



**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Kordecki, Director

Re: Erie County
0322000295
Stack Test
HPV-GC8
Notice of Violation

December 2, 2010

Certified Mail 7009 1680 0002 4297 3749

Mr. John Gaydos, Vice President
Bio-Gas Technologies, LTD
2025 George Street
Sandusky, Ohio 44870

Dear Mr. Gaydos:

The stack test conducted on September 29, 2010, on Ohio EPA emissions unit No. P001 (Landfill Gas-Fired Internal Combustion Engine/Generator), has been reviewed. The testing was conducted in conformance with Ohio EPA methods and procedures. Our 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 ^a
NO _x	4.3 lbs/hr	5.9 lbs/hr	2073 kW	2233 kW
CO	11.8 lbs/hr	14.76 lbs/hr	2073 kW	2233 kW
VOC	53.9 lbs/hr (as propane)*	4.92 lbs/hr	2073 kW	2233 kW

* Average of runs 1 and 2.

The emissions unit was being operated in violation of its allowable emissions rate for VOC (violation of the PTI and Title V term and condition (C)1.b)(1)a., OAC rule 3745-31-05(A)(3), and Ohio Revised Code 3704.05). It will therefore be necessary to retest this unit. As you may have become aware, both the PTI and Title V permits will be modified administratively to correct the VOC tons per hour limitation to a VOC pounds per hour limitation.

^a Maximum Source Operating Rate (MSOR) is defined as the condition that is most likely to challenge the emission control measures with regards to meeting the applicable emission standard(s). Although it generally consists of operating the emissions unit at its maximum material input/production rates and results in the highest emission rate of the tested pollutant, there may be circumstances where a lower emissions loading is deemed the most challenging control scenario. Failure to test at the MSOR is justification for not accepting the test results as a demonstration of compliance.

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The Northwest District Office (NWDO) is requesting that Bio-Gas Technologies submit an Intent to Test (ITT) notification within thirty days of the date of this letter. The ITT shall include the methodology proposed to re-test for VOC. It should be noted that the sampling of the inlet landfill gas was requested during this stack test. However, that sampling was not done. A sample of the inlet landfill gas is necessary when the re-test occurs.

Please note that the submission of the requested information to respond to this letter does not constitute a waiver of the Ohio EPA's authority to seek civil penalties pursuant to ORC section 3704.06. The Ohio EPA will make the decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

Please contact me if you have any questions regarding this letter. I can be reached by phone at (419) 373-3118 or by e-mail at mohammad.smidi@epa.ohio.gov.

Sincerely,



Mohammad Smidi
Environmental Specialist
Division of Air Pollution Control

/cs

pc: Robert Teer, DAPC-NWDO
DAPC-NWDO:File
Stack File

ec: Elissa Hartfield, DAPC-NWDO
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Jennifer Jolliff, DAPC-NWDO
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Mr. John Taylor

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 2025 George St.
 Sandusky, Ohio 44870

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