



State of Ohio Environmental Protection Agency

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August 4, 2008

Mike Poindexter
Florida Production Engineering - Circleville
30627 Orr Road
Circleville, OH 43138

Re: **Second Notice of Violation for failure of Florida Production Engineering (facility I.D. 01 65 01 0087) to submit a Title V compliance certification, Fee Emissions Report, and Title V quarterly deviation reports.**

Mr. Poindexter:

This is the second notice of violation issued to Florida Production Engineering (FPE) for failure to submit an annual Title V Compliance Certification and quarterly Title V deviation reports. In addition to these violations, FPE failed to submit a Title V Fee Emissions Report for calendar year 2007.

On September 25, 2007, CDO informed FPE that it had failed to submit a Title V compliance certification for calendar year 2006. The Title V compliance certification was due no later than April 30, 2007. Further, CDO informed FPE that it had failed to submit Title V quarterly deviation reports for 2007. These reports were due no later than January 31, April 30, and July 31 of 2007.

On October 11, 2007, CDO sent a Notice of Violation (NOV) to FPE for failure to submit a Title V compliance certification for calendar year 2006 and Title V quarterly deviation reports for 2007.

On November 1, 2007 CDO received the calendar year 2006 Title V compliance certification and Title V quarterly deviation reports requested in the October 11, 2007 NOV.

On June 11, 2008, CDO informed FPE that it had failed to submit a Title V compliance certification for calendar year 2007, a Fee Emissions Report for 2007, and Title V quarterly deviation reports.

On June 16, 2008, FPE informed CDO that the reports would be submitted. To date, none of the requested certifications or reports has been received.

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

1. Finding: Title V compliance certification

The records held at Central District Office (CDO), Division of Air Pollution Control (DAPC) indicate that Florida Production Engineering has not submitted a compliance certification for the Calendar Year 2007 period by April 30, 2008.

Violation:

Failure to submit a Title V compliance certification constitutes a violation of Ohio Administrative Code (OAC) rule 3745-77-07(B)(5) and the terms and conditions of Florida Production Engineering's effective Title V Permit (Part I. A.). Violation of the terms and conditions of a Title V permit is considered a violation of Ohio Revised Code (ORC) Section 3704.05(J)(2), which states:

"No person shall ... [v]iolate any applicable requirement of a Title V permit or any permit condition...or filing requirement of the Title V permit program..."

Requested Action:

Ohio EPA requests that FPE submit a complete and accurate Title V Compliance Certification to both the Director of the Ohio Environmental Protection Agency c/o the Ohio EPA Central District Office, Lazarus Government Center, Suite 700, PO Box 1049, Columbus, Ohio 43216-1049, and the Administrator of the United States Environmental Protection Agency c/o Director, Air and Radiation Division, U.S. EPA Region 5, 77 W. Jackson Blvd., R-19J, Chicago, Illinois 60604. It is recommended that these compliance certifications be sent by certified mail to both parties.

Please submit the Title V compliance certification within thirty (30) days of receipt of this letter.

2. Finding: Title V Fee Emissions Report

A Title V Fee Emissions Report (FER) and Emissions Inventory Summary (EIS) for calendar year 2007 was due on June 6, 2008 for FPE.

A letter was sent on January 28, 2008, to this facility and indicated these emissions reporting requirements and provided guidance on completing the report. This letter and additional guidance may be found at the following Web links:

2007 Title V Emissions Reporting reminder letter:

http://www.epa.state.oh.us/dapc/title_v/TVDirectorDelayReminder.pdf

Air Services Transition Guide:

<http://www.epa.state.oh.us/dapc/airservices/AirServicesTransitionGuide.pdf>

To obtain a copy of the reminder letter sent to your facility, please contact Elisa Thomas at (614) 644-3621.

Violation:

Failure to submit these reports by June 6, 2008, was a violation of OAC rule 3745-78-02 and OAC rule 3745-15-03.

Requested Action:

This letter serves as a notice that failure to fulfill your obligation to submit these reports may result in the further enforcement action. Please respond within thirty (30) days of receipt of this letter with a FER/EIS for 2007 submitted via the eBusiness Center: Air Services indicating the actual emissions data for the facility.

Ohio EPA's new Air Services online services may be found at the following World Wide Web address:

<http://www.epa.state.oh.us/dapc/>

Be aware, all Title V and Synthetic Minor facilities in Ohio will be required to utilize Air Services for future permit applications and report submissions.

3. Finding: Title V quarterly deviation reports:

The records held at CDO - DAPC indicate that Florida Production Engineering has not submitted quarterly deviation reports for the fourth quarter of 2007, first quarter of 2008, and second quarter of 2008. These reports were due (respectively) on January 31, April 30, 2008, and July 31.

Violation:

Failure to submit Title V deviation reports is a violation of the terms and conditions of FPE's effective Title V permit (Part I.A) and ORC 3704.05(J)(2).

Mike Poindexter
Florida Production Engineering – Circleville
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Requested Action:

Ohio EPA requests that FPE submit a complete and accurate Title V quarterly deviation reports using Ohio EPA's new Air Services online service within thirty (30) days of receipt of this letter. Links to Air Services may be found at the following World Wide Web address:

<http://www.epa.state.oh.us/dapc/>

Be aware, all Title V and Synthetic Minor facilities in Ohio will be required to utilize Air Services for future permit applications and report submissions.

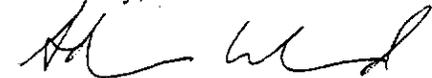
Submittal of the required Title V compliance certification, Fee Emissions Report (FER) and quarterly deviation reports will resolve these outstanding violations. Please submit the certification, FER, and reports as soon as possible, but no later than thirty (30) days from the receipt of this letter.

Until such time as a new permit with federally-enforceable limitations on potential to emit is issued to FPE, the facility is subject to the rules and requirements of the Title V program and the effective Title V permit.

Also, please note that the Ohio Environmental Protection Agency has the authority to seek civil penalties as provided in section 3704.06 of the ORC. This letter or information submitted 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 the Ohio Environmental Protection Agency at a later date.

If you have any questions, please contact John McGreevy of my staff at (614) 728-3813.

Sincerely,



Adam Ward
Air Unit Manager
Division of Air Pollution Control
Central District Office

c. John McGreevy, DAPC/CDO
John Paulian, DAPC/CO