



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Central District Office

MAILING ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 728-3778 FAX: (614) 728-3898
www.epa.state.oh.us

P.O. Box 1049
Columbus, OH 43216-1049

CERTIFIED MAIL # 91 7108 2133 3932 4449 4975

April 1, 2010

Mr. Michael Dae
Energy Developments, Inc.
Model LFG Power Station
16360 Park Ten Place
Suite 218
Houston, TX 77084

**Re: Notice of Violation for exceeding organic compound (OC) emissions limitations;
Model LFG Power Station, Facility ID # 0125002421**

Dear Mr. Dae:

On January 28, 2010, Energy Developments, Inc. (EDI) conducted emission testing at Model LFG Power Station in Grove City, Ohio, to determine the compliance status of emission unit of P002 – 14 mmBtu/hr internal combustion engine with permit-to-install (PTI) 01-8060. Listed below is a "Finding" based upon CDO's review of the test report. The finding is followed by "Violations" and "Requested Actions" necessary to address the stated finding and violations.

1. **Finding:** Organic compound emission exceeding emissions limitations

Ohio EPA Central District Office (CDO) received the results of the test and has completed reviewing the test report. This review included a comparison of permitted emissions rates of pollutants to their measured emissions rates. PTI 01-8060 established an organic compound (OC) emission limitation of 0.05 lb OC/mmBtu. The emission test on January 28, 2010, demonstrated OC emission of 0.37 lb/mmBtu, which exceeds permitted limits for OC emissions.

Violations:

Failure to demonstrate compliance with a permitted OC emission limitation is a violation of the terms and conditions PTI 01-8060, Part III.B.1.1, which established an OC emissions limitation of 0.05 lb/mmBtu.

Violation of the terms and conditions of PTI 01-8060 is also considered a violation of Ohio Revised Code (ORC) 3704.05(C), which states:

"No person who is the holder of a permit ...shall violate any of its terms or conditions."

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

Requested Action:

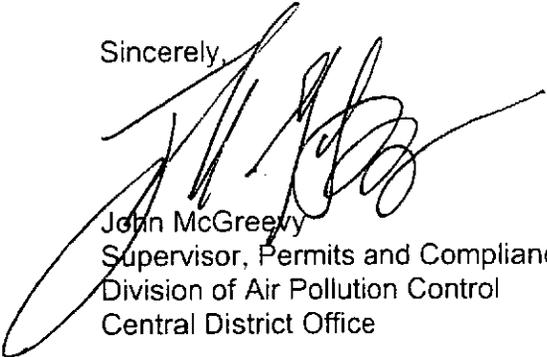
CDO requests that EDI develop a compliance plan and schedule within 30 days of receipt of this letter. This compliance plan and schedule should include specific dates by which EDI will evaluate current processes, determine the cause of emission exceedances, identify appropriate solutions and implement a solution to bring emissions within permitted levels. Ohio EPA further requests that any improvements or repairs made to emissions unit P002 also be performed on emissions unit P001.

In addition, Ohio EPA requests Energy Developments, Inc. conduct a emission test on emissions unit P002 within 60 days to demonstrate compliance with the allowable mass emission rate of organic compounds (OC). Ohio EPA further requests that Energy Developments, Inc. submit an "Intent to Test" notification to CDO not less than 30 days prior to the proposed test date(s).

Please note that Ohio EPA has the authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code (ORC). This letter or information pursuant to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in the ORC. The decision on whether or not to seek such penalties will be made by Ohio EPA at a later date.

If you have any questions, please contact Barbara Walker of my staff at (614) 728-3805 or barbara.walker@epa.ohio.gov.

Sincerely,



John McGreevy
Supervisor, Permits and Compliance
Division of Air Pollution Control
Central District Office

c: Adam Ward, Manager, DAPC/CDO
Kelly Toth, DAPC/CDO
Barbara Walker, DAPCCDO
John Paulian, DAPC/CO

ec: John McGreevy, DAPC/CDO