



Environmental
Protection Agency

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

5/25/2010

CERTIFIED MAIL

Kevin Gearig
DTR Industries Incorporated
320 Snider Road
Bluffton, OH 45817

RE: **NOTICE OF VIOLATION TITLE V PERMIT EXPIRATION**

Facility: 0302000166
DTR Industries Incorporated
320 Snider Road
Bluffton, OH 45817
Permit Number: P0086612
Expiration Date: 02/11/2009

Dear Steve Williams,

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 EPA 180 days prior to the permit expiration date (i.e., by 08/15/2008), 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 to pursue civil penalties.

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,

A handwritten signature in cursive script, appearing to read "Robert F. Hodanbosi".

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

xc: Jim Orlemann, DAPC
Tom Kalman, DAPC
John Paulian, DAPC
Bryan Zima, Legal Office
Ohio EPA DAPC, Northwest District Office

Kevin Gearig
DTR Industries Incorporated
320 Snider Road
Bluffton, OH 45817
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