



REGIONAL AIR POLLUTION CONTROL AGENCY

Serving Clark, Darke, Greene, Miami, Montgomery & Preble Counties

117 South Main Street, Dayton, Ohio 45422-3280

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www.rapca.org

February 22, 2011

Certified Mail

Mr. Thomas Durham
Pinnacle Gas Producers, LLC
425 South Main Street
STE 201
ANN ARBOR, MI 48104

NOTICE OF VIOLATION (Non-HPV)

Summary: On November 18 and 19, 2010, performance testing of the pipeline quality/natural gas-fired compressor engine and landfill gas processing plant with thermal oxidizer (emissions units B001 and P001, respectively) was conducted at Pinnacle Gas Producers, LLC (Pinnacle Gas Producers), 4220 Pinnacle Road, Moraine, Montgomery County, Ohio. Emissions units B001 and P001 failed to meet non-methane organic compounds (NMOC) permit limitations and emissions unit P001 failed to achieve the minimum destruction efficiency of NMOC. Pinnacle Gas Producers is in violation of Permit To Install (PTI) modification 08-03855 issued 11/28/2003, the Permit(s) To Operate (PTO) issued 11/29/2005 and Ohio Revised Code (ORC) 3704.05.

Dear Mr. Durham:

This letter is in regards to the November 18 and 19, 2010 performance tests conducted by Pinnacle Gas Producers on emissions units B001 and P001, Facility ID 0857103154. Emissions units B001 and P001 are "air contaminant sources" as defined by Ohio Administrative Code (OAC) rule and Montgomery County Combined General Health District Air Pollution Control Regulations (MCCGHDAPCR) section 3745-31-01(I). Per the Permit(s) To Operate (PTO) issued 11/29/2005, Part II, Special Terms and Conditions, Section E.2.a., Pinnacle Gas Producers was required to conduct performance tests for air emissions unit B001 and P001 within twelve (12) months of permit expiration. The purpose of the performance test was to demonstrate compliance with the allowable emission rates for nitrogen oxides (NO_x), carbon monoxide (CO) and non-methane organic compounds (NMOC) for emissions unit B001, as well as, compliance with the specified reduction and permit limitations of NMOC for emissions unit P001.

On January 14, 2011, RAPCA received the results of the November 18 and 19, 2010, performance tests conducted on emissions unit B001 and P001. The report stated the three 1-hour test average NMOC emissions for emissions unit B001 was 9.82 pounds per hour. Per Part II, Special Terms and Conditions, Section A.1., of the PTO for emissions unit B001, the NMOC

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emissions shall not exceed 5.38 pounds per hour. Pinnacle Gas Producers is hereby notified that emissions unit B001 is in violation of the PTI, PTO and Ohio Revised Code (ORC) section 3704.05. Per Part II, Special Terms and Conditions, Section A.1., of the PTO for emissions unit P001, the control system shall be designed and operated to reduce NMOC emissions by ninety-eight percent (98%), by weight and the NMOC emissions from this emissions unit shall not exceed 1.2 pounds per hour. The report stated the three 1-hour test average for NMOC reduction was 62.7% and the three 1-hour test average NMOC emissions for emissions unit P001 was 1.38 pounds per hour. Pinnacle Gas Producers is hereby notified that emissions unit P001 is in violation of the PTI, PTO and ORC section 3704.05.

In response to the violations cited above, RAPCA requires that Pinnacle Gas Producers submit a compliance plan and schedule to bring emissions units B001 and P001 into compliance with all applicable air pollution control regulations. RAPCA requires that Pinnacle Gas Producers' compliance plan be submitted to RAPCA as soon as possible, but no later than thirty (30) days after receipt of this letter. Acceptance of this compliance plan and schedule by RAPCA does not constitute a waiver of the Ohio EPA's and RAPCA's authority to seek civil penalties as provided in section 3704.06 and 3707.49 of the Ohio Revised Code. The determination whether to pursue such penalties will be made by the Ohio EPA and RAPCA at a later date.

If you have any questions regarding this matter, please contact Michelle Flanagan or me at (937) 225-4435.

Sincerely,



Jennifer S. Marsee
Supervisor, Abatement Unit
Regional Air Pollution Control Agency

cc: John Paul RAPCA
 Jefferis Canan RAPCA
 William MacDowell U.S. EPA, Region V
 Tom Kalman Ohio EPA
 Michael Matis PHDMC

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To: Mr. Thomas Durham
 Pinnacle Gas Producers, LLC
 425 South Main Street, Ste. 201
 Ann Arbor, MI 48104

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PS Form 3800, August 2006 See Reverse for Instructions

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1. Article Addressed to:
 Mr. Thomas Durham
 Pinnacle Gas Producers, LLC
 425 South Main Street, Ste. 201
 Ann Arbor, MI 48104

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(Transfer from service label)

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