



Environmental
Protection Agency

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

CERTIFIED MAIL # 91 7108 2133 3832 1833 4783

September 20, 2011

Bruce Bailey
Vice President of Technical Affairs
Quasar Energy Group
7624 Riverview Road
Cleveland, OH 44141

Re: **Notice of Violation** based upon the malfunction of odor control equipment on September 9, 2011, at the Quasar Energy Group, Columbus, Ohio, facility (Facility ID 0125044001)

Dear Mr. Bailey,

Ohio EPA Central District Office (CDO) inspector, Barbara Walker, visited the Quasar Energy Group, Columbus, Ohio, facility on Friday, September 9, 2011, in response to strong odors coming from the facility that were detected along Jackson Pike.

Listed below are "Findings" based upon CDO observations and conversations with facility personnel. The findings are followed by "Violation(s)" (if applicable) and "Requested Action(s)" necessary to address stated findings and violations.

1. **Finding:** Failure to report a malfunction

CDO personnel spoke with facility personnel and learned that a leak in the seal around a biofilter had been discovered earlier that morning. Facility personnel did not contact CDO to report the malfunction of the control equipment.

Violation:

Continued material handling and processing (part of P001) with a leak in the seal around the biofilter container is considered a violation of the terms and conditions of permit-to-install and operate (PTIO) P0103795 which requires:

"[O]peration of a biofilter to control emissions of odors from material handling and processing operations."

Failure to report a malfunction without notifying Ohio EPA is a violation of the terms and conditions of permit-to-install and operate (PTIO) P0103795 and Ohio Administrative Code (OAC) which states:

"In the event that any emission source, air pollution control equipment, or related facility breaks down in such a manner as to cause the emission of air contaminants in violation of any applicable law, the person responsible for such equipment shall immediately notify the Ohio environmental protection agency district office or delegate agency of such failure or breakdown."

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Violation of the terms and conditions of PTIO P0103795 is also considered a violation of Ohio Revised Code (ORC) 3704.05(C), which states:

"No person who is the holder of a permit ...shall violate any of its terms or conditions."

Requested Action

CDO received notification on the afternoon of Friday, September 9, 2011, that repairs to the seal around the biofilter were completed.

Additional Information

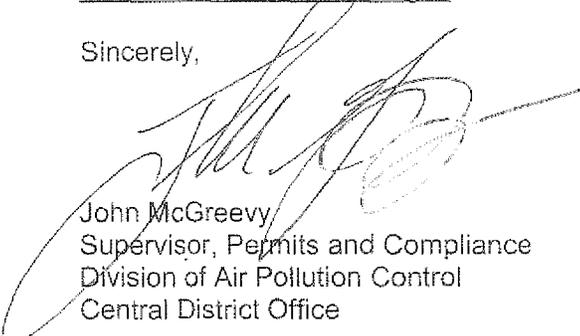
Please be aware that emissions of odors may be considered an air pollution nuisance under Ohio Administrative Code (OAC) Chapter 3745-15-07(A).

If at some time in the future this facility plans to install additional air contaminant sources or modify an existing air contaminant source, please contact Ohio EPA, Central District Office to obtain the appropriate forms and discuss the applicability of any rules in question. Ohio EPA endeavors to process all applications in an expeditious manner.

Please note that the Ohio EPA has the authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code (ORC). This letter or information pursuant to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in the ORC. The decision on whether or not to seek such penalties will be made by the Ohio EPA at a later date.

If you have any questions, please contact Barbara Walker of my staff at (614) 728-3805 or barbara.walker@epa.ohio.gov.

Sincerely,



John McGreevy
Supervisor, Permits and Compliance
Division of Air Pollution Control
Central District Office

c: Adam Ward, Manager, DAPC/CDO
Kelly Toth, DAPC/CDO
Barbara Walker, DAPC/CDO
John Paulian, DAPC/CO

e: John McGreevy, DAPC/CDO

Enclosures