



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Rd.
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

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

Re: Allen County
BOC Americas, Inc.
Premise No. 0302020242
Notice of Violation

February 13, 2007

CERTIFIED MAIL

Mr. Michael Resh, Manager, Environmental Affairs
BOC Americas, Inc.
575 Mountain Avenue
Murray Hill, New Jersey 07974

Dear Mr. Resh:

The stack test conducted November 21, 2006, on Ohio EPA emissions unit P042, pressure swing absorber (PSA) reformer heater for the hydrogen plant, has been reviewed and found to have been conducted in conformance with Ohio EPA methods and procedures.

Our test review confirms the following reported data is accurate:

**Critical Test Data
(In Three Run Averages)**

Pollutant	Actual Emission Rate	Allowable Emission Rate	Source Operating Rate	Maximum Source Operating Rate
nitrogen oxides (NO _x)	0.036 lb/million Btu of actual heat input	0.035 lb/million Btu of actual heat input	235 million Btu/hr	258.4 million Btu/hr
carbon monoxide (CO)	0.39 lb/hr	4.65 lbs/hr	235 million Btu/hr	258.4 million Btu/hr

Based on the results, the emissions of NO_x exceeded the allowable emission rate of 0.035 lb/million Btu of actual heat input. This is a violation of the following permit terms and regulations for emissions unit P042:

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- Part II, special term A.1. in permit to install No. 03-17096;
- OAC rule 3745-31-05(A)(3); and
- ORC 3704.05

Please submit a written response by March 16, 2007 and provide information on whether any extenuating circumstances may have contributed to the elevated NO_x emissions. The response should include a compliance plan and associated time frame for bringing the unit back into compliance.

Please be advised that the submission of the requested information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek civil penalties pursuant to ORC section 3704.06. The Ohio EPA will make a decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date. Should you have any questions or comments, feel free to contact Jeffrey Skebba at (419) 373-3128.

Sincerely,



Robert G. Teer
Division of Air Pollution Control



Jeffrey A. Skebba
Division of Air Pollution Control

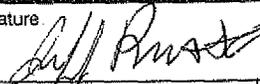
/csl

pc: Tom Kalman - DAPC/CO
Lisa Holscher - U.S. EPA Region V
Don Waltermeyer - DAPC/NWDO
DAPC-NWDO File 7005 1160 0002 4566 2454
Wendy Ordway - DAPC/NWDO
Robert Teer - DAPC/NWDO
Stack File
NWDO Follow-up File

0302020242 Linde Gas 2/13/07

7005 1160 0002 4566 2454

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
<i>(Domestic Mail Only - No Insurance Coverage Provided)</i>	
For delivery information visit our website at www.usps.com	
MR MICHAEL RESH MGR	
Postage	\$ 39
Certified Fee	2.40
Return Receipt Fee (Endorsement Required)	1.85
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 464
	
Jeff S./cs1	
Sent To BOC AMERICAS INC Street, Apt. No. or PO Box No. 575 MOUNTAIN AVE City, State, ZIP+4 MURRAY HILL NJ 07974	
PS Form 3800, June 2002	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee
	B. Received by (Printed Name) JEFF S.
	C. Date of Delivery 2/16/07
1. Article Addressed to: MR MICHAEL RESH MGR ENV AFFAIRS BOC AMERICAS INC 575 MOUNTAIN AVE MURRAY HILL NJ 07974 DAPC/Jeff S./cs1	D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:
	3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
2. Article Number (Transfer from service label)	7005 1160 0002 4566 2454

