



State of Ohio Environmental Protection Agency

Northeast District Office

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Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

August 21, 2007

RE: **NOTICE OF VIOLATION  
FOR OPACITY VIOLATIONS  
YOUNGSTOWN WASTEWATER  
TREATMENT FACILITY  
DAPC FACILITY ID # 02 50 11 0501**

**CERTIFIED MAIL**

Mr. Tom Mirante  
Youngstown Wastewater Treatment Facility  
725 Poland Ave.  
Youngstown, OH 44502

Dear Mr. Mirante:

On August 1, 2007, an inspection of Youngstown Wastewater Treatment Facility (YWWTF) was conducted to determine compliance with the facility's Title V permit and Ohio's air pollution control laws. As part of the inspection, the two incinerators (N001 and N002) and the insignificant units were observed. The emissions units are required to have a Title V permit in accordance with Ohio Administrative Code (OAC) rule 3745-77-02, "Title V Permit Rules - Prohibition and Applicability," and Title V inspections are authorized under OAC rule 3745-77-07(C)(2). The purpose of this letter is to provide a written follow-up to the inspection. This letter also serves to notify you that during the inspection, YWWTF was operating in violation of the terms and conditions of its Title V operating permit as well as OAC rule 3745-17-07(A) and Ohio Revised Code (ORC) 3704.05(J).

John Scrip of the Mahoning-Trumbull Air Pollution Control Agency (MTAPCA) conducted a method nine opacity observation of the visible emissions from the incinerator stack during the inspection. The observation was documented for a duration of thirty (30) minutes, from 1:15 p.m. until 1:45 p.m., and a copy of the observation form is attached. During this period, visible emissions were documented and recorded that ranged from 5% to 40% opacity. The highest six-minute average for this period was 29.8% opacity. This is a violation of your Title V permit issued 2/29/00 and OAC rule 3745-17-07(A), which states, "Except as otherwise specified in paragraphs (A)(1)(b), (A)(2) and (A)(3) of this rule, visible particulate emissions from any stack shall not exceed twenty per cent opacity, as a six-minute average." This is also a violation of ORC 3704.05(J)(2), which states, "No person shall...violate any applicable requirement of a Title V permit or any permit condition..."

Incinerator number 2 was operating at the time of the violation, and the control device parameters were within the permitted ranges. The incinerator operator indicated that the incinerator was experiencing a "burn out" situation, where it was burning too hot due to the type of waste that was being fed. In order to correct the opacity and bring the incinerator hearth temperatures down to a normal operating range, the operator made adjustments to the burner temperatures along with other corrective measures.

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Please note that OAC rule 3745-15-06(B) states the following, "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." Failure to notify our office of a malfunction is a violation of this rule. YWWTF has installed a stack monitoring camera so the operators can monitor the color of the emissions from the incinerator and take immediate action to correct any operating problems. However, each instance of unusual emissions should be documented, reported and analyzed so that future occurrences can be prevented.

Please provide a written explanation of the malfunction and resulting opacity violations, including the corrective measures taken to prevent similar occurrences in the future. This information should be submitted **within 14 days** of receipt of this letter.

Also, the monthly reports for mercury emissions have not been received since September 2005. These reports are required by section A.V.1.c of the Title V permit, and are required to be submitted within 30 days of completion of the sludge analysis for mercury, which is calculated daily. Please submit the missing reports **within 14 days** of receipt of this letter.

The submission of the above information does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in Section 3704.06 of the Ohio Revised Code. The determination to pursue or decline such penalties in this case will be made by the Ohio EPA at a later date. Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. Failure to respond within the specified time frame can result in further enforcement action, up to and including a referral to Ohio EPA's Central Office.

Should you have any questions regarding this matter, please feel free to contact me at (330) 963-1261.

Sincerely,



Jana L. Gannon  
Environmental Specialist  
Division of Air Pollution Control

JLG:bo

enclosure

cc: Tom Kalman, Ohio EPA, DAPC, CO  
Lisa Holscher, U.S. EPA, Region 5  
Bob Princic, Ohio EPA, DAPC, NEDO  
John Scrip, Mahoning-Trumbull Air Pollution Control Agency

ec: Dennis Bush, Ohio EPA, DAPC, NEDO  
Ed Fasko, Ohio EPA, DAPC, NEDO