



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
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
PCS Nitrogen Ohio, L.P.
Premise #0302020015 376
Notice of Violation/HPF

July 17, 2007

CERTIFIED MAIL

Mr. Jean Phaneuf, Site Director
PCS Nitrogen Ohio, L.P.
P.O. Box 628
Lima, Ohio 45802-0628

Dear Mr. Phaneuf:

The First Quarter 2007, Excess Emissions Report (EER) submitted by PCS Nitrogen Ohio, L.P. on April 27, 2007, has been reviewed by the Division of Air Pollution Control - Northwest District Office (DAPC/NWDO) and our Central Office (DAPC/CO). Data summaries in the EER indicate continuous emission monitor (CEM) data capture less than the minimum acceptable 95 percent for the following emissions unit:

P570 - 75.82 percent data capture for the No. 2 Nitric Acid Plant nitrogen oxides (NO_x) CEM (24.18 percent CEM down time)

The excessive NO_x CEM down time is a violation of the following:

1. Part III, term A.III.1 for emissions unit P570 in the facility's final Title V permit which became effective on April 5, 2004; and
2. Ohio Revised Code 3704.05.

There were several factors that caused CEM down time during the quarter as follows:

Date	Total Minutes of NO _x CEM Down Time	Down Time Cause
January 29, 2007	20	CEM maintenance, low reference light alarm

Date	Total Minutes of NO _x CEM Down Time	Down Time Cause
January 30, 2007 to February 1, 2007	3,210	failed daily calibrations, failed relay controlling sample flush
February 3, 2007 to February 15, 2007	17,160	failed daily and manual calibrations from incorrect software setting, sample chamber not being purged during regular monitoring cycles
February 17, 2007 to February 21, 2007	6,010	continued failure of calibrations from incorrect software setting
March 2, 2007	46	CEM maintenance, low reference light alarm
March 3, 2007 to March 5, 2007	3,405	loose electrical lead likely due to CEM maintenance activities from February 2007
March 19, 2007	18	manual calibration
March 20, 2007	71	CEM offline to test calibration gases

In addition to the down time issues noted above, recent CEM data has shown high bias due to nitrous oxide present in the No. 2 nitric acid plant exhaust gas, which is being converted to nitrogen dioxide. This was discovered by a testing consultant at the end of the first quarter 2007 when the company was preparing for its annual relative accuracy test audit (RATA).

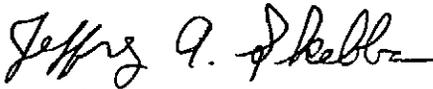
It is our understanding that the company is proceeding with installation of a new NO_x CEM to alleviate the high bias readings that are occurring. The company submitted an intent to test notification for the initial RATA for the new CEM, which is tentatively scheduled for July 31, 2007.

On July 6, 2007, a Director's letter was issued to authorize continued use of the existing NO_x CEM contingent upon the existing CEM meeting daily calibration check requirements, passing a cylinder gas audit during second quarter 2007, and completion of installation and certification of the new CEM no later than the end of third quarter 2007.

Mr. Jean Phaneuf, Site Director
July 17, 2007
Page 3

DAPC/NWDO is not requiring a written response from the company at this time concerning the excessive CEM down time for first quarter 2007, based on corrective action to install the new CEM. However, this 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 me at (419) 373-3128.

Sincerely,



Jeffrey A. Skebba
Environmental Specialist
Division of Air Pollution Control

/llr

pc: Tom Kalman - DAPC/CO
Todd Brown - DAPC/CO
Lisa Holscher - U.S. EPA Region V
Don Waltermeyer - DAPC/NWDO
(DAPC-NWDO File)

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JUL 17 2007
EPA

Sent To	Mr. Jean Phaneuf - PCS Nitrogen Ohio, C.P.
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City, State, ZIP+4	Lima, Ohio 45802-0628

PS Form 3800, August 2006 See Reverse for Instructions