



State of Ohio Environmental Protection Agency

Central District Office

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April 3, 2007

Facility # 01-45-00-0353

Re: Notice of Violation for violating terms and conditions of an issued Permit to Install

Flying J Travel Plaza
Attention: Paul Siler
333 W. Center Street
N Salt Lake, UT 84054

Dear Mr. Siler;

This letter is in regards to the Non-Title V Air Fee Emissions Report submitted on March 1st, 2006 for the reporting years of 2004 & 2005.

After reviewing the report and the requested gasoline throughput information submitted on January 8, 2007, the calculations provided indicate that your facility has exceeded the allowable permit limits. Under Permit To Install (PTI# 01-6419) issued to Flying J Travel Plaza July 3rd 1996, the facility is limited to 12.0 tons of volatile organic compound (VOC) emissions per year.

According to the information your company has submitted, VOC's emitted have exceeded 12.0 tons per year, each year, since 2001. The following table summarizes the information submitted:

Table 1.a

Year	Gallons Throughput	Calculation	Emissions in Tons Per Year
2006	7,743,147	7,743,147 * 13lbs VOC/1000 gal * 1 ton / 2000lbs	50.3
2005	8,085,185	8,085,185 * 13lbs VOC/1000 gal * 1 ton / 2000lbs	52.6
2004	9,683,188	9,683,188 * 13lbs VOC/1000 gal * 1 ton / 2000lbs	62.9
2003	9,740,898	9,740,898 * 13lbs VOC/1000 gal * 1 ton / 2000lbs	63.3
2002	9,991,390	9,991,390 * 13lbs VOC/1000 gal * 1 ton / 2000lbs	64.9
2001	9,648,360	9,648,360 * 13lbs VOC/1000 gal * 1 ton / 2000lbs	62.7

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

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Flying J Travel Plaza
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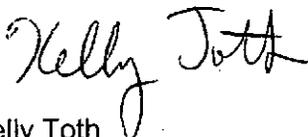
It appears that the facility has increased production since the original Permit to Install was issued but did not apply for a new permit. The exceedance of VOC air emissions is a violation of the terms and limits of the Permit to Install and constitutes a violation of Ohio Revised Code (ORC) 3704.05 (C) which states "No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."

Central District Office (CDO) requests that Flying J Travel Plaza submit PTI and PTO applications (attached) including EAC forms that reflect the facility's current operating situation. The forms should be completed and submitted to CDO within 30 days of receipt of this letter.

Please note that Ohio EPA has the authority to seek civil penalties as provided in the Ohio Revised Code (ORC) Section 3704.06. Submittal of the requested compliance plans, schedules, and reports does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in the ORC section 3704.06. The determination to pursue such penalties in this case will be made by Ohio EPA at a later date.

If you have any questions, please contact Luke Mountjoy of my staff at (614) 995-0672.

Sincerely,



Kelly Toth
Air Permit & Compliance Supervisor
Division of Air pollution Control
Central District Office

Enclosures

c: Isaac Robinson
John Paulian
Luke Mountjoy