

AGENDA FOR THE NOVEMBER 19, 2009 EC MEETING

CASES TO BE CLOSED:

TRC Industries, Inc.	#2618	Akron	No Further Action	Tom/Steve
Environmental Affairs Management, Inc.	#2657	M-TAPCA	AGO Referral	Tom/Steve
S.R. Restaurant Corporation, d.b.a. Rascal House Pizza	#2679	Cleveland	Final F&Os	John/Bryan
Great Plains Exploration, LLC	#2748	NEDO	Final F&Os	Tom/Bryan
Sunoco, Inc., Toledo Refinery	#2779	112r	Final F&Os	Kim/Don
Bruewer Woodwork Mfg. Co.	#2843	HAMCO	No Further Action	Tom/Marc

PENDING CASES:

J.S. Paris Excavating, Inc.	#2822	M-TAPCA	Prop. F&Os	Tom/Steve
El Ceramics, LLC	#2825	HAMCO	Prop. F&Os	Tom/Steve

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) **Steve (with Tom substituting) is scheduled to provide food for today's meeting at 3:00 p.m. in DAPC Rm C.**
- (5) The next EC meeting is scheduled for Thursday, December 3, 2009 at 9:30 a.m. in DAPC Rm C. Jim is scheduled for food. (Future food schedule: John for December 17; and Don for December 31.)

ENFORCEMENT COMMITTEE MEETING MINUTES

(November 19, 2009)

Case Number:	2618	Dates:	
Entity:	TRC Industries, Inc.	EAR:	05/04/07
Field Office:	Akron	DWL:	N/A
Contact:	Muhammad Mereb/Tom Kalman	F&Os:	12/31/08 (prop.)
Attorney:	Stephen Feldmann	Referral:	N/A
		Dismissal:	N/A

Background: On December 31, 2008, proposed Director's Final Findings and Orders ("F&Os") were issued to TRC Industries, Inc. ("TRC") for its rubber recycling facility located at 1777 Commerce Drive in Stow (Summit County), Ohio. At the facility, TRC recycles various types of natural and synthetic rubber compounds using the devulcanization process. The process employs three autoclaves (#1, #2 and #3) for the steam heating of the compounds under pressure. The proposed F&Os addressed the following violations of air pollution control rules and laws:

- (1) TRC did not apply for and obtain permits to install and operate prior to commencing the modification and operation of the process by the recycling of natural rubber beginning in March 2006, in violation of OAC Rules 3745-31-02(A) and the former 3745-35-02(A), and ORC § 3704.05(G). TRC indicated that it believed the emissions units were qualified for the "de minimis" status; however, TRC failed to demonstrate its de minimis status claim to the satisfaction of Ohio EPA.
- (2) In March 2006, TRC started recycling natural rubber on a commercial basis. The Akron Regional Air Quality Management District ("ARAQMD") received numerous complaints as a result of the sulfurous odors associated with the recycling of the new material. From March 2006 to August 2007, ARAQMD received 55 complaints on 43 different days concerning reduced sulfur odors from TRC's facility. The general nature of the complaints was bad odors and adverse health effects. Some of the complainants indicated an inability to comfortably enjoy their properties because of the odors and some of them were concerned about possible adverse health effects of the emissions. Alleged adverse health effects included nausea, sickness, bad taste, burning/watering eyes, headaches, sore throat, breathing difficulties, and sleeplessness. One business in the

neighborhood of TRC's facility indicated that it was losing some of its customers because of the odors. Therefore, Ohio EPA believes TRC caused a public nuisance, in violation of OAC Rule 3745-15-07 and ORC § 3704.05(G).

In April 2007, and via a lawsuit brought to Summit County Court of Common Pleas by the City of Stow, TRC installed a control system consisting of a series of three heat exchangers to condense the contaminated system and to reduce the temperature of the condensate. Using the heat exchangers, the contaminants from the autoclaves (except for the infrequent emissions from the safety release valves) are released to the sewer as water contaminants instead of being released directly to the air. TRC modified the control system by adding sodium hypochlorite to the condensate to oxidize sulfur odor-causing compounds including hydrogen sulfide ("H₂S") before discharging the condensate to the sewer.

The control system appeared to be working based on the lack of complaints and statements from several complainants. One complaint of a terrible rubber smell on December 8, 2008 was received by ARAQMD. ARAQMD's investigation did not confirm an odor in the neighborhood. The plant did have a hole in a steam line with a blowdown of 10 to 15 minutes before being vented to the heat exchangers.

The F&Os proposed to require the company to: (1) pay a civil penalty in the amount of \$69,600, (2) submit permit to install and operate ("PTIO") applications for the three autoclaves, and (3) provide at least a two-hour cooling-down period for each autoclave after each batch is completed, (4) within 60 days, install metering equipment to automatically supply the proper amount of sodium hypochlorite, or equivalent agent, to the condensate from the heat exchangers or manually supply such agent in the proper amount and keep records of the time, date, amount, and concentration of each application, and (5) operate and maintain the heat exchanger control system to minimize or eliminate emissions of reduced sulfur compounds and maintain compliance with OAC Rule 3745-15-07. The civil penalty included an economic benefit component of \$34,069 for the cost savings due to the delay in installing the necessary control equipment.

On April 14, 2009, TRC's attorney submitted financial data to Ohio EPA to attempt to show an inability to pay the civil penalty of \$69,600. It was indicated that TRC could not pay the civil penalty and was on the verge of bankruptcy. On July 15, 2009, the financial documents were sent to the Ohio EPA Fiscal Office for review and a determination of ability to pay the penalty.

On July 29, 2009, Ohio EPA Fiscal Office reported its conclusion that TRC did not have the ability to pay the full \$69,600 penalty. It indicated that TRC had the ability to pay a nominal penalty of up to \$5,000. On the same day, this information was relayed to TRC's attorney who indicated that he didn't know TRC's current financial situation; however, he mentioned that he was owed considerably more than \$5,000. He added that the company was unable to pay a lender who had an interest in all of the company's assets, and the lender was going to force a sheriff's sale of all of the company's assets.

On July 31, 2009, the President of TRC reported to Ohio EPA Legal Office that the lending institution had seized all of TRC's asset and that they were, at least, temporarily out of business. He added that he was searching for a buyer for the facility.

ARAQMD conducted several visits to TRC's facility to see if any activity was occurring. There was no activity seen, no company name displayed outside the building, no open access to the inside of the building to see what assets, if any, remained, and there was a For Sale/Lease sign in the front lawn.

Ohio EPA Legal contacted Brouse McDowell, a law firm that is the statutory agent for TRC. On November 6, 2009, an attorney with Brouse McDowell informed Ohio EPA Legal that a major shareholder of TRC said the company no longer operates and it is unlikely to ever operate again. The major shareholder is in the process of trying to liquidate company assets to pay off bank debt. All of the assets are for sale. It is unlikely that any creditors other than the bank will be paid from the sale of assets.

Action: DAPC has decided to close this case with no further action because TRC is essentially non-existent as a business concern and without any available assets to pay a penalty.

Case Closed



Case Number: 2657	Dates:
Entity: Environmental Affairs Management, Inc.	EAR: 08/17/07
Field Office: M-TAPCA	DWL: N/A
Contact: Felix Udeani/Tom Kalman	F&Os: N/A
Attorney: Stephen Feldmann	Referral: 11/13/09
	Dismissal: N/A

Background: On May 27 and 29, 2007, the Mahoning-Trumbull Air Pollution Control Agency ("M-TAPCA") received Ohio EPA notification of intent to demolish a facility forms from Environmental Affairs Management, Inc. of 455 Dan Street, Akron, Ohio, for an asbestos abatement operation for the renovation project at Austintown Fitch High School Stadium ("facility") in Austintown Township, Mahoning County, Ohio. The asbestos abatement was to involve the removal of regulated asbestos-containing material ("RACM") from 400 fittings (about 800 linear feet) and was to be conducted from June 6 to 11, 2007. Since the removal involved greater than 260 linear feet of RACM on pipe, the renovation project was subject to the notification and work practice requirements of OAC Rules 3745-20-03, 3745-20-04 and 3745-20-05.

On June 7, 2007, M-TAPCA personnel inspected the asbestos abatement project and observed dry suspect asbestos-containing material ("ACM") in the track coach's office and on the floor in the southwest corner of the room immediately inside the south entrance to the stands and in the wash sink in the women's restroom. Also, three sealed asbestos disposal bags were located in the south locker room. Two of these bags contained glove bags in which dry RACM was found. The fittings were removed and simply placed in the glove bags. Six samples from these locations were collected for asbestos content analysis. The analyses indicated that four of the samples contained 12% chrysotile asbestos while the other two samples contained 10% chrysotile asbestos. Therefore, the material found constituted "friable asbestos material," which is defined to be RACM.

Furthermore, the absence of duct tape on the glove bags indicated the bags were not installed in a manner that allowed the fittings to be removed while sealed inside the glove bags. This constituted a violation of OAC Rule 3745-20-04(A)(3)(c)(ii) because EAM failed to employ the glove bags in a manner that contained the asbestos material produced while removing the fittings. This also constituted a violation of ORC § 3704.05(G).

The M-TAPCA inspector conducted another site inspection of the renovation operation on June 14, 2007 and found uncontainerized dry RACM in the sinks in the women's

restroom during this and the previous inspections which indicated that EAM failed to thoroughly reclean the work areas after the initial inspection. The M-TAPCA inspector collected three samples of uncontainerized dry ACM for asbestos content analysis. The analyses revealed that two of the samples contained no less than 13% chrysotile asbestos.

EAM's failure to use a dust control method during collection and packaging of asbestos-containing waste material into disposable bags and failure to keep all RACM adequately wet and ensure that such material remains adequately wet until collected and contained in preparation for disposal constituted violations of OAC Rules 3745-20-05(B) and 3745-20-04(A)(6)(a), respectively. These violations also constituted violations of ORC § 3704.05(G).

On July 3, 2007, a M-TAPCA inspector visited the site for the third time and found no exposed asbestos-containing waste material. EAM promised it would send the information requested in M-TAPCA's June 12, 2007 notice of violation letter by July 5, 2007. To date, EAM has not sent in the requested information.

On August 17, 2007, M-TAPCA submitted an Enforcement Action Request to Central Office for the violations.

It was decided to refer this case to the Attorney General's Office ("AGO") for enforcement action without first attempting to settle the matter with administrative orders and a civil penalty. This course of action is based on EAM's failure to pay the entire civil penalty (\$10,000) for the Director's Final Findings and Orders ("F&Os") issued on December 29, 2005 ("2005 F&Os") for asbestos emission control standard violations at five job sites. The majority of the \$10,000 has still not been paid and was referred to the AGO Revenue Recovery Section in 2006. Thus, EAM is not a good candidate for future administrative orders.

Action: In a letter dated November 13, 2009, the Director referred EAM to the AGO for enforcement action. The referral requests the AGO to attempt to settle the matter with a consent order requiring compliance with OAC Chapter 3745-20 and the payment of a civil penalty of \$64,156 or a reasonable counteroffer consistent with the civil penalty policy. The AGO may also pursue a penalty for the company's failure to pay the penalty assessed in the 2005 F&Os, as well as requiring the company to pay the remaining penalty due pursuant to the 2005 F&Os.

The \$64,156 civil penalty included an economic benefit of \$6,656 due to cost savings derived from the improper removal of ACM from the 800 linear feet of fittings. Also,

since EAM has a history of noncompliance (2005 F&Os), the second tier of penalty factors from the policy were used to calculate the gravity component of the penalty. Furthermore, a penalty was assessed for 7 additional days of violation of OAC Rule 3745-20-04(A)(6)(a) from June 8 to 14, 2007 since dry RACM continued to be present during the second inspection.

Case Closed



Case Number: 2679	Dates:
Entity: S. R. Restaurant Corp. d.b.a. Rascal House Pizza	EAR: 12/04/07
Field Office: CDAQ	DWL: N/A
Contact: Eric Yates/John Paulian	F&Os: 11/12/09
Attorney: Bryan Zima	Referral: N/A
	Dismissal: N/A

Background: On March 2, 2007, the Cleveland Division of Air Quality (“CDAQ”) received an anonymous complaint that S.R. Restaurant Corp.’s Rascal House Pizza was conducting a renovation of its 2064 Euclid Avenue business and may be exposing its customers to asbestos fibers.

On March 2, 2007, CDAQ inspected Rascal House in response to the above complaint. Upon arrival, CDAQ discovered that Rascal House was renovating the building and had placed a large amount of potentially asbestos-containing debris in a dumpster located outside the building. CDAQ advised Rascal House to cease renovation operations until a certified asbestos hazard evaluation specialist (“AHES”) could determine whether asbestos-containing material was present.

On March 5, 2007, CDAQ was notified by U.S. EPA that a complaint was filed the previous weekend that stated that Rascal House continued the renovation over the weekend. CDAQ immediately revisited the restaurant and discovered that most of the potential asbestos-containing material had been removed from the building and placed in the dumpster. Since the restaurant was still operating, CDAQ approached the City of Cleveland attorney’s office and obtained a cease and desist letter that ordered Rascal House to close the restaurant until such time that the renovation/asbestos removal could be conducted in compliance with the applicable OAC rules.

During the March 2 and 7, 2007 inspections, CDAQ collected samples of debris in the restaurant and also in the dumpster outside of the building. The samples indicated the presence of regulated asbestos-containing material ("RACM"). Additionally during the inspections, CDAQ discovered multiple violations of OAC Chapter 3745-20. Specifically, Rascal House's actions during the renovation violated:

- OAC Rule 3745-20-03(A)(1) by conducting a renovation of its 2064 Euclid Avenue business without submitting a notification to Ohio EPA or CDAQ.
- OAC Rule 3745-20-02(A) by failing to conduct a thorough asbestos survey of the facility prior to conducting the renovation.
- OAC Rule 3745-20-04(A)(3) by failing to adequately wet regulated asbestos-containing waste materials when they are being stripped from facility components.
- OAC Rule 3745-20-04(B)(1)(b) by not having at least one authorized representative trained in asbestos removal present during the renovation.
- OAC Rule 3745-20-05(B) by allowing visible emissions to the outside air during the removal of asbestos-containing waste material.

On March 7, 2007, Cardinal Environmental Services, Inc. arrived on site to properly complete the asbestos abatement at the 2064 Euclid Avenue location.

On January 29, 2008, proposed F&Os were issued to Rascal House. The F&Os would have required Rascal House to pay a civil penalty of \$53,300, of which 20% was to be directed to fund Ohio EPA's Clean Diesel School Bus Program.

After receiving the proposed Findings and Orders, Rascal House claimed an inability to pay and submitted financials to Fiscal. Michael Woods determined that Rascal House could not pay the entire proposed penalty.

Rascal House provided additional financial information which was discussed in a conference call on April 22, 2009; no counteroffer was received.

Additional financial information was received on August 6, 2009. Michael Woods determined Rascal House can pay up to \$15,000 over two years.

After additional negotiations, Rascal House agreed to a civil penalty to be paid over two years.

Action: Director's Final Findings and Orders requiring that a civil penalty of \$10,000 be paid quarterly over two years were sent to the company on November 12, 2009.

Case Closed



Case Number: 2748	Dates:
Entity: Great Plains Exploration, LLC	EAR: 08/27/08
Field Office: NEDO	DWL: N/A
Contact: Urvi Doshi/Tom Kalman	F&Os: 11/12/09
Attorney: Bryan Zima	Referral: N/A
	Dismissal: N/A

Background: On May 1, 2009, proposed Director's Final Findings and Orders ("F&Os") were sent to Great Plains Exploration, LLC ("GPE") to attempt an administrative settlement of the air permitting violations associated with the portable nonmetallic mineral processing and aggregate recycling plant located at 220 Blackbrook Road, Painesville Township, Lake County, Ohio. The F&Os proposed to require GPE to pay a civil penalty of \$31,200 within 30 days after the effective date of the F&Os, of which \$6,240 would be directed to Ohio EPA's Clean Diesel School Bus Program Fund as a SEP.

The proposed F&Os cited GPE with installing and operating emissions units F001 (portable impact crusher, screener and material handling system), F002 (roadways and parking areas), and F003 (storage piles) since April 2007 without applying for and obtaining permits to install and operate, in violation of OAC Rule 3745-31-02, former OAC Rule 3745-35-02, and ORC § 3704.05(G).

GPE submitted PTI and PTO applications for emissions units F001, F002 and F003 to Ohio EPA on May 16, 2008; however, those applications were returned to GPE as incomplete. NEDO contacted GPE on July 24, 2008 due to its lack of response to the returned applications.

GPE submitted a Permit-to-Install-and-Operate ("PTIO") application to Ohio EPA on August 27, 2008 for the past installation of emissions units F001, F002 and F003. On April 1, 2009, Ohio EPA issued a PTIO to GPE for such emissions units.

(See the EC Meeting Minutes of May 7, 2009 for additional background information.)

On August 24, 2009, Ohio EPA met with GPE to discuss settlement of the violations with the proposed F&Os. Additional information and a counteroffer was to be submitted by GPE as a result of the meeting. The information was submitted along with a counteroffer. A settlement was eventually reached.

Action: On November 12, 2009, final F&Os were issued to GPE in settlement of the violations. The F&Os require GPE to pay a civil penalty of \$19,000 in 19 equal monthly installments of \$1,000. The first 4 monthly payments of \$1,000 each are due beginning November 1, 2009, with the last payment of \$1,000 due by February 1, 2010, and are to be directed to Ohio EPA's Clean Diesel School Bus Program Fund as a SEP. The remaining 15 monthly payments of \$1,000 each are due to Ohio EPA beginning March 1, 2010, with the last payment of \$1,000 due by May 1, 2011.

Case Closed



Case Number: 2779	Dates:
Entity: Sunoco, Inc., Toledo Refinery	EAR: 11/14/08
Field Office: 112r	DWL: N/A
Contact: Kimberly Joseph	F&Os: 11/12/09
Attorney: Donald L. Vanterpool	Referral: N/A
	Dismissal: N/A

Background: Sunoco, Inc.'s Toledo Refinery is located at 1819 Woodville Road, in Oregon, Ohio. It owns and operates a petroleum refinery that stores a total of approximately 35,761,000 pounds of flammable mixtures. Each mixture contains three to eight different flammables. Sunoco, Inc. has more than a threshold quantity of the "regulated substance," as defined in OAC Rule 3745-104-01. The RMP threshold amount for flammable substances is 10,000 pounds. As a result of storing the flammables, the company must file a Risk Management Plan ("RMP") pursuant to OAC Chapter 3745-104.

Sunoco, Inc. submitted a RMP in 1999 and 2004 to USEPA and Ohio EPA, stating that all of the information was complete for the RMP program. A RMP is a plan for protecting against the release of certain amounts of toxic or flammable substances. In 2002, Ohio EPA audited the RMP program at the facility, discovered two deficiencies, and sent the company a letter notifying it that the deficiencies must be corrected. All of the deficiencies were corrected.

In 2004, Sunoco, Inc. submitted its revised RMP five years after the first submittal, as required pursuant to OAC Chapter 3745-104. The second five-year RMP program audit was conducted in 2008, and Ohio EPA discovered four deficiencies, one of them was a repeat violation from the first audit. The facility officials did not submit all of the required documentation as requested by Ohio EPA; therefore, the company was not in compliance. Since this was the second time that the facility had violated the rules in OAC Chapter 3745-104, and had not submitted all of the requested documentation, Ohio EPA pursued enforcement action. Therefore, Sunoco, Inc. violated OAC Rules 3745-104-25(E), 3745-104-26(C), 3745-104-28(E), and 3745-104-31(D), and ORC § 3753.06.

On December 22, 2008, proposed Director's Final Findings and Orders ("F&Os") were sent to Sunoco, Inc. The F&Os proposed to require the company to pay a civil penalty of \$32,250, of which \$25,800 was to be due to Ohio EPA within 14 days after the effective date of the F&Os, and \$6,450 was to be directed to Ohio EPA's Clean Diesel School Bus Program Fund within 30 days after the effective date of the F&Os. Also, the F&Os proposed to require Sunoco, Inc. to: (1) submit, within 30 days after the effective date of the F&Os, adequate documentation to correct all of the violations identified therein, (2) submit documentation to verify that all of the recommendations in the process hazard analysis for the covered processes have been completed according to the rule, (3) submit a procedure that implements the annual certification of standard operating procedures for the covered processes according to the rule, (4) correct the deficiencies in the equipment as required in the inspection reports before using the equipment any further, (5) submit documentation that verifies this has been done, (6) replace or repair equipment as recommended in the compliance audit, and (7) submit documentation to verify that item (6) has been completed according to the rule.

The resolution of this case was expedited because Sunoco, Inc. needed a permit for the Middletown Coke Plant to begin its operation. A settlement was quickly reached.

Action: On November 12, 2009, final F&Os were issued to Sunoco, Inc. The F&Os require Sunoco, Inc. to perform the following actions:

- (1) by December 31, 2009, complete the specified items in the process hazard analysis per OAC Rule 3745-104-25(E) that were due in 2006 and 2007; and submit documentation that all of the required actions have been completed;
- (2) by December 31, 2009, submit a written schedule to complete all of the unresolved recommendations for corrective actions for the process hazard analysis that were due to be completed in 2008, including replacing pressure relief devices in Plant 6 that are not sized properly and the external fire cases for butane spheres 28 and 29 that are undersized and that lack a deluge; and submit documentation to verify that all of the recommended actions have been completed;
- (3) by June 30, 2010, correct the mechanical integrity deficiencies in the equipment as required in the butane sphere inspection reports; and submit documentation verifying the corrections;
- (4) by December 31, 2009, inspect for mechanical integrity the remaining relief valves that were not inspected by their due dates; and submit documentation to verify the inspections were completed;
- (5) by December 31, 2009, resolve the compliance audit findings identified in Finding 15(c); and submit documentation to show how the items were resolved;
- (6) by November 15, 2009, submit a copy of the 2009 internal PSM compliance audit with recommendations; and
- (7) pay a civil penalty of \$32,250 to Ohio EPA, of which \$25,800 is due within 14 days after the effective date of the F&Os and \$6,450 is due to the Clean Diesel School Bus Program Fund as a SEP within 30 days after the effective date of the F&Os.

Case Closed



Case Number: 2843	Dates:
Entity: Bruewer Woodwork Mfg. Co.	EAR: 07/28/09
Field Office: HAMCO	DWL: N/A
Contact: Urvi Doshi/Tom Kalman	F&Os: N/A
Attorney: Marcus Glasgow	Referral: N/A
	Dismissal: N/A

Background: Bruewer Woodwork Mfg. Co. ("Bruewer") owns and operates a manufacturing facility located at 10000 Cilley Road in Whitewater Township of Hamilton County, Ohio. Bruewer is a synthetic minor Title V facility and is required to submit annual fee emission reports that identify actual annual emissions from the facility and pay fees upon receipt of invoices from Ohio EPA, pursuant to OAC Rule 3745-78-02(F) and ORC § 3745.11. The reports are due by April 15th for the previous year.

Bruewer failed to submit fee emission reports to Ohio EPA for calendar years 2007 and 2008 by the deadlines of April 15, 2008 (extended to June 6, 2008) and April 15, 2009, in violation of OAC Rule 3745-78-02(F) and ORC § 3704.05(G). On October 1, 2008 and February 11, 2009 (for calendar year 2007), and on June 19, 2009 (for calendar year 2008), Notice of Violation ("NOV") letters were sent to Bruewer from Ohio EPA that requested the submission of the past due reports within 30 days of receipt of each letter.

In addition, phone calls were made to Bruewer by the Hamilton County Department of Environmental Services ("HAMCO") on June 10, July 7 and July 20, 2009, requesting submission of the reports. The reports were not submitted by the promised dates. On July 28, 2009, an Enforcement Action Request was submitted to the Enforcement Section at Central Office by HAMCO to obtain assistance in obtaining the reports and fees from Bruewer.

After phone calls from Ohio EPA Legal and the fee emission report section, on October 19, 2009 and October 21, 2009, Bruewer finally submitted synthetic minor Title V fee emission reports to Ohio EPA for 2007 and 2008, respectively. The reports were approved by HAMCO and invoices were sent to Bruewer by Ohio EPA on October 23, 2009, requesting payment by November 22, 2009. Bruewer paid the fee for 2007 (\$170) and the fee for 2008 (\$170) on November 9, 2009.

The DAPC Enforcement Section had drafted a Director's warning letter to obtain the required reports and fees from Bruewer, but stopped further action on the letter when informed that Bruewer had submitted the reports.

Action: Since Bruewer filed the required fee emission reports and paid the required fees, albeit late, and has no previous record of such violations, it was decided to close this case at this time with no further action.

Case Closed



Case Number: 2822	Dates:
Entity: J.S. Paris Excavating, Inc.	EAR: 04/28/09
Field Office: M-TAPCA	DWL: N/A
Contact: Tan Tran/Tom Kalman	F&Os: 11/12/09 (prop.)
Attorney: Stephen Feldman	Referral: N/A
	Dismissal: N/A

Background: J.S. Paris Excavating, Inc. ("J.S. Paris") is a demolition contractor with office located at 11550 Mahoning Avenue, North Jackson, Ohio. In or about November 2007, J.S. Paris was hired by Signature Development Group, LLC, of 23230 Chagrin Boulevard, Suite 700, Beachwood, Ohio, to demolish two commercial structures, which were located at 14941 and 14973 South Avenue, Beaver Township, Mahoning County, Ohio.

On February 1, 2008, a representative of the Mahoning-Trumbull Air Pollution Control Agency ("M-TAPCA") conducted an inspection of the site. It was discovered that the two structures had already been demolished sometime in November 2007 and the debris was removed, and that construction of a new building was in progress. A written notification of intent to demolish a facility was not submitted by J.S. Paris at least 10 days prior to the beginning of demolition, in violation of OAC Rule 3745-20-03(A) and ORC § 3704.05(G). Also, at the time of the inspection, there was no indication that the required asbestos survey of the structures had been conducted prior to commencement of the demolition, in violation of OAC Rule 3745-20-02(A) and ORC § 3704.05(G).

On March 11, 2008, M-TAPCA sent a notice of violation ("NOV") letter to J.S. Paris, citing violations of OAC Rules 3745-20-02(A) and 3745-20-03(A) for the failure to perform an asbestos survey of the structures and submit a written notification of intent to demolish a facility prior to commencement of the demolition. J.S. Paris responded to the NOV on March 21, 2008, and enclosed a late written notification and a copy of an asbestos survey report dated June 14, 2007. The survey report indicated that there was no asbestos in the structures.

On April 28, 2009, M-TAPCA submitted an Enforcement Action Request ("EAR") to Central Office for the violations. The EAR was submitted because M-TAPCA did not have an opportunity to inspect the facility prior to the demolition or even during the demolition project to verify the conclusion of the asbestos survey report. Therefore, the lack of a prompt notice could have resulted in the public's exposure to asbestos should the survey not have been comprehensive and accurate.

Action: On November 12, 2009, proposed Director's Final Findings and Orders ("F&Os") were sent to J.S. Paris to attempt an administrative settlement of the violation of OAC Rule 3745-20-03(A) and ORC § 3704.05(G). The F&Os propose to require J.S. Paris to pay a civil penalty of \$8,500 to Ohio EPA, of which \$6,800 is due within 14 days

after the effective date of the F&Os and \$1,700 is due within 30 days after the effective date of the F&Os to the Clean Diesel School Bus Program Fund as a SEP.

Case Continued



Case Number: 2825	Dates:
Entity: EI Ceramics, LLC.	EAR: 05/08/09
Field Office: HAMCO	DWL: N/A
Contact: Jim Kavalec/Tom Kalman	F&Os: 11/12/09 (prop.)
Attorney: Stephen Feldmann	Referral: N/A
	Dismissal: N/A

Background: EI Ceramics, LLC. ("EI Ceramics") manufactures ceramic parts, which are used in the steel industry, at its facility located at 2600 Commerce Blvd., Cincinnati, Hamilton County, Ohio. On November 19, 2002, Ohio EPA issued Permit-to-Install ("PTI") 14-05345 to EI Ceramics for a mixing process ("emissions unit P001"); blending, pressing, glazing and curing process ("emissions unit P002"); and a kiln ("emissions unit P003"). On May 27, 2008, Ohio EPA issued permits to operate ("PTOs") to EI Ceramics for emissions units P001, P002 and P003. On June 21, 2005, Ohio EPA issued PTI 14-05702 to EI Ceramics for kiln #2 ("emissions unit P004") and for curing oven #2 ("emissions unit P005). On May 19, 2008, Ohio EPA issued PTOs to EI Ceramics for emissions units P004 and P005.

Emissions units P001 and P002 are controlled by individual fabric filters for particulate emissions and individual thermal oxidizers for organic compound ("OC") emissions. Emissions units P003, P004 and P005 are each controlled with thermal oxidizers for OC emissions.

Based on a March 11, 2008 inspection by the Hamilton County Department of Environmental Services ("HAMCO") and an investigation by Ohio EPA, it was determined that EI Ceramics committed the following violations of air pollution control permits and laws:

- (1) For emissions units P001 through P003, from April 30, 2005 (the date that the first quarterly deviation report for 2005 was due) until March 11, 2008, a total of 1,046 days, EI Ceramics failed to submit annual emissions reports and quarterly deviation reports for the years 2005, 2006 and 2007, in violation of PTI 14-05345, PTI 14-05702 and ORC § 3704.05(C). EI Ceramics provided the annual emissions reports and the quarterly deviation reports for the years 2005, 2006 and 2007 to HAMCO at the time of the inspection.
- (2) For emissions unit P001, from November 19, 2002 until March 24, 2008, a total of 278 days, EI Ceramics failed to record the pressure drop across the fabric filter on a weekly basis, in violation of PTI 14-05345 and ORC § 3704.05(C).
- (3) For emissions unit P001, from November 19, 2002 until March 11, 2008, a total of 1,938 days, EI Ceramics failed to operate and maintain a continuous temperature monitor and recorder for the thermal oxidizer, in violation of PTI 14-05345 and ORC § 3704.05(C). At the time of the inspection, EI Ceramics made the necessary adjustments to ensure the monitor and recorder were continuously running.
- (4) For emissions unit P002, the average combustion temperature for the thermal oxidizer, for any 3-hour block of time when emissions unit P002 was in operation, was required to be not less than 1,450 degrees Fahrenheit. For 55 percent of the operating time between November 19, 2002 and March 11, 2008, EI Ceramics failed to keep the average combustion temperature of the thermal oxidizer at no less than 1,450 degrees Fahrenheit, in violation of PTI 14-05345 and ORC § 3704.05(C).
- (5) For emissions unit P002, EI Ceramics exceeded the annual OC emissions rate of 11.0 tons per year ("TPY") for the years 2006 and 2007, in violation of PTI 14-

05345 and ORC § 3704.05(C). Specifically, the annual OC emissions for 2006 and 2007 were 16.2 TPY and 20.0 TPY, respectively.

- (6) For emissions unit P002, EI Ceramics exceeded the monthly OC emissions rate of 0.92 ton per month ("TPM") for 23 months between June 2005 and March 2008, in violation of PTI 14-05345 and ORC § 3704.05(C).
- (7) For emissions unit P003, the average combustion temperature for the thermal oxidizer, for any 3-hour block of time when emissions unit P003 was in operation, was required to be not more than 50 degrees Fahrenheit below the average temperature during the most recent emissions test that demonstrated the emissions unit was in compliance. Based upon the October 2003 stack test, the average temperature was 1,335 degrees Fahrenheit. For 3 percent of the operating time between October 2003 and March 11, 2008, EI Ceramics failed to operate under this temperature restriction, in violation of PTI 14-05345 and ORC § 3704.05(C).
- (8) For emissions unit P004, the average combustion temperature for the thermal oxidizer, for any 3-hour block of time when emissions unit P004 was in operation, was required to be not more than 50 degrees Fahrenheit below the average temperature during the most recent emissions test that demonstrated the emissions unit was in compliance. Based upon the October 2006 stack test, the average temperature was 1,395 degrees Fahrenheit. For 8.7 percent of the operating time between October 2006 and March 11, 2008, EI Ceramics failed to operate pursuant to this temperature restriction, in violation of PTI 14-05702 and ORC § 3704.05(C).
- (9) For emissions unit P005, the average combustion temperature for the thermal oxidizer, for any 3-hour block of time when emissions unit P005 was in operation, was not to be less than 1,450 degrees Fahrenheit. For 79 percent of the operating time between June 21, 2005 and March 11, 2008, EI Ceramics failed to keep the average combustion temperature of the thermal oxidizer at no less than 1,450 degrees Fahrenheit, in violation of PTI 14-05702 and ORC § 3704.05(C).
- (10) For emissions unit P005, EI Ceramics exceeded the annual OC emissions rate of 11.0 TPY for the years 2006 and 2007, in violation of PTI 14-05702 and ORC § 3704.05(C). Specifically, the annual OC emissions for 2006 and 2007 were 13.0 TPY and 24.4 TPY, respectively.

- (11) For emissions unit P005, EI Ceramics exceeded the monthly OC emissions rate of 0.92 TPM for 21 months between May 2006 and March 2008, in violation of PTI 14-05702 and ORC § 3704.05(C).

On May 30, 2008, EI Ceramics installed an interlocking system on all emissions units to prevent operation of the thermal oxidizers if temperatures were to fall below permitted limits. During an inspection on August 19, 2008, HAMCO determined that EI Ceramics was back in compliance with its permits.

On May 8, 2009, HAMCO submitted an Enforcement Action Request to Central Office for the violations.

Action: On November 12, 2009, proposed Director's Final Findings and Orders ("F&O's") were sent to EI Ceramics to attempt an administrative settlement of the violations. The F&Os propose to require the company to pay a civil penalty of \$175,000 within 14 days after the effective date of the F&Os, of which \$35,000 would be directed to the Ohio EPA's Clean Diesel School Bus Program Fund as a SEP. The penalty derivation included mitigation for cooperation (10% or \$20,500) for immediately

correcting the violations upon discovery by HAMCO and mitigation for unique factors in the amount of 10% (\$9,500) of the portion of the penalty relating to temperature deviations.

Case Continued



ACTIONS & MINUTES APPROVED BY:



Bob Hodanbosi, Chief, DAPC

NEXT MEETING:
December 03, 2009
9:30 am
DAPC Room C

PENDING AIR ENFORCEMENT COMMITTEE CASES

Total Unresolved Cases (96)

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
2527	Carmeuse Lime, Inc., Maple Grove Facility (HPV)	NWDO	DV/UD	11/05/02	06/19/06
2638	Fairport Yachts, LTD (multi-media)	NEDO	MG/PP	01/27/98	07/02/07
2671	Mar-Zane, Inc. (Plant #1)	CDO	MG/JP	12/11/06	10/25/07
2676	OmniSource Corporation - Lima Division	NWDO	MG/MM	02/23/06	11/08/07
2685	Quickrete - Cleveland Plant	Akron	DV/UD	10/17/07	12/14/07
2687	Cast Fab Technologies	HAMCO	BZ/TT	04/25/05	12/17/07
2691	Unique Finishers, Inc., D & S Coating, and Binks Coating (all 3 formerly L & C, Inc.)	RAPCA	BZ/PP	06/29/06	12/28/07
2693	Ameriseal Restoration LLC	Akron	DV/FU	04/26/07	10/26/07
2698 (112r)	Sugar Creek Packing Co.	N/A	DV/SS	01/03/08	01/31/08
2701 (VC)	City of Dayton, Advanced Wastewater Treatment Facility	RAPCA	BZ/JK	02/19/08	02/19/08
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
2745	OmniSource Corporation	NWDO	MG/MM	12/14/05	08/11/08
2750 (VC)	New Day Farms, LLC / Henning Construction Company	CDO	SF/JP	08/21/08	08/21/08
2752	Allied Corporation (Plant #75)	Akron	MG/JP	01/29/05	09/02/08
2760	Precision Environmental Company	Akron	SF/PP	08/06/08	10/22/08

Updated: 11/19/09

PENDING AIR ENFORCEMENT COMMITTEE CASES

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
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
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
2811	NewKor, Inc.	Cleve.	SF/EY	01/27/09	03/30/09
2813	ConSun Food Industries, Inc. (Convenient Food Mart #746)	NEDO	DV/JK	08/08/08	03/27/09
2814	Barrett Paving Materials, Inc. (HPV)	HAMCO	SF/PP	01/16/08	04/01/09
2815	Royal Sebring Properties, Inc., a.k.a. Zee Tech Warehousing	M-TAPCA	MG/JK	09/17/07	04/02/09
2816	Republic Engineered Products, Inc. (HPV)	NEDO	DV/	11/13/07	04/16/09
2817	S.H. Bell Company	NEDO	MG/TK	01/16/08	04/21/09

PENDING AIR ENFORCEMENT COMMITTEE CASES

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
2819	Masonic Temple/The New Victorians, Inc./AHC, Inc. (asbestos)	CDO	DV/	01/24/08	04/27/09
2820	Bailey PVS Oxides Delta, L.L.C.	NWDO	MG/JK	03/29/07	04/27/09
2821	OmniSource Corporation, Mansfield Division	NWDO	MG/MM	05/08/08	05/04/09
2822	J. S. Paris Excavating, Inc./Signature Development Group, LLC (asbestos)	MTAPCA	SF/TT	03/11/08	04/28/09
2823	Rudzik Excavating, Inc./Charles J. Arendas (asbestos)	MTAPCA	DV/FU	02/27/09	05/11/09
2824	Ariel Corporation (HPV)	CDO	MG/EY	04/02/08	05/18/09
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 (HPV)	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 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
2842	Duff Quarry, Inc.	SWDO	DV/EY	07/13/09	07/28/09
2844	Iten Industries, Inc. (Plant 1) (HPV)	NEDO	SF/MM	04/18/08	07/28/09
2845	Blackhawk Automotive Plastics, Inc. (FER case)	HAMCO	DV/TT	06/06/08	07/28/09
2847	Ultimate Building Systems, Ltd.	HAMCO	SF/FU	04/29/08	08/03/09
2848	Sandusky Dock Corporation	NWDO	BZ/JO	07/27/08	08/06/09
2849	Dean Calhoun/Tim Gearhart (asbestos)	NWDO	DV/MM	03/27/09	08/11/09
2850	Yochman Excavating, Inc. (open burning)	M-TAPCA	MG/PP	03/23/09	08/05/09

PENDING AIR ENFORCEMENT COMMITTEE CASES

Case #	Facility Name	Field Office	Atty./Staff	Zero Date for SOL	EAR Date Received
2852	AOHW Corporation/Hasper Leggett (asbestos)	M-TAPCA	DV/UD	03/25/09	08/11/09
2853	Valentine Contractors, Inc.	Akron	MG/TT	05/30/08	08/17/09
2854	Ohio Turnpike Commission (Vermillion Valley and Middle Ridge Service Plazas)	NEDO	SF/JK	05/19/09	09/03/09
2855	Lakeside Fuel Mini-Mart	NEDO	DV/JK	02/09/09	09/09/09
2856	Dorothy Jeannine Slessman	NWDO	MG/MM	08/02/09	09/14/09
2857	Pure Gas Incorporated (East Erie St. GDF in Lorain)	NEDO	SF/JK	09/09/09	09/22/09
2858	Burnham Foundry, LLC	SEDO	DV/TK	04/01/08	09/22/09
2859	408 Water Street Corporation, d.b.a. Concord Sunoco, Cooke's Car Care, Incorporated, and Munson Corners Sunoco	NEDO	MG/JK	07/20/09	09/17/09
2860	Richard C. Zahn	Akron	SF/PP	06/15/09	09/14/09
2861	Scott Klem	Akron	DV/TT	08/14/09	09/14/09
2864	Forest Creek Mobile Home Park	HAMCO	SF/ FU	03/19/09	09/25/09
2865	Great Lakes Construction Co.	HAMCO	DV/UD	05/07/09	09/25/09
2866	3M Medina (HPV)	Akron	MG/ PP	08/27/09	09/29/09
2867 (VC)	ODNR, Division of Forestry (regarding another Shawnee Forest open burning)	Ports.	SF/JP	04/02/09	09/02/09
2869	Bridgestone APM Company, Foam Products Division (HPV)	NWDO	DV/EY	02/11/08	10/06/09
2870	Simon Excavating	NWDO	MG/		10/15/09
2871	Ali Mohammad, d.b.a. Marathon Oil 2992	NWDO	SF/JK	05/12/09	10/15/09
2872	Piper Excavation (asbestos and open burning)	NWDO	DV/JK	11/24/08	11/03/09
2873	Hanini Marathon - Superior	Cleve.	MG/EY		11/04/09
2874	Ron Smith	NWDO	SF/		11/09/09
2875	Belle-Aire Cleaners	Akron	DV/		11/13/09

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

January

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

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

February

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

Total for the month of February = 7

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

March

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

Total for the month of March = 5

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

April

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

Total for the month of April = 7

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

May

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

Total for the month of May = 6

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

June

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

Total for the month of June = 5

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

July

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

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

August

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

Total for the month of August = 10

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

September

Docket #	Case Name	Rank	Field Office	EC Contact	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	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	

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

Total for the month of September = 9

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

October

Docket #	Case Name	Rank	Field Office	EC Contact	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	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
2618	TRC Industries, Inc.	1	Akron	TK	MM	SF	05/04/07			Closed-NFA	11/19/09		
2657	EnvironvIRONMENTAL Affairs Management, Inc.	3	MTAPCA	TK	FU	SF	08/17/07						11/13/09
2679	S. R. Restaurant Corporation, d.b.a. Rascal House Pizza (asbestos)	3	Cleve.	JP	EY	BZ	12/04/07					11/12/09	

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

November

Docket #	Case Name	Rank	Field Office	EC Contact	Staff	Att.	Complaint Referral	Returned to FO	Warning Letter	Status	Source in Compliance	Direcor's F&O's	Referred to AGO
2748	Great Plains Exploration	3	NEDO	TK	UD	BZ	08/27/08					11/12/09	
2779 (112r)	Sunoco, Inc., Toledo Refinery	3	N/A	TK	KJ	DV	11/14/08					11/12/09	
2843	Bruewer Woodwork Mfg. Co. (FER case)	1	HAMCO	TK	UD	MG	07/28/09			Closed-NFA	11/19/09		

Total for the month of November = 9

Summary of Compliance with Effective Findings and Orders

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Ball & Sons Construction (11/08/96)	Civil penalty: (\$1,000.00)	563513	11/22/96	Y	FSC**

Smith Foundry & Machine Co. (12/31/96)	Civil penalty: (\$25,000.00)				
	\$5,000.00	530404	01/31/97		01/23/97
	\$5,000.00	530405	01/31/98		01/23/98
	\$5,000.00	530406	01/31/99		01/19/99
	\$5,000.00	530407	01/31/00	Y	ACT**
	\$5,000.00	541831	01/31/01	Y	ACT**
	AC		01/15/97		N/A*
	IC		06/16/97		N/A*
	CC		08/15/97		N/A*
	Conduct emission tests - submit results		10/15/97		N/A*
* The cupola has been removed. The 12/96 F&O's were revised to reflect the installation of electric induction furnaces rather than controls for the cupola.					

Mark Fuerst (02/08/00)	Civil penalty (\$10,000.00)				
	to ODNR \$2,000.00	606212	03/08/00	Y	FSC**
	to OEPA \$2,000.00	172154	04/08/00	Y	*
	\$2,000.00	172155	05/08/00	Y	FSC**
	\$2,000.00	172156	06/08/00	Y	FSC**
	\$2,000.00	172157	07/08/00	Y	FSC**
* Paid \$1,654 on 2/10/09. \$165.40 of that amount was paid to AGO.					

American Environmental Abatement Company, Inc. (12/29/00)	Civil penalty: (\$2,500)				
	to OEPA \$2,000	206005	01/12/01		01/16/01
	to ODNR \$500	564224	01/29/01	N	

Anco Properties (06/19/01)	Civil penalty: (\$23,000)				
	to OEPA \$4,600	224714	09/19/01	Y	FSC**
	\$4,600	224715	12/19/01	Y	FSC**
	\$4,600	224716	03/19/02	Y	FSC**
	\$4,600	224717	06/19/02	Y	FSC**
	to ODNR \$4,600	613129	07/19/01	N	FSC**

Superior Demolition and Excavating (12/28/01)	Civil penalty: (\$15,000)				
	to ODNR \$3,000	270395	01/11/02		01/10/02
	to OEPA \$3,000	270396	01/28/02		02/11/02
	\$3,000	270397	02/28/02		03/14/02
	\$3,000	270398	03/28/02		04/23/02
	\$3,000	270399	04/28/02	Y	UNC**

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	Cert. y/n	Completion Date	
Richard and Joby Hackett (04/04/02)	Civil penalty: (\$3,000)					
	to OEPA	\$150	279226	09/04/02	Y	RTN**
		\$150	279227	10/04/02	Y	RTN**
		\$150	279228	11/04/02	Y	RTN**
		\$150	279229	12/04/02	Y	RTN**
		\$150	279230	01/04/03	Y	RTN**
		\$150	279231	02/04/03	Y	RTN**
		\$150	279232	03/04/03	Y	RTN**
		\$1,350	279233	04/04/03	Y	RTN**
	to ODNR	\$150		05/04/02		
	\$150		06/04/02			
	\$150		07/04/02			
	\$150		08/04/02			

Schloss Materials Company (09/18/02)	Civil penalty: (\$6,000)					
	to OEPA	\$4,000	304257	10/02/02		09/30/02
	to ODNR	\$2,000	564243	10/18/02	N	
	pave entrance & access road to facility		10/31/02			06/03/04*
* CDAQ inspection date						

City of Oregon (09/16/02)	Civil penalty: (\$10,000)					
	to OEPA	\$8,000	304256	09/30/02		09/30/02
	to ODNR	\$2,000	564249	09/30/02	N	
	conduct asbestos fire training		02/01/03			01/8-14-15&29/03

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

M & J Excavating (11/27/02)	Civil penalty: (\$2,450)					
	to ODNR	\$490	564257	12/27/02		09/25/02
	to OEPA	\$392	333074	01/27/03	Y	09/27/03
		\$392	333075	02/27/03	Y	10/25/03*
		\$392	333076	03/27/03	Y	UNC
	\$392	333077	04/27/03	Y	01/24/04*	
	\$392	333078	05/27/03	Y	01/24/04*	

Chris Corso (12/02/02)	Civil penalty: (\$7,000)					
	to OEPA	\$1,600	319940	12/16/02		12/16/02
		\$2,000	319941	03/02/03		09/04/03
		\$2,000	319942	06/02/03		09/27/03
	to ODNR	\$1,400	614162	01/02/03	N	

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date	
Hydraulic Press Brick (04/28/04)	Civil penalty: (\$19,000)					
	\$7,000	439209	05/12/04		05/12/04	
	\$7,000	439210	08/12/04		05/12/04	
	Submit P ² reports			07/28/04		07/26/04
				10/28/04		10/25/04
				01/28/05		01/21/05
				03/28/05		N/A
Submit cost of P ² study		04/05/05				

Kerry's Motor World (05/13/04)	Civil penalty: (\$3,000.00)	443684	05/27/04	Y		

John Dubuk (12/29/04)	Civil penalty: (\$10,000.00)					
	\$834.00	489979	01/28/05		01/24/05	
	\$834.00	489980	02/27/05		02/24/05	
	\$834.00	489981	03/29/05		03/26/05	
	\$834.00	489982	04/28/05	Y	07/29/06	
	\$834.00	489983	05/28/05	Y	UNC**	
	\$834.00	489984	06/27/05	Y	07/29/06	
	\$834.00	489985	07/27/05	Y	UNC**	
	\$834.00	489986	08/26/05	Y	UNC**	
	\$834.00	489987	09/25/05	Y	UNC**	
	\$834.00	489988	10/25/05	Y	UNC**	
\$834.00	489989	11/24/05	Y	UNC**		
\$826.00	489990	12/24/05	Y	UNC**		

C & J Contractors (12/21/04)	Civil penalty: (\$5,600.00)	479998	01/21/05	Y	*	

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

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

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

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

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

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

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

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Astro Manufacturing & Design, Inc. (12/29/06)	Civil penalty (\$34,000)				
	OEPA	\$12,200	600221	01/29/07	01/23/07
	Bus Fund	\$ 6,800	600222	01/29/07	01/23/07
	Submit INR			01/29/07	11/30/06
	Submit semi-annual exceedance reports			01/29/07	04/12/07
	Submit detailed P ² report			03/29/07	03/29/07
	Submit detailed P ² report			06/29/07	
	Submit detailed P ² report			09/29/07	
	Submit final P ² report			11/29/07	
Submit PTI and Title V permit applications			03/01/07	11/30/06	

Gas and Oil, Inc. (03/14/07)	Civil penalty: (\$10,000)				
	OEPA	\$8,000	607778	06/14/07	Y BSC
	Bus Fund	\$2,000	607779	06/14/07	Y BSC
	Submit ITT			04/14/07	
	Conduct tests for #2, #3, #15 & #19			06/14/07	
	Submit test results			07/14/07	
	Submit PTO renewal application for #19			04/14/07	

Robert Henry and April Garner (07/11/07)	Civil penalty: (\$1,000)		616290	08/11807	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 ² report			02/08/07	
	Submit P ² report			05/08/07	
	Submit P ² report			08/08/07	
	Submit final P ² report			10/08/07	
	Submit cost documentation			w/i 30 days of approval of report by OEPA	

The Premcor Refining Group, Inc. (11/20/07 - Consent Decree)	Civil penalty: (\$800,000)				
	OEPA	\$640,000	634775	12/20/07	12/19/07
	Bus Fund	\$160,000	634776	12/20/07	12/19/07
	Submit plan to meet .060 lb 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 ₂ 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 ₂ adsorbing catalyst additive protocol for FCCU			11/20/07	09/07/07
	Comply w/ CO emission limit for FCCU			02/20/08	11/20/07
	Comply w/ opacity and PE limits for FCCU			12/31/13	
	Submit alternative monitoring plan application for NSPS Subpart J monitoring for SO ₂ at FCCU			12/31/08	12/19/08

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
The Premcor Refining Group, Inc (Continued)	Discontinue burning of fuel oil in heaters and boilers		11/20/07		08/16/07
	Determine compliance w/ 6 BQ compliance option & submit a Benzene Waste NESHAP Compliance Review and Verification Report		03/01/08		03/14/08
	Submit a report re: carbon canisters installed pursuant to Subpart FF		02/20/08		02/12/08
	Develop annual training program for employees that draw benzene waste samples		02/20/08		03/19/08
	Develop SOPs for all control equipment used to comply w/ Benzene Waste NESHAP and complete initial training re: SOPs		11/20/08		05/19/08* 02/12/09**
	Develop and implement procedures to ensure QA/QC for all LDAR data	* 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 ₂ emission limit of 2.2 lbs/ton		03/01/11		
	Comply w/ Mass Cap of 281 TPY		03/01/13		
	Submit proposed O&M Plan for short-term SO ₂ limit		11/01/10		
	Submit a complete T5 permit application for Consent Decree SO ₂ limits		09/01/11		

Converters Prepress (12/06/07 - Consent Order)	Civil penalty: (\$5,004)				
	OEPA	\$139.00	644190	01/06/08	02/22/08
		\$139.00	644191	02/06/08	03/26/08
		\$139.00	644192	03/06/08	03/26/08
		\$139.00	644193	04/06/08	04/04/08
		\$139.00	644194	05/06/08	05/05/08
		\$139.00	644195	06/06/08	05/30/08
		\$139.00	644196	07/06/08	07/14/08
		\$139.00	644197	08/06/08	08/04/08
		\$139.00	644198	09/06/08	08/29/08
		\$139.00	644199	10/06/08	09/29/08
		\$139.00	644200	11/06/08	11/06/08
		\$139.00	644201	12/06/08	12/02/08
		\$139.00	644202	01/06/09	12/30/08
		\$139.00	644203	02/06/09	02/09/09
		\$139.00	644204	03/06/09	03/11/09
		\$139.00	644205	04/06/09	03/31/09
		\$139.00	644206	05/06/09	05/05/09
		\$139.00	644207	06/06/09	06/01/09
		\$139.00	644208	07/06/09	07/06/09
		\$139.00	644209	08/06/09	08/07/09
		\$139.00	644210	09/06/09	
		\$139.00	644211	10/06/09	
		\$139.00	644212	11/06/09	
		\$139.00	644213	12/06/09	
		\$139.00	644214	01/06/10	
		\$139.00	644215	02/06/10	
		\$139.00	644216	03/06/10	
		\$139.00	644217	04/06/10	
		\$139.00	644218	05/06/10	
		\$139.00	644219	06/06/10	

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Converters Prepress (Con't)		\$139.00 644220	07/06/10		
		\$139.00 644221	08/06/10		
		\$139.00 644222	09/06/10		
		\$139.00 644223	10/06/10		
		\$139.00 644224	11/06/10		
		\$139.00 644225	12/06/10		

Real Spaces Property for Rent (12/31/07)	Civil penalty: (\$17,700) OEPA	\$ 600.00 645338	01/30/08		02/07/08
		\$ 600.00 645339	02/29/08		03/12/08
		\$ 600.00 645340	03/30/08		05/05/08
		\$ 600.00 645341	04/29/08		06/09/08
		\$ 600.00 645342	05/29/08		07/03/08
		\$ 600.00 645343	06/28/08		08/04/08
		\$ 600.00 645344	07/28/08		09/11/08
		\$ 600.00 645345	08/27/08		11/17/08
		\$ 600.00 645346	09/26/08		01/13/09
		\$ 600.00 645347	10/26/08	Y	
		\$ 600.00 645348	11/25/08	Y	
		\$ 600.00 645349	12/25/08	Y	
		\$ 600.00 645350	01/24/09	Y	
		\$ 600.00 645351	02/23/09		
		\$ 600.00 645352	03/25/09		
		\$ 600.00 645353	04/24/09		
		\$ 600.00 645354	05/24/09		
	\$ 600.00 645355	06/23/09			
	\$3,360.00 645356	07/23/09			
	Bus Fund	\$3,560.00 645357	07/23/09		

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

James Brown (03/11/08)	Civil penalty: (\$750)	653125	04/11/08	Y	ACT

Bates Recycling, Inc. (06/04/08)	Civil penalty: (\$1,000)	657594	06/18/08	Y	

Craig Eddy (06/04/08)	Civil penalty: (\$750)	657302	07/04/08	Y	

Warren Ropp (06/02/08)	Civil penalty: (\$250)	657293	07/02/08	Y	

JR's Truck Parts (06/02/08)	Civil penalty: (\$500)	657294	07/02/08	Y	

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Peter Backer (07/01/08)	Civil penalty: (\$750)	657790	07/31/08	Y	

W. A. Miller (07/16/08)	Civil penalty: (\$1,000)	666334	08/16/08	Y	*
* Partial payment of \$350 received 10/20/08 - Potential to Certify. *****					
Lanny Reynolds (07/16/08)	Civil penalty: (\$750)	666335	08/16/08	P	

Lance Dudgeon (07/09/08)	Civil penalty: (\$500)	659540	08/09/08	Y	

Johnathan Strickland (07/16/08)	Civil penalty: (\$2,000)	666331	08/16/08	Y	

Luci, Inc. (07/08/08)	Civil penalty: (\$10,000)				
	OEPA \$8,000	659538	08/08/08	Y	
	Bus Fund \$2,000	659539	08/08/08	Y	

Ford Motor Company (07/31/08)	Civil penalty: (\$1,400,000)				
	OEPA \$1,120,000	666337	08/31/08		08/18/08
	Bus Fund \$280,000	666338	08/31/08		08/18/08
	Shut down cupola 3 and mold line 7		12/31/08		12/11/08
	Shut down cupola 1 & 2 and mold lines 2 & 3		12/31/10		

Douglas Kehres (08/13/08)	Civil penalty: (\$500)	666363	09/13/08	Y	

Great Lakes Crushing Ltd. (10/01/08)	Civil penalty: (\$12,000)				
	OEPA \$9,600	686990	10/31/08	Y	09/10/09*
	Bus Fund \$2,400	686991	10/31/08	Y	04/23/09**
* Paid the \$9,600 plus \$1,095.45 in interest to AGO Revenue Recovery. AGO took \$1,069.55 for its collection efforts. ** AGO took \$240 of this amount for its collection efforts. *****					
Erie Materials, Inc. (09/24/08 - Consent Order)	Civil penalty: (\$180,000)				
	OEPA \$144,000	686933	10/24/08		12/03/08
	Bus Fund \$ 36,000	686932	10/24/08		12/03/08
	Conduct emission testing		w/i 60 days of permit issuance or w/i 60 days of startup of 2009 season if permit issued after 9/1/08		
	Pay emissions fees of \$7,330 for 1995 through 2007 for Sandusky and for 1999 through 2005 for Portage		10/24/08		10/09/08

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Robert Montgomery, Sr., d.b.a. Montgomery Auto Salvage (10/16/08)	Civil penalty: (\$3,000)	688462	11/15/08	Y	

Re-Gen, Inc. (01/15/09 - Consent Order)	Civil penalty: (\$70,000) OEPA	\$28,000 709526	02/14/09		02/11/09
		\$28,000 709527	01/15/10		
	Bus Fund	\$ 7,000 709528	02/14/09		02/11/09
		\$ 7,000 709529	01/15/10		
	Submit complete approvable synthetic minor PTIO app.		w/i 60 days of resuming operations		
	Submit FERs for 1999-2007 and pay \$8,000 in past emission fees		upon receipt of invoice from OEPA		06/12/09

Ultimate Industries, Inc. (02/25/09 - Consent Order)	Civil penalty: (\$4,200) EPA	\$175.00 712529	03/05/09		05/12/09
		\$175.00 712530	04/05/09		06/15/09
		\$175.00 712531	05/05/09		08/07/09
		\$175.00 712532	06/05/09		
		\$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 ₂ emission rates:	Oregon		07/01/11		
		Cairo		07/01/11		
	Comply w/ acid mist emission rate:	Oregon		04/02/09		
		Cairo		07/01/11		
	Install SO ₂ CEMS:	Oregon		07/01/11		
		Cairo		07/01/11		
	Perform compliance tests:	Oregon		07/01/11		
		Cairo		07/01/11		
	Submit O&M Plans:	Oregon		07/01/11		
		Cairo		07/01/11		
	Submit permit applications:	Oregon		07/01/11		
Cairo			07/01/11			
Submit report re: how compliance will be achieved:	Oregon		01/01/13			
	Cairo		(365 days after acceptance of short-term limit)			
		Oregon	07/01/10			
		Cairo	07/01/10			

Lagrange Township Trustees (04/14/09)	Civil penalty: (\$250)		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		10/21/09
		\$21,762.50 713430	01/18/10		
		\$21,762.50 713431	04/16/10		
	Bus Fund	\$10,881.25 713432	06/05/09		06/01/09
	\$10,881.25 713433	07/17/09		07/16/09	

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

T.S. Trim Industries, Inc. (06/17/09)	Civil penalty: (\$85,200)				
	OEPA	\$68,160 714704	07/17/09		06/25/09
	Bus Fund	\$17,040 714705	07/17/09		06/25/09
	Conduct emission tests Submit test report		08/07/09 09/07/09		

Village of Gloria Glens (06/18/09)	Civil penalty: (\$250)	714659	07/18/09		
	Have all vehicles tested and report results		12/31/09		

Village of North Randall (06/30/09)	Civil penalty: (\$1,500)	714660	07/30/09		
	Have all vehicles tested and report results		12/31/09		

Leroy and Judith Schaffer (06/30/09)	Civil penalty: (\$250)	714661	07/30/09		

Precision Aggregates III, LLC (07/08/09)	Civil penalty: (\$15,000)				
	OEPA	\$4,500 715181	09/15/09		09/14/09
		\$7,500 715182	09/15/10		
	Bus Fund	\$3,000 715183	09/15/09		09/14/09

Village of Oakwood (07/07/09)	Civil penalty: (\$2,500)	714842	08/07/09		08/17/09
	Have all vehicles tested and report results		11/02/09		

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
The Belden Brick Company, L.L.C. (07/06/09 - Consent Order)	Civil penalty: (\$850,000)				
	OEPA	\$170,000	717042	08/06/09	08/17/09
		\$170,000	717043	07/06/10	
		\$170,000	717044	01/06/11	
		\$170,000	717045	07/06/11	
	Bus Fund	\$170,000	717046	08/06/09	08/17/09
	Pay \$334,514.43 for Title V permit emission fees for CY 2001 thru 2006			Upon receipt of invoice from OEPA	
	Submit SO ₂ FERs for CY 1993 thru 2000		01/06/10		
	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	10/05/09	09/29/09
	Bus Fund	\$7,176	727239	10/22/09	09/29/09
	Submit weekly inspection records			11/14/10	
	Submit weekly inspection records			11/14/11	
	Submit results of static leak and A/L ratio tests for 2010			04/14/10	
	Submit results of static leak and A/L ratio tests for 2010			09/14/10	
	Submit results of static leak and A/L ratio tests for 2011			04/14/11	

Eramet Marietta, Inc. (10/07/09)	Civil penalty: (\$30,000)				
	OEPA	\$24,000		10/21/09	10/13/09
	Bus Fund	\$6,000		11/06/09	10/13/09
	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	10/23/09
	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 Improvement Plan			11/29/09	
	Complete all improvements described in CCSIP			04/29/10	
	Measure fan RPM			01/29/10	
	Measure static pressure of air curtain			01/29/10	
	Perform compliance tests			10/29/10	
	Submit test results			12/29/10	

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Aleris Int'l, Inc., et. Al. (Con't)	Submit HCI PTE analysis		12/29/10		
	Conduct additional compliance tests		03/29/10		
	Comply with all requirements of Subparts A and RRR		09/29/10		

Circle K Midwest (GDFs 5204, 5209, 5318, 5320, 5557, 5558, 0059, and 5217) (11/04/09)	Civil penalty: (\$100,000)				
	OEPA	\$80,000	12/04/09		11/13/09
	Bus Fund	\$20,000	12/04/09		11/13/09
	Perform static leak & A/L ratio tests at each GDF		03/31/10		
			08/31/10		
		03/31/11			
		08/31/11			

Rascal House Pizza (11/12/09)	Civil penalty: (\$10,000)				
	OEPA	\$1,250	12/12/09		
		\$1,250	03/12/10		
		\$1,250	06/12/10		
		\$1,250	09/12/10		
		\$1,250	12/12/10		
		\$1,250	03/12/11		
	\$1,250	06/12/11			
	\$1,250	09/12/11			

Great Plains Exploration (11/12/09)	Civil penalty: (\$19,000)				
	OEPA	\$1,000	746093	03/01/10	
		\$1,000	746094	04/01/10	
		\$1,000	746095	05/01/10	
		\$1,000	746096	06/10/10	
		\$1,000	746097	07/01/10	
		\$1,000	746098	08/01/10	
		\$1,000	746099	09/01/10	
		\$1,000	746100	10/01/10	
		\$1,000	746101	11/01/10	
		\$1,000	746102	12/01/10	
		\$1,000	746103	01/01/11	
		\$1,000	746104	02/01/11	
		\$1,000	746105	03/01/11	
		\$1,000	746106	04/01/11	
	\$1,000	746107	05/01/11		
	Bus Fund	\$1,000	746108	11/01/09	
		\$1,000	746109	12/01/09	
		\$1,000	746110	01/01/10	
		\$1,000	746111	02/01/10	

Facility Name	Milestone or Requirement*	Revenue ID #	Deadline in F&O's	C y/n	Completion Date
Sunoco, Inc. (Toledo Refinery) (11/12/09)	Civil penalty: (\$32,250)				
	OEPA	\$25,800	11/26/09		11/06/09
	Bus Fund	\$6,450	12/12/09		11/06/09
	Complete corrective actions in Finding 15(a) and submit documentation		12/31/09		
	Correct deficiencies in butane sphere inspection reports and submit documentation		06/30/10		
	Resolve compliance audit findings in Finding 14(c) and submit documentation		12/31/09		

- ** 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