



State of Ohio Environmental Protection Agency

Northwest District Office

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

Re: Williams County
Bryan Municipal Light & Water Utilities
Company
Premise # 03 86 01 0036
Premise# 03 86 01 0200
Return to Compliance

October 8, 2009

Matt Killion
Bryan Municipal Light & Water Utilities Company
841 E. Edgerton Street
Bryan, Ohio 43506

Dear Mr. Killion:

The Division of Air Pollution Control (DAPC) has reviewed Bryan Municipal's letter received on October 5, 2009, which contained responses to DAPC's September 18, Notice of Violation (NOV). This NOV was for the failure to submit deviations reports, and monitoring the hours of operation on a rolling, 12-month basis for the emergency generators. Bryan Municipal submitted the necessary deviation reports through Air Services by the end of September.

The reports have been reviewed and approved by our office. The company's response also included an Excel spreadsheet used to track and summarize the hours of operation on a rolling, 12-month basis for the emergency generators. In addition, these late deviation reports were acknowledged by the company in its 2008 compliance certification reports for both facilities.

Based on the company's responses to the NOV, we have determined that the compliance plan is acceptable. The actions taken have corrected the violations and these emission units are now being operated in compliance with the permit requirements. Please note, however, that this does not preclude the Director from seeking civil penalties pursuant to ORC section 3704.06 for these violations. The decision on whether to pursue or decline to pursue such penalties regarding this matter is dependent on several factors, one of which is the company's future compliance with applicable Ohio EPA requirements.

Should you have any questions or comments concerning this letter, please feel free to contact me at the above address or call (419) 373-3136.

Sincerely,

Jay P. Liebrecht
Environmental Specialist

/csl

cc: Don Waltermeyer, DAPC, NWDO
Tom Kalman, DAPC, CO
Lisa Holscher, US EPA-Region V
DAPC, NWDO File