

NON-HPV

**SOUTHWEST OHIO
AIR QUALITY AGENCY**

August 28, 2013

Certified Mail

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

Re: NOTICE OF VIOLATION -
Facility ID: 1409011031, Emissions unit P901
SunCoke Energy Middletown Operations
Location: 3353 Yankee Road,
Middletown, OH 45042
Butler County

Dear Mr. Terry Harris:

SunCoke Energy Middletown Operations (MTO) submitted a Semi-Annual Monitoring, Recordkeeping and Reporting Deviation Report dated July 29, 2013 that revealed a deviation from the requirements of PTI P0104768. Specifically the facility's Main Stack rolling 12-month summation of H₂SO₄ emissions during SDA/BH bypass periods exceeded the limit of 5.49 tons per year at the end of May and June 2013 and will likely exceed the 12 month rolling summation limit for several more months not yet reported. The actual H₂SO₄ emissions were 5.69 tons as a result of Main Stack bypass venting incidents which occurred in October 2012 and May of 2013.

The violation identified above is a violation of the terms and conditions of PTI P0104768 issued on 2/9/10 and ORC 3704.05(c). This violation identified also constitutes a violation of City of Middletown Health Department rules. City of Middletown Health Department air pollution rules are enforced by the Southwest Ohio Air Quality Agency.

MTO identified in the Semi-Annual Monitoring, Recordkeeping, and Reporting Deviation Report a number of actions designed to ensure compliance with the terms and conditions of PTI P0104768. These corrective actions are considered acceptable to return to compliance and remain in compliance.

Acceptance by the Ohio EPA of a compliance plan and schedule does not constitute a waiver of the Ohio EPA's authority to seek civil penalties as provided in Section 3704.06 of the Revised Code. The determination to pursue or to decline to pursue such penalties in this case will be made by the Ohio EPA at a later date.

If you have any questions, please contact me at 513-946-7752 or e-mail at mike.ploetz@hamilton-co.org.

Sincerely,



Mike Ploetz
Southwest Ohio Air Quality Agency

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

