



State of Ohio Environmental Protection Agency

Northeast District Office

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

August 18, 2008

CERTIFIED MAIL

Mr. Richard Burns
Youngstown Thermal
205 North Ave.
Youngstown, OH 44502

RE: CERTIFIED WARNING LETTER FOR SECOND QUARTER 2008 EXCESS
EMISSIONS REPORT
YOUNGSTOWN THERMAL
DAPC FACILITY ID # 02 50 11 0024

Dear Mr. Burns:

This letter is being sent in response to the second quarter 2008 Excess Emission Report that was submitted by Youngstown Thermal and received by this office on July 28, 2008. As part of the review of these reports, our office determines the percent of downtime for the continuous opacity monitoring systems (COMs). During the second quarter of 2008, emissions unit B002 experienced an excessive period of time when the boiler's COM was not operational while the emissions unit was operational. This is a violation of the Title V permit issued February 16, 2007, 40 CFR Part 60, §60.13(e), and 40 CFR Part 64, §64.7(c).

Specifically, section A.III.3 of the Title V permit for B002 states that "the permittee shall operate and maintain the continuous opacity monitoring system to continuously monitor and record the opacity of the particulate emissions from this emissions unit." Similarly, 40 CFR Part 60, §60.13(e) states "all continuous monitoring systems shall be in continuous operation and shall meet minimum frequency of operation requirements..." Finally, as part of the Compliance Assurance Monitoring rule contained in 40 CFR Part 64, §64.7(c) states that "the owner or operator shall conduct all monitoring in continuous operation...at all times that the pollutant-specific emissions unit is operating."

According to the second quarter 2008 Excess Emission Report, the COM for B002 stopped operating at 11 p.m. on April 15, 2008, and remained inoperational until 9 a.m. on April 16, 2008. During this ten-hour period, the boiler continued operation without a COM. This period of time that the boiler operated without opacity monitoring equals 6.3% of the total operation time of the boiler for the quarter, and is considered excessive by our office.

As discussed with Dan Coyne, a written explanation of the incident is required per 40 CFR 60.7(c), and shall contain the following information:

- (1) The magnitude of excess emissions computed in accordance with section 60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.

MR. RICHARD BURNS
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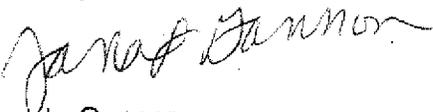
- (2) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.
- (3) The date and time identifying each period during which the continuous monitoring system was operative except for zero and span checks and the nature of the system repairs or adjustments.
- (4) When no excess emissions have occurred or the continuous monitoring system(s) have not been operative, repaired, or adjusted, such information shall be stated in the report.

Please provide the above-described written explanation of the downtime on April 15 and 16, 2008, 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.

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

cc: ~~Tom Kalman, Ohio EPA, DAPC, CO~~ *Todd Brown, DAPC-CO*
~~Lisa Holscher, U.S. EPA, Region 5~~
Bob Prinic, Ohio EPA, DAPC, NEDO

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