

 SOUTHWEST OHIO
AIR QUALITY AGENCY

NON-TPV

4/8/2013

Certified Mail

Terry Harris
SunCoke Energy, Inc.
3353 Yankee Road
Middletown, OH 45044

Re: NOTICE OF VIOLATION -
Facility ID: 1409011031
Location: 3353 Yankee Road
Middletown, OH 45044
Butler County

Dear Mr. Harris:

The Southwest Ohio Air Quality Agency (Agency) has reviewed the 2012 Fourth Quarter Excess Emissions report. Based on the review, the summary of that report indicates that emissions unit P901 had SO₂ CEM downtime in excess of five percent of the sources total operating time for that quarter. The actual percent of monitor downtime was 8.24%. Additionally, based on the review, the summary of that report indicates that emissions unit P901 had Mercury Sampling system downtime in excess of five percent of the total operating time for that quarter. The actual percent of that system downtime was 17.84%.

These exceedances constitute violations of the terms and conditions of PTI P0104768 (issued on February 9, 2010). The violations identified above also constitute a violation of ORC 3704.05(C).

Please submit to this office, within 30 days of receipt of this letter, a plan and schedule for achieving compliance. Submit this plan to the attention of Mike Ploetz. This letter or information pursuant to this letter does not constitute a waiver of the Ohio Environmental Protection Agency's (EPA) authority to seek civil penalties as provided in Section 3704.06 of the Ohio Revised Code. Ohio EPA will determine later whether to pursue such penalties in this case.

These violations identified also constitute violations of City of Middletown Health Department rules. City of Middletown Health Department air pollution rules are enforced by the Southwest Ohio Air Quality Agency.

If you have any questions, please contact me at 513-946-7752.

Sincerely,

A handwritten signature in black ink that reads "Mike Ploetz". The signature is written in a cursive style with a large, looping "P" at the end.

Mike Ploetz
Southwest Ohio Air Quality Agency

cc: Bruce Weinberg, Central Office, Ohio EPA
Brian Dickens, Region 5 U.S. EPA