

**HAMILTON COUNTY
ENVIRONMENTAL
SERVICES**

1/13/2012

Certified Mail

Daniel Fetrow
Miami University
Environmental Health & Safety Offices
55 Hughes Hall
Oxford, OH 45056

Re: NOTICE OF VIOLATION – MALFUNCTION REPORTING REQUIREMENT
Facility ID: 1409090081
Miami University
Location: Cole Service Building, Oxford Campus
Oxford, OH 45056
Butler County

Dear Daniel Fetrow:

On 12/7/2011, Hamilton County Department of Environmental Services (HCDOES) received a verbal notification from Miami University about a baghouse malfunction and related opacity exceedances on emissions unit B011 (Boiler #2) that occurred from 10:30 pm on 11/28/2011 until 5:42 am on 11/29/2011 (approximately 7.5 hours total). It was reported that the opacity exceedances were initially attributed to wet coal until it was discovered that bags had failed inside the baghouse. It is our understanding, based on the notification, that the damaged module of the baghouse was isolated on 11/29/2011 and that the remaining modules of the baghouse are functioning normally with no further opacity exceedances.

In accordance with Ohio Administrative Code (OAC) rule 3745-15-06(B)(1), malfunctions shall be reported as follows:

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.

Please be advised that the seven day delay in reporting this malfunction is a violation of the terms and conditions of the Title V Operating Permit for Miami University and OAC rule 3745-15-06. The violation identified also constitutes a violation of Butler County Health Department rules. Butler County Health Department air pollution rules are enforced by HCDOES.

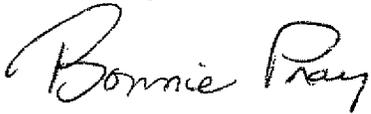
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In order to address this violation, our agency is requesting that Miami University submit a compliance plan and schedule, **within 15 days of receipt of this letter**, which outlines actions that have been taken and/or will be taken to prevent this situation from recurring. Such plan should also include operator procedures that have been or will be implemented to promptly address bag leak detection system alarms on the new baghouses for Boilers #1, 2, and 3. Please submit this plan to the attention of Bonnie Pray.

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 513-946-7739 or Email at bonnie.pray@hamilton-co.org.

Sincerely,

A handwritten signature in cursive script that reads "Bonnie Pray".

Bonnie Pray
Hamilton County Department of Environmental Services

cc: Tom Kalman, Central Office, Ohio EPA
William MacDowell, Region 5 U.S. EPA