



State of Ohio Environmental Protection Agency

**Southeast District Office**

2195 Front Street  
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490  
www.epa.state.oh.us

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

October 21, 2008

**Re:** Tuscarawas County  
American Refining Group  
Notice of Violation  
OIN00234, OH0124982  
Correspondence (IWW)

Mr. Gary Welker  
American Refining Group  
9376 State Route 800 North  
Mineral City, Ohio 44656

Dear Mr. Welker:

We have received your self-monitoring reports covering the months of May 2004 through July 2008 for the referenced facility. Our review indicates violations of the conditions of your NPDES permit. The specific instances of noncompliance are as follows:

Outfall	Date	Parameter	Reported	Units	Permit Limitation
<b>December 2004:</b>					
001	Bimonthly	Suspended Solids	None	mg/l	Monitoring required ½ months
001	Bimonthly	pH	None	S.U.	Monitoring required ½ months
001	Quarterly	Toluene	None	ug/l	Monitoring required 1/quarter
001	Bimonthly	Chemical Oxygen Demand	None	mg/l	Monitoring required ½ months
001	Quarterly	Ethylbenzene	None	ug/l	Monitoring required 1/quarter
001	Quarterly	Xylene	None	ug/l	Monitoring required 1/quarter
001	Bimonthly	Oil and Grease	None	mg/l	Monitoring required ½ months
001	Quarterly	Benzene	None	ug/l	Monitoring required 1/quarter
<b>February 2005:</b>					
001	Bimonthly	Chemical Oxygen Demand	None	mg/l	Monitoring required ½ months
001	Bimonthly	Oil and Grease	None	mg/l	Monitoring required ½ months
001	Bimonthly	pH	None	S.U.	Monitoring required ½ months
001	Bimonthly	Suspended Solids	None	mg/l	Monitoring required ½ months
<b>March 2005:</b>					
001	Quarterly	Toluene	None	ug/l	Monitoring required 1/quarter
001	Quarterly	Ethylbenzene	None	ug/l	Monitoring required 1/quarter
001	Quarterly	Xylene	None	ug/l	Monitoring required 1/quarter
001	Quarterly	Benzene	None	ug/l	Monitoring required 1/quarter
<b>June 2005:</b>					
001	Quarterly	Toluene	None	ug/l	Monitoring required 1/quarter
001	Quarterly	Ethylbenzene	None	ug/l	Monitoring required 1/quarter
001	Quarterly	Xylene	None	ug/l	Monitoring required 1/quarter
001	Quarterly	Benzene	None	ug/l	Monitoring required 1/quarter

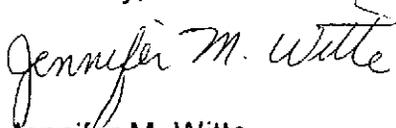
Outfall	Date	Parameter	Reported	Units	Permit Limitation
001	Bimonthly	pH	None	S.U.	Monitoring required ½ months
001	Bimonthly	Suspended Solids	None	mg/l	Monitoring required ½ months
001	Bimonthly	Chemical Oxygen Demand	None	mg/l	Monitoring required ½ months
001	Bimonthly	Oil and Grease	None	mg/l	Monitoring required ½ months
001	29 Days	Flow Rate	None	GPD	Reporting required 1/day
<b>July 2005:</b>					
001	30 Days	Flow Rate	None	GPD	Reporting required 1/day
<b>October 2005:</b>					
001	Bimonthly	Chemical Oxygen Demand	None	mg/l	Monitoring required ½ months
001	Bimonthly	Oil and Grease	None	mg/l	Monitoring required ½ months
001	Bimonthly	pH	None	S.U.	Monitoring required ½ months
001	Bimonthly	Suspended Solids	None	mg/l	Monitoring required ½ months
<b>December 2005:</b>					
001	Bimonthly	Oil and Grease	None	mg/l	Monitoring required ½ months
001	Quarterly	Toluene	None	ug/l	Monitoring required 1/quarter
001	Quarterly	Ethylbenzene	None	ug/l	Monitoring required 1/quarter
001	Quarterly	Xylene	None	ug/l	Monitoring required 1/quarter
001	Quarterly	Benzene	None	ug/l	Monitoring required 1/quarter
001	Bimonthly	pH	None	S.U.	Monitoring required ½ months
001	Bimonthly	Chemical Oxygen Demand	None	mg/l	Monitoring required ½ months
001	Bimonthly	Suspended Solids	None	mg/l	Monitoring required ½ months
001	30 Days	Flow Rate	None	GPD	Reporting required 1/day
<b>February 2006:</b>					
001	Bimonthly	Suspended Solids	None	mg/l	Monitoring required ½ months
001	Bimonthly	pH	None	S.U.	Monitoring required ½ months
001	Bimonthly	Oil and Grease	None	mg/l	Monitoring required ½ months
001	Bimonthly	Chemical Oxygen Demand	None	mg/l	Monitoring required ½ months
<b>March 2006:</b>					
001	Quarterly	Toluene	None	ug/l	Monitoring required 1/quarter
001	Quarterly	Ethylbenzene	None	ug/l	Monitoring required 1/quarter
001	Quarterly	Xylene	None	ug/l	Monitoring required 1/quarter
001	Quarterly	Benzene	None	ug/l	Monitoring required 1/quarter
<b>June 2007:</b>					
001	Bimonthly	Suspended Solids	None	mg/l	Monitoring required ½ months
001	Bimonthly	pH	None	S.U.	Monitoring required ½ months
001	Bimonthly	Oil and Grease	None	mg/l	Monitoring required ½ months
001	Bimonthly	Chemical Oxygen Demand	None	mg/l	Monitoring required ½ months

Please inform this office in writing within **thirty** days of receipt of this notification as to the reasons for the above referenced violations, as well as a description of actions taken or proposed to prevent any further violations. Your response should include the dates, either actual or proposed, for completion of the actions.

Please be advised that failure to comply with the effluent limitations and/or monitoring requirements specified in your NPDES permit may be cause for enforcement action pursuant to Ohio Revised Code, Chapter 6111. If these violations continue to occur and if satisfactory progress is not made, it may be necessary to initiate enforcement action to achieve compliance.

If there are any questions, please contact me at (740) 380-5206.

Sincerely,



Jennifer M. Witte  
Chemical Engineer, Environmental Specialist II  
Division of Surface Water

JMW/dh