



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

8/28/2013

Certified Mail

Christian Gardner
Nickles Bakery of Ohio, Inc.
26 N Main Street
Navarre, OH 44662

RE: **NOTICE OF VIOLATION TITLE V PERMIT EXPIRATION**
Facility: 0302020306
Nickles Bakery of Ohio, Inc.
1950 North Sugar St.
Lima, OH 45801

Permit Number: P0086712
Expiration Date: 2/13/2014

Dear Mr. Gardner,

This letter serves as a Notice of Violation to you for the violation of Ohio Administrative Code (OAC) Rule 3745-77-04(E) associated with the facility ("Permittee") identified above. Specifically, the Permittee did not submit an application to renew its Title V permit to Ohio Environmental Protection Agency (EPA) 180 days prior to the permit expiration date (i.e., by 7/5/2012), in violation of OAC Rule 3745-77-04(E) and Ohio Revised Code (ORC) 3704.05(J)(2).

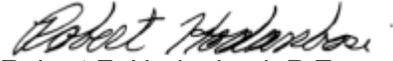
This failure to submit a complete and timely application, as defined by OAC Rules 3745-77-04(H) and 3745-77-05, has resulted in the loss of the "application shield" provided by OAC Rule 3745-77-06(A) for this facility. Therefore, continued operation of this facility after the expiration date of the Title V permit, without a valid Title V renewal permit being issued by the Director, will be a violation of OAC Rule 3745-77-02(A) and ORC 3704.05(J)(2) and (K). Be advised that submission of a Title V permit renewal application, less than 180 days prior to the current Title V permit expiration date, does not reinstate the "application shield" provided by OAC Rule 3745-77-06(A) for this facility.

The submission of the requested permit renewal application does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in ORC 3704.06. This matter has been submitted to Ohio EPA's Central Office enforcement committee for resolution of the violations of State law and for a determination of whether or not civil penalties are appropriate.

If you have any questions or concerns regarding this matter, please contact John Paulian, Ohio EPA, Division of Air Pollution Control, at (614) 644-4832.

Your prompt attention to this matter will be appreciated.

Sincerely,



Robert F. Hodanbosi, P.E.
Chief Division of Air Pollution Control

xc: Bruce Weinberg, DAPC
John Paulian, DAPC
Drew Bergman, Legal Office
Brian Dickens, Region 5 U.S. EPA
Ohio EPA DAPC, Northwest District Office