, Inc./Signature Development Group, LLC (asbestos)	MTAPCA	SF/TT	03/11/08	04/28/09
2823	Rudzik Excavating, Inc./Charles J. Arendas (asbestos)	MTAPCA	DV/FU	02/27/09	05/11/09
2824	Ariel Corporation <b>(HPV)</b>	CDO	MG/EY	04/02/08	05/18/09
2825	El Ceramics LLC	HAMCO	SF/JK	03/11/08	05/08/09
2826	Staker Alloys, Inc.	RAPCA	DV/FU	11/14/07	05/29/09
2827	Evelyn M. (Burger) Koch (asbestos)	MTAPCA	MG/UD	07/21/08	06/01/09
2829(VC)	ODNR, Division of Forestry (regarding the Shawnee State Forest open burning)	Ports.	DV/JP	04/24/09	06/03/09
2830	Barberton Steel Industries, Inc.	Akron	MG/MM	08/21/08	06/16/09
2833	Veterans of Foreign Wars Post 6519 (asbestos)	Lake Co.	DV/TT	04/29/08	06/22/09
2834	Foti Contracting, LLC	Akron	MG/FU	10/23/08	06/29/09
2835	Elyria Foundry Company <b>(HPV)</b>	NEDO	SF/PP	10/18/07	07/13/09
2836	Uni-Mart, Inc. (#04767, #04768, #74775)	NEDO	DV/JK	11/10/08	07/13/09
2839	Liberty Gas USA, LLC (Middle Avenue GDF in Elyria)	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
2842	Duff Quarry, Inc.	SWDO	DV/EY	07/13/09	07/28/09
2843	Bruewer Woodwork Mfg. Co. (FER case)	HAMCO	MG/UD	06/06/08	07/28/09

## PENDING AIR ENFORCEMENT COMMITTEE CASES

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
2844	Iten Industries, Inc. (Plant 1) (HPV)	NEDO	SF/MM	04/18/08	07/28/09
2845	Blackhawk Automotive Plastics, Inc. (FER case)	HAMCO	DV/TT	06/06/08	07/28/09
2847	Ultimate Building Systems, Ltd.	HAMCO	SF/FU	04/29/08	08/03/09
2848	Sandusky Dock Corporation	NWDO	BZ/JO	07/27/08	08/06/09
2849	Dean Calhoun/Tim Gearhart (asbestos)	NWDO	DV/MM	03/27/09	08/11/09
2850	Yochman Excavating, Inc. (open burning)	M-TAPCA	MG/PP	03/23/09	08/05/09
2852	AOHW Corporation/Hasper Leggett (asbestos)	M-TAPCA	DV/UD	03/25/09	08/11/09
2853	Valentine Contractors, Inc.	Akron	MG/TT	05/30/08	08/17/09
2854	Ohio Turnpike Commission (Vermillion Valley and Middle Ridge Service Plazas)	NEDO	SF/JK	05/19/09	09/03/09
2855	Lakeside Fuel Mini-Mart	NEDO	DV/JK	02/09/09	09/09/09
2856	Dorothy Jeannine Slessman	NWDO	MG/MM	08/02/09	09/14/09
2857	Pure Gas Incorporated (North Ridge Road GDF and 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 Service, and Munson Corners Sunoco	NEDO	MG/JK	07/20/09	09/17/09
2860	Richard C. Zahn	Akron	SF/PP	06/15/09	09/14/09
2861	Scott Klem	Akron	DV/TT	08/14/09	09/14/09
2864	Forest Creek Mobile Home Park	HAMCO	SF/ FU	03/19/09	09/25/09
2865	Great Lakes Construction Co.	HAMCO	DV/UD	05/07/09	09/25/09
2866	3M Medina (HPV)	Akron	MG/ PP	08/27/09	09/29/09
2867 (VC)	ODNR, Division of Forestry (regarding another Shawnee Forest open burning)	Ports.	SF/JP		09/02/09
2869	Bridgestone APM Company, Foam Products Division	NWDO	DV/EY	02/11/08	10/06/09
2870	Simon Excavating	NWDO	MG/		10/15/09
2871	Ali Mohammad, d.b.a. Marathon Oil 2992	NWDO	SF/JK	05/12/09	10/15/09
2872	Piper Excavation (asbestos and open burning)	NWDO	DV/		11/03/09
2873	Hanini Marathon - Superior	Cleve.	MG/EY		11/04/09

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

January

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

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

### February

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

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

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

### March

Docket #	Case Name	Rank	Field Office	EC Contact	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	Director's F&O's	Referred to AGO
2650	Duer Construction Company	3	Akron	TK	MM	SF	07/23/07						03/13/09
2757	N-Viro International Corporation	3	TDES	JP	EY	SF	10/10/08					03/24/09	
2758	Brush Wellman, Inc.	3	NWDO	TK	MM	DV	10/15/08					03/24/09	
2769	Tallmadge Board of Education (E-check)	3	N/A	JP	JP	DV	10/01/08					03/23/09	
2785	Miller Garage Door Company	3	Akron	TK	MM	DV	12/09/08			Unilateral F&Os		03/13/09	

**Total for the month of March = 5**

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

April

Docket #	Case Name	Rank	Field Office	EC Contact	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	Director's F&O's	Referred to AGO
2639	Keim Lumber Company, Inc.	3	NEDO	TK	UD	SF	07/02/07					04/09/09	
2755	Liberta Construction Company	3	Akron	TK	FU	MG	09/15/08					04/09/09	
2724	Moser Construction Company, Inc.	3	Akron	TK	MM	MG	05/19/08						04/10/09
2746	Steel Structures of Ohio, LLC	1	Akron	TK	MM	SF	08/19/08		10/15/08 (DWL)	Closed - NFA	04/23/09		
2765	Lagrange Township Trustees (E-check)	3	N/A	JP	JP	DV	10/01/08					04/15/09	
2773	George Rank	3	NWDO	TK	FU	MG	10/27/08			Unilateral F&Os		04/16/09	
2792	Grand Avenue Realty Corporation, d.b.a. DLH Plating, and Clean CEMP (asbestos)	3	CDO	JP	EY	MG	02/10/09						04/13/09

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

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

### May

Docket #	Case Name	Rank	Field Office	EC Contact	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	Director's F&O's	Referred to AGO
2753	Richard Morrow	3	NEDO	TK	PP	SF	09/08/08			Unilateral F&Os		05/01/09	
2802	James Brown	3	RAPCA	TK	UD	SF	03/13/09						05/01/09
2763	Deerfield Township Trustees (E-check)	3	N/A	JP	JP	DV	10/01/08					05/15/09	
2766	Lorain County Regional Transit Authority (E-check)	3	N/A	JP	JP	DV	10/01/08					05/15/09	
2780	Magnesium Elektron North America, Inc.	3	NWDO	TK	JK	MG	11/17/08					05/14/09	
2804	Tim Davidson	3	SWDO	JP	EY	MG	03/18/09					05/21/09	

**Total for the month of May = 6**

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

June

Docket #	Case Name	Rank	Field Office	EC Contact	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	Director's F&O's	Referred to AGO
2654 VC	Shaw High School (City of East Cleveland)	3	Cleve.	JP	JP	SF	08/16/07			Dismissed	06/18/09		
2692	Production Paint Finishers, Inc. (HPV)	3	RAPCA	JP	EY	MG	12/28/07						06/18/09
2741	Plasti-Kote Company, Inc. (HPV)	3	Akron	TK	JK	MG	07/14/08					06/17/09	
2770	Village of Gloria Glens (E-check)	3	N/A	JP	JP	DV	10/01/08					06/18/09	
2797	T. S. Trim, Inc. (HPV)	3	CDO	JP	EY	SF	03/02/09					06/17/09	

**Total for the month of June = 5**

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

July

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

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

### July

Docket #	Case Name	Rank	Field Office	EC Contact	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	Director's F&O's	Referred to AGO
2831	Aleris International, Inc./IMCO Recycling of Ohio, Inc./ Commonwealth Aluminum Concast of Ohio, Inc.	3	SEDO	TK	TK	MG	06/19/09						07/07/09
2712	Cleveland Trencher company	3	Cleve.	JP	EY	DV	03/24/08						07/14/09

**Total for the month of July = 10**

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

August

Docket #	Case Name	Rank	Field Office	EC Contact	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	Direcor's F&O's	Referred to AGO
2761	Cleveland Board of Education (C-check)	3	N/A	JP	JP	DV	10/01/08					08/11/09	
2764	Homer Township Trustees (E-Check)	1	N/A	JP	JP	DV	10/01/08			Closed-NFA	08/13/09		
2787	Airstream, Inc.	3	SWDO	JP	EY	SF	01/09/09					08/11/09	
2788	Gas Express, Inc.	3	Akron	TK	JK	DV	01/27/09						08/12/09
2832	United Tool and Machine	1	SWDO	JP	EY	SF	07/01/09		8/4/09 (DWL)	Closed-NFA	08/13/09		
2704	Gallo's Convenient Market	1	Cleve.	JP	EY	SF	03/05/08			Closed-NFA	08/13/09		
2732 VC	Ohio DNR, Division of Forestry (for open burning permit 07-30)	3	Ports	JP	JP	MG	05/14/08			Closed-NFA	08/14/09		
2807	Hishan Judi, d.b.a. Avon Lake Shell	3	NEDO	TK	JK	MG	03/16/09						08/19/09
2812	Saif Khan, d.b.a. Lakeland Valero	3	NEDO	TK	JK	MG	03/25/09					08/20/09	

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

**August**

<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>Director's F&amp;O's</b>	<b>Referred to AGO</b>
2846	Joseph Parker	3	SWDO	JP	EY	MG	08/03/09			Unilateral F&O's		08/18/09	

**Total for the month of August = 10**

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

### September

Docket #	Case Name	Rank	Field Office	EC Contact	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	Director's F&O's	Referred to AGO
2666	James Conley	1	Akron	JP	EY	BZ	09/25/07			Closed-NFA	09/24/09		
2733	McCarthy Corporation	3	NWDO	TK	UD	SF	06/23/08			Unilateral F&O's		09/22/09	
2754	Lepi Enterprises, Inc. (asbestos)	3	SEDO	TK	TT	DV	09/12/08					09/08/09	
2756	Pioneer Environmental Systems, Inc. (asbestos)	3	NWDO	TK	JK	BZ	10/03/08					09/22/09	
2774	Total Environmental Services, LLC (asbestos)	3	SEDO	TK	TT	SF	10/29/08					09/17/09	
2796	Speedway SuperAmerica, LLC (#3648 and #9975)	3	NEDO	TK	JK	SF	02/24/09					09/22/09	
2862	Speedway SuperAmerica, LLC (#1183 and #5110)	3	HAMCO	TK	JK	SF	05/21/09					09/22/09	

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

### September

Docket #	Case Name	Rank	Field Office	EC Contact	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	Director's F&O's	Referred to AGO
2818	Mac Trailer Manufacturing, Inc.	1	Canton	TK	MM	SF	04/07/09		06/17/09 DWL	Closed - NFA	09/24/09		
2838	Englefield, Inc., d.b.a. Ashtabula Duchess	1	NEDO	TK	JK	SF	07/14/09		08/12/09 DWL	Closed - NFA	09/24/09		

**Total for the month of September = 9**

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

### October

Docket #	Case Name	Rank	Field Office	EC Contact	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	Director's F&O's	Referred to AGO
2696	Eramet Marietta, Inc	3	N/A	TK	KJ	BZ	01/18/08					10/07/09	
2837	Flying J. Inc. (Austinburg Truck Stop)	3	NEDO	TK	JK	MG	07/08/09						09/29/09
2710	Stein, Inc.	3	Cleve.	JP	EY	BZ	03/14/08					10/13/09	
2851	Joseph and Marie Eberz	3	Akron	TK	JK	SF	08/10/09					10/19/09	

**Total for the month of October = 4**

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

### November

Docket #	Case Name	Rank	Field Office	EC Contact	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	Director's F&O's	Referred to AGO
2776	Circle K Midwest (GDFs 5204, 5209, 5318 amd 5320)	3	NEDO	TK	JK	MG	11/04/08					11/04/09	
2863	Circle K Midwest (GDFs 0059, 5217, 5557, and 5558)	3	HAMCO	TK	JK	MG	08/01/09					(11/04/09)	
2868	Endres Processing, LLC	3	NWDO	JP	JP	BZ	10/06/09						11/03/09

**Total for the month of November = 3**

## Summary of Compliance with Effective Findings and Orders

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

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

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

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

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

\*\*\*\*\*

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

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

\*\*\*\*\*

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

\*\*\*\*\*

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

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

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

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

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

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

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

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

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

\*\*\*\*\*

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

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

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

\*\*\*\*\*

Alfred Nickles Bakery, Inc. (08/24/05)	Civil penalty: (\$37,800)				
	OEPA	\$10,240	519964	09/24/05	09/23/05
	Bus Fund	\$7,560	519965	09/24/05	09/23/05
	Submit P <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		

\*\*\*\*\*

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

\*\*\*\*\*

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

\*\*\*\*\*

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

\*\*\*\*\*

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

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

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

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Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Astro Manufacturing & Design, Inc. (12/29/06)	Civil penalty (\$34,000)				
	OEPA	\$12,200	600221	01/29/07	01/23/07
	Bus Fund	\$ 6,800	600222	01/29/07	01/23/07
	Submit INR			01/29/07	11/30/06
	Submit semi-annual exceedance reports			01/29/07	04/12/07
	Submit detailed P <sup>2</sup> report			03/29/07	03/29/07
	Submit detailed P <sup>2</sup> report			06/29/07	
	Submit detailed P <sup>2</sup> report			09/29/07	
Submit final P <sup>2</sup> report			11/29/07		
Submit PTI and Title V permit applications			03/01/07		11/30/06
*****					
Gas and Oil, Inc. (03/14/07)	Civil penalty: (\$10,000)				
	OEPA	\$8,000	607778	06/14/07	Y BSC
	Bus Fund	\$2,000	607779	06/14/07	Y BSC
	Submit ITT			04/14/07	
	Conduct tests for #2, #3, #15 & #19			06/14/07	
	Submit test results			07/14/07	
Submit PTO renewal application for #19			04/14/07		
*****					
Robert Henry and April Garner (07/11/07)	Civil penalty: (\$1,000)		616290	08/11807	Y ACT
*****					
Eslich Wrecking Company (07/16/07 - Consent Order)	Civil penalty: (\$44,853)		623581	08/16/07	08/20/07
	(\$44,853 = 45% of \$99,674)				
	Submit survey and plan to install protective physical barrier			08/16/07	
	Install cap			w/i 60 days of OEPA approval of survey and plan	
Grant a new deed			w/i 30 days of OEPA approval of survey		
*****					
Avalon Cleaners (08/21/07)	Civil penalty: (\$1,000)				
	OEPA	\$250	624475	09/21/07	Y
		\$250	624476	10/21/07	Y
		\$250	624477	11/21/07	Y
		\$250	624478	12/21/07	Y
	Submit records & documentation			01/31/08	
Submit records & documentation			07/31/08		
*****					

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Tim Weiland (09/06/07)	Civil penalty: (\$250)	624378	10/06/07	Y	SKP
*****					
Alfred Nickles Bakery, Inc. (11/08/07)	Civil penalty: (\$60,250)				
	OEPA \$46,200	634724	12/08/07		11/02/07
	Bus Fund \$14,050	634725	12/08/07		11/02/07
	Submit P <sup>2</sup> report		02/08/07		
	Submit P <sup>2</sup> report		05/08/07		
	Submit P <sup>2</sup> report		08/08/07		
	Submit final P <sup>2</sup> report		10/08/07		
	Submit cost documentation		w/i 30 days of approval of report by OEPA		
*****					
The Premcor Refining Group, Inc. (11/20/07 - Consent Decree)	Civil penalty: (\$800,000)				
	OEPA \$640,000	634775	12/20/07		12/19/07
	Bus Fund \$160,000	634776	12/20/07		12/19/07
	Submit plan to meet .060 lb 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 and boilers		03/31/12		
			03/31/14		
	Submit report re: the NOx concentration emissions for the FCCU thru optimization of O <sub>2</sub> CS		03/01/12		
	Submit report that demonstrates compliance w/ <u>interim</u> 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 SO <sub>2</sub> adsorbing catalyst additive protocol for FCCU		11/20/07		09/07/07
	Comply w/ CO emission limit for FCCU		02/20/08		11/20/07
	Comply w/ opacity and PE limits for FCCU		12/31/13		
	Submit alternative monitoring plan application for NSPS Subpart J monitoring for SO <sub>2</sub> at FCCU		12/31/08		12/19/08

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

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

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Converters Prepress (Con't)		\$139.00 644220	07/06/10		
		\$139.00 644221	08/06/10		
		\$139.00 644222	09/06/10		
		\$139.00 644223	10/06/10		
		\$139.00 644224	11/06/10		
		\$139.00 644225	12/06/10		
*****					
Real Spaces Property for Rent (12/31/07)	Civil penalty: (\$17,700)				
	OEPA	\$ 600.00 645338	01/30/08		02/07/08
		\$ 600.00 645339	02/29/08		03/12/08
		\$ 600.00 645340	03/30/08		05/05/08
		\$ 600.00 645341	04/29/08		06/09/08
		\$ 600.00 645342	05/29/08		07/03/08
		\$ 600.00 645343	06/28/08		08/04/08
		\$ 600.00 645344	07/28/08		09/11/08
		\$ 600.00 645345	08/27/08		11/17/08
		\$ 600.00 645346	09/26/08		01/13/09
		\$ 600.00 645347	10/26/08	Y	
		\$ 600.00 645348	11/25/08	Y	
		\$ 600.00 645349	12/25/08	Y	
		\$ 600.00 645350	01/24/09	Y	
		\$ 600.00 645351	02/23/09		
		\$ 600.00 645352	03/25/09		
		\$ 600.00 645353	04/24/09		
	\$ 600.00 645354	05/24/09			
	\$ 600.00 645355	06/23/09			
	\$3,360.00 645356	07/23/09			
	Bus Fund	\$3,560.00 645357	07/23/09		
*****					
Christopher Vincent (02/15/08)	Civil penalty: (\$1,000)	653134	03/16/08	Y	ACT
*****					
James Brown (03/11/08)	Civil penalty: (\$750)	653125	04/11/08	Y	ACT
*****					
Bates Recycling, Inc. (06/04/08)	Civil penalty: (\$1,000)	657594	06/18/08	Y	
*****					
Craig Eddy (06/04/08)	Civil penalty: (\$750)	657302	07/04/08	Y	
*****					
Warren Ropp (06/02/08)	Civil penalty: (\$250)	657293	07/02/08	Y	
*****					
JR's Truck Parts (06/02/08)	Civil penalty: (\$500)	657294	07/02/08	Y	
*****					

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

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

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

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

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

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Speedway SuperAmerica, LLC (09/22/09)	Civil penalty: (\$35,880)				
	OEPA	\$28,704	727238		09/29/09
	Bus Fund	\$7,176	727239		09/29/09
	Submit weekly inspection records				11/14/10
	Submit weekly inspection records				11/14/11
	Submit results of static leak and A/L ratio tests for 2010				04/14/10 09/14/10
	Submit results of static leak and A/L ratio tests for 2011				04/14/11 09/14/11
	*****				
Eramet Marietta, Inc. (10/07/09)	Civil penalty: (\$30,000)				
	OEPA	\$24,000			10/21/09
	Bus Fund	\$6,000			11/06/09
	Submit copy of inspection & testing schedule				11/06/09
	Submit documentation of de-registering of formerly covered processes				11/06/09
*****					
Stein, Inc. (10/13/09)	Civil penalty: (\$50,000)				
	Bus Fund	\$10,000			11/13/09
	OEPA	\$10,000			05/13/10
		\$10,000			08/13/10
		\$10,000			11/13/10
	\$10,000			02/13/11	
*****					
Joseph and Marie Eberz (10/19/09)	Civil penalty: (\$500)				11/19/09
*****					
CertainTeed Corp (10/19/09 - CO)	Civil penalty: (\$230,000)				
	OEPA	\$184,000			11/19/09
	Bus Fund	\$ 46,000			11/19/09
	Submit Title V permit appl.				w/i 90 days of issuance of PTI
	Submit plan for measuring OC content of stone				01/19/10
Submit FERs for 1993-1996				04/19/10	
*****					
Aleris International, Inc., et. Al. (10/30/09 - CO)	Civil penalty: (\$334,545)				
					when U.S. Bankruptcy court for District of Delaware decides
	Install load cells to weigh flux				04/29/10
	Submit Capture and Collection System Improve- ment Plan				11/29/09
	Complete all improvements described in CCSIP				04/29/10
	Measure fan RPM				01/29/10
	Measure static pressure of air curtain				01/29/10
	Perform compliance tests				10/29/10
Submit test results				12/29/10	

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Aleris Int'l, Inc., et. Al. (Con't)	Submit HCI PTE analysis		12/29/10		
	Conduct additional compliance tests		03/29/10		
	Comply with all requirements of Subparts A and RRR		09/29/10		
*****					
Circle K Midwest (GDFs 5204, 5209, 5318, 5320, 5557, 5558, 0059, and 5217) (11/04/09)	Civil penalty: (\$100,000)				
	OEPA	\$80,000	12/04/09		
	Bus Fund	\$20,000	12/04/09		
	Perform static leak & A/L ratio tests at each GDF		03/31/10		
			08/31/10		
			03/31/11		
			08/31/11		
*****					

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

