



Environmental
Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Re: Auglaize County
G. A. Wintzer & Son Company
Wapakoneta
03 06 02 0008
Notice of Violation (HPV GC6)

April 4, 2011

CERTIFIED MAIL

Mr. Carl Wintzer
G. A. Wintzer & Son Company
P. O. Box 406
5 North Blackhoof Street
Wapakoneta, Ohio 45895

Dear Mr. Wintzer:

This letter shall serve as follow-up to the facility inspection conducted on March 16, 2011, of the above referenced facility. The purpose of this inspection was to determine the compliance status of all air contaminant sources located there.

Based on our discussions, my observations during the inspection, and a pre-inspection review of the company's files, my findings are as follows:

1. The company was issued Permit to Install (PTI) 03-17366 on June 12, 2008, for an 87.5 mmBtu/hr boiler (No. 2 oil, No. 6 oil, natural gas, and/or biofuel), emissions unit B003. Per condition 10.a of the General Terms and Conditions of the PTI, the company was to have submitted an application for Title V permit modification within 12 months of commencement of operation of the B003 boiler (i.e. within 12 months of March 3, 2009); however, this requirement was not met. This is a violation of ORC 3704.05 and OAC rule 3745-77-08 for failing to submit a timely Title V modification application.
2. In a separate non-compliance issue, the company has been made aware of their failure to meet the required deadline for submission (i.e. 180 days prior to permit expiration) for the recent Title V permit renewal application.
3. A validated complete Title V renewal application has since been received on March 24.

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With the exception of Items 1 and 2 above, all other air contaminant sources at this location appear to be in compliance with applicable air pollution control regulations at this time.

The company is not required to submit any compliance plan in response to this letter. The Title V renewal permit application received (Item 3) may be an acceptable resolution of Item 1; the agency will make a formal determination of this at a later date. The company may expect further Notice of Violation on Item 2.

Please be advised that the submission of information to respond to this letter does not constitute waiver of Ohio EPA's authority to seek civil penalties pursuant to ORC 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 the company have any questions and/or comments, I may be reached at (419) 373-3117. I may also be contacted electronically by E-mail at:
paul.chad@epa.state.oh.us

Sincerely,



Paul Chad
Division of Air Pollution Control

//lr

pc: Tom Kalman, DAPC-CO
William MacDowell, US EPA - Region V
DAPC: NWDO File
Certified Receipt Number 7009 1410 0001 2512

ec: Jennifer Jolliff, DAPC-NWDO
Paul Chad, DAPC-NWDO