



**Environmental  
Protection Agency**

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

Re: **Notice of Violation**  
Auglaize County  
BPI Energy Services  
Ohio EPA Permit No. 2IN00173  
NPDES Permit No. OH0122629

August 31, 2012

Mr. David Burke  
Burke Petroleum, Inc.  
P.O. Box 7  
Minster, Ohio 45865

Dear Mr. Burke:

This letter serves as a Notice of Violation (NOV) to inform you that we are missing the discharge monitoring report listed on the enclosed sheet of paper. As a reminder, hard copy self-monitoring report submissions are due on the 15<sup>th</sup> day of the following month and electronic submissions are due on the 20<sup>th</sup> day of the following month. Submit the missing report **within 10 days** of the date of this letter. Even if no discharge occurs, as long as the permit is in place, a report must be submitted.

Please be advised that failure to comply with the effluent limitations and/or monitoring requirements, including adequate laboratory controls, appropriate quality assurance procedures, and records retention, as specified in your Part III-General conditions of 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.

The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For those wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner. You can benefit economically, help preserve the environment, and improve your public image by implementing pollution prevention programs. Information about Ohio EPA's Office of Compliance Assistance & Pollution Prevention can be found on Ohio EPA's Website at <http://epa.ohio.gov/ocapp> or by calling (614) 644 – 3469.

If there are any questions, please contact me at (419) 373 – 3022.

Sincerely,

  
Justin A. Williams  
Environmental Specialist II  
Division of Surface Water

/jlm

Enclosure

ec: NOV Tracking

Get New  
Data

Get Detail  
for Selected  
Permit

### MORs not submitted

Period: Jan-12 Jun-12

| County   | Permit # | Facility Name                               | Major | Station Code | Month Missing |
|----------|----------|---|-------|--------------|---------------|
| Auglaize | 21N00173 | BPI Energy Services LLC- Minster Bulk Plant |       | 1            | 4/1/2012      |