

**SOUTHWEST OHIO  
AIR QUALITY AGENCY**

January 31, 2012

**Certified Mail - Return Receipt Requested**

Dan Siler  
Mill Creek WWTP  
1600 Gest Street  
Cincinnati, Ohio 45204-2096

**RE: NOTICE OF VIOLATION - Compliance Test Not Completed in Accordance with September 30, 2005 National Stack Testing Guidance issued by USPEA.**

Facility ID: 1431070944  
Facility Name: Mill Creek WWTP  
Location: 1600 Gest Street,  
Cincinnati, OH 45204-2096  
County: Hamilton

Dear Mr. Siler:

On September 14, 2010, a stack test to demonstrate compliance with the lbs per hour SO<sub>2</sub> emission limitation established in Permit to Install 14-05837 was conducted at MSD's Millcreek WWTP for emission unit N008-Fluidized Bed Sludge Incinerator. During the second and third runs of the stack test, the testing was halted when high concentrations of SO<sub>2</sub> were noted. As specified in section VII.6 of the September 30th 2005 National Stack Testing Guidance issued by USPEA, the stoppage of a stack test in this manner is considered a violation of both the requirement to conduct the stack test and the underlying regulatory requirement (lbs SO<sub>2</sub>/hr emission limitation). Failure to complete the stack testing and demonstrate compliance with the lbs/hr SO<sub>2</sub> emission limitation is a violation of PTI 14-5837 and Ohio Revised Code (ORC) 3704.05(C).

In order to address these compliance deficiencies, please submit a compliance plan and schedule with specific milestone dates to demonstrate compliance with the lbs SO<sub>2</sub> hour emission limitation established in PTI 14-05837 for emissions unit N008. Please submit this plan to the attention of John Barlage by no later than February 17, 2012.

Acceptance by the OhioEPA of a compliance plan and schedule does not constitute a waiver of the OhioEPA'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 OhioEPA at a later date.

If you have any questions, please contact me at 513-946-7727 or e-mail at [michael.kramer@hamilton-co.org](mailto:michael.kramer@hamilton-co.org).

